

EdenAreaROP
Governing Board
Meeting Agenda



26316 Hesperian Blvd. Hayward, CA



(510) 293-2971



www.edenrop.org



THURSDAY,
OCTOBER 8, 2026



5:45 PM



MISSION:

The mission of the Eden Area ROP is to build a foundation for students that prepare them academically, technically, and professionally to meet challenging opportunities of the 21st Century with confidence and purpose.



VISION:

Our vision is to embody our Core Values, leveraging our trained skills and knowledge to become visionary leaders in our careers and inspire social and economic growth in our communities.



CORE VALUES:

We believe in the Eden Area ROP!



Equitable



Accessible



Restorative



Outcomes



Professional

GOVERNING BOARD MEMBERS



Juan Campos, President

San Lorenzo Unified School District



Dolly Adams, Vice President

Castro Valley Unified School District



Zachary Borja, Member

San Leandro Unified School District



Austin Bruckner Carrillo, Member

Hayward Unified School District

STUDENT BOARD MEMBERS



Abbigail Jones

Eden Area ROP (AM)



Kaylie Vazquez Trejo

Eden Area ROP (PM)



Regular Meeting of the ROP Governing Board

Date: **Thursday, October 8, 2026**
Time: 5:45 p.m.
In-Person (limited seating): Eden Area ROP Board Room (Building A), 26316 Hesperian Blvd., Hayward, CA 94545
Virtual via Zoom: <https://zoom.us/j/99260652948>

Public Comment Instructions:

The Board respects and encourages the public to comment on matters on the Board agenda and within the Board's jurisdiction. The Board fully supports civil discourse and requests that everyone respect each other and their point of view. We strive to model respectful communication for our students in all of our interactions. According to the Brown Act, the Board may not comment or take action on items not on the agenda. This meeting is being recorded to prepare the official minutes.

When it is time for speakers to address the Board, your name will be called, and you will then be unmuted (if attending virtually) or asked to come to the podium (if attending in-person) and allowed to make public comments. Individual speakers are asked to limit their comments to no more than three (3) minutes, unless the Board decides otherwise.

Once called on, speakers are requested to begin by stating their name, and whether the statement is being made as an individual or as a representative of an organization.

Public Comment if attending in-person:

Individuals who would like to address the Board in person must complete a "Request to Address ROP Governing Board" card, available at the entrance to the meeting room, and submit it to the Governing Board's President prior to the start of the agenda item. Once called on, speakers are requested to go to the podium.

Public Comment if attending via Zoom (video or phone):

- **By video conference:** Use the "Raise Hand" button to request to speak when Public Comment is being taken on the eligible agenda item. Instructions on how to "Raise Your Hand" are available at: <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>. Speakers via Zoom should also ensure that your name matches your Zoom profile name. You will be unmuted during your turn and re-muted once your comment is complete.
- **By phone:** You will be prompted to "Raise Your Hand" by pressing *9 to request to speak when Public Comment is being taken on the eligible agenda item. Instructions on how to "Raise Your Hand" by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone>. You will be unmuted during your turn and re-muted once your comment is complete.

AGENDA

Welcome to the Eden Area Regional Occupational Program Governing Board Meeting. The purpose of the meeting is to consider matters of policy and business necessary for the operation of the Regional Occupational Program.

Any member of the audience may speak on any agenda item by following this process, or upon recognition by the President, by identifying themselves and their organizational affiliation prior to any action taken by the Governing Board. Such presentations may be limited. If there is a desire to address the Board on a matter relating to the Eden Area ROP that does not appear on the agenda, this may be done during the "Public Comment" section.

State law prohibits the ROP Governing Board from taking any action on or discussing items that are not on the posted agenda except to A) briefly respond to statements made or questions posed by the public in attendance; B) ask questions for clarification; C) provide a reference to a staff member or other resource for factual information in response to the inquiry; or D) ask a staff member to report back on the matter at the next meeting and/or place it on a future agenda. (Government Code Section 54954.2 (a))

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This meeting is being recorded. These recordings are maintained by the Eden Area ROP for 30 days and are available for review to the public upon request.

I. Call to Order

II. Roll Call

III. Approval of Agenda

IV. Vision Statement

V. Mission Statement

VI. Core Values

VII. Public Comment for Agenda items and matters that are related to the Eden Area ROP

(According to the Brown Act, the Board may not comment or take action on items not on the agenda.)

The Board welcomes and encourages public comment on items listed on the agenda or within the Board's jurisdiction. We ask that all speakers engage respectfully and honor one another's points of view.

Public Comment Instructions

When it is your turn to speak:

- Your name will be called.
- You will either be unmuted (if joining virtually or by phone) or asked to come forward (if attending in person).
- Please begin by stating your name and whether you are speaking as an individual or on behalf of an organization.
- Each speaker is allowed up to three (3) minutes, unless the Board decides otherwise.
- This meeting is recorded for the official minutes.

If You Are Attending in Person

- Fill out a **"Request to Address Eden Area ROP Governing Board" card** at the entrance.
- Turn it in to the Governing Board President before the agenda item begins.
- When called, please come to the podium to make your comment.

If You Are Joining by Zoom (Computer or Device)

- Use the **"Raise Hand" feature** under "Participants" when the item you wish to comment on is called.
- Please ensure that your name matches your Zoom profile name.
- After your comment, your microphone will be muted again.

If You Are Joining by Phone through Zoom

- Press ***9** on your phone keypad to "Raise Your Hand" when the agenda item is called.
- You will be unmuted when it is your turn to speak.
- After your time has ended, your line will be re-muted.

VIII. Student of the Month

- A. Presentation of ROP Student of the Month Awards (page 6)

IX. Student Board Member Reports

X. Consent Calendar

Action by the Eden Area ROP Governing Board of the Eden Area Regional Occupational Program means that all items listed under the Consent Calendar are adopted by one single motion, unless a member of the Governing Board, the Superintendent, or a member of the public requests that any such item be removed from the Consent Calendar and voted upon separately.

- A. Request the Governing Board approve the Minutes of the Regular Governing Board Meeting of September 3, 2026 (pages 8-18)
- B. Request the Governing Board approve the Bill Warrants (pages 19-26)
- C. Request the Governing Board approve the Personnel Action Items (pages 27-28)
- D. Request the Governing Board approve the Quarterly Report on Williams Act Complaints and Resolutions (pages 29-30)
- E. Request the Governing Board approve the Listed Donation-Anonymous Donor (page 31)
- F. Request the Governing Board approve the Listed Donation-Phoenix Day Inc. (page 32)
- G. Request the Governing Board approve the Receipt of the Workability I Program Funds (pages 33-36)
- H. Request the Governing Board approve the Agreement with the Fresno County Office of Education (FCOE) for Direct Support Professional Training for the 2026-2027 School Year (pages 37-47)
- I. Request the Governing Board approve the Contract with Chabot-Las Positas Community College District for the Coordination of Work-Based Learning Services for Pathway Programs for the 2026-2027 School Year (pages 48-49)
- J. Request the Governing Board approve the MOU with the Alameda County Office of Education (ACOE) to Participate in the ACOE Clear Path for Advancement in Leadership (CPAL) Program for the 2026-2027 and 2027-2028 School Years (pages 50-54)

XI. Information Items

- A. ROP Pathway Review-Education (pages 56-57)
- B. ROP Pathway Review-Information Support and Services (pages 58-59)
- C. Back to School Night (page 60)
- D. First Reading of Governing Board Policies, Administrative Regulations, Exhibits and Board Bylaw (pages 61-174)

XII. Communications

- A. Letter from the Alameda County Office of Education regarding the Adopted Budget (page 176)

XIII. Superintendent's Report

XIV. Governing Board Reports

XV. Recess to Closed Session

- A. Conference with Legal Counsel-Anticipated Litigation
Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3)
- B. Public Employee Performance Evaluation
Government Code 54957
Title: Superintendent
- C. Conference with Labor Negotiators
Government Code 54957.6
Eden Area ROP-Designated Representative: Blaine Torpey, Superintendent
Unrepresented Employee(s): All positions

XVI. Reconvene to Open Session and Report Action Taken in Closed Session

- A. Conference with Legal Counsel-Anticipated Litigation
Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3)
- B. Public Employee Performance Evaluation
Government Code 54957
Title: Superintendent
- C. Conference with Labor Negotiators
Government Code 54957.6
Eden Area ROP-Designated Representative: Blaine Torpey, Superintendent
Unrepresented Employee(s): All positions

XVII. Adjournment

STUDENT OF THE MONTH



DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: Presentation of ROP Student of the Month Awards

BACKGROUND

The Eden Area ROP has developed a student recognition program to acknowledge outstanding efforts and achievements of our students.

CURRENT SITUATION

The student recognition program has proven to be a successful, motivational tool in the classroom, among the staff and the students of the Eden Area ROP.

The following students were selected as ROP students of the month for October:

STUDENT NAME	HIGH SCHOOL	ROP PROGRAM	INSTRUCTOR
Yesenia Isabel Delgado	San Lorenzo	Careers in Education	Emery
Britanny Ortiz	Mt. Eden	Dental Assisting	Barrot
Krishavi Lala	Castro Valley	Cybsersecurity	Kang

RECOMMENDATION

Information only

CONSENT CALENDAR



Minutes of the Regular Meeting of the ROP Governing Board September 3, 2026

I. Call to Order

Trustee Dolly Adams, Vice President, called the meeting to order at 5:49 pm on Thursday, September 3, 2026, in the Boardroom at the Eden Area Regional Occupational Program located at 26316 Hesperian Blvd., Hayward, CA 94545. Trustee Zachary Borja participated remotely. Trustee Juan Campos, President, was anticipated to arrive late. With two Trustees participating in person and one Trustee participating remotely, a quorum was not established. The Board proceeded with informational items while awaiting the arrival of the Board President and establishment of a quorum. No action was taken during this portion of the meeting.

II. Roll Call

Roll call was conducted. A quorum was not present at the time of call to order.

Eden Area ROP Governing Board Members Present:

Juan Campos, President	San Lorenzo USD	arrived at 6:22 pm
Dolly Adams, Vice President	Castro Valley USD	
Austin Bruckner Carrillo, Member	Hayward USD	
Zachary Borja, Member	San Leandro USD	attended via Zoom

Eden Area ROP Student Board Members Present:

Abbigail Jones, Member	Eden Area ROP	
Kaylie Vazquez Trejo, Member	Eden Area ROP	arrived at 6:00 pm

Eden Area ROP Superintendent/Clerk of the Board Present:

Blaine Torpey

Eden Area ROP Administrators Present:

Allison Crawford	Middle College Site Administrator
Mercedes Henderson	Human Resources Administrator
Craig Lang	Director of Adult Programs and Apprenticeships
Anthony Oum	Fiscal Services Administrator
Michelle Stephens	Assistant Principal

Eden Area ROP Staff Present:

Gabriela Juarez	Executive Assistant
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Pre-Quorum Agenda Items

The Board proceeded with the Vision Statement, Mission Statement, Core Values, Public Comment, Student Board Member Reports, and Information Items while awaiting the arrival of the Board President.

III. Vision Statement

Blaine Torpey read the Eden Area ROP Vision Statement.

IV. Mission Statement

Abbigail Jones read the Eden Area ROP Mission Statement.

V. Core Values

Blaine Torpey read the Eden Area ROP Core Values.

VI. Public Comment for Agenda items and matters that are related to the Eden Area ROP

None.

VII. Student Board Member Reports

Abbigail Jones, Student Board Member, reported on highlights from the morning classes at the Eden Area ROP. Medical Careers students were engaged in hands-on work with vital signs and class procedures. Dental Assisting students were practicing dental X-ray procedures and working to correctly organize X-rays within three minutes. First Responder (Fire Science/EMT) students completed CPR and first aid training and began working with personal protective equipment and physical conditioning.

Culinary Science students completed sanitation and safety training and began working in the kitchen, with food handler certification upcoming. Zero-Emission Vehicle Technology students completed CPR and burn training and were working with electricity and conducting related research. Cybersecurity students were working with mobile operating systems and cybersecurity measures, with computer systems to be covered the following week. Construction Technology students were completing micro and macro projects, including building miniature structures. Careers in Education students completed classroom design projects identifying required safety equipment and were working on appropriate attire for internships.

Auto Collision & Refinishing students completed metal and filler repair, while second-year students were learning to fabricate frame ramps. Automotive Technology students were learning to complete repair orders and perform vehicle alignments. Careers in Law, Forensics, & Public Safety students completed military drills and related procedures and were preparing to begin coursework involving case studies. Welding Technology students completed safety protocols and were working with cylinders and reviewing machine manuals.

VIII. Information Items

A. Opening of School for the 2026-2027 School Year

Michelle Stephens, Assistant Principal, provided an overview of the opening of the 2026-2027 school year. She reported that the Eden Area ROP had a strong start to the school year and highlighted increased social media engagement. Social media analytics showed more than 53,000 views, with approximately 93 percent of views coming from non-followers. At the time of the presentation, total views had increased to approximately 59,000.

Mrs. Stephens reported that enrollment at the beginning of the school year was 879 students prior to adds and drops, compared with 816 students in 2025-2026 and 748 students in 2024-2025. Following adds and drops, current enrollment was approximately 747 students. All students on the waiting lists had been offered available spaces, and all waitlists had been confirmed or declined. Available spaces remained in Medical Careers, Welding, Cybersecurity, Careers in Law, Automotive Technology, Culinary Science, and Zero-Emission Vehicle Technology. Staff continued to work with partner district counselors to fill available spaces as quickly as possible.

Mrs. Stephens shared photographs highlighting the opening of several programs, including Medical Careers, Construction Technology, Cybersecurity, Careers in Law, Welding, First Responders, and Automotive Technology. She also highlighted the staff and support team who assisted students during the first days of school. Staff members were stationed throughout the campus to help students, particularly first-year students, navigate to their classrooms and programs as they arrived.

B. Eden Area ROP Center Enrollment Snapshot and Waitlist Update

Blaine Torpey, Superintendent, presented the Eden Area ROP Center Enrollment Snapshot and Waitlist update in response to the Board's request. The August 11, 2026, snapshot included enrollment allocations, center enrollment, and waitlist information by partner district and high school.

Superintendent Torpey explained that enrollment changes daily as students change pathways, switch between AM and PM sessions, or decide not to participate. With 775 available seats, the Eden Area ROP initially enrolls above capacity to account for these changes and continues working with partner districts and counselors to fill available spaces.

He explained that the annual enrollment figure is based on the CBEDS census day enrollment in October. The Board requested an update following the October 1 census, including a comparison with the prior year's enrollment and an updated waitlist.

Discussion also addressed students who are near the threshold for meeting district graduation requirements and the role of credit recovery in supporting their eligibility to participate in the Eden Area ROP. Superintendent Torpey noted that students who are not on track to graduate are not eligible to participate and that eligibility may vary by district graduation requirements. He also noted that the elimination of the HPN grant resulted in the loss of a credit recovery teacher who had supported HUSD students at the Eden Area ROP.

An update was provided on the waitlists. Hayward Unified School District had offered available spaces to students on its waitlist, with two students still considering available options. San Leandro Unified School District had two students who had not yet been accommodated and two additional students pending counselor confirmation. No waitlist remained for Castro Valley Unified School District.

C. Strategic Planning Workshop

Blaine Torpey, Superintendent, introduced James Hayes of Sage Education and Consulting, who led a workshop as part of the Eden Area ROP's five-year strategic planning process. Mr. Hayes reviewed the progress made since July, including document review, leadership team input, and staff feedback. He explained that the information gathered to date was being used to develop a preliminary needs assessment and identify areas for further review.

Mr. Hayes reviewed six preliminary planning areas and facilitated activities designed to gather the Board's input regarding areas to protect, prioritize, guide, and broaden as part of the strategic planning process. Board members identified increasing program capacity and reducing waitlists as significant areas for consideration, while recognizing the need to consider staffing, facilities, funding, and workforce demand. Other topics discussed included maintaining hands-on learning, strengthening communication with partner districts and school counselors, expanding work-based learning and internship opportunities, protecting relationships among students and staff, and maintaining a welcoming and inclusive environment.

The Board also provided input regarding additional voices and information to include in the needs assessment. Suggestions included building trades and industry partners, former and current Board members from partner districts, students and staff, and community representatives. Student Board Members provided additional input regarding student engagement, student experiences, and methods for gathering meaningful student feedback.

Mr. Hayes explained that the Board's input would be incorporated into the preliminary needs assessment, with additional input to be gathered from students, adult learners, families, alumni, employers, industry partners, and other identified groups. The Board requested periodic updates regarding the individuals and groups included in the outreach process and the progress of the strategic planning process. The final strategic plan is anticipated to be completed by June 2027.

Quorum Established and Remote Participation

At 6:22 p.m., Board President Juan Campos arrived, establishing a quorum and presiding over the remainder of the meeting. At the conclusion of Information Item C, Board President Campos read the following statement regarding Trustee Zachary Borja's remote participation:

"Before we proceed, I want to note that Trustee Zachary Borja has requested to participate remotely in tonight's meeting pursuant to Government Code section 54953.8.3.

Trustee Zachary Borja notified the Board at the earliest opportunity of the need to participate remotely for just cause and has provided a general description of the circumstances. The basis for just cause is Government Code section 54953.8.3(c)(2), a contagious illness that prevents the member from attending in person.

A quorum of the Board is participating in person from the meeting location identified on the agenda, which is open to the public and within the jurisdiction of the Board. Trustee Zachary Borja is participating through both audio and visual technology.

Trustee Zachary Borja before we take any action, please confirm that we can hear and see you, and please make the disclosure required by Government Code section 54953.8."

Trustee Zachary Borja responded:

"Yes, I can hear and see the proceedings, and I am participating by both audio and video. There are no other individuals 18 years of age or older present in the room with me."

The Board then proceeded with Information Item D before proceeding with the Approval of Agenda, Consent Items, and Action Items. Following the Action Items, the meeting proceeded in the order reflected on the meeting agenda.

D. Eden Area ROP Service Awards

Blaine Torpey, Superintendent, highlighted the employees recognized and honored for their commitment and service to the Eden Area ROP. He shared that service awards are presented annually to recognize staff for their years of service and dedication to the organization. Staff were recognized at the professional development meeting held on August 11, 2026. Service awards were presented to Christopher Kwon (5 years),

Stephanie Mata-Castro (5 years), Manuschka Michaud (5 years), Amanda Rose (5 years), Byron Thompson (5 years), Frank Adamo (10 years), Michael O'Connell (10 years), Diana Rodriguez (10 years), Heather Bystrom (20 years), Craig Lang (20 years), Annette Senter (20 years), Jennifer Aguilar (25 years), and Francisco De Leon (30 years).

IX. Approval of Agenda

Trustee Dolly Adams moved to approve the agenda, Trustee Austin Bruckner Carrillo seconded the motion. By the following vote, the agenda was approved:

Board Member Vote:

AYES: 4 (Adams, Campos, Borja, Bruckner Carrillo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

Student Board Member Preferential Vote:

AYES: 2 (Jones, Vazquez Trejo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

X. Consent Calendar

As part of the Consent Calendar approval, Superintendent Blaine Torpey requested that Consent Calendar Item I, Request the Governing Board approve the MOU with Construction Trades Workforce Initiative (CTWI) to Develop an Eden Area ROP Multi-Craft Core Curriculum (MC3) Pre-Apprenticeship Program for the 2026-2027 and 2027-2028 School Years, be pulled for separate consideration and considered as Action Item G.

Trustee Austin Bruckner Carrillo moved to approve the Consent Calendar Items as amended, excluding Item I.

- A. Minutes of the Regular Governing Board Meeting of August 6, 2026
- B. Bill Warrants
- C. Personnel Action Items
- D. DECA Overnight Field Trips for the 2026-2027 School Year
- E. SkillsUSA Overnight Field Trips for the 2026-2027 School Year
- F. Agreement with Lozano Smith, LLP for Legal Services for the 2026-2027 School Year
- G. MOU with the Hayward Unified School District for Student Transportation for 2026-2027 School Year
- H. MOU with the San Lorenzo Unified School District for Student Transportation for 2026-2027 School Year
- I. ~~MOU with Construction Trades Workforce Initiative (CTWI) to Develop an Eden Area ROP Multi-Craft Core Curriculum (MC3) Pre-Apprenticeship Program for the 2026-2027 and 2027-2028 School Years~~
- J. MOU with the Public Health Institute/FACES for the Future Coalition for Health Career Training & Work-Based Learning, Academic Support, Wellness Services, and Youth Leadership Development for the 2026-2027 School Year

Trustee Zachary Borja seconded the motion. By the following vote, the Consent Calendar was approved as amended:

Board Member Vote:

AYES: 4 (Adams, Campos, Borja, Bruckner Carrillo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

Student Board Member Preferential Vote:

AYES: 2 (Jones, Vazquez Trejo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

XI. Action Items

A. Request the Governing Board approve the Fiscal Year 2025-2026 Unaudited Actuals Report

Upon review of and a motion by Trustee Dolly Adams and a second by Student Board Member Abigail Jones, the Governing Board approved the fiscal year 2025-2026 Unaudited Actuals Report.

Board Member Vote:

AYES: 4 (Adams, Campos, Borja, Bruckner Carrillo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

Student Board Member Preferential Vote:

AYES: 2 (Jones, Vazquez Trejo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

B. Request the Governing Board approve the adoption of Resolution 5-26/27: Celebrating and Recognizing National Hispanic Heritage Month September 15 to October 15

Upon review of and a motion by Trustee Dolly Adams and a second by Trustee Austin Bruckner Carrillo, the Governing Board approved the adoption of Resolution 5-26/27: Celebrating and Recognizing National Hispanic Heritage Month September 15 to October 15.

Board Member Vote:

AYES: 4 (Adams, Campos, Borja, Bruckner Carrillo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

Student Board Member Preferential Vote:

AYES: 2 (Jones, Vazquez Trejo)

NOES: 0
ABSTENTIONS: 0
ABSENT: 0

C. Request the Governing Board approve the Change Order Increase with Labor Solutions and KYA for Kay Avenue Parking Lot Repairs

Upon review of and a motion by Trustee Dolly Adams and a second by Trustee Zachary Borja, the Governing Board approved the change order increase with Labor Solutions and KYA for Kay Avenue parking lot repairs.

Board Member Vote:

AYES: 4 (Adams, Campos, Borja, Bruckner Carrillo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

Student Board Member Preferential Vote:

AYES: 2 (Jones, Vazquez Trejo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

D. Request the Governing Board approve the First Amendment to the Agreement with the Alameda County Workforce Development Board (ACWDB), Workforce Innovation and Opportunity Act (WIOA) Youth Innovation Program for Youth and Young Adult Workforce Development Services, and Student Training and Employment Program (STEP) for the 2026-2027 School Year

Upon review and a motion by Trustee Austin Bruckner Carrillo, with the condition that outreach be conducted as discussed, and a second by Trustee Dolly Adams, the Governing Board approved the First Amendment to the Agreement with the Alameda County Workforce Development Board (ACWDB), Workforce Innovation and Opportunity Act (WIOA) Youth Innovation Program for Youth and Young Adult Workforce Development Services, and Student Training and Employment Program (STEP) for the 2026-2027 School Year.

Board Member Vote:

AYES: 4 (Adams, Campos, Borja, Bruckner Carrillo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

Student Board Member Preferential Vote:

AYES: 2 (Jones, Vazquez Trejo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

E. Request the Governing Board approve the ongoing MOU with Early Care &

Education Pathways to Success (ECEPTS) for Careers in Education Youth Apprenticeship

Upon review of and a motion by Student Board Member Abigail Jones and a second by Trustee Dolly Adams, the Governing Board approved the ongoing MOU with Early Care & Education Pathways to Success (ECEPTS) for Careers in Education Youth Apprenticeship.

Board Member Vote:

AYES: 4 (Adams, Campos, Borja, Bruckner Carrillo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

Student Board Member Preferential Vote:

AYES: 1 (Jones)
NOES: 0
ABSTENTIONS: 0
ABSENT: 1 (Vazquez Trejo)

F. Request the Governing Board approve the Offer to Charter with San Jose Charter for Student Transportation for 2026-2027 School Year

Upon review of and a motion by Trustee Austin Bruckner Carrillo and a second by Trustee Dolly Adams, the Governing Board approved the Offer to Charter with San Jose Charter for Student Transportation for 2026-2027 School Year.

Board Member Vote:

AYES: 4 (Adams, Campos, Borja, Bruckner Carrillo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

Student Board Member Preferential Vote:

AYES: 1 (Jones)
NOES: 0
ABSTENTIONS: 0
ABSENT: 1 (Vazquez Trejo)

G. Request the Governing Board approve the MOU with Construction Trades Workforce Initiative (CTWI) to Develop an Eden Area ROP Multi-Craft Core Curriculum (MC3) Pre-Apprenticeship Program for the 2026-2027 and 2027-2028 School Years

Upon review of and a motion by Trustee Dolly Adams and a second by Student Board Member Abigail Jones, the Governing Board approved the MOU with Construction Trades Workforce Initiative (CTWI) to develop an Eden Area ROP Multi-Craft Core Curriculum (MC3) Pre-Apprenticeship Program for the 2026-2027 and 2027-2028 School Years.

Board Member Vote:

AYES: 4 (Adams, Campos, Borja, Bruckner Carrillo)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

Student Board Member Preferential Vote:

AYES: 1 (Jones)
NOES: 0
ABSTENTIONS: 0
ABSENT: 1 (Vazquez Trejo)

XII. Superintendent's Report

Blaine Torpey, Superintendent, reported on professional development activities held August 11 and 12, including staff service awards, community-building activities, and professional development focused on supporting English learners in Career Technical Education (CTE). He highlighted the development of an English Learner CTE guide for partner districts that connects English learner structures across K-12, community college, and adult education programs and helps identify entry points into CTE. He also reported on instructional strategies being developed with instructors to better support English learners in CTE classes.

He highlighted a student leadership example from the Automotive Technology program in which a second-year student provided a demonstration and recommendations for repairs on a staff member's vehicle, including repair options and pricing.

He reported that the consortium was preliminarily awarded \$4.3 million in Career Technical Incentive Grant (CTEIG) funding for 2026-2027, an increase of approximately \$1.8 million from the previous round. He also noted progress in social media engagement and strategic planning activities.

He discussed on potential expansion of dual enrollment opportunities in Marketing and Cybersecurity through a hybrid asynchronous model with Chabot College. He also reported on ongoing work to align grant budgets, develop 2026-2027 projections, and plan for approximately 18 active grants, each requiring separate budgeting and reporting.

He recognized the life and contributions of Irma Linda Renteria, a longtime Hayward community leader, business owner, and advocate for students. He noted her involvement with the Hayward Chamber of Commerce, Rotary, Alameda County Workforce Development Board, and other community organizations, and shared his appreciation for her support of students and career education.

He concluded the report by sharing the first edition of the year of the Garden Blossom newsletter.

XIII. Governing Board Reports

Trustee Zachary Borja, San Leandro Unified School District Board Representative, reported that San Leandro Unified School District had placed its Superintendent on leave and that the Assistant Superintendent of Educational Services was serving as Acting Superintendent. He noted that the Acting Superintendent has extensive experience with the district and had already connected with Superintendent Torpey. He also reported that the district had sworn in a new Board member, Paul Mueller, who has

experience in machine learning and manufacturing and an interest in the Eden Area ROP.

Trustee Dolly Adams, Castro Valley Unified School District Board Representative, reported that she was unable to attend the previous Board meeting due to election-related responsibilities. She noted that three Board seats in Areas 2, 3, and 4 were open for the upcoming election. She also reported on the start of the school year and her return to teaching at Hayward High School as a part-time teacher. She noted that Hayward High School has a new principal following Board approval of the appointment.

Trustee Austin Bruckner Carrillo, Hayward Unified School District Board Representative, reported that Hayward Unified School District had recently filled its Assistant Superintendent of Business Services position, resulting in a full cabinet for the first time in approximately six months. He noted that the district was continuing through a period of transition and was conducting a strategic planning process, with a new strategic plan targeted for completion by mid-November. He also reported that two Board seats were open in the Tennyson and Southgate areas and that the district had approved the lease for the Eden Area ROP.

Trustee Bruckner Carrillo also reported on a recent visit by the Governor to Schafer Park Elementary School and his participation in a coalition of 23 school board members from across Alameda County that sent a letter to the Alameda County Board of Supervisors regarding findings from a state audit of the County's Children and Family Services Department. He encouraged member districts to review the audit and consider bringing the matter to their governing boards, including potentially inviting a County Supervisor to present information to the Board.

Trustee Juan Campos, San Lorenzo Unified School District Board Representative, reported that the district held its annual back-to-school barbecue for staff and that the school year had begun smoothly. He reported that two Board seats had been open and that he did not run for reelection. He noted that Trustee Samuel Medina would remain in his seat and that Juliana Torres ran unopposed for the other open seat. He reported that Ms. Torres attended the district's Board retreat and was introduced to the Board, noting that her participation would provide a valuable learning experience as she begins representing the community.

XIV. Recess to Closed Session

The meeting was called into closed session at 8:35 pm.

**A. Conference with Legal Counsel-Anticipated Litigation
Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3)**

XV. Reconvene to Open Session and Report any Action taken in Closed Session

The meeting resumed to open session at 8:57 pm.

**A. Conference with Legal Counsel-Anticipated Litigation
Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3)**

Board President, Juan Campos, reported that no action was taken.

XVI. Adjournment

The meeting was adjourned at 8:59 pm in memory of :

- Linda Renteria, Chief Operating Officer of Casa Sanchez & Community Leader in Hayward
- Ginger Hamilton, dear friend of Eden Area ROP Superintendent, Blaine Torpey

Approved by the Eden Area ROP Governing Board _____.

Blaine Torpey, Superintendent/Clerk to the Eden Area ROP Governing Board



DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Sabrina Ubhoff, Accounting Technician
SUBJECT: Request the Governing Board approve the Bill Warrants

CURRENT SITUATION

The bill warrants submitted for approval are for the period of August 25, 2026 through September 22, 2026 and include test warrant numbers and voided warrants.

CONSENT CALENDAR



DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Mercedes Henderson, Human Resources Administrator
SUBJECT: Request the Governing Board approve the Personnel Action Items

CURRENT SITUATION

The attached listing of personnel action items are the Eden Area ROP Superintendent's recommendations for approval.

CONSENT CALENDAR



DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board approve the Quarterly Report on Williams Act Complaints and Resolutions

BACKGROUND

Education Code 35186 (d) requires the following:

A school district shall report summarized data on the nature and resolution of all complaints concerning deficiencies related to instructional materials, emergency or urgent facilities conditions and teacher vacancy or misassignment on a quarterly basis to the county superintendent of schools and the Governing Board of the school district. The summaries shall be publicly reported at a regularly scheduled meeting of the Governing Board of the school district. The report shall include the number of complaints with the number of resolved and unresolved complaints. The complaints and written responses shall be available as public records.

CURRENT SITUATION

Attached is a report for the complaints and resolutions through October 1, 2026 as specified by Education Code 35186 (d).

CONSENT CALENDAR



26316 Hesperian Blvd. Hayward, CA 94545 • (510) 293-2943 • www.edenrop.org

QUARTERLY REPORT ON WILLIAMS ACT COMPLAINTS

[Education Code 35186 (d)]

Report through: October 1, 2026

District: Eden Area Regional Occupational Program
Person completing this form: Blaine Torpey
Title: Superintendent

Quarterly Report Submission (check one) →
Date: October 1, 2026

- ☐ January
☐ April
☐ July
☒ October

Date for information to be reported publicly at the Governing Board meeting: October 8, 2026

Please check the box that applies:

- ☒ No complaints were filed with any school in the district during the quarter indicated above.
- ☐ Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Number of Complaints	Number of Resolved Complaints	Number of Unresolved Complaints
Textbooks and Instructional Materials	0	0	0
Teacher Vacancy or Mis-assignment	0	0	0
Facilities Conditions	0	0	0
TOTALS	0	0	0

Publicly reported at the Governing Board meeting on: October 8, 2026.

Blaine Torpey, Superintendent



DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: Request the Governing Board approve the Listed Donation-
Anonymous Donor

BACKGROUND

Occasionally, gifts or monetary items are donated to the Eden Area ROP.

CURRENT SITUATION

On October 5, 2026, an anonymous donor donated the following items:

- Wolf 48-inch, six-burner gas range with two ovens to the Culinary Science Program
 - Estimated value \$7,000
- Sub-Zero stand-alone refrigerator, 84 inches (7 feet) with a capacity of 17.3 cubic feet, to the Security Office
 - Estimated value \$3,500

A letter of acceptance will be sent to the donor.

CONSENT CALENDAR



DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: Request the Governing Board approve the Listed Donation-
Phoenix Day Inc.

BACKGROUND

Occasionally, gifts or monetary items are donated to the Eden Area ROP.

CURRENT SITUATION

On August 28, 2026, Phoenix Day Inc. donated materials to build out electrical systems to the Eden Area ROP Construction Technology Program.

A letter of acceptance will be sent to the donor.

CONSENT CALENDAR



DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: Request the Governing Board to approve the Receipt of the Workability I Program Funds

BACKGROUND

The California Department of Education has approved the Eden Area ROP's reapplication to the Workability I Program for the 2026-2027 school year. The money from this grant directly pays the salary, benefits and operating costs associated with the Community Access Training for Transition (CATT) Program and the Merchandising Occupations Program. These programs find employment and provide training for students with disabilities to enter the workforce.

CURRENT SITUATION

This year the Eden Area ROP re-applied in a competitive process and has been recommended by CDE to receive funding in the amount of \$82,440.

CONSENT CALENDAR

Grant Award Notification

GRANTEE NAME AND ADDRESS Blaine Torpey, Superintendent Eden Area Regional Occupational Program 26316 Hesperian Boulevard Hayward, CA 94545	CDE GRANT NUMBER					
	FY	PCA	Service Location	Suffix		
	26	23011	74013	W0		
Attention Blaine Torpey, Superintendent		INDEX		County Code		
Email btorpey@edenrop.org		0663		0		
Telephone 510-293-2900		STANDARDIZED ACCOUNT CODE STRUCTURE				
Grantee Unique Entity ID (UEI)		Resource Code		Revenue Object Code		
Program Office		6520		8590		
Name of Grant Program 2026–27 WorkAbility I Program 025						
GRANT DETAILS	Original/Prior Amendments	Amendment Amount	Total	Amend. No.	Award Starting Date	Award Ending Date
	\$82,440		\$82,440		7/01/2026	6/30/2027
ALN	Federal Award ID Number	Federal Grant Name			Federal Agency	

I am pleased to inform you that you have been funded for the Workability I (WAI) Program.

This award is made contingent upon the availability of funds. If the Legislature takes an action to reduce or defer the funding upon which this award is based, then this award will be amended accordingly.

By e-signing this document, your organization is voluntarily agreeing to conduct business with the California Department of Education (CDE) electronically. If you do not wish to do so, please immediately contact the CDE Contact listed below to discuss other signing options.

Please email the signed Grant Award Notification (AO-400) to:

WorkAbility I at Workability1@cde.ca.gov

California Department of Education Contact Howard Holcomb		Job Title Education Programs Consultant			
E-mail Address Hholcomb@cde.ca.gov		Telephone 916-982-2251			
Authorized by the State Superintendent of Public Instruction or Designee 		Date August 17, 2026			
CERTIFICATION OF ACCEPTANCE OF GRANT REQUIREMENTS					
<i>On behalf of the grantee named above, I accept this grant award. I have read the applicable certifications, assurances, terms, and conditions identified on the grant application (for grants with an application process) or in this document or both; and I agree to comply with all requirements as a condition of funding. On behalf of the grantee named above, I certify that the organization intends that this and future transactions be completed by electronic means, and any electronic signature is intended to be as binding as a physical signature.</i>					
Printed Name of Authorized Agent		Title			
E-mail Address		Telephone			
Signature 		Date			

Conditions of the Grant Award

1. General Assurances are hereby incorporated by reference. The CDE has agreed to accept the assurances your agency currently provides in the Consolidated Application. The CDE will verify if your agency has submitted required certifications and assurances on the CDE Request for Applications web page at <https://www.cde.ca.gov/fg/fo/fm/generalassurances2026-27.asp> prior to initial grant award payment.
2. This WAI grant shall be administered in accordance with the provisions of the Individuals with Disabilities Education Act (IDEA), and in compliance with laws and regulations from the CDE, the Employment Development Department (EDD), and the state and federal Departments of Labor.
3. The grantee must sign and complete the Certification of Acceptance of Grant Requirements section of the AO-400, which certifies the grantee accepts and agrees to the conditions of the grant. The grantee must return the signed hard-copy AO-400 to the CDE. All approved grant funds must be expended within the designated award period.
4. Grant funds must be used to implement the WAI Program as indicated in the approved project plan and consistent with California *Education Code (EC)* Section 56471(e), "Workability project applications shall include, but are not limited to, the following elements: (1) recruitment, (2) assessment, (3) counseling, (4) preemployment skills training, (5) vocational training, (6) student wages for try-out employment, (7) placement in unsubsidized employment, (8) other assistance with transition to a quality adult life, and (9) utilization of an interdisciplinary advisory committee to enhance project goals."
5. The following program evaluation and renewal information will be compiled and submitted by the WAI grantee to the CDE by the required due dates: (a) student data, (b) program funds [staffing and program cost], (c) Annual Program Report, (d) Grant Funding Application, and (e) Annual Program Requirements Report.
6. WAI grantees must complete and submit all required WAI forms by the due date in the WAI database, or to the CDE or both. If the grantee does not meet the timely submission of forms for the fiscal year, the grantee will be placed on conditional status.
7. WAI grantees must serve all students for which funding was received.
8. WAI grantees must place into employment at least 15 percent of the students for which funding was received.
9. The WAI grantees must achieve a score of "Basic/Developing" on the Annual Program Requirements Report submission: a numerical score of no less than nine for High Schools and no less than seven for Middle Schools. If the grantee does not score the minimum requirements, the grantee will be placed on conditional status.
10. Grantees must have representation by their WAI Program staff at two regional meetings and one required state meeting per year.
11. If a WAI Grantee receives WAI Advisory Committee and standing committee funds per *EC* 56471 (b), then attendance by Advisory and Committee members is required at up to four committee meetings per year. If the WAI Advisory Committee member will not attend, a designee needs to attend in their place. All WAI Advisory meetings are subject to Bagley-Keene and are hosted by the CDE in-person or virtually. Meetings are subject to state safety protocols and can be conducted virtually.
12. The WAI Grantee must maintain expenditure reports with supporting evidence and be prepared to submit them to the CDE upon request. The CDE has the authority to conduct program and fiscal reviews or audits.
13. The WAI Grantee must complete and submit to the CDE an **Interim Expenditure Report** no later than **February 26, 2027**, for reporting actual expenditures from **July 1, 2026, through December 31, 2026**. If

reported interim expenditures are less than the initial payment, then the scheduled interim payment will be reduced proportionately.

14. The WAI Grantee must submit to the CDE a **Final Expenditure Report** no later than **August 10, 2027**. Upon receipt of the Final Expenditure Report, up to 100 percent of the grant total will be reimbursed. Failure to submit the Final Expenditure Report prior to next year's state grant award issuance will affect the timely release of next year's payment and will result in conditions imposed on the grant.
15. Funds will be used for the excess cost of normal expenditures when applied to staff, materials, and services that are not typically provided to students receiving special education services and that are necessary for the participation in this program.
16. The WAI grantee will provide information to WAI students with intellectual and developmental disabilities ages sixteen and above regarding Employment First, opportunities for employment, and supports to achieve Competitive Integrated Employment.
17. Every employed WAI student under the age of eighteen shall have an approved work permit on file at the employment site, and a copy shall be filed with the WAI grantee.
18. Work-based learning opportunities must be provided in compliance with the Work Experience Education, Regional Occupational Center and Programs.
19. The WAI program does not discriminate based on race, color, national or ethnic origin, gender, or disability in the administration of its program and complies with all laws and regulations of the Americans with Disabilities Act and other appropriate legislation.
20. The WAI Grantee shall be accountable as defined by student, program, and fiscal outcomes.
21. Students who participate in the WAI work experience program will be paid at least minimum wage. There is an exception for learners who may be paid not less than 85 percent of the minimum wage rounded to the nearest nickel during their first 160 hours of employment in occupations in which they have no previous similar or related experience.
22. Minimum wage will not exceed the prevailing minimum wage of the city in which the student is employed.
23. All WAI students will be placed into employment settings that are in the least restrictive environment and that facilitate movement towards postschool integrated employment.
24. The WAI Grantee will provide to the CDE an On-Campus Business Plan for proposed on-campus student businesses that provide students enrolled in the WAI program with on-campus placement opportunities.
25. Under the authority of the CDE, if the grantee is identified as noncompliant in any of the aforementioned areas, conditions will be imposed on the grant. The State Superintendent of Public Instruction may authorize the CDE to withhold partial or total funding. Those grantees with violations will receive notification of conditions on their grant and will be instructed to develop a plan of action to remedy the noncompliance. No payments will be released to agencies with conditions on their grant until the CDE receives written notification from the agency agreeing to the conditions of the grant.

If you have any fiscal questions regarding this grant, please contact the CDE WAI Team by email at Workability1@cde.ca.gov.

If you would like to inquire about the status of a payment, please contact the Administrative Services Unit at SEDGrants@cde.ca.gov, and copy the WAI Team at Workability1@cde.ca.gov.

cc: Business Fiscal Officer: Expenditure Report



DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Craig Lang, Director of Adult Programs and Apprenticeships
SUBJECT: Request the Governing Board approve the Agreement with the Fresno County Office of Education (FCOE) for Direct Support Professional Training for the 2026-2027 School Year

BACKGROUND

Since 1998, the Department of Developmental Services (DDS) has partnered with the California Department of Education (CDE) to implement the Direct Support Professional Training (DSPT) program through 35 participating Regional Occupational Centers and Programs (ROCPs). The DSPT provides 70 hours of comprehensive skill development over a two-year period, testing Direct Support Professionals' (DSP) mastery of the curriculum and requiring them to demonstrate proficiency in specific skill sets to become certified.

CURRENT SITUATION

The State consolidated the administration of the DSPT program to 4 ROPs as regions throughout the state. The ROP serving our area for the purposes of this program is the Fresno County ROP. The Fresno County Office of Education (FCOE) would like to continue contracting with the Eden Area ROP to provide services within our area.

CONSENT CALENDAR



COOPERATION AND SHARED RESPONSIBILITY AGREEMENT

(“Agreement”)

Legal Doc. No. of this signed Agreement (**Legal use only**): _____

COVER

Program/Event: 2026-27 Direct Support Professional Training (DSPT)

OTHER PARTY	
Eden Area Regional Occupational Program (ROP) (“Other Party”) Attn: Craig Lang, Director of Adult Programs 26316 Hesperian Boulevard Hayward, CA 94545 Phone: (510) 293-2905 Email: clang@edenrop.org	
FCSS	
Fresno County Superintendent of Schools (“FCSS”) Attn: Anthony Ayerza, Executive Director Dept.: CTE/ROP Fresno County Office of Education 1318 E. Shaw Avenue, Suite 420 Fresno, CA 93710 Phone: (559) 497-3860 Email: aayerza@fcoe.org	ADDRESS FOR INVOICE: All invoices, if any, to FCSS shall be addressed to the attention of Internal Business Services – Accounts Payable, Fresno County Office of Education, 1111 Van Ness Ave, Fresno, CA 93721
CONTRACT TERM (see § 3.1)	TERMINATION DURING CONTRACT TERM (see § 3.2)
“Effective Date”: July 1, 2026 “Termination Date”: June 30, 2027	Ground for Termination (<i>mark one</i>): ☐ With cause ☒ With or without cause “Notice Period”: At least 30 days before the effective date of termination of this Agreement

OTHER PARTY OBLIGATIONS. Other Party's obligations under this Agreement (collectively "**Services**") include those required of Other Party in the General Terms and Conditions, any shared obligations stated below, and the following:

1. *What Services will Other Party provide:* Agency shall adhere to the rules and regulations stipulated in the Direct Support Professional Training (DSPT) Procedure Manual issued by the California Department of Education (CDE), Department of Developmental Services (DDS) to implement an effective DSPT program in the East Bay Regional Center Catchment area. Agency shall:

1. Provide FCSS with a 2026-27 DSPT Training and Challenge Test schedule to meet the needs of Community Care Facility DSPs within the East Bay Regional Center Catchment area at least six (6) weeks prior to the start of session. Testing and training schedules shall include the name of the trainer/proctor, date, time, location, and room capacity of each session;
2. Provide certified DSPT trainers and proctors in accordance with State DSPT certification standards and requirements;
3. Provide the necessary and appropriate facilities to conduct DSPT Trainings and Challenge Tests as indicated in the submitted 2026-27 DSPT Training and Challenge Test schedules;
4. Conduct DSPT Trainings and Challenge Tests according to the scheduled testing and training sessions, utilizing only DDS approved testing and training materials;
5. Participate in DSPT State mandated trainings;
6. Participate in regional DSPT advisory meetings;
7. Provide DSPT program training materials (bubble packs, med containers, timers, clipboards, paper towels, etc.).

2. *When will Other Party provide the Services (mark one and complete as indicated):*

☐ *Date Determined* – Other Party will perform the Services on (*state specific date(s)*): The Parties' staff may mutually change any specified date if the new date is within the Contract Term and there is no change to the Contract Amount.

☒ *Date to be Determined* – The Parties' staff will coordinate and schedule the particular date(s) on which Other Party shall perform the Services, which date(s) shall be within the Contract Term.

3. *Where will Other Party provide the Services (state full address):* 26316 Hesperian Blvd., Hayward, CA 94545. The Parties' staff may mutually change the location if there is no change in the Contract Amount.

4. *Full name of Other Party staff who must perform the Services (leave blank if none designated):*

FCSS OBLIGATIONS. FCSS' obligations under this Agreement (collectively "**Services**") include those required of FCSS in the General Terms and Conditions, any shared obligations stated below, and the following:

1. *What Services will FCSS provide:* FCSS shall adhere to the rules and regulations stipulated in the Direct Support Professional Training (DSPT) Procedure Manual issued by the California Department of Education (CDE), Department of Developmental Services (DDS) to administer an effective DSPT program in the East Bay Regional Center Catchment area. FCSS shall:

1. Facilitate regional DSPT advisory meetings;
2. Conduct annual evaluations of the DSPT program according to the methods developed by DDS and described in the DSPT Procedure Manual;
3. Assure that eDSPT (online registration and certification system) has current information on trainers, training and testing schedules, and training locations;
4. Participate in periodic evaluations of the DSPT program as directed by DDS.

2. *When will FCSS provide the Services (mark one and complete as indicated):*

☐ *Date Determined* – FCSS will perform the Services on (*state specific date(s)*): The Parties' staff may mutually change any specified date if the new date is within the Contract Term and there is no change to the Contract Amount.

☒ *Date to be Determined* – The Parties' staff will coordinate and schedule the particular date(s) on which FCSS shall perform the Services, which date(s) shall be within the Contract Term.

3. *Where will FCSS provide the Services (state full address):* 1318 E. Shaw Avenue, Suite 420, Fresno, CA 93710. The Parties' staff may mutually change the location if there is no change in the Contract Amount.

4. *Full name of FCSS staff who must perform the Services (leave blank if none designated):*

SHARED OBLIGATIONS. The Parties shall each be responsible for the following obligations (*leave blank if none*):

RECITALS/OTHER TERMS AND CONDITIONS (*leave blank if none*):

CONTRACT AMOUNT AND PAYMENT SCHEDULE (*mark each that applies and complete as indicated*):

☐ NO PAYMENT. No monetary payment shall be made by or to either Party under this Agreement.

☐ PAYMENT TO FCSS. Other Party (also refer to as "**Payor**") shall pay FCSS (also refer to as "**Payee**") pursuant to the following and the Pay Schedule stated below (*mark one and complete as indicated*):

☐ 1. *Fixed Installment:* \$_____ per month/quarter/year, the sum of all payments shall equal the "**Contract Amount**" of \$_____. FCSS shall submit each invoice to Other Party monthly/quarterly/yearly by no later than the 15th day of the month immediately following the last day of the period for which FCSS requests payment.

☐ 2. *Rate/Not-To-Exceed Contract Amount:* Services that FCSS performs in accordance with this Agreement, to be billed at \$_____ per hour in 15 minute increments OR pursuant to the rates set forth in Exhibit 1 and the sum of which shall not exceed the "**Contract Amount**" of \$_____. FCSS shall submit each invoice to Other Party quarterly by no later than the 15th day of the month immediately following the last day of the period for which FCSS requests payment.

☐ 3. *Entire Contract Amount/Completion Of All Services:* Entire "**Contract Amount**" of \$_____. FCSS shall submit the invoice to Other Party within 30 days of the date on which FCSS completed all Services in accordance with this Agreement.

☐ 4. *Other/Specified Amount, Paid Periodically:* The "**Contract Amount**" of \$_____. FCSS shall submit each invoice to Other Party within 30 days of the date on which FCSS has completed, in accordance with this Agreement, the Services for which FCSS requests payment.

☒ PAYMENT TO OTHER PARTY. FCSS (also refer to as "**Payor**") shall pay Other Party (also refer to as "**Payee**") pursuant to the following and the Payment Schedule stated below (*mark one and complete as indicated*):

- ☐ 1. *Fixed Installment*: \$ _____ per month/quarter/year, the sum of all payments shall equal the “**Contract Amount**” of \$ _____. Other Party shall submit each invoice to FCSS monthly/quarterly/yearly by no later than the 15th day of the month immediately following the last day of the period for which Other Party requests payment.
- ☒ 2. *Rate/Not-To-Exceed Contract Amount*: Services that Other Party performs in accordance with this Agreement, to be billed at \$50 per DSPT Challenge Test and \$200 per student completing DSPT Training and the sum of which shall not exceed the “**Contract Amount**” of \$425,000.00. Other Party shall submit each invoice to FCSS quarterly by no later than the 15th day of the month immediately following the last day of the period for which Other Party requests payment.
- ☐ 3. *Entire Contract Amount/Completion Of All Services*: Entire “**Contract Amount**” of \$ _____. Other Party shall submit the invoice to FCSS within 30 days of the date on which Other Party completed all Services in accordance with this Agreement.
- ☐ 4. *Other/Specified Amount, Paid Periodically*: The “**Contract Amount**” of \$ _____. Other Party shall submit each invoice to FCSS within 30 days of the date on which Other Party has completed, in accordance with this Agreement, the Services for which Other Party requests payment.
- ☐ OTHER (leave blank if none):

Invoice and “Payment Schedule”: Each invoice shall comply with Section 2.2 and must be received and approved by Payor before Payee may receive any payment under this Agreement. If 1, 2, or 4 is marked above, Payor shall pay Payee within 30 days after Payee has completed, in accordance with this Agreement, the Services required of Payee for the period for which Payee requests payment. If 3 is marked above, Payor shall pay Payee within 30 days after Payee has completed, in accordance with this Agreement, all Services required of Payee.

REQUIRED DOCUMENTS. Each document that is marked as required (“**Required Document**”) shall be provided in accordance with the following:

- ☒ 1. *Payment Document*. At Payor’s request, Payee shall provide a Taxpayer Identification Number Request (W-9) and other documents that Payor may require to process payment to Payee. (See § 1.4.1).
- ☒ 2. *Proof of Insurance*. Each Party shall maintain insurance or self-insurance in accordance with Article 4 and, upon the other Party’s request, provide written proof thereof: (A) commercial general liability, (B) workers compensation and employer’s liability, and (C) commercial automobile liability. (See Art. 4.)
- ☐ 3. **IF OTHER PARTY IS NOT A CALIFORNIA LOCAL EDUCATIONAL AGENCY (i.e., California public school district, county office of education or charter school):**
- a. Fingerprinting and Criminal Background Check Certification (“**Fingerprinting Certification**”). If this box is marked, Other Party shall submit to FCSS a Fingerprinting Certification before Other Party commences performance of this Agreement, which form must be obtained from FCSS.
- b. Tuberculosis Certification (“**TB Certification**”). If this box is marked, Other Party shall submit to FCSS a TB Certification before Other Party commences performance of this Agreement, which form must be obtained from FCSS.
- c. Mandated Reporter Training Certification (“**Mandated Reporter Certification**”). If this box is marked, Other Party shall submit to FCSS a Mandated Reporter Certification before Other Party commences performance of this Agreement, which form must be obtained from FCSS.
- ☒ 4. **IF OTHER PARTY IS A CALIFORNIA LOCAL EDUCATIONAL AGENCY (i.e., California public school district, county office of education or charter school):** Other Party shall take sole responsibility for any and all interactions and contacts between its employees, officers, contractors or agents and any children in the performance of any Services pursuant to this Agreement, if applicable, and Other Party, not FCSS, shall be responsible for ensuring that any individual who has contact with children in connection with this Agreement meets all required background check and other applicable legal requirements. To the extent applicable, Other Party certifies to FCSS that it has complied with all laws and regulations regarding fingerprinting and criminal background checks, tuberculosis risk assessment (or testing if required), and annual mandated reporter training before it commences the performance of any Services under this Agreement that includes contact with children/pupils.

In consideration of the covenants, conditions, and promises in and for good and valuable consideration and the mutual benefits to be derived from this Agreement, Other Party and FCSS, separately referred to as a “**Party**” and collectively as the “**Parties**,” have reviewed and understand, and hereby enter into this Agreement. Unless the context requires otherwise, any reference to a Party in this Agreement includes its governing body and members thereof, officers, employees, and agents. Each person executing this Agreement on behalf of a Party represents that he/she is authorized to execute on behalf of and to bind the Party to this Agreement.

OTHER PARTY

FCSS

By: _____

Print Name: **Craig Lang**
Title: **Director of Adult Programs
or Authorized Designee**

By: _____
Dr. Michele Cantwell-Copher, Superintendent
or Authorized Designee

NOTE – ELECTRONIC SIGNATURE: While FCSS will accept digital signatures on contracts and amendments, they must be validated by a reliable Certificate Authority, and if a digital signature is used to execute any such document, the signature page thereof must be provided to FCSS in the electronic format it was signed in.

//

GENERAL TERMS AND CONDITIONS

These General Terms and Conditions contain the following Articles:

Article 1	Scope of Services and Obligations
Article 2	Payment
Article 3	Term and Termination of Agreement
Article 4	Insurance
Article 5	Indemnity
Article 6	Dispute Resolution
Article 7	General Provisions

Terms with initial capital letter shall have the respective meanings set forth in this Agreement.

ARTICLE 1 SCOPE OF SERVICES AND OBLIGATIONS.

SECTION 1.1 PURPOSE. By this Agreement, the Parties desire to set forth the terms and conditions upon which the Parties shall cooperate and share responsibilities for performance of this Agreement, and to set forth the Parties' rights and obligations relating to this Agreement.

SECTION 1.2 PARTIES' OBLIGATIONS. Except as specifically stated otherwise on the Cover, each Party shall provide all labor, materials, supplies, equipment, and transportation necessary to perform its obligations under this Agreement. Further and unless stated otherwise on the Cover, each Party is solely responsible for: (A) all means, methods, techniques, sequences, procedures, safety, and work coordination necessary or proper for it to perform its obligations under this Agreement; (B) the acts and omissions of its officers, employees, agents, and any other persons who it retains to perform any portion of this Agreement; and (C) taking all reasonable precautions for the safety and prevention of injury to the person of and damage or loss to the property of its officers, employees, agents and any other persons who it retains to perform any portion of this Agreement and to any officers, employees, agents, students, or invitees of the other Party or any Third Party (see definition in Article 5).

SECTION 1.3 WORK PRODUCTS AND RIGHTS THERETO. Unless stated otherwise on the Cover, the following applies to any data, document, display, drawing, report, material, invention, work, and discovery, including any copyright, right, and interest therein or thereto and whether written, recorded, or electronically stored (collectively "**Work**"), that a Party prepares for or provides to the other Party pursuant to this Agreement: (A) the Work of each Party shall remain its property and that Party shall have all rights and interests thereto; (B) each Party grants to the other Party a limited license during the Contract Term to use and reproduce the portion of the other Party's Work necessary for the Party to perform this Agreement; and (C) upon termination of this Agreement and a Party's request, the other Party shall return any Work that belongs to the requesting Party. The provisions of this Section shall survive the termination of this Agreement.

SECTION 1.4 RECORDS AND INFORMATION.

1.4.1 REQUIRED DOCUMENTS. A Party shall provide to the other Party the Required Documents that are required from the Party as marked on the Cover, each of which is incorporated by reference into and constitutes a part of this Agreement. If any Required Document becomes incorrect or inapplicable or expires during the Contract Term, the Party providing the Required Document shall promptly notify in writing and/or submit to the other Party the corrected, updated, or effective Required Document.

1.4.1 CONFIDENTIAL MATERIAL. If any documents and/or information (for example and not as a limitation, employee or student record) that is subject to nondisclosure or protection under federal and/or California laws (collectively and separately "**Confidential Material**") are provided to or created by a Party for or pursuant to this Agreement, each Party shall: (A) not release, disseminate, publish, or disclose the Confidential Material, except as required by law or a court order or as this Agreement may permit; (B) unless specifically permitted by Applicable Law, not use the Confidential Material for any purpose not related to a Party's performance of this Agreement; and (C) protect and secure the Confidential Material, including Confidential Material saved or stored in an electronic form, to ensure that it is safe from theft, loss, destruction, erasure, alteration, and unauthorized viewing, duplication, and use; (D) acknowledge that any Confidential Material related to students shall be the property of and under the control of the Party whose student it relates to, notwithstanding any use authorized

under this Agreement or its status as Work; and (E) not retain any Confidential Material related to a student of the other Party upon the expiration of this Agreement, which shall be accomplished by either the return of or the destruction of such Confidential Material. The provisions of this Subsection shall survive the termination of this Agreement.

- 1.4.2 **SCHOOL OFFICIAL DESIGNATION.** To the extent FCSS' provision of the Services under this Agreement will entail FCSS staff to view, handle, create, or receive Confidential Material consisting of student records of Other Party's students ("**Pupil Records**") that are subject to the Family Educational Rights and Privacy Act ("**FERPA**"), FCSS acknowledges and agrees, for the purposes of this Agreement, that FCSS is hereby designated as a "school official" with "legitimate educational interests" in the Pupil Records, as those terms are defined under FERPA and its implementing regulations. FCSS agrees to abide by the FERPA limitations and requirements imposed by 34 CFR 99.33(a) on school officials, including that FCSS will not disclose Pupil Records to any other party without the prior written consent of each pupil's parent or eligible pupil.

SECTION 1.5 COMPLIANCE WITH APPLICABLE LAW AND GRANT.

- 1.5.1 **GENERALLY.** Each Party shall comply with all laws and regulations (collectively "**Law**") applicable to its performance of this Agreement, and all Law that it agrees to comply under this Agreement (referred to collectively and separately as "**Applicable Law**" and shall include amendments and Law that are in effect as of the Effective Date or become effective during the Contract Term). Each Applicable Law is deemed inserted herein; however, if any conflict or inconsistency exists between a provision in this Agreement and an Applicable Law, the provision in this Agreement shall govern except where such provision is specifically prohibited or void by the Applicable Law in which case the Applicable Law shall govern to the extent provided therein. Each Party shall comply with each grant (if any) that provides funding to pay for this Agreement and all Law and requirements applicable to such grant.
- 1.5.2 **FEDERAL GRANT FUNDS.** The provisions of this Subsection applies if this Agreement is paid, in part or in whole, with federal grant funds. Each Party shall comply with federal laws, regulations, and requirements applicable to such federal grant funds. Each Party represents that it is not debarred, suspended, or otherwise excluded or ineligible to be awarded this Agreement. Each Party shall comply with federal suspension and debarment regulations, including, but not limited to, regulations implementing Executive Orders 12549 and 12689. Each Party shall also comply with: (A) applicable federal laws, regulations, and requirements, including but not be limited to, non-discrimination based on race, color, national origin, sex, disability, or age; (B) applicable standards, orders, or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C 1251-1387); and (C) Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. Upon a Party's request, whether during or after the Contract Term, the other Party shall cooperate with and provide the requesting Party with documents and information relating to this Agreement that are necessary for the requesting Party to comply with applicable federal laws, regulations, and requirements. The provisions of this Subsection shall survive the termination of this Agreement.

ARTICLE 2 PAYMENT.

SECTION 2.1 CONTRACT AMOUNT. Compensation, if any is required under this Agreement, shall be as stated on the Cover. Payor shall pay Payee, if any payment is due to Payee, in accordance with the Payment Schedule stated on the Cover.

SECTION 2.2 INVOICE AND ADDITIONAL INFORMATION. Payee shall submit an itemized invoice and supporting documentation to Payor before Payee may receive any payment, if any is due to Payee under this Agreement. Upon receiving an invoice and if Payor objects to it and/or requires additional information, Payor shall notify Payee and Payee shall provide such information to Payor within 10 days after Payee receives Payor's notice. If Payee fails or refuses to provide the additional information, Payor shall have the right to withhold payment of any or all of the Contract Amount until such time that Payor receives such information from Payee.

ARTICLE 3 TERM AND TERMINATION OF AGREEMENT.

SECTION 3.1 CONTRACT TERM. This Agreement is effective on the Effective Date and continues in full force and effect thereafter until and including the Termination Date and any extension thereto ("**Contract**

Term”) and, unless terminated during the Contract Term in accordance with Section 3.2 below, shall terminate at 12:00 midnight on the last day of the Contract Term without any notice or action by either Party. Any extension of the Contract Term shall be set forth in an amendment executed by the Parties.

SECTION 3.2 TERMINATION DURING CONTRACT TERM.

- 3.2.1 **TERMINATION FOR CAUSE/WITHOUT CAUSE.** During the Contract Term and unless specifically permitted otherwise in this Section 3.2, a Party may terminate this Agreement as marked on the Cover: (A) *With or Without Cause* – A Party, with or without cause, may terminate this Agreement by giving the other Party written notice for the Notice Period stated on the Cover; or (B) *With Cause* – A Party may terminate this Agreement only upon the other Party’s material breach of one or more provisions of this Agreement and after the non-breaching Party has given the breaching Party written notice for the Notice Period stated on the Cover.
- 3.2.2 **TERMINATION ON OTHER GROUNDS.** Despite any contrary provisions in this Agreement, FCSS may terminate this Agreement effective on the date stated in FCSS’ written notice of termination to Other Party pursuant to any of the following: (A) Other Party is required to but fails to provide to FCSS and/or comply with the Fingerprinting Certification; (B) Other Party is required to but fails to provide to FCSS and/or comply with the TB Certification; (C) Other Party is required to but fails to provide to FCSS and/or comply with the Mandated Reporter Certification; (D) Other Party is a Local Educational Agency and fails to comply with legal requirements required to work with children/pupils, including, but not limited to, fingerprinting and criminal background checks, tuberculous risk assessment/testing, and/or annual mandated reporter training; (E) FCSS, the Fresno County Board of Education, and/or any entity from which FCSS receives or is to receive funds to pay for this Agreement reduce or eliminate some or all such funds, or fail or determine not to appropriate sufficient funds to make future payments under this Agreement; (F) a government or issuing agency revokes, suspends, places on probation, or non-renews any License that must hold to perform this Agreement; (G) Other Party assigns, transfers, or subcontracts any or all of Other Party’s obligations and/or rights under this Agreement in breach of Section 7.3; (H) Other Party fails to maintain and provide written proof of insurance as required by Article 4; (I) Other Party is required to provide particular staff as named on the Cover to perform this Agreement but such staff is not able, not willing, or not available to perform this Agreement; (J) Other Party’s legal rights to exist or conduct business in California has been revoked or terminated by the California Secretary of State, another agency, or a court; or (K) Other Party’s legal rights to exist or conduct business in California has been suspended or rendered inactive by the California Secretary of State, another agency, or a court and such suspension lasts more than 30 consecutive days.
- 3.2.3 **RIGHTS AND OBLIGATIONS UPON TERMINATION.** Upon termination of this Agreement and, if as stated on the Cover, compensation is due to Payee under this Agreement: (A) Payor shall pay Payee only for Services that Payee is required to perform, and has performed in accordance with, this Agreement before the effective date of termination; (B) Payee shall submit an invoice within 30 days of the effective date of termination; (C) Section 2.2 shall apply to Payee’s invoice and Payor’s payment under this Subsection; and (D) upon Payor’s payment, if any has been invoiced by Payee and is due to Payee, Payor is not obligated to make any further payment to Payee, whether pursuant to contract, law or equity. The provisions of this Subsection shall survive the termination of this Agreement.

SECTION 3.3 FORCE MAJEURE. A Party is not liable for failing or delaying performance of its obligations under this Agreement due to events that are beyond the Party’s reasonable control and occurring without its fault or negligence, for example, acts of God such as epidemics or pandemics (nationally, statewide, or locally declared) tornadoes, lightning, earthquakes, hurricanes, floods, or other natural disasters (collectively “**Force Majeure**”), provided that the Party has promptly notified the other Party in writing of the occurrence of the Force Majeure, except that a Force Majeure shall not excuse Payor’s payment to Payee of any portion of the Contract Amount that is due from Payor to Payee where Payee has performed in accordance with this Agreement the Services for which payment is requested and submitted an invoice and supporting information in accordance with Section 2.2. Payee shall not be entitled to any payment for Services that Payee did not perform during the period in which the Force Majeure occurred.

ARTICLE 4 INSURANCE.

Each Party, at its cost and throughout the Contract Term, shall maintain in effect insurance or self-insurance providing coverage that complies, at a minimum, with the following requirements, and shall provide written proof of such insurance to the other Party upon the other Party's request: (A) commercial general liability with limits of not less than \$1,000,000 per occurrence and \$2,000,000 general aggregate and with coverage for property damage, bodily injury, and personal and advertising injury; (B) workers compensation with limits of not less than \$1,000,000 or as required by California laws, whichever is greater; and employer's liability insurance of not less than \$1,000,000; and (C) commercial automobile liability covering, at a minimum, non-owned and hired autos and, if there are any autos owned by the Party, then also covering owned autos, with a combined single limit of not less than \$1,000,000 per accident.

ARTICLE 5 INDEMNITY.

The indemnity provision of the FCSS Fingerprinting Certification, the FCSS TB Certification, and/or the FCSS Mandated Reporter Certification, to the extent such document(s) is/are applicable as indicated on the Cover, shall govern the indemnification rights and obligations of the Parties to the extent provided therein. In all other respects relating to this Agreement, each Party's indemnity, defense, and hold harmless obligations to the other Party under or related to this Agreement shall be reciprocal and only in proportion to the Indemnitor's liability, to the fullest extent permitted by California laws for any loss sustained by the Indemnitee or to a third party. If no final judicial determination exists to allocate responsibility for such loss(es), the Parties will work cooperatively and in good faith on a reasonable and proper apportionment of liability between the Parties. A Party that intends to seek or that does seek indemnity and/or hold harmless obligations for any loss from the other Party shall notify the other Party in writing of such intentions and within a reasonable time after the prospective Indemnitee knows or becomes aware of any claim that may or will result in a loss, describing, if known or determinable, the pertinent circumstances, all entities and persons involved, and the amount being claimed. A Party's obligations under this provision are not limited to or by any insurance that it maintains or by the lack of insurance, but apply to the full extent permitted by California laws and shall survive the termination of this Agreement. Should any dispute between the Parties result in litigation, each Party shall be responsible for its own attorneys' fees and costs of litigation.

ARTICLE 6 DISPUTE RESOLUTION.

The Parties shall meet and confer in good faith to resolve any dispute between them arising out of, resulting from, or relating to this Agreement, including any Claim or Loss for which a Party seeks indemnity pursuant to Article 5 and any dispute relating to this Agreement that arises or occurs after the termination of this Agreement. During a dispute regarding payment under this Agreement, Payor shall pay Payee the portion of the Contract Amount that is undisputed and due to Payee; if a disputed portion of the Contract Amount is determined in a Final Determination to be due to Payee, Payor shall pay such amount to Payee within 30 days of the date of the Final Determination, unless a different date is stated in the Final Determination or in an agreement executed by the Parties, in which case, Payor shall pay Payee in accordance therewith. Except for an action to preserve the status quo and/or prevent irreparable harm, a Party shall not commence any cause of action, action, lawsuit, or proceeding arising out of, resulting from, or relating to this Agreement until after the Party has complied with the provisions of this Article. The provisions of this Article shall survive the termination of this Agreement.

ARTICLE 7 GENERAL PROVISIONS.

SECTION 7.1 ENTIRE AGREEMENT, CONFLICT, EXECUTION, AMENDMENT, AND WAIVER. This Agreement is a complete and exclusive statement of the Parties' agreement under Code of Civil Procedure section 1856. This Agreement consists of, and any conflict or inconsistency in this Agreement shall be resolved by giving precedence as follows: Cover, General Terms and Conditions, exhibit or attachment stated in this Agreement as being a part of this Agreement, and the Required Documents. The Parties may execute this Agreement and any amendment in counterparts such that each Party's signature is on a separate page. A copy or an original of this Agreement or an amendment with the Parties' signatures, whether original or transmitted by electronic means, shall be deemed a fully executed contract. The Parties may amend or waive any provision of this Agreement only by a writing executed by them.

SECTION 7.2 INTERPRETATION; APPLICABLE LAWS AND TIME ZONE; VENUE; SEVERABILITY; AND SURVIVAL OF TERMINATION. If there is uncertainty of any language in this Agreement, the Parties agree that Civil Code section 1654 shall not apply to interpret the uncertainty. The language of this Agreement shall be interpreted according to its fair meaning and not strictly for or against any Party and under California laws

without giving effect to California's choice of law provisions that may result in the application of the laws of another jurisdiction. All dates and times stated in this Agreement shall be according to Pacific Time. All causes of action, actions, lawsuits, and proceedings arising out of, resulting from, or relating to this Agreement shall be adjudicated in state or federal court in Fresno County, California, provided that FCSS does not hereby waive any immunity to suit. If a court of competent jurisdiction holds any provision of this Agreement void, illegal, or unenforceable, this Agreement shall remain in full force and effect and shall be interpreted as though such invalidated provision is not a part of this Agreement and the remaining provisions shall be construed to preserve the Parties' intent in this Agreement. Any provision in this Agreement that by its nature applies after, or is specifically stated to survive, the termination of this Agreement shall survive the termination of this Agreement.

SECTION 7.3 INDEPENDENT CONTRACTOR, ASSIGNMENT, AND TRANSFER. Each Party is an independent contractor, and it and its officers, employees, and agents are not, and shall not represent themselves as, officers, employees, or agents of the other Party. This Agreement does not and shall not be construed to create an employment or agency relationship, partnership, or joint venture between the Parties. A Party and its officers, employees, agents, and any other person performing services for or on behalf of the Party shall not have any right or claim against the other Party for wages or employee compensation, social security benefits, workers compensation benefits, health benefits, vacation, sick leave, or other employee benefits. A Party shall not assign or transfer any or all of its obligations and/or rights under this Agreement, including by operation of law or change of control or merger, without the other Party's prior written consent.

SECTION 7.4 NOTICES. Except as may be stated otherwise in this Agreement in which case such provision shall govern to the extent provided therein, each Party shall give any notices, demands, and all other communications required or permitted under this Agreement in writing and by one of the following methods to the other Party at its address and/or email stated on the Cover, delivery to be effective upon receipt thereof by the other Party: (A) hand delivery; (B) sent by a reputable overnight courier service that tracks the delivery; (C) sent by certified mail, return receipt requested, postage prepaid; or (D) sent by regular mail *and* transmitted by e-mail; and, ***if to FCSS, a copy of any notice and demand by email to:*** FCSS Legal Services at legalservices@fcoe.org. A Party may change its contact person and/or contact information stated on the Cover by notifying the other Party of the particular change and the effective date thereof in accordance with this Section. The provisions of this Section shall survive the termination of this Agreement.

/ /

4913-0461-3214, v. 2

DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board approve the Contract with Chabot-Las Positas Community College District for the Coordination of Work-Based Learning Services for Pathway Programs for the 2026-2027 School Year

BACKGROUND

In 2016, the California Legislature approved the Strong Workforce Program. The goal of the program is to enhance career technical education and workforce training in order to meet the needs of the labor market. The Strong Workforce Program aims to align the community college and K-12 systems and to support collaborative work. Both Eden Area ROP and Chabot College receive Strong Workforce funds.

CURRENT SITUATION

Chabot-Las Positas Community College is contracting with the Eden Area ROP for work-based learning support and Career and Technology Education Management Application (CATEMA) support for their pathway programs. The work-based learning team will support Chabot instructors coordinating individual guest speakers, industry panel presentations, and one on one informational interviews for Chabot students. They will help coordinate Advanced Manufacturing Day and Health Careers Day. They will also support student enrollment in CATEMA, the student information system that allows for articulations and dual enrollment.

Fiscal Impact: The Eden Area ROP will receive \$16,200.

CONSENT CALENDAR

Chabot-Las Positas Community College District

Fiscal Year: 2026-2027

Contract for Services

Fund Type: Grants

This is a contract for professional services between the Chabot-Las Positas Community College District ("District") and Eden Area Regional Occupational Program, Independent Contractor ("Contractor"), entered this 7 day of August, 2026.

1. Contractor agrees to perform the following services in his/her capacity:

Eden Area ROP (EAROP) will collaborate with Chabot College to support student attendance at Sector Days and manage the transition, technical support, and tracking for high school teachers and students using Campus Credit/CATEMA.

2. Contractor hereby understands that no employment relationship is established by this contract for services.

3. The Contractor shall provide his/her own Workers' Compensation Insurance and shall properly report all income in accordance with federal and state law (Labor Code § 3700).

4. Contractor shall be in compliance with the Drug Free Workplace Act of 1988.

5. Services shall begin on or about 08 / 15 / 2026, and terminate on or before 06 / 30 / 2027.
Services shall not be assigned nor subcontracted to another party without written consent of the District.

6. District agrees to pay the Contractor the sum of \$ 16200, payable as follows, upon receipt of an invoice, if the services performed are satisfactory to the District.

Date	Payment
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

1 Scope of Work

7. District retains the right to cancel this contract in the event of funding shortage or for any other reason by written notice of not less than 30 calendar days. In such case, Contractor will be paid for services rendered through the date of cancellation only.

8. This contract is not valid until signed and accepted by the Vice Chancellor, Business Services, nor does the District assume any liability for work performed prior to acceptance by the Vice Chancellor, Business Services.

Independent ContractorBlaine C. Torpey

Name

btorpey@edenrop.org

Email Address

510-293-2901

Phone #

26316 Hesperian Blvd.Hayward, CA 94545

Address

Blaine C. Torpey08/10/2026

Signature

CLPCCDMarie Amboy08/24/2026
Initiating Manager 08/10/2026

Date

Jamal Cooks

President

08/25/2026

Date

Jennifer Druley

Vice Chancellor, Human Resources

08/28/2026

Date

Daniela Ballif

Vice Chancellor, Business Services

08/28/2026

Date

312160

Fund

- 25191

Org

- 5110

Account

- 601000

Program

PO/Bd Rec

49

BS

08/24/2026



DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board approve the MOU with the Alameda County Office of Education (ACOE) to Participate in the ACOE Clear Path for Advancement in Leadership (CPAL) Program for the 2026-2027 and 2027-2028 School Years

BACKGROUND

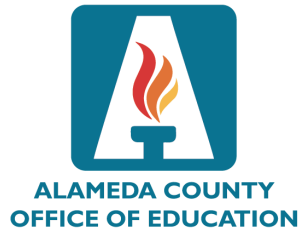
The Alameda County Office of Education (ACOE) offers the Clear Path for Advancement in Leadership (CPAL) Program to support the development of leadership skills and prepare participants for administrative leadership roles. The two-year program includes leadership coaching, monthly professional development focused on the 11 Essential Leadership Practices, progress assessments, and bi-annual 360-degree leadership reviews. Upon successful completion of the program requirements, participants may receive the Clear Administrative Services Credential.

CURRENT SITUATION

The MOU provides for the Eden Area ROP's participation in the ACOE Clear Path for Advancement in Leadership (CPAL) Program for the 2026-2027 and 2027-2028 school years.

Under the MOU, the Eden Area ROP will contribute \$2,500 for each CPAL candidate over the two-year program, or \$1,250 per academic year.

CONSENT CALENDAR



MEMORANDUM OF UNDERSTANDING

PARTIES: This Memorandum of Understanding (M.O.U.) is entered into between the Alameda County Office of Education (ACOE) and **Eden Area Regional Occupational Program (Eden Area ROP)**.

PURPOSE: The purpose of this M.O.U. is to enable the ACOE and **Eden Area ROP** to participate in the ACOE CPAL (Clear Path for Advancement in Leadership) Program.

TERM: This M.O.U. shall become effective upon the date of execution by both the parties and shall continue until June 30, 2028

SCOPE OF SERVICES:

- A. For each **Eden Area ROP** CPAL candidate the ACOE shall:
- Provide 40 hours/year of leadership coaching by a trained leadership coach for each of the two years of the program
 - Provide monthly professional development oriented around the 11 Essential Leadership Practices
 - Assess candidates' progress in demonstrating proficiency in the 11 Essential Leadership Practices
 - Facilitate bi-annual 360° reviews on candidates' leadership
 - Provide the Clear Administrative Services Credential following successful completion of all program requirements
- B. For each district candidate, **Eden Area ROP** agrees to the following:
- \$2500 contribution to the intensive professional development of each employee for the two-year program (\$1250/year)
 - One meeting/year between the principal supervisor, the leadership coach, and the candidate

- Support for each candidate to be off-site for one day/month for professional development

INSURANCE:

During the term of this MOU, ACOE and DISTRICT, including any/all subcontractors, shall maintain insurance policies evidencing its comprehensive and general liability insurance coverage in a sum not less than \$2,000,000 aggregate and \$1,000,000 per occurrence, including applicable property damage, workers' compensation, auto insurance coverage, or other applicable coverages. Any and all insurance coverage may be provided by a (JOINT POWERS AUTHORITY OR OTHER) Self-Insurance Program. Any change in or limitation of coverage or cancellation of the policy no less than thirty (30) days prior to the effective date of the change, limitation or cancellation.

INDEMNIFICATION:

- A. Insofar as permitted by law, ACOE shall assume the defense and hold harmless **Eden Area ROP** and/or any of its officers, agents or employees from any liability, damages, costs, or expenses of any kind whatsoever, including attorneys' fees, which may arise by reason of the sole fault or negligence of ACOE, its officers, agents or employees.
- B. Insofar as permitted by law, **Eden Area ROP** shall assume the defense and hold harmless ACOE and/or any of its officers, agents or employees from any liability, damages, costs, or expenses of any kind whatsoever, including attorneys' fees, which may arise by reason of any harm to person(s) or property received or suffered by reason of the sole fault or negligence of **Eden Area ROP**, its officers, agents or employees.
- C. It is the intent of the ACOE and **Eden Area ROP** that where negligence or responsibility for any harm to person(s) or property is determined to have been shared, the principles of comparative negligence shall be followed and each party shall bear the proportionate cost of any liability, damages, costs, or expenses attributable to that party.
- D. ACOE and **Eden Area ROP** agree to notify the other party of any claims, administrative actions, or civil actions determined to be within the scope of this Agreement within ten (10) calendar days of such determination. ACOE and **Eden Area ROP** further agree to cooperate in the defense of any such actions. Nothing in this Agreement shall establish a standard of care for or create any legal right for any person not a party to this Agreement.

COMPENSATION:

In exchange for the support and services to be provided by ACOE under the terms and conditions of this Agreement, **Eden Area ROP** shall pay ACOE the amount of \$2500 (1,250 per academic year) for the intensive professional development for each CPAL candidate after each candidate's participation in the program has been approved by EAROP; not to exceed 10 candidates per year. Any increase above 10 candidates shall be agreed to in writing by both parties prior to additional services being rendered.

TERMINATION/SUSPENSION:

This M.O.U. may be terminated without cause by either party upon thirty (30) days prior written notice to the other party. When required by law, this M.O.U. may be immediately suspended by either party upon notice to the other party; any such suspension shall not extend the term of this M.O.U.

NON-DISCRIMINATION:

No person shall be subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls pupils who receive state student financial aid.

NOTICES:

All notices, and amendments (except Notice of Termination), required by this Agreement shall be made in writing and sent e-mail. For the purposes of the Agreement the addresses of the parties are as follows:

To ACOE:

Alameda County Office of Education
313 West Winton Avenue
Hayward, CA 94544
Kristin Bijur
kbijur@acoe.org

To Eden Area ROP:

Eden Area Regional Occupational Program
26316 Hesperian Blvd
Hayward, CA 94545
Anthony Oum
aoum@edenrop.org

INTEGRATION:

This M.O.U. represents the entire and integrate agreement between ACOE and **Eden Area ROP**, and supersedes all prior negotiations, representations, or agreements, either written or oral. This M.O.U. may be amended only by written instrument signed by the duly authorized representatives of ACOE and **Eden Area ROP**.

REPRESENTATION OF AUTHORITY:

The undersigned hereby represent and warrant that they are authorized by the respective parties to execute this M.O.U.

IN WITNESS WHEREOF, ACOE and **Eden Area ROP** have executed this M.O.U. as of the date first above written.

Alameda County Office of Education

Eden Area Regional Occupational Program

(Authorized Representative Signature)

(Authorized Representative Signature)

Printed Name and Title

Printed Name and Title

Date: _____

Date: _____

INFORMATION ITEMS



DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: ROP Pathway Review-Education

BACKGROUND

The state of California has identified 15 industry sectors. Each sector contains multiple career pathways in which to develop programs of study. It is up to individual school districts and the region's corresponding colleges and businesses to conduct research into the needs of the industry and determine which sectors and careers can best serve the students, industry and community. Pathways available vary by each district.

Formerly, the pathway reviews were presented to the Governing Board under the title "CDE Course Review." The Eden Area ROP has renamed the CDE Course Reviews to Pathway Reviews to reflect the information more accurately being shared with the Board and to align with the current terminology used by the state. Pathways reviews are presented to the Governing Board biennially.

CURRENT SITUATION

The Education pathway is under the Education, Child Development, and Family Services sector. The Education pathway is designed to prepare students for professional or learning support positions in education, prekindergarten through grade twelve. Students study human development; standards, regulations, and codes; positive guidance and counseling techniques; age-appropriate and grade-appropriate learning strategies; learning theories; and standards-based curriculum and instructional design. Students can apply and practice their knowledge and skills at a variety of elementary and secondary education sites.

The attached pathway review is for the following program(s): Careers in Education IP/IIP.

RECOMMENDATION

Information only

Criteria for Course Approval and Expansion Annual Review

For Class offerings 2025-2026 School Year

SCHOOL DISTRICT:		EDEN AREA ROP		LOCATION:		Eden Area ROP											
PATHWAY:		Education				INSTRUCTORS:											
		Dr. Erika Emery															
Course Name		Enrollment as of 25-26 Year to Date		Enrollment as of 24-25 Year to Date		Enrollment as of 23-24 Year to Date											
Careers in Education IP		32		35		21											
Careers in Education IIP		9		5		2											
Comments: - Required enrollment: Class enrollment maintained to sustain agreed master schedule for onsite and staffing. ☒ YES ☐ NO - Retention rate (Active Enrollment divided by Year-to-date Enrollment):																	
Text Book: Working with Young Children						Edition: 9 th											
NO.	YES	NO															
1.	X		ENROLLMENT – Course meets current or future labor market needs. <table border="1"> <tr> <td>CLASS SCHEDULE: AM/PM</td> <td>SECTIONS PER YEAR:</td> <td>MINS PER SECTION:</td> <td colspan="2">EXPECTED MINIMUM STUDENTS PER SECTION:</td> </tr> <tr> <td>2 (Center)</td> <td>2 (Center)</td> <td>3hrs Center</td> <td colspan="2">25+</td> </tr> </table>					CLASS SCHEDULE: AM/PM	SECTIONS PER YEAR:	MINS PER SECTION:	EXPECTED MINIMUM STUDENTS PER SECTION:		2 (Center)	2 (Center)	3hrs Center	25+	
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2.	X		AVAILABILITY OF QUALIFIED INSTRUCTOR – Qualified/ Credentialed Instructor teaching course.														
3.	X		LEADERSHIP – Instructional leaders have sufficient time and resources to implement system improvements and work with their counterparts in other programs.														
4.	X		CURRICULUM and INSTRUCTION – Students are provided with a strong experience in and understanding of all aspects of industry.														
5.	X		SCHOOL-TO-CAREER AND CAREER PATHWAY DEVELOPMENT – Course is designed as part of a sequence of courses, career pathways, etc.														
6.	X		ADVISORY COMMITTEE – The course has been reviewed and recommended by a pre-established committee. ☒ Yes, instructor was present at advisory meeting and minutes are on file at ROP ☐ No, instructor was not present at advisory. Program was represented, at a joint industrial, by ROP personnel. Instructor MUST attend next advisory for program to meet compliance.														
7.	X		LABOR MARKET NEEDS – Course meets current or future labor market needs.														
8.	X		WORK-BASED LEARNING – Course incorporates Work-Based learning opportunities (i.e. guest speakers, field trips, mock interviews, or student organizations)														
9.	X		COMMUNITY CLASSROOM AND COOPERATIVE VOCATIONAL EDUCATION – Course incorporates community classroom and cooperative vocational education (i.e., job training, internships, or job shadowing)														
10.	X		JOB PLACEMENT/FURTHER EDUCATION OPTIONS – Course has potential for student job placement in entry-level positions or course prepares students for further training opportunities within the designed career pathway.														
11.	X		FACILITIES AND EQUIPMENT ACCOMMODATION ☐ District will provide a facility which adequately accommodates the program. ☒ EAROP will provide a facility which adequately accommodates the program. ☐ District shares cost of equipment if program is cross utilized.														
OTHER CONSIDERATIONS:																	
☒ A-G Credit for UC				☐ State and National Licensing or Certification													
☐ Community College Articulation				☒ Strong Business or Industry Partnership													
☒ Dual Enrollment				☐ Emerging Technologies													
COMPLIANCE CATEGORIES																	
☒ R – Retain Program: Program meets all criteria.		☐ W - Watch Program: All criteria not met. See areas that need to be complied with.		☐ P - Probation: Criteria is not being met. Program in danger of suspension.		☐ R – Reduce Program: Downsizing program.											
						☐ S/T - Suspend/ Terminate program.											



DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Michelle Stephens, Assistant Principal
SUBJECT: ROP Pathway Review-Information Support and Services

BACKGROUND

The state of California has identified 15 industry sectors. Each sector contains multiple career pathways in which to develop programs of study. It is up to individual school districts and the region's corresponding colleges and businesses to conduct research into the needs of the industry and determine which sectors and careers can best serve the students, industry and community. Pathways available vary by each district.

Formerly, the pathway reviews were presented to the Governing Board under the title "CDE Course Review." The Eden Area ROP has renamed the CDE Course Reviews to Pathway Reviews to reflect the information more accurately being shared with the Board and to align with the current terminology used by the state. Pathways reviews are presented to the Governing Board biennially.

CURRENT SITUATION

The Information and Support and Services pathway is under the Information and Communication Technologies sector. Students in the Information Support and Services pathway prepare for careers that involve the implementation of computer services and software, support of multimedia products and services, provision of technical assistance, creation of technical documentation, and the administration and management of information and communication systems. Mastery of information and communication technologies is the foundation for all successful business organizations today. Persons with expertise in information and communication technologies support and services are in high demand for a variety of positions in business and industry.

The attached pathway review is for the following program(s): Cybersecurity IP/IIP.

RECOMMENDATION

Information only

SCHOOL DISTRICT:		EDEN AREA ROP		LOCATION:		Eden Area ROP											
PATHWAY:		Information Support and Services				INSTRUCTORS:											
						Edwin Kang											
Course Name		Enrollment as of 25-26 Year to Date		Enrollment as of 24-25 Year to Date		Enrollment as of 23-24 Year to Date											
Cybersecurity IP		26		35		33											
Cybersecurity IIP		17		9		3											
Comments: - Required enrollment: Class enrollment maintained to sustain agreed master schedule for onsite and staffing. ☒ YES ☐ NO - Retention rate (Active Enrollment divided by Year-to-date Enrollment):																	
Textbook: Google IT platform, CISCO Network Academy						Edition: Yearly											
NO.	YES	NO															
1.	X		ENROLLMENT – Course meets current or future labor market needs. <table border="1"> <tr> <td>CLASS SCHEDULE: AM/PM</td> <td>SECTIONS PER YEAR:</td> <td>MINS PER SECTION:</td> <td colspan="2">EXPECTED MINIMUM STUDENTS PER SECTION:</td> </tr> <tr> <td>2 (Center)</td> <td>2 (Center)</td> <td>3hrs Center</td> <td colspan="2">25+</td> </tr> </table>					CLASS SCHEDULE: AM/PM	SECTIONS PER YEAR:	MINS PER SECTION:	EXPECTED MINIMUM STUDENTS PER SECTION:		2 (Center)	2 (Center)	3hrs Center	25+	
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5.	X		SCHOOL-TO-CAREER AND CAREER PATHWAY DEVELOPMENT – Course is designed as part of a sequence of courses, career pathways, etc.														
6.	X		ADVISORY COMMITTEE – The course has been reviewed and recommended by a pre-established committee. ☒ Yes, instructor was present at advisory meeting and minutes are on file at ROP ☐ No, instructor was not present at advisory. Program was represented, at a joint industrial, by ROP personnel. Instructor MUST attend next advisory for program to meet compliance.														
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☒ A-G Credit for UC				☒ State and National Licensing or Certification													
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						☐ S/T - Suspend/ Terminate program.											



DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Michelle Stephens, Assistant Principal
SUBJECT: Back to School Night

BACKGROUND

The Eden Area ROP holds an annual back to school night for parents, family and friends to explore our programs at the Hayward Center campus. Instructors have students demonstrate and explain what they are learning in their program.

CURRENT SITUATION

Back to School Night was on September 22, 2026.

RECOMMENDATION

Information only



DATE: October 8, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: First Reading of Governing Board Policies, Administrative Regulations, Exhibits and Board Bylaw

BACKGROUND

By law, districts are mandated to adopt policies and administrative regulations to help ensure that districts are legally compliant. New laws are passed by the legislature and congress every year and our policies can quickly become out-of-date. The last thorough review of all of the Eden Area ROP Governing Board policies and administrative regulations occurred in the 2019-2020 school year.

Since then, the Eden Area ROP has contracted with California School Boards Association (CSBA) to receive regular updates and suggested policy language for any additions, changes, or modifications to educational code that impacts policy. Staff regularly review these updates and bring relevant changes to the board for their consideration throughout the year.

The Eden Area ROP's policy development process includes a first reading at a public Governing Board meeting and a subsequent second reading and adoption for Board approval at a public Governing Board meeting.

CURRENT SITUATION

What follows is the first reading of updated board policies, administrative regulations, exhibits, and board bylaw to reflect current law and regulations provided in CSBA's quarterly update.

NUMBER	TYPE	TITLE	STATUS
1240	BP	Volunteer Assistance	Replace
1240	AR	Volunteer Assistance	Revise
1312.4	AR	Williams Uniform Complaint Procedures	Revise
1312.4	E(1)	Williams Uniform Complaint Procedures	Revise
1312.4	E(2)	Williams Uniform Complaint Procedures	Revise
2110	BP	Superintendent Responsibilities and Duties	Replace
3517	AR	Facilities Inspection	Revise
3517	E(1)	Facilities Inspection	Revise
4111 4211 4311	BP	Recruitment and Selection	Revise
4112	AR	Appointment and Conditions of Employment	Revise
4112.5 4212.5 4312.5	AR	Criminal Record Check	Revise

NUMBER	TYPE	TITLE	STATUS
4112.5 4212.5 4312.5	E(1)	Criminal Record Check	Revise
4112.6 4212.6 4312.6	AR	Personnel Files	Revise
4112.9 4212.9 4312.9	BP	Employee Notifications	Revise
4112.9 4212.9 4312.9	E(1)	Employee Notifications	Revise
4200	BP	Classified Personnel	Revise
4212	AR	Appointment and Conditions of Employment	Revise
4300	BP	Administrative and Supervisory Personnel	Revise
4300	AR	Administrative and Supervisory Personnel	Revise
5141.4	BP	Child Abuse Prevention and Reporting	Revise
5141.4	AR	Child Abuse Prevention and Reporting	Revise
5141.75	BP	Weather Safety	New
5142	BP	Safety	Revise
5142	AR	Safety	Revise
5145.6	BP	Parent/Guardian Notifications	Revise
5145.6	E(1)	Parent/Guardian Notifications	Revise
9200	BB	Limits of Board Member Authority	Revise

RECOMMENDATION

Information only

EdenAreaROP **SUPERINTENDENT'S MEMO**

To: Eden Area ROP Governing Board
From: Blaine Torpey, Superintendent
Date: October 8, 2026
Re: First Reading of Board Policies, Administrative Regulations, Bylaw and Exhibits

Listed below is a summary of the changes being recommended to Board Policies (BP), Administrative Regulations (AR), Bylaw (BB) and Exhibits (E) for the consideration of the Board.

Number	Type	Title	Explanation of Change	Status
1240	BP	Volunteer Assistance	Policy updated to align with law the list of characteristics for which harassment of a volunteer is prohibited. Additionally, policy updated to reflect NEW LAW (SB 848, 2025) which provides that a volunteer who is over 18 years of age who interacts with students outside of the immediate supervision and control of the student's parent/guardian or a school employee is a mandated reporter and subject to the requirements of The Child Abuse and Neglect Reporting Act, including, but not limited to, notification, training and reporting requirements.	Replace
1240	AR	Volunteer Assistance	Regulation updated in conjunction with the accompanying Board policy.	Revise
1312.4	AR	Williams Uniform Complaint Procedures	Regulation updated to more closely align with the California Department of Education's federal program monitoring instrument.	Revise
1312.4	E(1)	Williams Uniform Complaint Procedures	Exhibit updated to clarify that the notice provided by the exhibit applies to all grade levels, including transitional kindergarten.	Revise
1312.4	E(2)	Williams Uniform Complaint Procedures	Exhibit updated to clarify that the form provided by the exhibit applies to all grade levels, including transitional kindergarten.	Revise
2110	BP	Superintendent Responsibilities and Duties	Policy updated to expand the Governing Board's philosophical statement. Additionally, policy updated to reflect NEW LAW (SB 827, 2025) , which requires the Superintendent to receive specified training in ethics once every two years, with a specific timeline for Superintendents who begin service with the district after January 1, 2026.	Replace
3517	AR	Facilities Inspection	Regulation updated to more closely align with code language. Additionally, regulation updated to, in regard to all-gender restrooms for student use, differentiate between the signage requirements and the requirements for the restroom itself. In addition, regulation updated to reflect NEW	Revise

Number	Type	Title	Explanation of Change	Status
			LAW (AB 927, 2025) which requires the County Superintendent of Schools to prioritize reviewing, within the first four weeks of the school year where practicable, schools for which the County Superintendent has received information from a survey, a complaint filed pursuant to specified state law, or any other reliable source, that a facility of a school poses an emergency or urgent threat to the health or safety of students or staff or is not in good repair, as specified.	
3517	E(1)	Facilities Inspection	Exhibit updated in conjunction with the accompanying administrative regulation.	Revise
4111/4211/4311	BP	Recruitment and Selection	Policy updated to clarify that (1) recruitment and selection processes and procedures be consistent with applicable law, Board policy, and collective bargaining agreements and be designed to promote fairness and equity so that individuals are selected for employment in the district based on demonstrated knowledge, skills, and competence and in compliance with applicable antidiscrimination laws, (2) recruitment and selection processes and procedures include the recruitment of a diverse pool of qualified applicants, consistent with applicable law, (3) job announcements are disseminated in a manner reasonably designed to reach a broad pool of qualified candidates, and (4) hiring procedures be developed and maintained to identify qualified candidates who meet district needs. Additionally, policy updated to reflect NEW LAW (SB 848, 2025) which requires districts (1) when considering an applicant for a certificated position, to inquire with each local educational agency, diagnostic center operated by the California Department of Education, or private school that previously employed the applicant, as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that was required to be reported to the Commission on Teacher Credentialing (CTC), (2) when considering an applicant for a classified position, to inquire with each local educational agency or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were used to support a substantiated investigation, and (3) upon inquiry, to	Revise

Number	Type	Title	Explanation of Change	Status
			disclose to a local educational agency or private school considering an applicant for a certificated or classified position, the fact that a report of an employee's egregious misconduct was made to CTC. In addition, policy updated to reflect the prohibition from requiring an applicant to have a driver's license unless driving is an essential function of the position or it is otherwise reasonably expected for driving to be a job function for the position and that satisfying the job function using an alternative form of transportation would not be comparable in travel time or cost to the district.	
4112	AR	Appointment and Conditions of Employment	Regulation updated to reference case law, where the California Supreme Court held that a district can be held vicariously liable for the negligence of its administrators and supervisors in the hiring, retention, and supervision of a counselor who sexually harassed and/or abused a student. Additionally, regulation updated to reflect NEW LAW (SB 848, 2025) which requires districts (1) when considering an applicant for a certificated position, to inquire with each local educational agency, diagnostic center operated by the California Department of Education, or private school that previously employed the applicant, as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were required to be reported to the Commission on Teacher Credentialing (CTC), and (2) upon inquiry, to disclose to a local educational agency or private school considering an applicant for a certificated or classified position, the fact that a report of an employee's egregious misconduct was made to CTC. In addition, regulation updated to reference, for county offices of education that have an elected, rather than appointed, County Superintendent of Schools, NEW LAW (SB 521, 2025) which provides that a public employee convicted of any felony involving accepting or giving, or offering to give, any bribe, conflict of interest, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes arising directly out of official duties as a public employee, be disqualified for five years from any public employment.	Revise
4112.5/4212.5/4312.5	AR	Criminal Record Check	Regulation updated to reference, for county offices of education that have an elected, rather than appointed, County	Revise

Number	Type	Title	Explanation of Change	Status
			Superintendent of Schools, NEW LAW (SB 521, 2025) which provides that a public employee convicted of any felony involving accepting or giving, or offering to give, any bribe, conflict of interest, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes arising directly out of official duties as a public employee, be disqualified for five years from any public employment. Additionally, regulation updated to reflect NEW LAW (SB 848, 2025) which requires districts (1) when considering an applicant for a certificated position, to inquire with each local educational agency, diagnostic center operated by the California Department of Education, or private school that previously employed the applicant, as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were required to be reported to the Commission on Teacher Credentialing (CTC), (2) when considering an applicant for a classified position, to inquire with each local educational agency or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were used to support a substantiated investigation, and (3) upon inquiry, to disclose to a local educational agency or private school considering an applicant for a certificated or classified position, the fact that a report of an employee's egregious misconduct was made to CTC.	
4112.5/4212.5/4312.5	E(1)	Criminal Record Check	Exhibit updated to align with the Department of Justice's current Employee Statement Form, "Conditions for Release of Criminal Offender Record Information."	Revise
4112.6/4212.6/4312.6	AR	Personnel Files	Regulation updated to delete unnecessary cross reference to administrative regulation 3515.3 - District Police/Security Department. Additionally, regulation updated to expand material to include former employees. In addition, regulation updated to reflect NEW LAW (AB 495, 2025) which prohibits district staff, to the extent practicable, from disclosing or providing most personnel records in writing, verbally, or in any other manner to an officer or employee of an agency conducting immigration enforcement, and NEW LAW (SB 513, 2025) which (1) clarifies that personnel records	Revise

Number	Type	Title	Explanation of Change	Status
			relating to an employee's or former employee's performance include education and training records and (2) requires districts that maintain education and training records to ensure that those records include specified information, unless covered by a valid collective bargaining agreement which expressly provides for specified terms. Regulation also updated to delete an exception which does not apply to districts, related to when personnel records are made available for inspection. Additionally, regulation updated to create new section "Egregious Misconduct" which reflects NEW LAW (SB 848, 2025) requiring districts, (1) when considering an applicant for a certificated position, to inquire with each local educational agency, diagnostic center operated by the California Department of Education, or private school that previously employed the applicant, as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were required to be reported to the Commission on Teacher Credentialing (CTC), (2) when considering an applicant for a classified position, to inquire with each local educational agency or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were used to support a substantiated investigation, and (3) upon inquiry, to disclose to a local educational agency or private school considering an applicant for a certificated or classified position, the fact that a report of an employee's egregious misconduct was made to CTC. In addition, regulation updated to more closely align with law.	
4112.9/4212.9/4312.9	BP	Employee Notifications	Policy updated in conjunction with the accompanying exhibit, which is reviewed and updated annually.	Revise
4112.9/4212.9/4312.9	E(1)	Employee Notifications	Exhibit updated to reflect NEW LAW (SB 98, 2025) which requires the comprehensive school safety plan to include procedures specifically designed to notify district staff when the school confirms the presence of immigration enforcement on the school site, NEW LAW (SB 568, 2025) which updates the term from "auto-injectable epinephrine" to "emergency epinephrine delivery systems", and NEW LAW (SB 848, 2025) which requires volunteers to be notified of specified	Revise

Number	Type	Title	Explanation of Change	Status
			information related to their status as mandated reporters.	
4200	BP	Classified Personnel	Policy updated for consistency, as appropriate, with Board Policy 4100 - Certificated Personnel and Board Policy 4300 - Administrative and Supervisory Personnel, including material related to professional development; the "filling" of classified positions; clearly defined and communicated duties, responsibilities, and expectations for each classified position; and employee responsibilities and performance evaluations.	Revise
4212	AR	Appointment and Conditions of Employment	Regulation updated to reference case law, where the California Supreme Court held that a district can be held vicariously liable for the negligence of its administrators and supervisors in the hiring, retention, and supervision of a counselor who sexually harassed and/or abused a student. Additionally, regulation updated to reflect NEW LAW (SB 848, 2025) which requires districts (1) when considering an applicant for a classified position, to inquire with each local educational agency or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were used to support a substantiated investigation, and (2) upon inquiry, to disclose to a local educational agency or private school considering an applicant for a certificated or classified position, the fact that a report of an employee's egregious misconduct was made to the Commission on Teacher Credentialing. In addition, regulation update to reference, for county offices of education that have an elected, rather than appointed, County Superintendent of Schools, NEW LAW (SB 521, 2025) which provides that a public employee convicted of any felony involving accepting or giving, or offering to give, any bribe, conflict of interest, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes arising directly out of official duties as a public employee, be disqualified for five years from any public employment.	Revise
4300	BP	Administrative and Supervisory Personnel	Policy updated for consistency, as appropriate, with Board Policy 4100 - Certificated Personnel and Board Policy/Administrative Regulation 4200 -	Revise

Number	Type	Title	Explanation of Change	Status
			Classified Personnel, including material related to professional development; the selection, recommendation, and Governing Board ratification of qualified candidates for administrative and supervisory positions; defined and communicated duties, responsibilities, and expectations for each administrative and supervisory position; and employee responsibilities and evaluations. Additionally, policy updated to delete language regarding the adoption of policies related to administrative and supervisory personnel, insofar as the policies are needed to comply with law and describe terms of employment, as being unnecessary due to its very general nature. In addition, policy updated to reflect case law which held that a classified employee can only obtain senior management status if that employee is designated a senior manager by the Board.	
4300	AR	Administrative and Supervisory Personnel	Regulation updated to delete material related to collective bargaining since management employees do not have collective bargaining rights pursuant to the Educational Employment Relations Act.	Revise
5141.4	BP	Child Abuse Prevention and Reporting	Policy updated to reflect that the Superintendent or designee may collaborate with the county's child welfare, probation, mental health, public health, and sheriff's departments; juvenile court; and office of education, on intervention programs for students. Additionally, policy updated to reflect NEW LAW (SB 848, 2025) which authorizes any instructional program on child abuse offered by the district to include, in addition to instruction on sexual abuse and human trafficking prevention, instruction on sexual assault,. In addition, policy updated to clarify that parent(s)/guardian(s) have the right to excuse their child from all or part of abuse, including sexual abuse, and human trafficking prevention education, and assessments related to that education, in accordance with law and Board policy. Policy also updated to reflect the requirement that districts that issue student identification cards for students in grades 7-12 have printed on them (1) the 988 Suicide and Crisis Lifeline, (2) the National Domestic Violence Hotline, and (3) as required by NEW LAW (AB 727, 2025) The Trevor Project's LGBTQ+ suicide hotline, and may have printed on them a quick response (QR) code that links to the county's mental health resources website.	Revise

Number	Type	Title	Explanation of Change	Status
5141.4	AR	Child Abuse Prevention and Reporting	Regulation updated to reflect NEW LAW (SB 848, 2025) which (1) adds to the definition of "mandated reporter" a Governing Board member, or volunteer who is over 18 years of age and who interacts with students outside of the immediate supervision and control of the student's parent/guardian or a school employee, (2) requires volunteers to be provided mandated reporter training within six weeks of commencing volunteer services, and (3) adds specified training and notice requirements.	Revise
5141.75	BP	Weather Safety	NEW policy addresses safety related to various forms of inclement weather, and reflects requirement for districts to, by July 1, 2026, develop, adopt, and implement weather protocols for extreme weather conditions. Additionally, policy reflects CDE's "Senate Bill 1248: Extreme Weather Guidelines," and incorporates content from former Board Policy 5141.7 - Sun Safety	New
5142	BP	Safety	Policy updated to add to the Governing Board's philosophical statement that the Board recognizes the importance of student engagement and safe use of technology to a safe school environment. Additionally, policy updated to reflect NEW LAW (SB 848, 2025) which mandates districts to, by July 1, 2026, adopt written (1) policies that promote safe environments for student learning and engagement, with specified components related to professional boundaries, and (2) policies, plans, or specifications regarding school facilities that address classroom and nonclassroom environments to promote safe environments for learning and engagement that are easily supervised.	Revise
5142	AR	Safety	Regulation updated to reflect NEW LAW (AB 727, 2025) which requires districts that issue student identification cards for students in grades 7-12 to have printed on them, in addition to other required safety and mental health resources, the Trevor Project's LGBTQ+ suicide hotline. Additionally, regulation updated to clarify that the Superintendent or designee may permit students to avoid overexposure to sun and extreme weather conditions in accordance with Board Policy 5141.75 - Weather Safety and Board Policy/Administrative Regulation 6142.7- Physical Education and Activity. In addition, regulation updated to add material related to a "personal transportation device," which includes, in addition to standard bicycles, scooters, skateboards, and roller skates,	Revise

Number	Type	Title	Explanation of Change	Status
			electric bicycles (e-bikes) and electric scooters (e-scooters), and requires that (1) students follow all laws and regulations regarding proper usage, speed limits, age, licensing, and equipment requirements, (2) personal transportation devices that do not meet legal standards for use on public roads or paths not be permitted on school campuses, (3) riding a personal transportation device is not permitted on school campus during the school day, and (4) while on campus, a personal transportation device should be walked to designated parking areas and secured.	
5145.6	BP	Parent/Guardian Notifications	Policy updated in conjunction with the accompanying exhibit, which is reviewed and updated annually.	Revise
5145.6	E(1)	Parent/Guardian Notifications	Exhibit updated to reflect (1) NEW LAW (AB 495, 2025) which requires the Governing Board to notify parents/guardians of, and post specified information in administrative buildings, related to response to immigration enforcement, (2) NEW LAW (SB 715, 2025) which has specified notification requirements related to discrimination, (3) the requirement to notify parents/guardians prior to administering any psychological test involving their child and the ability to opt-out, (4) the requirement to notify parents/guardians when a child is absent from school without permission, (5) NEW LAW (SB 98, 2025) which requires parents/guardians to be notified when that school confirms the presence of immigration enforcement on a school site, and (6) NEW COURT DECISION (Mahmoud v. Taylor) regarding the right to opt out of instructional content that substantially interferes with religious development.	Revise
9200	BB	Limits of Board Member Authority	Bylaw updated to clarify the Governing Board's expectations that individual Board members conduct themselves specifically in accordance with Board Bylaw 9000 - Role of the Board and Board Bylaw 9005 - Governance Standards. Additionally, bylaw updated to include that (1) individual Board members do not have the authority to direct staff or represent the Board or the district, (2) individual Board members do not have the authority to investigate, resolve, or otherwise actively engage with community members with respect to complaints, personnel or student matters, or legal issues, (3) any Board member who receives a communication regarding such a topic shall forward the	Revise

Number	Type	Title	Explanation of Change	Status
			communication to or otherwise inform the Superintendent or Board president, and (4) individual Board members are permitted to engage with community members, including responding to general inquiries or expressions of opinion so long as such engagement is consistent with Board policies and bylaws such as Board Bylaw 9010 - Public Statements and Board Bylaw 9012 - Board Member Electronic Communications. In addition, bylaw updated to provide additional limitations, procedures, and expectations related to instances when an individual Board member observes and/or volunteers in a school or classroom, including in the school or classroom in which the Board member's child is enrolled.	



Policy 1240: Volunteer Assistance

Status: DRAFT

Original Adopted Date: 06/07/2012 | Last Revised Date: 03/05/2020

The Eden Area Regional Occupational Program (Eden Area ROP) Governing Board encourages parents/guardians and other members of the community to share their time, knowledge and abilities with our students. Community volunteers in our classes enrich the educational program and strengthen our schools' relationships with homes, businesses, public agencies and private institutions. The presence of volunteers in the classroom enhances supervision of students and contributes to school safety.

The Superintendent or designee may authorize the use of volunteers and shall establish procedures to protect the safety of students and adults in accordance with laws related to tuberculosis testing, fingerprinting and criminal records checks.

Prior to assuming a volunteer position to work with students in an Eden Area ROP-sponsored student activity program, a volunteer shall obtain both a Department of Justice and Federal Bureau of Investigation criminal background check through the Eden Area ROP. (Education Code 49024)

A volunteer who possesses a current Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing, issued prior to July 9, 2010, shall have satisfied Eden Area ROP requirements for the criminal background check. (Education Code 49024)

Volunteers shall act in accordance with Eden Area ROP policies, regulations and school rules. At his/her discretion, a staff member who supervises volunteers may ask any volunteer who violates school rules to leave the campus. Staff members also may confer with the Director or designee regarding any such volunteers. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

The Eden Area ROP Governing Board encourages staff to develop a means for recognizing the contributions of each school's volunteers.

The Governing Board recognizes that volunteer assistance in schools can enrich the educational program, increase supervision of students, contribute to school safety, and support the Eden Area Regional Occupational Program (Eden Area ROP) in providing for the well-being of Eden Area ROP students, while strengthening the schools' relationships with the community. The Board encourages parents/guardians and other members of the community to share their time, knowledge, and abilities with students.

The Superintendent or designee shall develop and implement a plan for recruiting, screening, and placing volunteers, including strategies for reaching underrepresented groups of parents/guardians and community members. Additionally, the Superintendent or designee may recruit community members to serve as mentors to students and/or make appropriate referrals to community organizations.

The Board prohibits harassment of any volunteer on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, reproductive health decisionmaking, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or veteran or military status. (Government Code 12940)

As appropriate, the Superintendent or designee shall provide volunteers with information about school goals, programs, and practices and an orientation or other training related to their specific responsibilities.

Additionally, volunteers who are over 18 years of age and who interact with students outside of the immediate supervision and control of the student's parent/guardian or a school employee shall, as mandated reporters, receive the notification and training required of mandated reporters as specified in Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting.

A volunteer who is a mandated reporter shall make a report, as specified in Administrative Regulation 5141.4 - Child

Abuse Prevention and Reporting, whenever such volunteer has knowledge of or observes a child whom the volunteer knows or reasonably suspects has been the victim of child abuse or neglect.

Volunteers shall act in accordance with law, Eden Area ROP policies and administrative regulations, including Board Policy and Administrative Regulation 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions, and school rules. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

Employees who supervise volunteers shall ensure that volunteers are assigned meaningful responsibilities that utilize their skills and expertise and maximize their contribution to the educational program.

Volunteer work shall be limited to those projects that do not replace the normal duties of classified staff. The Board nevertheless encourages volunteers to work on short-term projects to the extent that they enhance the classroom or school .

The Superintendent or designee shall establish procedures for determining whether volunteers possess the qualifications, if any, required by law and administrative regulation for the types of duties they will perform.

The Board encourages the Superintendent or designee to develop a means for recognizing the contributions of each school's volunteers.

The Superintendent or designee shall periodically report to the Board regarding the Eden Area ROP's volunteer assistance program.

Workers' Compensation Insurance

The Board desires to provide a safe environment for volunteers and minimize the Eden Area ROP's exposure to liability.

Upon the adoption of a resolution by the Board, volunteers shall be entitled to workers' compensation benefits for any injury sustained while engaged in the performance of service for the Eden Area ROP. (Labor Code 3364.5)



Regulation 1240: Volunteer Assistance

Status: DRAFT

Original Adopted Date: 03/05/2020

Duties of Volunteers

The Superintendent or designee may assign volunteers to:

1. Assist certificated personnel in the performance of their duties, including in the supervision of students and in the performance of instructional tasks which, in the judgment of the certificated personnel to which the volunteer is assigned, may be performed by a person not licensed as a classroom teacher (Education Code 35021, 45343, 45344, 45349)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

2. Serve as nonteaching aides under the immediate supervision and direction of certificated personnel to perform noninstructional work which assists certificated personnel in the performance of teaching and administrative responsibilities (Education Code 35021)
3. Supervise students during lunch, breakfast, or other nutritional periods (Education Code 35021, 44814, 44815)
4. Work on short-term facilities projects pursuant to the section below entitled "Volunteer Facilities Projects," below
5. Perform other duties in support of Eden Area Regional Occupational Program (Eden Area ROP) or school operations as approved by the Superintendent or designee

(cf. 6163.1 - Library Media Centers)

Volunteers shall not be authorized to assign grades to students, and shall not be used to assist certificated staff in performing teaching or administrative responsibilities in place of regularly authorized classified employees who have been laid off. (Education Code 35021, 45344)

(cf. 4217.3 - Layoff/Rehire)

Basic Skills Proficiency Requirement

Volunteers who supervise or provide instruction to students pursuant to Education Code 45349 shall submit evidence of basic skills proficiency to the Superintendent or designee. (Education Code 45344.5, 45349)

(cf. 4212 - Appointment and Conditions of Employment)

Criminal Background Check

Prior to assuming a volunteer position working with students in an Eden Area ROP-sponsored student activity program, a volunteer shall obtain fingerprint clearance through the Department of Justice (DOJ) and Federal Bureau of Investigation. At his/her the volunteer's discretion, the volunteer may choose to meet this requirement by obtaining an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing. Student activity programs include, but are not limited to, scholastic programs, interscholastic programs, and extracurricular activities sponsored by the Eden Area ROP or a school booster club, such as cheer team, drill team, dance team, and marching band. (Education Code 49024)

(cf. 4112.5/4212.5/4312.5 – Criminal Background Check)

(cf. 4127/4227/4327 – Temporary Athletic Team Coaches)

(cf. 6145 – Extracurricular and Cocurricular Activities)

The Superintendent or designee shall determine which volunteer positions in the Eden Area ROP are subject to the above requirement.

The criminal background check requirement shall not apply to volunteer supervisors for breakfast, lunch, or other nutritional periods or to volunteer nonteaching aides under the immediate supervision and direction of certificated personnel pursuant to Education Code 35021, including parents/guardians volunteering in a classroom or on a field trip or community members providing noninstructional services. (Education Code 49024)

Registered Sex Offenders

The Superintendent or designee may require all volunteers to disclose whether they are a registered sex offender and/or to provide the Eden Area ROP with sufficient information in order to allow verification of this status on the DOJ's Megan's Law website.

The ~~Director~~ Superintendent or designee may grant a registered sex offender, who is not the parent/guardian of a student at the school, permission to come into a school building or upon school grounds to volunteer at the school. At least 14 days prior to the first date for which permission has been granted, the Director or designee shall notify the parent/guardian of each student at the school, using one of the methods specified in Education Code 48981, that a person who is required to register as a sex offender pursuant to Penal Code 290 has been granted permission to come into a school building or upon school grounds, the date(s) and times for which permission has been granted, and the parent/guardian's right to obtain information regarding the person from a designated law enforcement agency. (Penal Code 626.81)

(cf. 5145.6 – Parental Notifications)

However, no person who is required to register as a sex offender pursuant to Penal Code 290 shall be assigned as a volunteer to assist certificated personnel in the performance of their duties; supervise students during lunch, breakfast, or other nutritional period; or serve as a nonteaching aide to perform noninstructional tasks. ~~In addition~~ Additionally, a person who is required to register as a sex offender because of a conviction for a crime where when the victim was a minor under 16 years of age ~~16~~ shall not serve as a volunteer in any capacity in which he/she the volunteer would be working directly and in an unaccompanied setting with minors on more than an incidental and occasional basis or have supervision or disciplinary power over minors. (Education Code 35021, 45349; Penal Code 290.95)

(cf. 3515.5 – Sex Offender Notification)

Tuberculosis Assessment/Examination

Upon initial volunteer assignment, a volunteer shall have on file with the school a certificate showing that he/she the volunteer has submitted to a tuberculosis risk assessment and, if tuberculosis risk factors were identified, was examined and found to be free of infectious tuberculosis. (Education Code 49406)

(cf. 4112.4/4212.4/4312.4 – Health Examinations)

The Superintendent or designee may exempt from the tuberculosis risk assessment and/or examination those volunteers whose functions do not require frequent or prolonged contact with students. (Education Code 49406)

Volunteer Facilities Projects

All volunteer facilities projects shall have approximate start and completion dates and shall be approved by the Superintendent or designee in advance. ~~Potential projects that do not displace current employees may include~~ Additionally, projects shall be approved in advance by the Superintendent or designee if they involve the

following types of work:

1. ~~1.~~ Alterations, additions, or repairs to buildings and grounds
2. ~~2.~~ Construction involving wall or roof penetration, drilling, or nailing
3. ~~3.~~ Structural modifications
4. ~~4.~~ Electrical, electronic, plumbing, or heating and cooling work
5. ~~5.~~ Painting
6. ~~6.~~ Installation of carpet, playground equipment, benches, sprinkler systems, marquees or signs
7. ~~7.~~ Paving
8. ~~8.~~ Tree planting, pruning, or removal

The Superintendent or designee shall ensure that volunteers possess the appropriate license and/or have sufficient expertise required for the project. ~~He/she shall also~~ Additionally, the Superintendent or designee shall ensure that such projects comply with building and safety codes and other applicable laws. The Eden Area ROP shall provide on-site assistance and supervision for such projects as necessary.

~~(cf. 3514 – Environmental Safety)~~

~~(cf. 3514.1 – Hazardous Substances)~~

~~(cf. 7140 – Architectural and Engineering Services)~~



Regulation 1312.4: Williams Uniform Complaint Procedures

Status: DRAFT

Original Adopted Date: 06/07/2012 | Last Revised Date: 12/12/2024 | Last Reviewed Date: 12/12/2024

Types of Complaints

The Eden Area Regional Occupational Program (Eden Area ROP) shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)

- a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or Eden Area ROP-adopted textbooks or other required instructional materials to use in class

- b. A student does not have access to textbooks or instructional materials to use at home or after school

This does not require two sets of textbooks or instructional materials for each student.

- c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage

- d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials

2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)

- a. A semester begins and a teacher vacancy exists

- b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learners in the class

- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

Beginning of the year or semester means the time period from the first day students attend classes for a year-long course or semester-long course though not later than 20 business days afterwards. (5 CCR 4600)

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

3. Complaints regarding the condition of school facilities, including any complaint alleging that: (Education Code 35186; 5 CCR 4683)

- a. A condition poses an emergency or urgent threat to the health or safety of students or staff

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the

health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5

Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers. (Education Code 35292.5)

Open restroom means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for a documented student safety concern, an immediate threat to student safety, or to repair the facility. (Education Code 35292.5)

In any school serving students any of grades 3-12, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to, at all times, stock and make available and accessible free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom. (Education Code 35292.6)

Additionally, starting July 1, 2026, in any school that has more than one female and more than one male restroom designated exclusively for student use, a complaint may be filed alleging noncompliance with the requirements specified in Education Code 35292.5 to maintain at least one all-gender restroom for student use. (Education Code 35292.5)

Forms and Notices

The Superintendent or designee shall ensure a Williams complaint form is available at the Center. However, complainants need not use the Eden Area ROP's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that the Eden Area ROP's complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall post in each classroom a notice containing the components specified in Education Code 35186. (Education Code 35186)

Filing of Complaint

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. A complaint about problems beyond the authority of the principal shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (Education Code 35186; 5 CCR 4680)

A complaint alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Governing Board, or the Board's failure to remedy the deficiency, may be filed with the Superintendent of Public Instruction (SPI) directly in addition to or in lieu of being filed with the Eden Area ROP. Any such complaint shall identify the basis and provide evidence to support its filing directly with the SPI. (Education Code 35186)

If the Superintendent or designee becomes aware that a complaint alleging insufficient textbooks or instructional materials that has been filed directly with the SPI but not with the Eden Area ROP, the Superintendent or designee may initiate an investigation in accordance with this administrative regulation, as described below, if there is sufficient evidence to do so.

Investigation and Response

The principal or a Superintendent's designee of the Superintendent shall make all reasonable efforts to investigate any problem within the principal's or designee's authority. (Education Code 35186; 5 CCR 4685)

The principal or Superintendent's designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the principal or Superintendent's designee shall send written resolution of the complaint to the mailing address of the complainant as indicated on the complaint within 45 working days of the initial filing of the complaint. If the principal makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 35186)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in Item #3a in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the SPI within 15 calendar days of receiving the Eden Area ROP's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4610, 4687)

However, no other type of complaint regarding the condition of school facilities as described in the section "Types of Complaints" above may be appealed to the SPI. (Education Code 35186; 5 CCR 4610, 4687)

All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

Reports

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled public Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code 35186; 5 CCR 4686)



Exhibit 1312.4-E(1): Williams Uniform Complaint Procedures

Status: DRAFT

Original Adopted Date: 03/05/2020 | **Last Revised Date:** 12/12/2024 | **Last Reviewed Date:** 12/12/2024

**NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS:
COMPLAINT RIGHTS**

Parents/Guardians, Pupils, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials

That means each student, including an English learner, must have a textbook or instructional materials, or both, to use in class and to take home.

2. School facilities must be clean, safe, and maintained in good repair

This includes the identification and resolution of emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff.

3. There should be no teacher vacancies or misassignments

There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the Eden Area ROP's Williams uniform complaint procedures as required by law. A complaint form may be obtained at the Eden Area ROP office, or downloaded from the school or Eden Area ROP website.

YouAdditionally, you may also download a copy of the California Department of Education (CDE) complaint form from CDE's website, when available. However, a complaint need not be filed using either the Eden Area ROP's complaint form or the complaint form from CDE.



Exhibit 1312.4-E(2): Williams Uniform Complaint Procedures

Status: DRAFT

Original Adopted Date: 10/07/2022 | **Last Revised Date:** 12/12/2024 | **Last Reviewed Date:** 12/12/2024

**K-12 COMPLAINT FORM:
WILLIAMS UNIFORM COMPLAINT PROCEDURES**

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, including emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, or teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? ___ Yes ___ No

Contact information: (if response is requested)

Name: _____

Address: _____

Phone number: Day: _____ Evening: _____

E-mail address, if any: _____

Date problem was observed: _____

Location of the problem that is the subject of this complaint:

School name/address: _____

Course title/grade level and teacher name: _____

Room number/name of room/location of facility: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or Eden Area Regional Occupational Program (Eden Area ROP) for the appropriate Eden Area ROP complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

1. ☐ Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)
 - a. ☐ A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or Eden Area ROP-adopted textbooks or other required instructional materials to use in class.
 - b. ☐ A student does not have access to textbooks or instructional materials to use at home or after school
This does not require two sets of textbooks or instructional materials for each student.
 - c. ☐ Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
 - d. ☐ A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. ☐ Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)
 - a. ☐ A semester begins and a teacher vacancy exists

A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester. (5 CCR 4600)

- b. ☐ A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learners in the class

This does not relieve the Eden Area ROP from complying with state or federal law regarding teachers of English Learners.

- c. ☐ A teacher is assigned to teach a class for which the teacher lacks subject matter competency

3. ☐ Facilities conditions: (Education Code 17592.72, 35186, 35292.5, 35292.6; 5 CCR 4683)

- a. ☐ A condition exists that poses an emergency or urgent threat to the health or safety of students or staff while at school including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the Eden Area ROP
- b. ☐ A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers
- c. ☐ For a school serving students in any of grades 3-12, the school has not, at all times, stocked and made available and accessible free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom
- d. ☐ Starting July 1, 2026, for a school that has more than one female and more than one male restroom designated exclusively for student use, the school has not maintained at least one all-gender restroom for student use in accordance with Education Code 35292.5
- e. ☐ The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes

This does not apply when temporary closing of the restroom is necessary for a documented student safety concern, an immediate threat to student safety, or to repair the facility.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as you wish to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of students or staff.

Please file this complaint at the following location:

Manuschka Michaud, Principal

Eden Area ROP
26316 Hesperian Blvd.
Hayward, CA 94545
510) 293-2904

Please be aware that you may file a complaint directly with the Superintendent of Public Instruction if you are alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Governing Board, or the Board's failure to remedy the deficiency.

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

(Signature)

(Date)



Policy 2110: Superintendent Responsibilities And Duties

Status: DRAFT

Original Adopted Date: 06/07/2012 | **Last Revised Date:** 03/05/2020

The Superintendent is expected to work for the fulfillment of Eden Area Regional Occupational Program (Eden Area ROP) goals and objectives established by the Governing Board. His/her responsibilities and duties shall be specified in contract and further detailed throughout the Governing Board's policies.

The duties of the Superintendent's office shall take precedence over any outside professional activities.

The Governing Board desires to establish a productive and collaborative working relationship with the Superintendent and to ensure that the work of the Superintendent is focused on student learning, achievement, and well-being, and the attainment of the Eden Area Regional Occupational Program's (Eden Area ROP) vision and goals. Additionally, the Board desires to provide a fair basis for holding the Superintendent accountable. The responsibilities of the Superintendent are detailed in law, in the Superintendent's contract, and throughout Board policies and administrative regulations.

The Board shall set expectations and goals for the Superintendent at the beginning of every evaluation year.

As the chief executive officer of the Eden Area ROP, the Superintendent shall implement all Board decisions and manage all instructional and noninstructional operations. Additionally, the Superintendent serves as a member of the Eden Area ROP's governance team and has responsibilities to support Board operations and decision-making.

The Superintendent may delegate any of the Superintendent's responsibilities and duties to other Eden Area ROP staff, but remains accountable to the Board for all areas of operation under the Superintendent's authority.

The Superintendent shall complete ethics training in accordance with Government Code 53234-53235.2 at least once every two years. (Government Code 53235)

If the Superintendent begins service with the Eden Area ROP after January 1, 2026, the Superintendent is required to receive ethics training no later than six months from the first day of service with the Eden Area ROP, and at least once every two years thereafter. (Government Code 53235.1)

The Eden Area ROP shall maintain records of ethics training, which are public records subject to disclosure under the California Public Records Act, for at least five years after the Superintendent received the training. The Eden Area ROP shall post on its website clear instructions and contact information for the purpose of requesting these records. (Government Code 53235.2)



Regulation 3517: Facilities Inspection

Status: DRAFT

Original Adopted Date: 12/12/2024 | Last Reviewed Date: 12/12/2024

The Superintendent or designee shall inspect school facilities to ensure that they are maintained in good repair. At a minimum, the Superintendent or designee shall assess those facility conditions specified on the facilities inspection tool developed by the Office of Public School Construction, including, but not limited to, the following: (Education Code 17002, 35292.5)

1. Gas **Leaks** Systems: Gas systems and pipes appear and smell safe, functional, and free of leaks
2. Mechanical Systems: Heating, ventilation, and air conditioning systems, as applicable, are functional and unobstructed; appear to supply an adequate amount of air to all classrooms, work spaces, and facilities; and maintain interior temperatures within normally acceptable ranges
3. **Doors and Windows**; ~~and Doors~~; ~~and Windows~~ and doors are intact, functional, and open, close, and lock as designed, unless there is a valid reason they should not function as designed
4. Fences and Gates: Fences and gates are intact, functional, and free of holes and other conditions that could present a safety hazard to students, staff, or others

Locks and other security hardware function as designed.

5. Interior Surfaces: Walls, floors, and ceilings are free of safety hazards from tears, holes, missing floor and ceiling tiles, torn carpet, water damage, or other cause

Ceiling tiles are intact. Surfaces display no evidence of mold or mildew.

6. Hazardous **and Flammable** Materials: Hazardous and flammable materials are stored properly

No evidence of peeling, chipping, or cracking paint is apparent. No indicators of mold, mildew, or asbestos exposure are evident. There does not appear to be evidence of hazardous materials that may pose a threat to the health and safety of students or staff.

7. Structures: Posts, beams, supports for portable classrooms and ramps, and other structures appear intact, secure, and functional as designed

Ceilings and floors are not sloping or sagging beyond their intended design. There is no visible evidence of severe cracks, dry rot, mold, or damage that undermines structural components.

8. Fire Safety and Emergency **Alarm Systems and Equipment**: Fire sprinklers, fire extinguishers, emergency alarm systems, and all emergency equipment and systems appear to be functioning properly

Fire alarm pull stations are clearly visible. Fire extinguishers are current and placed in all required areas, including every classroom and assembly area. Emergency exits are clearly marked and unobstructed.

9. Electrical Systems: Electrical systems, components, and equipment, including switches, junction boxes, panels, wiring, outlets, and light fixtures, are securely enclosed, properly covered and guarded from student access, and appear to be working properly

10. Lighting: Interior and exterior lighting appears to be adequate and working properly

Lights do not flicker, dim, or malfunction, and there is no unusual hum or noise from light fixtures.

11. Pest/Vermin Infestation: No visible or odorous indicators of pest or vermin infestation are evident

12. Drinking Fountains: Interior and exterior drinking fountains are functional, accessible, and free of leaks

Drinking water pressure is adequate. Fountain water is clear and without unusual taste or odor, and moss, mold, or excessive staining is not evident

13. Restrooms: Restrooms and restroom fixtures are functional, fully operational, maintained and cleaned regularly, and stocked at all times with supplies, including toilet paper, soap, and paper towels or functional hand dryers, in accordance with Education Code 35292.5

The school keeps all restrooms open during school hours when students are not in classes and keeps a sufficient number of restrooms open during school hours when students are in classes, except when necessary to temporarily close a restroom due to a documented student safety concern, an immediate threat to student safety, or the need to repair the facility.

Additionally, any school serving students in any of grades 3-12 shall, at all times, stock and make available and accessible free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom. The Eden Area Regional Occupational Program (Eden Area ROP) shall post in a prominent and conspicuous location in every restroom required to stock menstrual products a notice regarding this requirement that includes an email address and telephone number for a designated individual responsible for maintaining the requisite supply of menstrual products. (Education Code 35292.6)

In addition, starting July 1, 2026, any school that has more than one female and more than one male restroom designated exclusively for student use, excluding restrooms designated for students in transitional kindergarten or kindergarten, shall provide and maintain at least one all-gender restroom for student use. The Eden Area ROP shall use signage that identifies the bathroom facility as being open to all genders and is in accordance with 24 CCR 11B-703.; The Eden Area ROP shall ensure that the restroom is available for use consistent with the requirements specified above in Education Code 35292.5 and is unlocked, unobstructed, easily accessible by any student, and consistent with existing access to sex-segregated restrooms; stock the bathroom facility stocked with menstrual products in accordance with Education Code 35292.6, as specified above; and ensure that the bathroom facility is available during school hours and school functions when students are present. The Eden Area ROP shall post in a prominent and conspicuous location outside of at least one all-gender restroom a notice regarding these requirements that includes contact information for the staff member designated as the point of contact responsible for implementing such requirements.

14. Sewers: The sanitary sewer system controls odors as designed, displays no signs of stoppage, backup, or flooding in school facilities or on school grounds, and appears to be functioning properly
15. Roofs: Roofs, gutters, roof drains, and downspouts appear to be functioning properly and are free of visible damage and evidence of disrepair when observed from the ground from inside and outside the building
16. Drainage: School grounds do not exhibit signs of drainage problems, such as visible evidence of flooded areas, eroded soil, water damage to asphalt playgrounds or parking areas, or clogged storm drain inlets
17. Playground/School Grounds: Playground equipment, including exterior fixtures, seating, tables, and equipment, and school grounds, fields, walkways, and parking lot surfaces are functional and free of significant cracks, trip hazards, holes, deterioration that affects functionality or safety, and other health and safety hazards
18. Overall Cleanliness: School grounds, buildings, common areas, and individual rooms appear to have been cleaned regularly and are free of accumulated refuse and unabated graffiti

Restrooms, drinking fountains, and food preparation or serving areas appear to have been cleaned each day that school is in session.

Additionally, to ensure the health and safety of students, the Superintendent or designee shall provide for the testing

of drinking water on campus and of the soil and painted surfaces of school facilities for the presence of lead and/or other harmful substances, in accordance with state and federal standards, Board policy, and administrative regulations.

The Superintendent or designee shall ensure that any necessary repairs or removal of hazards identified during the inspection are made in a timely and expeditious manner.

Any complaint alleging a school facility condition that poses an emergency or urgent threat to the health or safety of students or staff, or alleging that a school restroom is not clean, maintained, stocked, or kept open, shall be addressed in accordance with Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures.

The Superintendent or designee shall provide the Governing Board with regular reports regarding the Eden Area ROPs facility inspections and updates of any visits to the Eden Area ROP Center by the County Superintendent of Schools to review school facilities.

If a County Superintendent provides a report to the Board, it shall be presented at a regularly scheduled meeting held in accordance with law.



Exhibit 3517-E(1): Facilities Inspection

Status: DRAFT

Original Adopted Date: 12/12/2024 | **Last Reviewed Date:** 12/12/2024

NOTICE REGARDING MENSTRUAL PRODUCTS

Education Code 35292.6 requires that:

- a. On or before the start of the 2024-25 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 3 to 12, inclusive, shall stock the school's restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom
- b. A public school described in subdivision (a) shall not charge for any menstrual products provided to ~~pupils~~ students
- c. A public school described in subdivision (a) shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section

This notice shall include the text of this section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products.

- d. For purposes of this section, "menstrual products" means menstrual pads and tampons for use in connection with the menstrual cycle
- e. This section shall become operative on July 1, 2024

The name and contact information for the individual responsible for maintaining the requisite supply of menstrual products is:

Manuschka Michaud, Principal
(510) 293-2904
mmichaud@edenrop.org



Policy 4111: Recruitment And Selection

Status: DRAFT

Original Adopted Date: 06/07/2012 | Last Revised Date: 06/07/2024 | Last Reviewed Date: 06/07/2024

The Governing Board is committed to employing suitable, qualified individuals to effectively carry out the Eden Area ROP Regional Occupational Program's (Eden Area ROP) vision, mission, and goals, and believes that students benefit when Eden Area ROP staff reflects the racial, ethnic, linguistic, and cultural diversity of the Eden Area Regional Occupational Program (Eden Area ROP).

The Superintendent or designee shall develop equitable, fair, and transparent recruitment and selection processes, and procedures consistent with applicable law, Board policy, that ensure are designed to promote fairness and equity so that individuals are selected for employment at the Eden Area ROP based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination in compliance with applicable antidiscrimination laws.

Additionally, the Superintendent or designee shall, through the recruitment and selection processes and procedures, seek to establish and maintain a diverse staff, including the active recruitment from institutions and organizations that serve populations underrepresented among Eden Area ROP employees and consistent with applicable law, seek to recruit a diverse pool of qualified applicants.

When a vacancy occurs, the Superintendent or designee shall review, as appropriate, the job description for the position to ensure that it accurately describes the major functions and duties of the position. The Additionally, the Superintendent or designee shall also disseminate job announcements in a manner reasonably designed to ensure reach a wide range broad pool of qualified candidates.

When posting an employment opportunity, the Superintendent or designee shall include the pay scale for the open position. (Labor Code 432.23)

The Superintendent shall develop and maintain appropriate hiring procedures to identify the best possible qualified candidates for a position who meet the Eden Area ROP's needs. In doing so, an interview committee may be established to rank candidates and recommend finalists. During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. All discussions and recommendations shall be treated as confidential and to the extent consistent with law.

When considering an applicant for a certificated position, the Eden Area ROP shall inquire with each district, county office of education (COE), charter school, state special school or diagnostic center operated by the California Department of Education (CDE), or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that was reported to the Commission on Teacher Credentialing (CTC). (Education Code 44939.5)

Additionally, when considering an applicant for a classified position, the Eden Area ROP shall inquire with each district, COE, charter school, state special school or diagnostic center operated by CDE, or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were used to support a substantiated investigation. (Education Code 44051)

Upon receipt of an inquiry from another district, COE, charter school, state special school or diagnostic center operated by CDE, or private school, in regard to an applicant for employment to that entity, the Superintendent or designee shall disclose to the inquiring entity all relevant information related to any report of egregious misconduct to CTC within its possession in regard to such applicant, including information in the employee's or former employee's personnel file, as specified in Education Code 44051 and 44939.5.

No inquiry shall be made about any information prohibited by state or federal nondiscrimination laws.

Unless otherwise provided for in law, the Eden Area ROP may not discriminate against a person in hiring based on the

person's use of cannabis off the job and away from the workplace, including that the Eden Area ROP may not request information from an applicant related to the applicant's prior use of cannabis, apart from the applicant's criminal history, or penalize an applicant based on a drug screening which finds that the applicant has nonpsychoactive cannabis metabolites in the applicant's hair, blood, urine, or other bodily fluid. (Government Code 12954)

However, the Eden Area ROP retains the right to maintain drug-free schools or prohibit employees from possessing, being impaired by, or using cannabis while on the job. (Government Code 12954)

The Superintendent or designee shall not inquire, orally or in writing, about an applicant's salary history information, including compensation and benefits. Additionally, the Superintendent or designee shall not rely on salary history information as a factor in determining whether to offer employment to an applicant or the salary to offer. However, the Superintendent or designee may consider salary information that is disclosable under state or federal law or that the applicant discloses voluntarily and without prompting. (Labor Code 432.3)

The Superintendent or designee shall not require an applicant to have a driver's license unless driving is an essential function of the position or it is otherwise reasonably expected for driving to be a job function for the position and that satisfying the job function using an alternative form of transportation would not be comparable in travel time or cost to the Eden Area ROP. (Government Code 12940)

For each position, the Superintendent or designee shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent or designee.

Incentives

With Board approval and in accordance with the Eden Area ROP needs, the Eden Area ROP may provide incentives to recruit teachers, administrators, or other employees, such as signing bonuses, assistance with beginning teacher induction and/or credential costs, mentoring, additional compensation, and/or subsidized housing.



Policy 4211: Recruitment And Selection

Status: DRAFT

Original Adopted Date: 06/07/2012 | Last Revised Date: 06/07/2024 | Last Reviewed Date: 06/07/2024

The Governing Board is committed to employing suitable, qualified individuals to effectively carry out the Eden Area ROP Regional Occupational Program's (Eden Area ROP) vision, mission, and goals, and believes that students benefit when Eden Area ROP staff reflects the racial, ethnic, linguistic, and cultural diversity of the Eden Area Regional Occupational Program (Eden Area ROP).

The Superintendent or designee shall develop equitable, fair, and transparent recruitment and selection processes, and procedures consistent with applicable law, Board policy, that ensure are designed to promote fairness and equity so that individuals are selected for employment at the Eden Area ROP based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination in compliance with applicable antidiscrimination laws.

Additionally, the Superintendent or designee shall, through the recruitment and selection processes and procedures, seek to establish and maintain a diverse staff, including the active recruitment from institutions and organizations that serve populations underrepresented among Eden Area ROP employees and consistent with applicable law, seek to recruit a diverse pool of qualified applicants.

When a vacancy occurs, the Superintendent or designee shall review, as appropriate, the job description for the position to ensure that it accurately describes the major functions and duties of the position. The Additionally, the Superintendent or designee shall also disseminate job announcements in a manner reasonably designed to ensure reach a wide range broad pool of qualified candidates.

When posting an employment opportunity, the Superintendent or designee shall include the pay scale for the open position. (Labor Code 432.23)

The Superintendent shall develop and maintain appropriate hiring procedures to identify the best possible qualified candidates for a position who meet the Eden Area ROP's needs. In doing so, an interview committee may be established to rank candidates and recommend finalists. During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. All discussions and recommendations shall be treated as confidential and to the extent consistent with law.

When considering an applicant for a certificated position, the Eden Area ROP shall inquire with each district, county office of education (COE), charter school, state special school or diagnostic center operated by the California Department of Education (CDE), or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that was reported to the Commission on Teacher Credentialing (CTC). (Education Code 44939.5)

Additionally, when considering an applicant for a classified position, the Eden Area ROP shall inquire with each district, COE, charter school, state special school or diagnostic center operated by CDE, or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were used to support a substantiated investigation. (Education Code 44051)

Upon receipt of an inquiry from another district, COE, charter school, state special school or diagnostic center operated by CDE, or private school, in regard to an applicant for employment to that entity, the Superintendent or designee shall disclose to the inquiring entity all relevant information related to any report of egregious misconduct to CTC within its possession in regard to such applicant, including information in the employee's or former employee's personnel file, as specified in Education Code 44051 and 44939.5.

No inquiry shall be made about any information prohibited by state or federal nondiscrimination laws.

Unless otherwise provided for in law, the Eden Area ROP may not discriminate against a person in hiring based on the

person's use of cannabis off the job and away from the workplace, including that the Eden Area ROP may not request information from an applicant related to the applicant's prior use of cannabis, apart from the applicant's criminal history, or penalize an applicant based on a drug screening which finds that the applicant has nonpsychoactive cannabis metabolites in the applicant's hair, blood, urine, or other bodily fluid. (Government Code 12954)

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The Superintendent or designee shall not require an applicant to have a driver's license unless driving is an essential function of the position or it is otherwise reasonably expected for driving to be a job function for the position and that satisfying the job function using an alternative form of transportation would not be comparable in travel time or cost to the Eden Area ROP. (Government Code 12940)

For each position, the Superintendent or designee shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent or designee.

Incentives

With Board approval and in accordance with the Eden Area ROP needs, the Eden Area ROP may provide incentives to recruit teachers, administrators, or other employees, such as signing bonuses, assistance with beginning teacher induction and/or credential costs, mentoring, additional compensation, and/or subsidized housing.



Policy 4311: Recruitment And Selection

Status: DRAFT

Original Adopted Date: 06/07/2012 | Last Revised Date: 06/07/2024 | Last Reviewed Date: 06/07/2024

The Governing Board is committed to employing suitable, qualified individuals to effectively carry out the Eden Area ROP Regional Occupational Program's (Eden Area ROP) vision, mission, and goals, and believes that students benefit when Eden Area ROP staff reflects the racial, ethnic, linguistic, and cultural diversity of the Eden Area Regional Occupational Program (Eden Area ROP).

The Superintendent or designee shall develop equitable, fair, and transparent recruitment and selection processes, and procedures consistent with applicable law, Board policy, that ensure are designed to promote fairness and equity so that individuals are selected for employment at the Eden Area ROP based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination in compliance with applicable antidiscrimination laws.

Additionally, the Superintendent or designee shall, through the recruitment and selection processes and procedures, seek to establish and maintain a diverse staff, including the active recruitment from institutions and organizations that serve populations underrepresented among Eden Area ROP employees and consistent with applicable law, seek to recruit a diverse pool of qualified applicants.

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The Superintendent shall develop and maintain appropriate hiring procedures to identify the best possible qualified candidates for a position who meet the Eden Area ROP's needs. In doing so, an interview committee may be established to rank candidates and recommend finalists. During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. All discussions and recommendations shall be treated as confidential and to the extent consistent with law.

When considering an applicant for a certificated position, the Eden Area ROP shall inquire with each district, county office of education (COE), charter school, state special school or diagnostic center operated by the California Department of Education (CDE), or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that was reported to the Commission on Teacher Credentialing (CTC). (Education Code 44939.5)

Additionally, when considering an applicant for a classified position, the Eden Area ROP shall inquire with each district, COE, charter school, state special school or diagnostic center operated by CDE, or private school that previously employed the applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were used to support a substantiated investigation. (Education Code 44051)

Upon receipt of an inquiry from another district, COE, charter school, state special school or diagnostic center operated by CDE, or private school, in regard to an applicant for employment to that entity, the Superintendent or designee shall disclose to the inquiring entity all relevant information related to any report of egregious misconduct to CTC within its possession in regard to such applicant, including information in the employee's or former employee's personnel file, as specified in Education Code 44051 and 44939.5.

No inquiry shall be made about any information prohibited by state or federal nondiscrimination laws.

Unless otherwise provided for in law, the Eden Area ROP may not discriminate against a person in hiring based on the

person's use of cannabis off the job and away from the workplace, including that the Eden Area ROP may not request information from an applicant related to the applicant's prior use of cannabis, apart from the applicant's criminal history, or penalize an applicant based on a drug screening which finds that the applicant has nonpsychoactive cannabis metabolites in the applicant's hair, blood, urine, or other bodily fluid. (Government Code 12954)

However, the Eden Area ROP retains the right to maintain drug-free schools or prohibit employees from possessing, being impaired by, or using cannabis while on the job. (Government Code 12954)

The Superintendent or designee shall not inquire, orally or in writing, about an applicant's salary history information, including compensation and benefits. Additionally, the Superintendent or designee shall not rely on salary history information as a factor in determining whether to offer employment to an applicant or the salary to offer. However, the Superintendent or designee may consider salary information that is disclosable under state or federal law or that the applicant discloses voluntarily and without prompting. (Labor Code 432.3)

The Superintendent or designee shall not require an applicant to have a driver's license unless driving is an essential function of the position or it is otherwise reasonably expected for driving to be a job function for the position and that satisfying the job function using an alternative form of transportation would not be comparable in travel time or cost to the Eden Area ROP. (Government Code 12940)

For each position, the Superintendent or designee shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent or designee.

Incentives

With Board approval and in accordance with the Eden Area ROP needs, the Eden Area ROP may provide incentives to recruit teachers, administrators, or other employees, such as signing bonuses, assistance with beginning teacher induction and/or credential costs, mentoring, additional compensation, and/or subsidized housing.



Regulation 4112: Appointment And Conditions Of Employment

Status: DRAFT

Original Adopted Date: 05/07/2020

Upon recommendation from the Superintendent or designee, the Governing Board shall approve the appointment of all certificated personnel. The position and the salary classification shall be reported to the Governing Board at a regular meeting.

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4121 - Temporary/Substitute Personnel)

Individuals appointed to the certificated staff shall:

1. Possess the appropriate certification qualifications and register the certification document in accordance with law and Governing Board policy (Education Code 44250-44279, 44330)

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

2. Demonstrate proficiency in basic skills as required by law and Governing Board policy (Education Code 44252.5, 44830)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

(cf. 6171 - Title I Programs)

3. Submit to fingerprinting and criminal background clearance as required by law (Education Code 44830.1)

4. Not have been convicted of a violent or serious felony as defined in Penal Code 667.5 or 1192.7, unless the individual has received a certificate of rehabilitation and pardon (Education Code 44830.1)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

5. Not have been convicted of any sex offense as defined in Education Code 44010 (Education Code 44836)

6. Not have been required to register as a sex offender pursuant to Penal Code 290 because of a conviction for a crime where the victim was a minor under the age of 16 (Penal Code 290.95)

(cf. 3515.5 - Sex Offender Notification)

7. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332 (Education Code 44837)

8. Not have been convicted of any controlled substance offense as defined in Education Code 44011 (Education Code 44836)

9. Submit to a physical examination, tuberculosis testing/risk assessment, and/or provide a medical certificate as any required by medical examinations or certifications in accordance with law and Governing Board policy (Education Code 44839, 49406)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

10. ~~10.~~ Submit to drug and alcohol testing as required by Governing in accordance with law, Board policy, as applicable
(cf. 4112.41/4212.41/4312.41 – Employee Drug Testing)
 11. ~~11.~~ Furnish a statement of military service and, if any was rendered, a copy of the discharge or release from service or, if no such document is available, other suitable evidence of the termination of service (Education Code 44838)
 12. ~~12.~~ File the oath or affirmation of allegiance required by Government Code 3100-3109
(cf. 4112.3/4212.3/4312.3 – Oath or Affirmation)
 13. ~~13.~~ Fulfill any other requirements as specified by law, Governing Board policy, or administrative regulation, including any reports of egregious misconduct in accordance with Board Policy 4111/4211/4311 – Recruitment and Selection or otherwise related to credentialing, assignment, and misconduct reporting
(cf. 4112.8/4212.8/4312.8 – Employment of Relatives)
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Regulation 4112.5: Criminal Record Check

Status: DRAFT

Original Adopted Date: 05/07/2020 | Last Revised Date: 06/07/2024 | Last Reviewed Date: 06/07/2024

The Superintendent or designee shall not hire or retain in employment, in a certificated or classified position, a person who has been convicted of a violent or serious felony as defined in Penal Code 667.5(c) or 1192.7(c), a controlled substance offense as defined in Education Code 44011, or a sex offense as defined in Education Code 44010. However, the Superintendent or designee shall not deny or terminate employment solely on the basis that the person has been: (Education Code 44830.1, 44836, 45122.1, 45123)

1. ~~1.~~ Convicted of a violent or serious felony, controlled substance offense, or sex offense, and the conviction is reversed and the person is acquitted of the offense in a new trial or the charges against the person are dismissed, unless the sex offense for which the conviction is dismissed pursuant to Penal Code 1203.4 involves a victim who was a minor
2. ~~2.~~ Convicted of a violent or serious felony and has obtained a certificate of rehabilitation or a pardon
3. ~~3.~~ Convicted of a serious felony, that is not also a violent felony, and has proven to the sentencing court that rehabilitation for purposes of school employment has been attained for at least one year
4. ~~4.~~ Convicted of a controlled substance offense and is applying for or is employed in a certificated position and has a credential issued by the Commission on Teacher Credentialing (CTC)
5. ~~5.~~ Convicted of a controlled substance offense and is applying for or is employed in a classified position and has been determined by the Governing Board, from the evidence presented, to have been rehabilitated for at least five years

A certificated employee may be hired by the Eden Area Regional Occupational Program (Eden Area ROP) without obtaining a criminal record summary if that employee is employed as a certificated employee in another California school district and became a permanent employee of another California school district as of October 1, 1997. (Education Code 44830.1, 44836)

The Superintendent or designee shall not issue a temporary certificate of clearance to a person whose application for a credential, certificate, or permit is being processed by ~~the Commission on Teacher Credentialing~~ CTC if that person has been convicted of a violent or serious felony, unless the person is otherwise exempt pursuant to Education Code 44332.6 or 44830.1. (Education Code 44332.5, 44332.6)

Pre-Employment Record Check

Prior to offering employment, the Superintendent or designee shall, when considering an applicant for employment, inquire if the applicant was subject to complaints of egregious misconduct, in accordance with Board Policy 4111/4211/4311 – Recruitment and Selection.

~~The~~ Additionally, the Superintendent or designee shall require each person to be employed by the Eden Area ROP to submit fingerprints electronically through the Live Scan system so that a criminal record check may be conducted by the Department of Justice (DOJ). The Superintendent or designee shall provide the applicant with a Live Scan request form and a list of nearby Live Scan locations.

When a person is applying for a classified position, the Superintendent or designee shall request that the DOJ also obtain a criminal record check through the Federal Bureau of Investigation whenever the applicant meets one of the following conditions: (Education Code 45125)

1. ~~1.~~ The applicant has not resided in California for at least one year immediately preceding the application for employment;
2. ~~2.~~ The applicant has resided in California for more than one year, but less than seven years, and the DOJ

has ascertained that the person was convicted of a sex offense where the victim was a minor or a drug offense where an element of the offense is either the distribution to or the use of a controlled substance by a minor;

The Superintendent or designee shall immediately notify the DOJ when an applicant who has submitted fingerprints to the DOJ is not subsequently employed by the Eden Area ROP. (Penal Code 11105.2)

Subsequent Arrest Notification

The Superintendent or designee shall enter into a contract with the DOJ to receive notification of subsequent arrests resulting in conviction of any person whose fingerprints have been submitted to the DOJ. (Education Code 44830.1, 45125; Penal Code 11105.2)

Upon telephone or email notification by the DOJ that a current temporary employee, substitute employee serving before March 15 of the employee's second year has been convicted of a violent or serious felony, the Superintendent or designee shall immediately place that employee on leave without pay. (Education Code 44830.1, 45122.1)

When the Eden Area ROP receives written electronic notification by the DOJ of the fact of conviction, the temporary employee, substitute employee serving before March 15 of the employee's second year shall be terminated automatically unless the employee challenges the DOJ record and the DOJ withdraws its notification in writing. Upon receipt of the written withdrawal of notification by the DOJ, the Superintendent or designee shall immediately reinstate the employee with full restoration of salary and benefits for the period of time from the suspension without pay to the reinstatement if the employee is still employed by the Eden Area ROP. (Education Code 44830.1, 45122.1)

The Superintendent or designee shall immediately notify the DOJ whenever a person whose fingerprints are maintained by the DOJ is terminated. (Penal Code 11105.2)

Notification of Applicant/Employee

The Superintendent or designee shall expeditiously furnish a copy of any DOJ notification to the applicant or employee to whom it relates if the information is a basis for an adverse employment decision. The copy shall be delivered in person or to the last contact information provided by the applicant or employee. (Penal Code 11105, 11105.2)

Maintenance of RecordsCriminal Record Offender Notification

The Superintendent shall designate at least one custodian of records who shall be responsible for the security, storage, dissemination, and destruction of all Criminal Offender Record Information (CORI) furnished to the Eden Area ROP and shall serve as the primary contact for the DOJ for any related issues. (Penal Code 11102.2)

An employee designated as custodian of records shall receive a criminal background check clearance from the DOJ prior to serving in that capacity. (Penal Code 11102.2)

The custodian of records shall sign and return to the DOJ the Employee Statement Form acknowledging an understanding of the laws prohibiting misuse of CORI. ~~In addition~~Additionally, the custodian of records shall ensure that any individual with access to CORI has on file a signed Employee Statement Form.

To ensure its confidentiality, CORI shall be accessible only to the custodian of records and shall be kept in a locked file separate from other files. CORI shall be used only for the purpose for which it is requested and its contents shall not be disclosed or reproduced. (Education Code 44830.1, 45125)

Once a hiring determination is made, the applicant's CORI shall be destroyed to the extent that the identity of the individual can no longer be reasonably ascertained. (Education Code 44830.1, 45125; 11 CCR 708)

The Superintendent or designee shall immediately notify the DOJ whenever a designated custodian of records ceases to serve in that capacity. (Penal Code 11102.2)

Egregious Misconduct Inquiries

The Superintendent or designee shall disclose to any inquiring local educational agency (LEA) or private school regarding an applicant for employment to that LEA, all relevant information related to any report to CTC of egregious misconduct. (Education Code 44051, 44939.5)



Regulation 4212.5: Criminal Record Check

Status: DRAFT

Original Adopted Date: 05/07/2020 | Last Revised Date: 06/07/2024 | Last Reviewed Date: 06/07/2024

The Superintendent or designee shall not hire or retain in employment, in a certificated or classified position, a person who has been convicted of a violent or serious felony as defined in Penal Code 667.5(c) or 1192.7(c), a controlled substance offense as defined in Education Code 44011, or a sex offense as defined in Education Code 44010. However, the Superintendent or designee shall not deny or terminate employment solely on the basis that the person has been: (Education Code 44830.1, 44836, 45122.1, 45123)

1. ~~1.~~ Convicted of a violent or serious felony, controlled substance offense, or sex offense, and the conviction is reversed and the person is acquitted of the offense in a new trial or the charges against the person are dismissed, unless the sex offense for which the conviction is dismissed pursuant to Penal Code 1203.4 involves a victim who was a minor
2. ~~2.~~ Convicted of a violent or serious felony and has obtained a certificate of rehabilitation or a pardon
3. ~~3.~~ Convicted of a serious felony, that is not also a violent felony, and has proven to the sentencing court that rehabilitation for purposes of school employment has been attained for at least one year
4. ~~4.~~ Convicted of a controlled substance offense and is applying for or is employed in a certificated position and has a credential issued by the Commission on Teacher Credentialing (CTC)
5. ~~5.~~ Convicted of a controlled substance offense and is applying for or is employed in a classified position and has been determined by the Governing Board, from the evidence presented, to have been rehabilitated for at least five years

A certificated employee may be hired by the Eden Area Regional Occupational Program (Eden Area ROP) without obtaining a criminal record summary if that employee is employed as a certificated employee in another California school district and became a permanent employee of another California school district as of October 1, 1997. (Education Code 44830.1, 44836)

The Superintendent or designee shall not issue a temporary certificate of clearance to a person whose application for a credential, certificate, or permit is being processed by ~~the Commission on Teacher Credentialing~~ CTC if that person has been convicted of a violent or serious felony, unless the person is otherwise exempt pursuant to Education Code 44332.6 or 44830.1. (Education Code 44332.5, 44332.6)

Pre-Employment Record Check

Prior to offering employment, the Superintendent or designee shall, when considering an applicant for employment, inquire if the applicant was subject to complaints of egregious misconduct, in accordance with Board Policy 4111/4211/4311 – Recruitment and Selection.

~~The~~ Additionally, the Superintendent or designee shall require each person to be employed by the Eden Area ROP to submit fingerprints electronically through the Live Scan system so that a criminal record check may be conducted by the Department of Justice (DOJ). The Superintendent or designee shall provide the applicant with a Live Scan request form and a list of nearby Live Scan locations.

When a person is applying for a classified position, the Superintendent or designee shall request that the DOJ also obtain a criminal record check through the Federal Bureau of Investigation whenever the applicant meets one of the following conditions: (Education Code 45125)

1. ~~1.~~ The applicant has not resided in California for at least one year immediately preceding the application for employment;
2. ~~2.~~ The applicant has resided in California for more than one year, but less than seven years, and the DOJ

has ascertained that the person was convicted of a sex offense where the victim was a minor or a drug offense where an element of the offense is either the distribution to or the use of a controlled substance by a minor;

The Superintendent or designee shall immediately notify the DOJ when an applicant who has submitted fingerprints to the DOJ is not subsequently employed by the Eden Area ROP. (Penal Code 11105.2)

Subsequent Arrest Notification

The Superintendent or designee shall enter into a contract with the DOJ to receive notification of subsequent arrests resulting in conviction of any person whose fingerprints have been submitted to the DOJ. (Education Code 44830.1, 45125; Penal Code 11105.2)

Upon telephone or email notification by the DOJ that a current temporary employee, substitute employee serving before March 15 of the employee's second year has been convicted of a violent or serious felony, the Superintendent or designee shall immediately place that employee on leave without pay. (Education Code 44830.1, 45122.1)

When the Eden Area ROP receives written electronic notification by the DOJ of the fact of conviction, the temporary employee, substitute employee serving before March 15 of the employee's second year shall be terminated automatically unless the employee challenges the DOJ record and the DOJ withdraws its notification in writing. Upon receipt of the written withdrawal of notification by the DOJ, the Superintendent or designee shall immediately reinstate the employee with full restoration of salary and benefits for the period of time from the suspension without pay to the reinstatement if the employee is still employed by the Eden Area ROP. (Education Code 44830.1, 45122.1)

The Superintendent or designee shall immediately notify the DOJ whenever a person whose fingerprints are maintained by the DOJ is terminated. (Penal Code 11105.2)

Notification of Applicant/Employee

The Superintendent or designee shall expeditiously furnish a copy of any DOJ notification to the applicant or employee to whom it relates if the information is a basis for an adverse employment decision. The copy shall be delivered in person or to the last contact information provided by the applicant or employee. (Penal Code 11105, 11105.2)

Maintenance of RecordsCriminal Record Offender Notification

The Superintendent shall designate at least one custodian of records who shall be responsible for the security, storage, dissemination, and destruction of all Criminal Offender Record Information (CORI) furnished to the Eden Area ROP and shall serve as the primary contact for the DOJ for any related issues. (Penal Code 11102.2)

An employee designated as custodian of records shall receive a criminal background check clearance from the DOJ prior to serving in that capacity. (Penal Code 11102.2)

The custodian of records shall sign and return to the DOJ the Employee Statement Form acknowledging an understanding of the laws prohibiting misuse of CORI. ~~In addition~~Additionally, the custodian of records shall ensure that any individual with access to CORI has on file a signed Employee Statement Form.

To ensure its confidentiality, CORI shall be accessible only to the custodian of records and shall be kept in a locked file separate from other files. CORI shall be used only for the purpose for which it is requested and its contents shall not be disclosed or reproduced. (Education Code 44830.1, 45125)

Once a hiring determination is made, the applicant's CORI shall be destroyed to the extent that the identity of the individual can no longer be reasonably ascertained. (Education Code 44830.1, 45125; 11 CCR 708)

The Superintendent or designee shall immediately notify the DOJ whenever a designated custodian of records ceases to serve in that capacity. (Penal Code 11102.2)

Egregious Misconduct Inquiries

The Superintendent or designee shall disclose to any inquiring local educational agency (LEA) or private school regarding an applicant for employment to that LEA, all relevant information related to any report to CTC of egregious misconduct. (Education Code 44051, 44939.5)



Regulation 4312.5: Criminal Record Check

Status: DRAFT

Original Adopted Date: 05/07/2020 | Last Revised Date: 06/07/2024 | Last Reviewed Date: 06/07/2024

The Superintendent or designee shall not hire or retain in employment, in a certificated or classified position, a person who has been convicted of a violent or serious felony as defined in Penal Code 667.5(c) or 1192.7(c), a controlled substance offense as defined in Education Code 44011, or a sex offense as defined in Education Code 44010. However, the Superintendent or designee shall not deny or terminate employment solely on the basis that the person has been: (Education Code 44830.1, 44836, 45122.1, 45123)

1. ~~1.~~ Convicted of a violent or serious felony, controlled substance offense, or sex offense, and the conviction is reversed and the person is acquitted of the offense in a new trial or the charges against the person are dismissed, unless the sex offense for which the conviction is dismissed pursuant to Penal Code 1203.4 involves a victim who was a minor
2. ~~2.~~ Convicted of a violent or serious felony and has obtained a certificate of rehabilitation or a pardon
3. ~~3.~~ Convicted of a serious felony, that is not also a violent felony, and has proven to the sentencing court that rehabilitation for purposes of school employment has been attained for at least one year
4. ~~4.~~ Convicted of a controlled substance offense and is applying for or is employed in a certificated position and has a credential issued by the Commission on Teacher Credentialing (CTC)
5. ~~5.~~ Convicted of a controlled substance offense and is applying for or is employed in a classified position and has been determined by the Governing Board, from the evidence presented, to have been rehabilitated for at least five years

A certificated employee may be hired by the Eden Area Regional Occupational Program (Eden Area ROP) without obtaining a criminal record summary if that employee is employed as a certificated employee in another California school district and became a permanent employee of another California school district as of October 1, 1997. (Education Code 44830.1, 44836)

The Superintendent or designee shall not issue a temporary certificate of clearance to a person whose application for a credential, certificate, or permit is being processed by ~~the Commission on Teacher Credentialing~~ CTC if that person has been convicted of a violent or serious felony, unless the person is otherwise exempt pursuant to Education Code 44332.6 or 44830.1. (Education Code 44332.5, 44332.6)

Pre-Employment Record Check

Prior to offering employment, the Superintendent or designee shall, when considering an applicant for employment, inquire if the applicant was subject to complaints of egregious misconduct, in accordance with Board Policy 4111/4211/4311 – Recruitment and Selection.

~~The~~ Additionally, the Superintendent or designee shall require each person to be employed by the Eden Area ROP to submit fingerprints electronically through the Live Scan system so that a criminal record check may be conducted by the Department of Justice (DOJ). The Superintendent or designee shall provide the applicant with a Live Scan request form and a list of nearby Live Scan locations.

When a person is applying for a classified position, the Superintendent or designee shall request that the DOJ also obtain a criminal record check through the Federal Bureau of Investigation whenever the applicant meets one of the following conditions: (Education Code 45125)

1. ~~1.~~ The applicant has not resided in California for at least one year immediately preceding the application for employment;
2. ~~2.~~ The applicant has resided in California for more than one year, but less than seven years, and the DOJ

has ascertained that the person was convicted of a sex offense where the victim was a minor or a drug offense where an element of the offense is either the distribution to or the use of a controlled substance by a minor;

The Superintendent or designee shall immediately notify the DOJ when an applicant who has submitted fingerprints to the DOJ is not subsequently employed by the Eden Area ROP. (Penal Code 11105.2)

Subsequent Arrest Notification

The Superintendent or designee shall enter into a contract with the DOJ to receive notification of subsequent arrests resulting in conviction of any person whose fingerprints have been submitted to the DOJ. (Education Code 44830.1, 45125; Penal Code 11105.2)

Upon telephone or email notification by the DOJ that a current temporary employee, substitute employee serving before March 15 of the employee's second year has been convicted of a violent or serious felony, the Superintendent or designee shall immediately place that employee on leave without pay. (Education Code 44830.1, 45122.1)

When the Eden Area ROP receives written electronic notification by the DOJ of the fact of conviction, the temporary employee, substitute employee serving before March 15 of the employee's second year shall be terminated automatically unless the employee challenges the DOJ record and the DOJ withdraws its notification in writing. Upon receipt of the written withdrawal of notification by the DOJ, the Superintendent or designee shall immediately reinstate the employee with full restoration of salary and benefits for the period of time from the suspension without pay to the reinstatement if the employee is still employed by the Eden Area ROP. (Education Code 44830.1, 45122.1)

The Superintendent or designee shall immediately notify the DOJ whenever a person whose fingerprints are maintained by the DOJ is terminated. (Penal Code 11105.2)

Notification of Applicant/Employee

The Superintendent or designee shall expeditiously furnish a copy of any DOJ notification to the applicant or employee to whom it relates if the information is a basis for an adverse employment decision. The copy shall be delivered in person or to the last contact information provided by the applicant or employee. (Penal Code 11105, 11105.2)

Maintenance of RecordsCriminal Record Offender Notification

The Superintendent shall designate at least one custodian of records who shall be responsible for the security, storage, dissemination, and destruction of all Criminal Offender Record Information (CORI) furnished to the Eden Area ROP and shall serve as the primary contact for the DOJ for any related issues. (Penal Code 11102.2)

An employee designated as custodian of records shall receive a criminal background check clearance from the DOJ prior to serving in that capacity. (Penal Code 11102.2)

The custodian of records shall sign and return to the DOJ the Employee Statement Form acknowledging an understanding of the laws prohibiting misuse of CORI. ~~In addition~~Additionally, the custodian of records shall ensure that any individual with access to CORI has on file a signed Employee Statement Form.

To ensure its confidentiality, CORI shall be accessible only to the custodian of records and shall be kept in a locked file separate from other files. CORI shall be used only for the purpose for which it is requested and its contents shall not be disclosed or reproduced. (Education Code 44830.1, 45125)

Once a hiring determination is made, the applicant's CORI shall be destroyed to the extent that the identity of the individual can no longer be reasonably ascertained. (Education Code 44830.1, 45125; 11 CCR 708)

The Superintendent or designee shall immediately notify the DOJ whenever a designated custodian of records ceases to serve in that capacity. (Penal Code 11102.2)

Egregious Misconduct Inquiries

The Superintendent or designee shall disclose to any inquiring local educational agency (LEA) or private school regarding an applicant for employment to that LEA, all relevant information related to any report to CTC of egregious misconduct. (Education Code 44051, 44939.5)



Exhibit 4112.5-E(1): Criminal Record Check

Status: DRAFT

Original Adopted Date: 05/07/2020 | Last Revised Date: 06/07/2024 | Last Reviewed Date: 06/07/2024

SAMPLE EMPLOYEE STATEMENT FORM

USE CONDITIONS FOR RELEASE OF CRIMINAL JUSTICE OFFENDER RECORD INFORMATION

As an employee/volunteer of Eden Area Regional Occupational Program (Eden Area ROP), you may have access to confidential criminal record information which is controlled by state and federal statutes. Misuse of such information may adversely affect the individual's civil rights and violate constitutional rights of privacy. Penal Code 502 prescribes the penalties relating to computer crimes. Penal Code 11105 and 13300 identify who has access to criminal history information and under what circumstances it may be disseminated. Penal Code 11140-11144 and 13301-13305 prescribe penalties for misuse of criminal history information. Government Code 6200 prescribes felony penalties for misuse of public records. Penal Code 11142 and 13300 state:

"Any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person not authorized by law to receive the record or information is guilty of a misdemeanor."

Civil Code 1798.53, Invasion of Privacy, states:

"Any person who intentionally discloses information, not otherwise public, which they know or should reasonably know was obtained from personal or confidential information maintained by a state agency or from records within a system of records maintained by a federal government agency, shall be subject to a civil action, for invasion of privacy, by the individual."

CIVIL, CRIMINAL, AND ADMINISTRATIVE PENALTIES:

- Penal Code 11141: DOJ furnishing to unauthorized person (misdemeanor)
- Penal Code 11142: Authorized person furnishing to other (misdemeanor)
- Penal Code 11143: Unauthorized person in possession (misdemeanor)
- California Constitution, Article I, Section 1 (Right to Privacy)
- Civil Code 1798.53, Invasion of Privacy
- Title 18 USC 641, 1030, 1951, and 1952

Any employee who is responsible for such misuse may be subject to immediate dismissal. Violations of this law may result in criminal and/or civil action.

I HAVE READ THE ABOVE AND UNDERSTAND THE POLICY REGARDING MISUSE OF CRIMINAL RECORD INFORMATION.

Signature _____ Date _____

Printed Name _____ Title _____

Name of District _____

PLEASE NOTE: Do not return this form to the DOJ. Your Custodian of Records should maintain these forms.

To uphold the standards of security specified in the Federal Bureau of Investigation's, "CJIS Security Policy," for all

personnel accessing or viewing criminal offender record information (CORI), controlled by state and federal statutes, please review and acknowledge the terms below. Misuse of CORI may violate constitutional rights of privacy, result in the suspension or loss of your employment, and prosecution for state and federal crimes. **Once acknowledged, this form shall be kept on file by the Custodian of Records and not returned to the California Department of Justice (DOJ).**

_____ I recognize that CORI and related data are sensitive and have the potential for great harm if misused

_____ I acknowledge I will complete the basic security awareness training required within six months of initial assignment and biennially thereafter

_____ I acknowledge that access to CORI and related data is limited to the purpose(s) for which my district is authorized to receive it for (Penal Code 11105; 28 CFR 50.12)

_____ I understand that in order to be given direct access to the web-based portal, Applicant Agency Justice Connection (AAJC), I must become a confirmed Custodian of Records with the DOJ

If confirmed, my login information to the portal shall not be shared with anyone

_____ I understand that accessing the AAJC for an appropriate purpose and then disseminating the information received for another purpose constitutes misuse (Penal Code 11142, 11143)

_____ I understand that misuse of the AAJC may include but not be limited to: accessing it without authorization; exceeding authorized access; accessing it for an improper purpose; using or disseminating information without authorization, and may subject me to administrative and criminal penalties

_____ I understand I am required to report any security events and weaknesses as quickly as possible to the district's Custodian of Records

_____ I further understand that the occurrence of misuse does not depend upon whether I receive compensation for the unauthorized activity

I hereby acknowledge and understand the terms listed above and agree to uphold the standards of security when accessing or viewing criminal offender record information.

Signature: _____ Date: _____

Printed Name: _____



Exhibit 4212.5-E(1): Criminal Record Check

Status: DRAFT

Original Adopted Date: 05/07/2020 | Last Revised Date: 06/07/2024 | Last Reviewed Date: 06/07/2024

SAMPLE EMPLOYEE STATEMENT FORM

USE CONDITIONS FOR RELEASE OF CRIMINAL JUSTICE OFFENDER RECORD INFORMATION

As an employee/volunteer of Eden Area Regional Occupational Program (Eden Area ROP), you may have access to confidential criminal record information which is controlled by state and federal statutes. Misuse of such information may adversely affect the individual's civil rights and violate constitutional rights of privacy. Penal Code 502 prescribes the penalties relating to computer crimes. Penal Code 11105 and 13300 identify who has access to criminal history information and under what circumstances it may be disseminated. Penal Code 11140-11144 and 13301-13305 prescribe penalties for misuse of criminal history information. Government Code 6200 prescribes felony penalties for misuse of public records. Penal Code 11142 and 13300 state:

"Any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person not authorized by law to receive the record or information is guilty of a misdemeanor."

Civil Code 1798.53, Invasion of Privacy, states:

"Any person who intentionally discloses information, not otherwise public, which they know or should reasonably know was obtained from personal or confidential information maintained by a state agency or from records within a system of records maintained by a federal government agency, shall be subject to a civil action, for invasion of privacy, by the individual."

CIVIL, CRIMINAL, AND ADMINISTRATIVE PENALTIES:

- Penal Code 11141: DOJ furnishing to unauthorized person (misdemeanor)
- Penal Code 11142: Authorized person furnishing to other (misdemeanor)
- Penal Code 11143: Unauthorized person in possession (misdemeanor)
- California Constitution, Article I, Section 1 (Right to Privacy)
- Civil Code 1798.53, Invasion of Privacy
- Title 18 USC 641, 1030, 1951, and 1952

Any employee who is responsible for such misuse may be subject to immediate dismissal. Violations of this law may result in criminal and/or civil action.

I HAVE READ THE ABOVE AND UNDERSTAND THE POLICY REGARDING MISUSE OF CRIMINAL RECORD INFORMATION:

Signature _____ Date _____

Printed Name _____ Title _____

Name of District _____

PLEASE NOTE: Do not return this form to the DOJ. Your Custodian of Records should maintain these forms.

To uphold the standards of security specified in the Federal Bureau of Investigation's, "CJIS Security Policy," for all

personnel accessing or viewing criminal offender record information (CORI), controlled by state and federal statutes, please review and acknowledge the terms below. Misuse of CORI may violate constitutional rights of privacy, result in the suspension or loss of your employment, and prosecution for state and federal crimes. **Once acknowledged, this form shall be kept on file by the Custodian of Records and not returned to the California Department of Justice (DOJ).**

_____ I recognize that CORI and related data are sensitive and have the potential for great harm if misused

_____ I acknowledge I will complete the basic security awareness training required within six months of initial assignment and biennially thereafter

_____ I acknowledge that access to CORI and related data is limited to the purpose(s) for which my district is authorized to receive it for (Penal Code 11105; 28 CFR 50.12)

_____ I understand that in order to be given direct access to the web-based portal, Applicant Agency Justice Connection (AAJC), I must become a confirmed Custodian of Records with the DOJ

If confirmed, my login information to the portal shall not be shared with anyone

_____ I understand that accessing the AAJC for an appropriate purpose and then disseminating the information received for another purpose constitutes misuse (Penal Code 11142, 11143)

_____ I understand that misuse of the AAJC may include but not be limited to: accessing it without authorization; exceeding authorized access; accessing it for an improper purpose; using or disseminating information without authorization, and may subject me to administrative and criminal penalties

_____ I understand I am required to report any security events and weaknesses as quickly as possible to the district's Custodian of Records

_____ I further understand that the occurrence of misuse does not depend upon whether I receive compensation for the unauthorized activity

I hereby acknowledge and understand the terms listed above and agree to uphold the standards of security when accessing or viewing criminal offender record information.

Signature: _____ Date: _____

Printed Name: _____



Exhibit 4312.5-E(1): Criminal Record Check

Status: DRAFT

Original Adopted Date: 05/07/2020 | Last Revised Date: 06/07/2024 | Last Reviewed Date: 06/07/2024

SAMPLE EMPLOYEE STATEMENT FORM

USE CONDITIONS FOR RELEASE OF CRIMINAL JUSTICE OFFENDER RECORD INFORMATION

As an employee/volunteer of Eden Area Regional Occupational Program (Eden Area ROP), you may have access to confidential criminal record information which is controlled by state and federal statutes. Misuse of such information may adversely affect the individual's civil rights and violate constitutional rights of privacy. Penal Code 502 prescribes the penalties relating to computer crimes. Penal Code 11105 and 13300 identify who has access to criminal history information and under what circumstances it may be disseminated. Penal Code 11140-11144 and 13301-13305 prescribe penalties for misuse of criminal history information. Government Code 6200 prescribes felony penalties for misuse of public records. Penal Code 11142 and 13300 state:

"Any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person not authorized by law to receive the record or information is guilty of a misdemeanor."

Civil Code 1798.53, Invasion of Privacy, states:

"Any person who intentionally discloses information, not otherwise public, which they know or should reasonably know was obtained from personal or confidential information maintained by a state agency or from records within a system of records maintained by a federal government agency, shall be subject to a civil action, for invasion of privacy, by the individual."

CIVIL, CRIMINAL, AND ADMINISTRATIVE PENALTIES:

- Penal Code 11141: DOJ furnishing to unauthorized person (misdemeanor)
- Penal Code 11142: Authorized person furnishing to other (misdemeanor)
- Penal Code 11143: Unauthorized person in possession (misdemeanor)
- California Constitution, Article I, Section 1 (Right to Privacy)
- Civil Code 1798.53, Invasion of Privacy
- Title 18 USC 641, 1030, 1951, and 1952

Any employee who is responsible for such misuse may be subject to immediate dismissal. Violations of this law may result in criminal and/or civil action.

I HAVE READ THE ABOVE AND UNDERSTAND THE POLICY REGARDING MISUSE OF CRIMINAL RECORD INFORMATION:

Signature _____ Date _____

Printed Name _____ Title _____

Name of District _____

PLEASE NOTE: Do not return this form to the DOJ. Your Custodian of Records should maintain these forms.

To uphold the standards of security specified in the Federal Bureau of Investigation's, "CJIS Security Policy," for all

personnel accessing or viewing criminal offender record information (CORI), controlled by state and federal statutes, please review and acknowledge the terms below. Misuse of CORI may violate constitutional rights of privacy, result in the suspension or loss of your employment, and prosecution for state and federal crimes. **Once acknowledged, this form shall be kept on file by the Custodian of Records and not returned to the California Department of Justice (DOJ).**

_____ I recognize that CORI and related data are sensitive and have the potential for great harm if misused

_____ I acknowledge I will complete the basic security awareness training required within six months of initial assignment and biennially thereafter

_____ I acknowledge that access to CORI and related data is limited to the purpose(s) for which my district is authorized to receive it for (Penal Code 11105; 28 CFR 50.12)

_____ I understand that in order to be given direct access to the web-based portal, Applicant Agency Justice Connection (AAJC), I must become a confirmed Custodian of Records with the DOJ

If confirmed, my login information to the portal shall not be shared with anyone

_____ I understand that accessing the AAJC for an appropriate purpose and then disseminating the information received for another purpose constitutes misuse (Penal Code 11142, 11143)

_____ I understand that misuse of the AAJC may include but not be limited to: accessing it without authorization; exceeding authorized access; accessing it for an improper purpose; using or disseminating information without authorization, and may subject me to administrative and criminal penalties

_____ I understand I am required to report any security events and weaknesses as quickly as possible to the district's Custodian of Records

_____ I further understand that the occurrence of misuse does not depend upon whether I receive compensation for the unauthorized activity

I hereby acknowledge and understand the terms listed above and agree to uphold the standards of security when accessing or viewing criminal offender record information.

Signature: _____ Date: _____

Printed Name: _____



Regulation 4112.6: Personnel Files

Status: DRAFT

Original Adopted Date: 05/07/2020

The Superintendent or designee shall maintain personnel files for all current employees at the Eden Area Regional Occupational Program's (Eden Area ROP) office.

The Superintendent or designee shall determine the types of information to be included in personnel files, including, but not limited to, records required by law, and shall process all material to be placed in such files.

{cf. 4112.5/4212.5/4312.5 – Criminal Record Check}

Placement of Material in Personnel Files

Any supervisor or administrator who places written material or drafts written material for placement in an employee's file shall sign the material and indicate the date of the placement.

When an employee is asked to sign any material that is to be placed in his/her the employee's file, he/she the employee shall be informed that the signature only signifies that he/she the employee has read the material and does not necessarily indicate that he/she the employee agrees with its contents.

Any request by an employee to include materials in his/her the employee's personnel file must shall be approved by the Superintendent or designee.

An employee may initiate a written reaction or response to his/her the employee's performance evaluation. The response shall be permanently attached to the evaluation and placed in the employee's personnel file. (Education Code 44663)

{cf. 4115 – Evaluation/Supervision}

{cf. 4215 – Evaluation/Supervision}

{cf. 4315 – Evaluation/Supervision}

Derogatory Information

Information of a derogatory nature shall not be entered into an employee's personnel file unless and until the employee is given notice and an opportunity to review and comment on that information. Such a review shall take place during normal business hours. The employee shall be released from duty for this purpose without a salary reduction. The employee may enter his/her the employee's own comments and have them attached to the derogatory statement. (Education Code 44031)

{cf. 1312.1 – Complaints Concerning District Employees}

{cf. 4112.9/4212.9/4312.9 – Employee Notifications}

{cf. 4118 – Dismissal/Suspension/Disciplinary Action}

{cf. 4218 – Dismissal/Suspension/Disciplinary Action}

{cf. 5141.4 – Child Abuse Prevention and Reporting}

Persons with Authorized Access

The Superintendent or designee shall maintain the confidentiality of any personnel records which, if inappropriately disclosed, would constitute an unwarranted invasion of the employee's privacy.

Access to an employee's personnel file shall be granted only to the employee or former employee, persons authorized

by the employee, Eden Area ROP personnel, and others with a valid "right to know" or "need to know" who are authorized access by the Superintendent or designee.

~~(cf. 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information)~~

~~Individual~~ An individual Governing Board members shall not access or be allowed given access to access an employee's or former employee's personnel files, but the Governing Board may request pertinent information from an employee's or former employee's file in cases the case of a personnel action.

~~(cf. 9011 – Disclosure of Confidential/Privileged Information)~~

~~(cf. 9321 – Closed Session Purposes and Agendas)~~

~~(cf. 9321.1 – Closed Session Actions and Reports)~~

Additionally, an employee or former employee's personnel files shall only be disclosed to an officer or employee of an agency conducting immigration enforcement in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.

Any authorized reviewer shall maintain strict confidence of the contents of a personnel file. Personnel files shall be reviewed and replaced within the shortest time possible. In no case shall a personnel file be left unattended or left unsecured overnight.

File Review by Employee

Any employee or former employee wishing to inspect his/her the employee's or former employee's personnel record shall contact the Superintendent or designee.

~~With the exceptions noted~~ Unless there is an exception as specified below, all personnel records related to the employee's or former employee's performance, including education or training records, or to any grievance concerning the employee or former employee shall be made available for inspection by the employee or former employee. Noncredentialed employees shall have access to any numerical scores obtained as a result of written examinations. (Education Code 44031; Labor Code 1198.5)

The Superintendent or designee shall not be required to make available to the employee or former employee: (Education Code 44031; Labor Code 1198.5)

1. ~~1.~~ Records related to the investigation of a possible criminal offense
2. ~~2.~~ Letters of reference
3. ~~3.~~ Ratings, reports, or records that were obtained prior to the employee's employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination

~~(cf. 4112.41/4212.41/4312.41 – Employee Drug Testing)~~

Personnel records related to the employee's, or former employee's, job performance or to any grievance concerning him/her the employee shall be made available to the employee for inspection at reasonable intervals and at reasonable times, but not later than 30 calendar days from the date the Eden Area ROP receives a written request, unless the current or former employee, or the employee's representative, and the Superintendent or designee agree in writing to a date beyond 30 calendar days to inspect the records, and the agreed-upon date does not exceed 35 calendar days from the Eden Area ROP's receipt of the written request. (Education Code 44031; Labor Code 1198.5)

For current employees, the Superintendent or designee shall make the records available for inspection at the place where the employee reports to work, or at another mutually agreeable location. If the Superintendent or designee requires the employee to inspect the records at a location other than the place where the employee reports to work, there shall be no loss of compensation to the employee. The Superintendent or designee shall not be required to

make such records available at a time when the employee is required to render services to the Eden Area ROP, unless the employee is required to view the file where it is stored. (Education Code 44031; Labor Code 1198.5)

The Superintendent or designee shall do one of the following: (Labor Code 1198.5)

1. Keep a copy of each employee's personnel records at the place where the employee reports to work
2. Make the employee's personnel records available at the place where the employee reports to work within a reasonable period of time following the employee's request
3. Permit the employee to inspect the personnel records at the location where the Eden Area ROP stores the personnel records, with no loss of compensation to the employee

For former employees, the Superintendent or designee shall make the records available for inspection at the location where the Eden Area ROP stores the records unless a different location is mutually agreed to. If a former employee was terminated for violation of law, or an employment-related policy, involving harassment or workplace violence, the Superintendent or designee may make the personnel records available at a location other than the workplace that is within a reasonable driving distance of the former employee's residence, or provide a copy of the personnel records by mail. (Labor Code 1198.5)

If the employee has, in writing, authorized a representative, the employee may be accompanied by that representative while reviewing the employee's personnel records. The Superintendent or designee may take reasonable steps to verify the identity of a current or former employee or the employee's authorized representative. (Labor Code 1198.5)

Upon a written request from a current or former employee, or their representative, the Superintendent or designee shall provide a copy of the personnel records, at a charge not to exceed the actual cost of reproduction, no later than 30 calendar days from the date the Eden Area ROP receives the request. The deadline to provide a copy of the records may be extended to a date beyond 30 calendar days if the current or former employee, or their representative, and the Superintendent or designee agree in writing, as long as the agreed-upon date does not exceed 35 calendar days from the receipt of the written request. The Superintendent or designee shall provide any copy of a personnel file at the place described above for inspection. A former employee may receive a copy by mail if the employee reimburses the Eden Area ROP for actual postal expenses. (Labor Code 1198.5)

Records Retention

Personnel records for current and former employees shall be retained in accordance with 5 CCR 16023.

(cf. 3580 – District Records)

Egregious Misconduct

The Superintendent or designee shall not expunge from an employee's personnel file, nor enter into an agreement that would authorize expunging from an employee's personnel file, any documentation of a credible complaint, substantiated investigation, or discipline regarding egregious misconduct as defined in Education Code 44932. However, such documentation may be removed if, during a hearing before the Governing Board, an arbiter, or administrative law judge, the employee prevailed, the allegations were determined to be false, not credible, or unsubstantiated, or a determination was made that the discipline was not warranted. (Education Code 44939.5)

Upon receipt of an inquiry from another Eden Area ROP, county office of education, charter school, state special school or diagnostic center operated by the California Department of Education, or private school, in regard to an applicant for employment to that entity, the Superintendent or designee shall disclose to the inquiring entity all relevant information related to any report of egregious misconduct to the Commission on Teacher Credentialing within its possession in regard to such applicant, including information in the employee's or former employee's personnel file, as specified in Education Code 44051 and 44939.5.



Regulation 4212.6: Personnel Files

Status: DRAFT

Original Adopted Date: 05/07/2020

The Superintendent or designee shall maintain personnel files for all current employees at the Eden Area Regional Occupational Program's (Eden Area ROP) office.

The Superintendent or designee shall determine the types of information to be included in personnel files, including, but not limited to, records required by law, and shall process all material to be placed in such files.

{cf. 4112.5/4212.5/4312.5 – Criminal Record Check}

Placement of Material in Personnel Files

Any supervisor or administrator who places written material or drafts written material for placement in an employee's file shall sign the material and indicate the date of the placement.

When an employee is asked to sign any material that is to be placed in his/her the employee's file, he/she the employee shall be informed that the signature only signifies that he/she the employee has read the material and does not necessarily indicate that he/she the employee agrees with its contents.

Any request by an employee to include materials in his/her the employee's personnel file must shall be approved by the Superintendent or designee.

An employee may initiate a written reaction or response to his/her the employee's performance evaluation. The response shall be permanently attached to the evaluation and placed in the employee's personnel file. (Education Code 44663)

{cf. 4115 – Evaluation/Supervision}

{cf. 4215 – Evaluation/Supervision}

{cf. 4315 – Evaluation/Supervision}

Derogatory Information

Information of a derogatory nature shall not be entered into an employee's personnel file unless and until the employee is given notice and an opportunity to review and comment on that information. Such a review shall take place during normal business hours. The employee shall be released from duty for this purpose without a salary reduction. The employee may enter his/her the employee's own comments and have them attached to the derogatory statement. (Education Code 44031)

{cf. 1312.1 – Complaints Concerning District Employees}

{cf. 4112.9/4212.9/4312.9 – Employee Notifications}

{cf. 4118 – Dismissal/Suspension/Disciplinary Action}

{cf. 4218 – Dismissal/Suspension/Disciplinary Action}

{cf. 5141.4 – Child Abuse Prevention and Reporting}

Persons with Authorized Access

The Superintendent or designee shall maintain the confidentiality of any personnel records which, if inappropriately disclosed, would constitute an unwarranted invasion of the employee's privacy.

Access to an employee's personnel file shall be granted only to the employee or former employee, persons authorized

by the employee, Eden Area ROP personnel, and others with a valid "right to know" or "need to know" who are authorized access by the Superintendent or designee.

~~(cf. 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information)~~

~~Individual~~ An individual Governing Board members shall not access or be allowed given access to access an employee's or former employee's personnel files, but the Governing Board may request pertinent information from an employee's or former employee's file in cases the case of a personnel action.

~~(cf. 9011 – Disclosure of Confidential/Privileged Information)~~

~~(cf. 9321 – Closed Session Purposes and Agendas)~~

~~(cf. 9321.1 – Closed Session Actions and Reports)~~

Additionally, an employee or former employee's personnel files shall only be disclosed to an officer or employee of an agency conducting immigration enforcement in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.

Any authorized reviewer shall maintain strict confidence of the contents of a personnel file. Personnel files shall be reviewed and replaced within the shortest time possible. In no case shall a personnel file be left unattended or left unsecured overnight.

File Review by Employee

Any employee or former employee wishing to inspect his/her the employee's or former employee's personnel record shall contact the Superintendent or designee.

~~With the exceptions noted~~ Unless there is an exception as specified below, all personnel records related to the employee's or former employee's performance, including education or training records, or to any grievance concerning the employee or former employee shall be made available for inspection by the employee or former employee. Noncredentialed employees shall have access to any numerical scores obtained as a result of written examinations. (Education Code 44031; Labor Code 1198.5)

The Superintendent or designee shall not be required to make available to the employee or former employee: (Education Code 44031; Labor Code 1198.5)

1. ~~1.~~ Records related to the investigation of a possible criminal offense
2. ~~2.~~ Letters of reference
3. ~~3.~~ Ratings, reports, or records that were obtained prior to the employee's employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination

~~(cf. 4112.41/4212.41/4312.41 – Employee Drug Testing)~~

Personnel records related to the employee's, or former employee's, job performance or to any grievance concerning him/her the employee shall be made available to the employee for inspection at reasonable intervals and at reasonable times, but not later than 30 calendar days from the date the Eden Area ROP receives a written request, unless the current or former employee, or the employee's representative, and the Superintendent or designee agree in writing to a date beyond 30 calendar days to inspect the records, and the agreed-upon date does not exceed 35 calendar days from the Eden Area ROP's receipt of the written request. (Education Code 44031; Labor Code 1198.5)

For current employees, the Superintendent or designee shall make the records available for inspection at the place where the employee reports to work, or at another mutually agreeable location. If the Superintendent or designee requires the employee to inspect the records at a location other than the place where the employee reports to work, there shall be no loss of compensation to the employee. The Superintendent or designee shall not be required to

make such records available at a time when the employee is required to render services to the Eden Area ROP, unless the employee is required to view the file where it is stored. (Education Code 44031; Labor Code 1198.5)

The Superintendent or designee shall do one of the following: (Labor Code 1198.5)

1. Keep a copy of each employee's personnel records at the place where the employee reports to work
2. Make the employee's personnel records available at the place where the employee reports to work within a reasonable period of time following the employee's request
3. Permit the employee to inspect the personnel records at the location where the Eden Area ROP stores the personnel records, with no loss of compensation to the employee

For former employees, the Superintendent or designee shall make the records available for inspection at the location where the Eden Area ROP stores the records unless a different location is mutually agreed to. If a former employee was terminated for violation of law, or an employment-related policy, involving harassment or workplace violence, the Superintendent or designee may make the personnel records available at a location other than the workplace that is within a reasonable driving distance of the former employee's residence, or provide a copy of the personnel records by mail. (Labor Code 1198.5)

If the employee has, in writing, authorized a representative, the employee may be accompanied by that representative while reviewing the employee's personnel records. The Superintendent or designee may take reasonable steps to verify the identity of a current or former employee or the employee's authorized representative. (Labor Code 1198.5)

Upon a written request from a current or former employee, or their representative, the Superintendent or designee shall provide a copy of the personnel records, at a charge not to exceed the actual cost of reproduction, no later than 30 calendar days from the date the Eden Area ROP receives the request. The deadline to provide a copy of the records may be extended to a date beyond 30 calendar days if the current or former employee, or their representative, and the Superintendent or designee agree in writing, as long as the agreed-upon date does not exceed 35 calendar days from the receipt of the written request. The Superintendent or designee shall provide any copy of a personnel file at the place described above for inspection. A former employee may receive a copy by mail if the employee reimburses the Eden Area ROP for actual postal expenses. (Labor Code 1198.5)

Records Retention

Personnel records for current and former employees shall be retained in accordance with 5 CCR 16023.

(cf. 3580 – District Records)

Egregious Misconduct

The Superintendent or designee shall not expunge from an employee's personnel file, nor enter into an agreement that would authorize expunging from an employee's personnel file, any documentation of a credible complaint, substantiated investigation, or discipline regarding egregious misconduct as defined in Education Code 44932. However, such documentation may be removed if, during a hearing before the Governing Board, an arbiter, or administrative law judge, the employee prevailed, the allegations were determined to be false, not credible, or unsubstantiated, or a determination was made that the discipline was not warranted. (Education Code 44939.5)

Upon receipt of an inquiry from another Eden Area ROP, county office of education, charter school, state special school or diagnostic center operated by the California Department of Education, or private school, in regard to an applicant for employment to that entity, the Superintendent or designee shall disclose to the inquiring entity all relevant information related to any report of egregious misconduct to the Commission on Teacher Credentialing within its possession in regard to such applicant, including information in the employee's or former employee's personnel file, as specified in Education Code 44051 and 44939.5.



Regulation 4312.6: Personnel Files

Status: DRAFT

Original Adopted Date: 05/07/2020

The Superintendent or designee shall maintain personnel files for all current employees at the Eden Area Regional Occupational Program's (Eden Area ROP) office.

The Superintendent or designee shall determine the types of information to be included in personnel files, including, but not limited to, records required by law, and shall process all material to be placed in such files.

{cf. 4112.5/4212.5/4312.5 – Criminal Record Check}

Placement of Material in Personnel Files

Any supervisor or administrator who places written material or drafts written material for placement in an employee's file shall sign the material and indicate the date of the placement.

When an employee is asked to sign any material that is to be placed in his/her the employee's file, he/she the employee shall be informed that the signature only signifies that he/she the employee has read the material and does not necessarily indicate that he/she the employee agrees with its contents.

Any request by an employee to include materials in his/her the employee's personnel file must shall be approved by the Superintendent or designee.

An employee may initiate a written reaction or response to his/her the employee's performance evaluation. The response shall be permanently attached to the evaluation and placed in the employee's personnel file. (Education Code 44663)

{cf. 4115 – Evaluation/Supervision}

{cf. 4215 – Evaluation/Supervision}

{cf. 4315 – Evaluation/Supervision}

Derogatory Information

Information of a derogatory nature shall not be entered into an employee's personnel file unless and until the employee is given notice and an opportunity to review and comment on that information. Such a review shall take place during normal business hours. The employee shall be released from duty for this purpose without a salary reduction. The employee may enter his/her the employee's own comments and have them attached to the derogatory statement. (Education Code 44031)

{cf. 1312.1 – Complaints Concerning District Employees}

{cf. 4112.9/4212.9/4312.9 – Employee Notifications}

{cf. 4118 – Dismissal/Suspension/Disciplinary Action}

{cf. 4218 – Dismissal/Suspension/Disciplinary Action}

{cf. 5141.4 – Child Abuse Prevention and Reporting}

Persons with Authorized Access

The Superintendent or designee shall maintain the confidentiality of any personnel records which, if inappropriately disclosed, would constitute an unwarranted invasion of the employee's privacy.

Access to an employee's personnel file shall be granted only to the employee or former employee, persons authorized

by the employee, Eden Area ROP personnel, and others with a valid "right to know" or "need to know" who are authorized access by the Superintendent or designee.

(cf. 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information)

~~Individual~~ An individual Governing Board members shall not access or be allowed given access to access an employee's or former employee's personnel files, but the Governing Board may request pertinent information from an employee's or former employee's file in cases the case of a personnel action.

(cf. 9011 – Disclosure of Confidential/Privileged Information)

(cf. 9321 – Closed Session Purposes and Agendas)

(cf. 9321.1 – Closed Session Actions and Reports)

Additionally, an employee or former employee's personnel files shall only be disclosed to an officer or employee of an agency conducting immigration enforcement in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.

Any authorized reviewer shall maintain strict confidence of the contents of a personnel file. Personnel files shall be reviewed and replaced within the shortest time possible. In no case shall a personnel file be left unattended or left unsecured overnight.

File Review by Employee

Any employee or former employee wishing to inspect his/her the employee's or former employee's personnel record shall contact the Superintendent or designee.

~~With the exceptions noted~~ Unless there is an exception as specified below, all personnel records related to the employee's or former employee's performance, including education or training records, or to any grievance concerning the employee or former employee shall be made available for inspection by the employee or former employee. Noncredentialed employees shall have access to any numerical scores obtained as a result of written examinations. (Education Code 44031; Labor Code 1198.5)

The Superintendent or designee shall not be required to make available to the employee or former employee: (Education Code 44031; Labor Code 1198.5)

1. ~~1.~~ Records related to the investigation of a possible criminal offense
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3. ~~3.~~ Ratings, reports, or records that were obtained prior to the employee's employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination

(cf. 4112.41/4212.41/4312.41 – Employee Drug Testing)

Personnel records related to the employee's, or former employee's, job performance or to any grievance concerning him/her the employee shall be made available to the employee for inspection at reasonable intervals and at reasonable times, but not later than 30 calendar days from the date the Eden Area ROP receives a written request, unless the current or former employee, or the employee's representative, and the Superintendent or designee agree in writing to a date beyond 30 calendar days to inspect the records, and the agreed-upon date does not exceed 35 calendar days from the Eden Area ROP's receipt of the written request. (Education Code 44031; Labor Code 1198.5)

For current employees, the Superintendent or designee shall make the records available for inspection at the place where the employee reports to work, or at another mutually agreeable location. If the Superintendent or designee requires the employee to inspect the records at a location other than the place where the employee reports to work, there shall be no loss of compensation to the employee. The Superintendent or designee shall not be required to

make such records available at a time when the employee is required to render services to the Eden Area ROP, unless the employee is required to view the file where it is stored. (Education Code 44031; Labor Code 1198.5)

The Superintendent or designee shall do one of the following: (Labor Code 1198.5)

1. Keep a copy of each employee's personnel records at the place where the employee reports to work
2. Make the employee's personnel records available at the place where the employee reports to work within a reasonable period of time following the employee's request
3. Permit the employee to inspect the personnel records at the location where the Eden Area ROP stores the personnel records, with no loss of compensation to the employee

For former employees, the Superintendent or designee shall make the records available for inspection at the location where the Eden Area ROP stores the records unless a different location is mutually agreed to. If a former employee was terminated for violation of law, or an employment-related policy, involving harassment or workplace violence, the Superintendent or designee may make the personnel records available at a location other than the workplace that is within a reasonable driving distance of the former employee's residence, or provide a copy of the personnel records by mail. (Labor Code 1198.5)

If the employee has, in writing, authorized a representative, the employee may be accompanied by that representative while reviewing the employee's personnel records. The Superintendent or designee may take reasonable steps to verify the identity of a current or former employee or the employee's authorized representative. (Labor Code 1198.5)

Upon a written request from a current or former employee, or their representative, the Superintendent or designee shall provide a copy of the personnel records, at a charge not to exceed the actual cost of reproduction, no later than 30 calendar days from the date the Eden Area ROP receives the request. The deadline to provide a copy of the records may be extended to a date beyond 30 calendar days if the current or former employee, or their representative, and the Superintendent or designee agree in writing, as long as the agreed-upon date does not exceed 35 calendar days from the receipt of the written request. The Superintendent or designee shall provide any copy of a personnel file at the place described above for inspection. A former employee may receive a copy by mail if the employee reimburses the Eden Area ROP for actual postal expenses. (Labor Code 1198.5)

Records Retention

Personnel records for current and former employees shall be retained in accordance with 5 CCR 16023.

(cf. 3580 – District Records)

Egregious Misconduct

The Superintendent or designee shall not expunge from an employee's personnel file, nor enter into an agreement that would authorize expunging from an employee's personnel file, any documentation of a credible complaint, substantiated investigation, or discipline regarding egregious misconduct as defined in Education Code 44932. However, such documentation may be removed if, during a hearing before the Governing Board, an arbiter, or administrative law judge, the employee prevailed, the allegations were determined to be false, not credible, or unsubstantiated, or a determination was made that the discipline was not warranted. (Education Code 44939.5)

Upon receipt of an inquiry from another Eden Area ROP, county office of education, charter school, state special school or diagnostic center operated by the California Department of Education, or private school, in regard to an applicant for employment to that entity, the Superintendent or designee shall disclose to the inquiring entity all relevant information related to any report of egregious misconduct to the Commission on Teacher Credentialing within its possession in regard to such applicant, including information in the employee's or former employee's personnel file, as specified in Education Code 44051 and 44939.5.



Policy 4112.9: Employee Notifications

Status: DRAFT

Original Adopted Date: 05/07/2020 | **Last Revised Date:** 03/03/2022

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide Eden Area Regional Occupational Program (Eden Area ROP) employees all notifications required by law and any other notifications the Superintendent or designee believes will promote staff knowledge of the Eden Area ROP's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, Eden Area ROP employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

(cf. 3580 – District Records)

(cf. 4112.6/4212.6/4312.6 – Personnel Files)



Policy 4212.9: Employee Notifications

Status: DRAFT

Original Adopted Date: 05/07/2020 | **Last Revised Date:** 03/03/2022

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide Eden Area Regional Occupational Program (Eden Area ROP) employees all notifications required by law and any other notifications the Superintendent or designee believes will promote staff knowledge of the Eden Area ROP's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, Eden Area ROP employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

(cf. 3580 – District Records)

(cf. 4112.6/4212.6/4312.6 – Personnel Files)



Policy 4312.9: Employee Notifications

Status: DRAFT

Original Adopted Date: 05/07/2020 | **Last Revised Date:** 03/03/2022

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide Eden Area Regional Occupational Program (Eden Area ROP) employees all notifications required by law and any other notifications the Superintendent or designee believes will promote staff knowledge of the Eden Area ROP's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, Eden Area ROP employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

(cf. 3580 – District Records)

(cf. 4112.6/4212.6/4312.6 – Personnel Files)



Exhibit 4112.9-E(1): Employee Notifications

Status: DRAFT

Original Adopted Date: 03/03/2022 | **Last Revised Date:** 10/02/2025 | **Last Reviewed Date:** 10/02/2025

This exhibit is a non-exhaustive list of notices that the law explicitly requires be provided to employees. Other notices may exist and be identified in the future.

I. To All Employees

When/Whom to Notify: At the beginning of school year or upon employment
Education or Other Legal Code: Education Code 231.5, Government Code 12950
Board Policy/Administrative Regulation #: AR 4119.11/4219.11/4319.11
Subject: The district's policy on sexual harassment, legal remedies, complaints

When/Whom to Notify: Annually and 72 hours before pesticide application
Education or Other Legal Code: Education Code 17612
Board Policy/Administrative Regulation #: AR 3514.2
Subject: Use of pesticide products, active ingredients, internet address to access information on pesticides

When/Whom to Notify: When the school confirms the presence of immigration enforcement on the school site
Education or Other Legal Code: Education Code 32282
Board Policy/Administrative Regulation #: AR 0450, AR 1445
Subject: Presence of immigration enforcement on school site

When/Whom to Notify: Annually
Education or Other Legal Code: Education Code 49013; 5 CCR 4622
Board Policy/Administrative Regulation #: AR 1312.3; BP 0460; BP 3260
Subject: Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees

When/Whom to Notify: Annually
Education or Other Legal Code: Education Code 49414
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained to administer emergency epinephrine auto-injectors delivery systems

When/Whom to Notify: At least once per school year
Education or Other Legal Code: Education Code 49414.7
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained to administer stock albuterol inhalers

When/Whom to Notify: At least once per year
Education or Other Legal Code: Education Code 49414.3
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained to administer opioid antagonist

When/Whom to Notify: To all employees
Education or Other Legal Code: Government Code 1126
Board Policy/Administrative Regulation #: BP 4136/4236/4336
Subject: Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal

When/Whom to Notify: To all employees
Education or Other Legal Code: Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210
Board Policy/Administrative Regulation #: BP 4020, BP 4159/4259/4359
Subject: District's drug- and alcohol-free workplace; actions that will be taken if violated; available employee assistance programs

When/Whom to Notify: Upon employment
Education or Other Legal Code: Government Code 21029
Board Policy/Administrative Regulation #: None
Subject: Right to purchase PERS service credit for military service performed prior to public employment

When/Whom to Notify: Upon placement of automated external defibrillator (AED) in school, annually thereafter
Education or Other Legal Code: Health and Safety Code 1797.196
Board Policy/Administrative Regulation #: AR 5141
Subject: Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan

When/Whom to Notify: Annually, or more frequently if there is new information
Education or Other Legal Code: Health and Safety Code 120875, 120880
Board Policy/Administrative Regulation #: BP 4119.43/4219.43/4319.43
Subject: AIDS and hepatitis B, methods to prevent exposure

When/Whom to Notify: To new employees upon hire, all employees annually and upon request, in districts with 25 or more employees
Education or Other Legal Code: Government Code 12945.8
Board Policy/Administrative Regulation #: AR 4161.2/4261.2/4361.2
Subject: Rights pursuant to Government Code 12945.8 pertaining to leaves and accommodations for victims of qualifying act of violence

When/Whom to Notify: With each paycheck
Education or Other Legal Code: Labor Code 246
Board Policy/Administrative Regulation #: AR 4161.1/4261.1/4361.1
Subject: Amount of sick leave available

When/Whom to Notify: Upon hire, in employee handbook, and upon request for parental leave
Education or Other Legal Code: Labor Code 1034
Board Policy/Administrative Regulation #: BP 4033
Subject: The district's policy on lactation accommodation

When/Whom to Notify: To covered employees and former employees
Education or Other Legal Code: Labor Code 2800.2
Board Policy/Administrative Regulation #: AR 4154/4254/4354
Subject: Availability of COBRA/Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage

When/Whom to Notify: To employees participating in a flexible spending account
Education or Other Legal Code: Labor Code 2810.7
Board Policy/Administrative Regulation #: None
Subject: Deadline to withdraw funds from account before the end of the plan year

When/Whom to Notify: Post and keep posted in a conspicuous location frequented by employees where the notice may be easily read by employees during the hours of the workday
Education or Other Legal Code: Labor Code 3550
Board Policy/Administrative Regulation #: AR 4157.1
Subject: Current compensation insurance carrier of the employer, or when appropriate, statement that the employer is self-insured, and who is responsible for claims adjustment

When/Whom to Notify: To every new employee, either at the time employee is hired or by end of first pay period
Education or Other Legal Code: Labor Code 3551
Board Policy/Administrative Regulation #: AR 4157.1/4257.1/4357.1
Subject: Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting

personal physician/chiropractor

When/Whom to Notify: Prior to beginning employment or volunteering

Education or Other Legal Code: Penal Code 11165.7, 11166.5

Board Policy/Administrative Regulation #: AR 5141.4

Subject: Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law

When/Whom to Notify: Upon employment and when leaving work due to pregnancy or nonoccupational sickness or injury

Education or Other Legal Code: Unemployment Insurance Code 2613

Board Policy/Administrative Regulation #: AR 4154/4254/4354

Subject: Disability insurance rights and benefits

When/Whom to Notify: To principal, counselor who directly supervises or reports on student's behavior or progress, and teacher and other administrators who directly supervise or report on student's behavior or progress when the Superintendent or designee believes the employee needs the information for the protection of self or others when working with the student, when Superintendent or designee receives written notification that minor student has committed a felony or misdemeanor involving specified offenses

Education or Other Legal Code: Welfare and Institutions Code 827

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Limited exception to juvenile court record confidentiality to ensure rehabilitation of juvenile criminal offenders and protect students and staff

When/Whom to Notify: To all employees and job applicants

Education or Other Legal Code: 2 CCR 11023; 34 CFR 104.8, 106.98,

Board Policy/Administrative Regulation #: BP 0410, AR 4030

Subject: District's policy on nondiscrimination and related complaint procedures

When/Whom to Notify: To all employees via employee handbook, or to each new employee

Education or Other Legal Code: 2 CCR 11091, 11095; 29 CFR 825.300

Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8

Subject: Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible

When/Whom to Notify: Post and keep posted on premises or via electronic posting, in conspicuous places where employees are employed

Education or Other Legal Code: 2 CCR 11095

Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8

Subject: A notice explaining the CFRA's provisions and procedures for filing complaints of violations of the Act with the Civil Rights Department.

When/Whom to Notify: To all employees

Education or Other Legal Code: 8 CCR 3203

Board Policy/Administrative Regulation #: AR 4157/4257/4357

Subject: The right and procedure to access the injury and illness prevention program

When/Whom to Notify: To all employees

Education or Other Legal Code: 34 CFR 106.8

Board Policy/Administrative Regulation #: AR 4119.11/4219.11/4319.11

Subject: Nondiscrimination on the basis of sex; contact information for district's Title IX Coordinator; referral of inquiries to Title IX Coordinator and/or Office for Civil Rights

When/Whom to Notify: Annually

Education or Other Legal Code: 40 CFR 763.84, 763.93

Board Policy/Administrative Regulation #: AR 3514

Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

When/Whom to Notify: Prior to the beginning of school year or upon employment

Education or Other Legal Code: 20 USC 2354; 34 CFR 100 Appendix B, 104.8

Board Policy/Administrative Regulation #: AR 6178

Subject: All career and technical education opportunities are offered without regard to race, color, national origin, sex, or disability in accordance with 34 CFR 100

II. To Certificated Employees

When/Whom to Notify: Prominently display in location frequented by certificated employees who serve students in any of grades 7-12

Education or Other Legal Code: Education Code 234.1

Board Policy/Administrative Regulation #: BP 5145.3

Subject: Information on existing school site and community resources related to the support of students who may face bias or bullying

When/Whom to Notify: To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire

Education or Other Legal Code: Education Code 22455.5

Board Policy/Administrative Regulation #: AR 4121

Subject: Criteria for membership in retirement system; right to elect membership at any time

When/Whom to Notify: Upon employment of a retired certificated individual

Education or Other Legal Code: Education Code 22461

Board Policy/Administrative Regulation #: AR 4117.14/4317.14

Subject: Postretirement earnings limitation or employment restriction; monthly report of compensation

When/Whom to Notify: To certificated employees

Education or Other Legal Code: Education Code 35171

Board Policy/Administrative Regulation #: AR 4115, BP 4315

Subject: District regulations related to performance evaluations

When/Whom to Notify: 30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated

Education or Other Legal Code: Education Code 44663

Board Policy/Administrative Regulation #: AR 4115

Subject: Copy of employee's evaluation

When/Whom to Notify: By May 30, if district elects to issue reemployment notices to certificated employees

Education or Other Legal Code: Education Code 44842

Board Policy/Administrative Regulation #: AR 4112.1

Subject: Request that the employee notify district of intent to remain in service next year

When/Whom to Notify: To probationary and temporary certificated employees upon employment and every July thereafter

Education or Other Legal Code: Education Code 44916

Board Policy/Administrative Regulation #: AR 4112.1, AR 4121

Subject: Employment status and salary

When/Whom to Notify: When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year

Education or Other Legal Code: Education Code 44934, 44934.1, 44936

Board Policy/Administrative Regulation #: BP/4118; AR 4118

Subject: Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice

When/Whom to Notify: To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/dismissal notice

Education or Other Legal Code: Education Code 44938

Board Policy/Administrative Regulation #: BP 4118

Subject: Notice of deficiency and opportunity to correct

When/Whom to Notify: To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year

Education or Other Legal Code: Education Code 44938

Board Policy/Administrative Regulation #: BP 4118

Subject: Notice of deficiency and opportunity to correct

When/Whom to Notify: To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings

Education or Other Legal Code: Education Code 44940.5

Board Policy/Administrative Regulation #: AR 4118

Subject: Notice of intent to dismiss 30 days from notice unless employee demands hearing

When/Whom to Notify: Before the end of the school year to temporary employee who served 75 percent of school year but will be released

Education or Other Legal Code: Education Code 44954

Board Policy/Administrative Regulation #: BP 4121

Subject: District's decision not to reelect employee for following school year

When/Whom to Notify: To teacher, when a student engages in or is reasonably suspected of specified acts

Education or Other Legal Code: Education Code 49079

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Student has committed specified act that constitutes ground for suspension or expulsion

When/Whom to Notify: To teacher of a student who is suspended or expelled, when Superintendent or designee receives transfer student's record regarding acts that resulted in suspension or expulsion

Education or Other Legal Code: Education Code 48201

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Student has committed specified act that constitutes ground for suspension or expulsion

When/Whom to Notify: To certificated employee upon change in employment status due to alleged misconduct

Education or Other Legal Code: 5 CCR 80303

Board Policy/Administrative Regulation #: AR 4117.7/4317.7

Subject: Contents of state regulation re:regarding report to Commission on Teacher Credentialing

III. To Classified Employees

When/Whom to Notify: When a classified employee is subject to disciplinary action for cause, in a nonmerit district

Education or Other Legal Code: Education Code 45113

Board Policy/Administrative Regulation #: AR 4218

Subject: Notice of charges, right to hearing, timeline for requesting hearing

When/Whom to Notify: By March 15, when laid off due to lack of work or lack of funds, with final notice by May 15

Education or Other Legal Code: Education Code 45117

Board Policy/Administrative Regulation #: AR 4217.3

Subject: Notice of layoff, displacement and reemployment rights, right to hearing; final notice of Board decision regarding termination

When/Whom to Notify: At least 60 days prior to the effective date of layoff, if the employee's position must be eliminated due to the expiration of a specially funded program
Education or Other Legal Code: Education Code 45117
Board Policy/Administrative Regulation #: AR 4217.3
Subject: Notice of layoff date, displacement and reemployment rights

When/Whom to Notify: Upon employment and upon each change in classification
Education or Other Legal Code: Education Code 45169
Board Policy/Administrative Regulation #: AR 4212
Subject: Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek

When/Whom to Notify: To permanent employee whose leave is exhausted
Education or Other Legal Code: Education Code 45192, 45195
Board Policy/Administrative Regulation #: AR 4261.1, AR 4261.11
Subject: Exhaustion of leave, opportunity to request additional leave

IV. To Administrative/Supervisory Personnel

When/Whom to Notify: To superintendent, deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract
Education or Other Legal Code: Education Code 35031
Board Policy/Administrative Regulation #: BP 2121, BP 4312.1
Subject: Decision not to reelect or reemploy upon expiration of contract or term

When/Whom to Notify: Upon request by administrative or supervisory employee transferred to teaching position
Education or Other Legal Code: Education Code 44896
Board Policy/Administrative Regulation #: AR 4313.2
Subject: Statement of the reasons for the reassignment

When/Whom to Notify: By March 15 to employee who may be released/reassigned the following school year
Education or Other Legal Code: Education Code 44951
Board Policy/Administrative Regulation #: AR 4313.2
Subject: Notice that employee may be released or reassigned the following school year

V. To Individual Employees Under Special Circumstances

When/Whom to Notify: In the event of a breach of security of district records to affected employees
Education or Other Legal Code: Civil Code 1798.29
Board Policy/Administrative Regulation #: BP 3580
Subject: Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies

When/Whom to Notify: Prior to placing derogatory information in personnel file
Education or Other Legal Code: Education Code 44031
Board Policy/Administrative Regulation #: AR 4112.6/4212.6/4312.6
Subject: Notice of derogatory information, opportunity to review and comment

When/Whom to Notify: To employees who volunteer to administer emergency epinephrine auto-injector delivery systems
Education or Other Legal Code: Education Code 49414
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Defense and indemnification from civil liability by the district

When/Whom to Notify: To district police officer, within 30 days of decision to impose discipline
Education or Other Legal Code: Government Code 3304

Board Policy/Administrative Regulation #: AR 3515.3

Subject: Decision to impose discipline, including the date that discipline will be imposed

When/Whom to Notify: New employees upon hire, to all employees annually, at any time upon request, and any time an employee informs an employer that the employee or the employee's family member is a victim

Education or Other Legal Code: Government Code 12945.8

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Accommodations and leave for victims of a qualifying act of violence

When/Whom to Notify: To employee returning from military leave of absence, within 30 days of return

Education or Other Legal Code: Government Code 20997

Board Policy/Administrative Regulation #: AR 4161.5/4261.5/4361.5

Subject: Right to receive PERS service credit for military service; application form

When/Whom to Notify: 24 hours before Board meets in closed session to hear complaints or charges against employee

Education or Other Legal Code: Government Code 54957

Board Policy/Administrative Regulation #: BB 9321

Subject: Employee's right to have complaints/charges heard in open session

When/Whom to Notify: When taking disciplinary action against employee for disclosure of confidential information

Education or Other Legal Code: Government Code 54963

Board Policy/Administrative Regulation #: BP 4119.23/4219.23/4319.23

Subject: Law prohibiting disclosure of confidential information obtained in closed session

When/Whom to Notify: Within one working day of work-related injury or victimization of crime

Education or Other Legal Code: Labor Code 3553, 5401

Board Policy/Administrative Regulation #: AR 4157.1/4257.1/4357.1

Subject: Potential eligibility for workers' compensation benefits, claim form

When/Whom to Notify: When adverse employment action is based on DOJ criminal history information or subsequent arrest notification

Education or Other Legal Code: Penal Code 11105, 11105.2

Board Policy/Administrative Regulation #: AR 4112.5/4212.5/4312.5

Subject: Copy of DOJ notification

When/Whom to Notify: To any employee with exposure to blood or potentially infectious materials, upon initial employment and at least annually thereafter

Education or Other Legal Code: 8 CCR 3204

Board Policy/Administrative Regulation #: AR 4119.42/4219.42/4319.42

Subject: The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records

When/Whom to Notify: To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area

Education or Other Legal Code: 8 CCR 5194

Board Policy/Administrative Regulation #: AR 3514.1

Subject: Requirements of 8 CCR 5194, including any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights

When/Whom to Notify: To employee eligible for military leave

Education or Other Legal Code: 38 USC 4334

Board Policy/Administrative Regulation #: AR 4161.5/4261.5/4361.5

Subject: Notice of rights, benefits, and obligations under military leave

When/Whom to Notify: Within five business days of employee's request for family care and medical leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave
Education or Other Legal Code: 29 CFR 825.300; 2 CCR 11049, 11091
Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8
Subject: Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice

When/Whom to Notify: Whenever notice of eligibility for FMLA is provided to employee
Education or Other Legal Code: 29 CFR 825.300
Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8
Subject: Rights and responsibilities ~~re:~~ regarding use of FMLA; consequences of failure to meet obligations



Exhibit 4212.9-E(1): Employee Notifications

Status: DRAFT

Original Adopted Date: 03/03/2022 | **Last Revised Date:** 10/02/2025 | **Last Reviewed Date:** 10/02/2025

This exhibit is a non-exhaustive list of notices that the law explicitly requires be provided to employees. Other notices may exist and be identified in the future.

I. To All Employees

When/Whom to Notify: At the beginning of school year or upon employment
Education or Other Legal Code: Education Code 231.5, Government Code 12950
Board Policy/Administrative Regulation #: AR 4119.11/4219.11/4319.11
Subject: The district's policy on sexual harassment, legal remedies, complaints

When/Whom to Notify: Annually and 72 hours before pesticide application
Education or Other Legal Code: Education Code 17612
Board Policy/Administrative Regulation #: AR 3514.2
Subject: Use of pesticide products, active ingredients, internet address to access information on pesticides

When/Whom to Notify: When the school confirms the presence of immigration enforcement on the school site
Education or Other Legal Code: Education Code 32282
Board Policy/Administrative Regulation #: AR 0450, AR 1445
Subject: Presence of immigration enforcement on school site

When/Whom to Notify: Annually
Education or Other Legal Code: Education Code 49013; 5 CCR 4622
Board Policy/Administrative Regulation #: AR 1312.3; BP 0460; BP 3260
Subject: Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees

When/Whom to Notify: Annually
Education or Other Legal Code: Education Code 49414
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained to administer emergency epinephrine auto-injectors delivery systems

When/Whom to Notify: At least once per school year
Education or Other Legal Code: Education Code 49414.7
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained to administer stock albuterol inhalers

When/Whom to Notify: At least once per year
Education or Other Legal Code: Education Code 49414.3
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained to administer opioid antagonist

When/Whom to Notify: To all employees
Education or Other Legal Code: Government Code 1126
Board Policy/Administrative Regulation #: BP 4136/4236/4336
Subject: Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal

When/Whom to Notify: To all employees
Education or Other Legal Code: Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210
Board Policy/Administrative Regulation #: BP 4020, BP 4159/4259/4359
Subject: District's drug- and alcohol-free workplace; actions that will be taken if violated; available employee assistance programs

When/Whom to Notify: Upon employment
Education or Other Legal Code: Government Code 21029
Board Policy/Administrative Regulation #: None
Subject: Right to purchase PERS service credit for military service performed prior to public employment

When/Whom to Notify: Upon placement of automated external defibrillator (AED) in school, annually thereafter
Education or Other Legal Code: Health and Safety Code 1797.196
Board Policy/Administrative Regulation #: AR 5141
Subject: Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan

When/Whom to Notify: Annually, or more frequently if there is new information
Education or Other Legal Code: Health and Safety Code 120875, 120880
Board Policy/Administrative Regulation #: BP 4119.43/4219.43/4319.43
Subject: AIDS and hepatitis B, methods to prevent exposure

When/Whom to Notify: To new employees upon hire, all employees annually and upon request, in districts with 25 or more employees
Education or Other Legal Code: Government Code 12945.8
Board Policy/Administrative Regulation #: AR 4161.2/4261.2/4361.2
Subject: Rights pursuant to Government Code 12945.8 pertaining to leaves and accommodations for victims of qualifying act of violence

When/Whom to Notify: With each paycheck
Education or Other Legal Code: Labor Code 246
Board Policy/Administrative Regulation #: AR 4161.1/4261.1/4361.1
Subject: Amount of sick leave available

When/Whom to Notify: Upon hire, in employee handbook, and upon request for parental leave
Education or Other Legal Code: Labor Code 1034
Board Policy/Administrative Regulation #: BP 4033
Subject: The district's policy on lactation accommodation

When/Whom to Notify: To covered employees and former employees
Education or Other Legal Code: Labor Code 2800.2
Board Policy/Administrative Regulation #: AR 4154/4254/4354
Subject: Availability of COBRA/Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage

When/Whom to Notify: To employees participating in a flexible spending account
Education or Other Legal Code: Labor Code 2810.7
Board Policy/Administrative Regulation #: None
Subject: Deadline to withdraw funds from account before the end of the plan year

When/Whom to Notify: Post and keep posted in a conspicuous location frequented by employees where the notice may be easily read by employees during the hours of the workday
Education or Other Legal Code: Labor Code 3550
Board Policy/Administrative Regulation #: AR 4157.1
Subject: Current compensation insurance carrier of the employer, or when appropriate, statement that the employer is self-insured, and who is responsible for claims adjustment

When/Whom to Notify: To every new employee, either at the time employee is hired or by end of first pay period
Education or Other Legal Code: Labor Code 3551
Board Policy/Administrative Regulation #: AR 4157.1/4257.1/4357.1
Subject: Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting

personal physician/chiropractor

When/Whom to Notify: Prior to beginning employment or volunteering

Education or Other Legal Code: Penal Code 11165.7, 11166.5

Board Policy/Administrative Regulation #: AR 5141.4

Subject: Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law

When/Whom to Notify: Upon employment and when leaving work due to pregnancy or nonoccupational sickness or injury

Education or Other Legal Code: Unemployment Insurance Code 2613

Board Policy/Administrative Regulation #: AR 4154/4254/4354

Subject: Disability insurance rights and benefits

When/Whom to Notify: To principal, counselor who directly supervises or reports on student's behavior or progress, and teacher and other administrators who directly supervise or report on student's behavior or progress when the Superintendent or designee believes the employee needs the information for the protection of self or others when working with the student, when Superintendent or designee receives written notification that minor student has committed a felony or misdemeanor involving specified offenses

Education or Other Legal Code: Welfare and Institutions Code 827

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Limited exception to juvenile court record confidentiality to ensure rehabilitation of juvenile criminal offenders and protect students and staff

When/Whom to Notify: To all employees and job applicants

Education or Other Legal Code: 2 CCR 11023; 34 CFR 104.8, 106.98,

Board Policy/Administrative Regulation #: BP 0410, AR 4030

Subject: District's policy on nondiscrimination and related complaint procedures

When/Whom to Notify: To all employees via employee handbook, or to each new employee

Education or Other Legal Code: 2 CCR 11091, 11095; 29 CFR 825.300

Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8

Subject: Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible

When/Whom to Notify: Post and keep posted on premises or via electronic posting, in conspicuous places where employees are employed

Education or Other Legal Code: 2 CCR 11095

Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8

Subject: A notice explaining the CFRA's provisions and procedures for filing complaints of violations of the Act with the Civil Rights Department.

When/Whom to Notify: To all employees

Education or Other Legal Code: 8 CCR 3203

Board Policy/Administrative Regulation #: AR 4157/4257/4357

Subject: The right and procedure to access the injury and illness prevention program

When/Whom to Notify: To all employees

Education or Other Legal Code: 34 CFR 106.8

Board Policy/Administrative Regulation #: AR 4119.11/4219.11/4319.11

Subject: Nondiscrimination on the basis of sex; contact information for district's Title IX Coordinator; referral of inquiries to Title IX Coordinator and/or Office for Civil Rights

When/Whom to Notify: Annually

Education or Other Legal Code: 40 CFR 763.84, 763.93

Board Policy/Administrative Regulation #: AR 3514

Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

When/Whom to Notify: Prior to the beginning of school year or upon employment

Education or Other Legal Code: 20 USC 2354; 34 CFR 100 Appendix B, 104.8

Board Policy/Administrative Regulation #: AR 6178

Subject: All career and technical education opportunities are offered without regard to race, color, national origin, sex, or disability in accordance with 34 CFR 100

II. To Certificated Employees

When/Whom to Notify: Prominently display in location frequented by certificated employees who serve students in any of grades 7-12

Education or Other Legal Code: Education Code 234.1

Board Policy/Administrative Regulation #: BP 5145.3

Subject: Information on existing school site and community resources related to the support of students who may face bias or bullying

When/Whom to Notify: To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire

Education or Other Legal Code: Education Code 22455.5

Board Policy/Administrative Regulation #: AR 4121

Subject: Criteria for membership in retirement system; right to elect membership at any time

When/Whom to Notify: Upon employment of a retired certificated individual

Education or Other Legal Code: Education Code 22461

Board Policy/Administrative Regulation #: AR 4117.14/4317.14

Subject: Postretirement earnings limitation or employment restriction; monthly report of compensation

When/Whom to Notify: To certificated employees

Education or Other Legal Code: Education Code 35171

Board Policy/Administrative Regulation #: AR 4115, BP 4315

Subject: District regulations related to performance evaluations

When/Whom to Notify: 30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated

Education or Other Legal Code: Education Code 44663

Board Policy/Administrative Regulation #: AR 4115

Subject: Copy of employee's evaluation

When/Whom to Notify: By May 30, if district elects to issue reemployment notices to certificated employees

Education or Other Legal Code: Education Code 44842

Board Policy/Administrative Regulation #: AR 4112.1

Subject: Request that the employee notify district of intent to remain in service next year

When/Whom to Notify: To probationary and temporary certificated employees upon employment and every July thereafter

Education or Other Legal Code: Education Code 44916

Board Policy/Administrative Regulation #: AR 4112.1, AR 4121

Subject: Employment status and salary

When/Whom to Notify: When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year

Education or Other Legal Code: Education Code 44934, 44934.1, 44936

Board Policy/Administrative Regulation #: BP/4118; AR 4118

Subject: Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice

When/Whom to Notify: To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/dismissal notice

Education or Other Legal Code: Education Code 44938

Board Policy/Administrative Regulation #: BP 4118

Subject: Notice of deficiency and opportunity to correct

When/Whom to Notify: To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year

Education or Other Legal Code: Education Code 44938

Board Policy/Administrative Regulation #: BP 4118

Subject: Notice of deficiency and opportunity to correct

When/Whom to Notify: To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings

Education or Other Legal Code: Education Code 44940.5

Board Policy/Administrative Regulation #: AR 4118

Subject: Notice of intent to dismiss 30 days from notice unless employee demands hearing

When/Whom to Notify: Before the end of the school year to temporary employee who served 75 percent of school year but will be released

Education or Other Legal Code: Education Code 44954

Board Policy/Administrative Regulation #: BP 4121

Subject: District's decision not to reelect employee for following school year

When/Whom to Notify: To teacher, when a student engages in or is reasonably suspected of specified acts

Education or Other Legal Code: Education Code 49079

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Student has committed specified act that constitutes ground for suspension or expulsion

When/Whom to Notify: To teacher of a student who is suspended or expelled, when Superintendent or designee receives transfer student's record regarding acts that resulted in suspension or expulsion

Education or Other Legal Code: Education Code 48201

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Student has committed specified act that constitutes ground for suspension or expulsion

When/Whom to Notify: To certificated employee upon change in employment status due to alleged misconduct

Education or Other Legal Code: 5 CCR 80303

Board Policy/Administrative Regulation #: AR 4117.7/4317.7

Subject: Contents of state regulation re:regarding report to Commission on Teacher Credentialing

III. To Classified Employees

When/Whom to Notify: When a classified employee is subject to disciplinary action for cause, in a nonmerit district

Education or Other Legal Code: Education Code 45113

Board Policy/Administrative Regulation #: AR 4218

Subject: Notice of charges, right to hearing, timeline for requesting hearing

When/Whom to Notify: By March 15, when laid off due to lack of work or lack of funds, with final notice by May 15

Education or Other Legal Code: Education Code 45117

Board Policy/Administrative Regulation #: AR 4217.3

Subject: Notice of layoff, displacement and reemployment rights, right to hearing; final notice of Board decision regarding termination

When/Whom to Notify: At least 60 days prior to the effective date of layoff, if the employee's position must be eliminated due to the expiration of a specially funded program
Education or Other Legal Code: Education Code 45117
Board Policy/Administrative Regulation #: AR 4217.3
Subject: Notice of layoff date, displacement and reemployment rights

When/Whom to Notify: Upon employment and upon each change in classification
Education or Other Legal Code: Education Code 45169
Board Policy/Administrative Regulation #: AR 4212
Subject: Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek

When/Whom to Notify: To permanent employee whose leave is exhausted
Education or Other Legal Code: Education Code 45192, 45195
Board Policy/Administrative Regulation #: AR 4261.1, AR 4261.11
Subject: Exhaustion of leave, opportunity to request additional leave

IV. To Administrative/Supervisory Personnel

When/Whom to Notify: To superintendent, deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract
Education or Other Legal Code: Education Code 35031
Board Policy/Administrative Regulation #: BP 2121, BP 4312.1
Subject: Decision not to reelect or reemploy upon expiration of contract or term

When/Whom to Notify: Upon request by administrative or supervisory employee transferred to teaching position
Education or Other Legal Code: Education Code 44896
Board Policy/Administrative Regulation #: AR 4313.2
Subject: Statement of the reasons for the reassignment

When/Whom to Notify: By March 15 to employee who may be released/reassigned the following school year
Education or Other Legal Code: Education Code 44951
Board Policy/Administrative Regulation #: AR 4313.2
Subject: Notice that employee may be released or reassigned the following school year

V. To Individual Employees Under Special Circumstances

When/Whom to Notify: In the event of a breach of security of district records to affected employees
Education or Other Legal Code: Civil Code 1798.29
Board Policy/Administrative Regulation #: BP 3580
Subject: Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies

When/Whom to Notify: Prior to placing derogatory information in personnel file
Education or Other Legal Code: Education Code 44031
Board Policy/Administrative Regulation #: AR 4112.6/4212.6/4312.6
Subject: Notice of derogatory information, opportunity to review and comment

When/Whom to Notify: To employees who volunteer to administer emergency epinephrine auto-injector delivery systems
Education or Other Legal Code: Education Code 49414
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Defense and indemnification from civil liability by the district

When/Whom to Notify: To district police officer, within 30 days of decision to impose discipline
Education or Other Legal Code: Government Code 3304

Board Policy/Administrative Regulation #: AR 3515.3

Subject: Decision to impose discipline, including the date that discipline will be imposed

When/Whom to Notify: New employees upon hire, to all employees annually, at any time upon request, and any time an employee informs an employer that the employee or the employee's family member is a victim

Education or Other Legal Code: Government Code 12945.8

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Accommodations and leave for victims of a qualifying act of violence

When/Whom to Notify: To employee returning from military leave of absence, within 30 days of return

Education or Other Legal Code: Government Code 20997

Board Policy/Administrative Regulation #: AR 4161.5/4261.5/4361.5

Subject: Right to receive PERS service credit for military service; application form

When/Whom to Notify: 24 hours before Board meets in closed session to hear complaints or charges against employee

Education or Other Legal Code: Government Code 54957

Board Policy/Administrative Regulation #: BB 9321

Subject: Employee's right to have complaints/charges heard in open session

When/Whom to Notify: When taking disciplinary action against employee for disclosure of confidential information

Education or Other Legal Code: Government Code 54963

Board Policy/Administrative Regulation #: BP 4119.23/4219.23/4319.23

Subject: Law prohibiting disclosure of confidential information obtained in closed session

When/Whom to Notify: Within one working day of work-related injury or victimization of crime

Education or Other Legal Code: Labor Code 3553, 5401

Board Policy/Administrative Regulation #: AR 4157.1/4257.1/4357.1

Subject: Potential eligibility for workers' compensation benefits, claim form

When/Whom to Notify: When adverse employment action is based on DOJ criminal history information or subsequent arrest notification

Education or Other Legal Code: Penal Code 11105, 11105.2

Board Policy/Administrative Regulation #: AR 4112.5/4212.5/4312.5

Subject: Copy of DOJ notification

When/Whom to Notify: To any employee with exposure to blood or potentially infectious materials, upon initial employment and at least annually thereafter

Education or Other Legal Code: 8 CCR 3204

Board Policy/Administrative Regulation #: AR 4119.42/4219.42/4319.42

Subject: The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records

When/Whom to Notify: To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area

Education or Other Legal Code: 8 CCR 5194

Board Policy/Administrative Regulation #: AR 3514.1

Subject: Requirements of 8 CCR 5194, including any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights

When/Whom to Notify: To employee eligible for military leave

Education or Other Legal Code: 38 USC 4334

Board Policy/Administrative Regulation #: AR 4161.5/4261.5/4361.5

Subject: Notice of rights, benefits, and obligations under military leave

When/Whom to Notify: Within five business days of employee's request for family care and medical leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave
Education or Other Legal Code: 29 CFR 825.300; 2 CCR 11049, 11091
Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8
Subject: Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice

When/Whom to Notify: Whenever notice of eligibility for FMLA is provided to employee
Education or Other Legal Code: 29 CFR 825.300
Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8
Subject: Rights and responsibilities ~~re:~~ regarding use of FMLA; consequences of failure to meet obligations



Exhibit 4312.9-E(1): Employee Notifications

Status: DRAFT

Original Adopted Date: 03/03/2022 | **Last Revised Date:** 10/02/2025 | **Last Reviewed Date:** 10/02/2025

This exhibit is a non-exhaustive list of notices that the law explicitly requires be provided to employees. Other notices may exist and be identified in the future.

I. To All Employees

When/Whom to Notify: At the beginning of school year or upon employment
Education or Other Legal Code: Education Code 231.5, Government Code 12950
Board Policy/Administrative Regulation #: AR 4119.11/4219.11/4319.11
Subject: The district's policy on sexual harassment, legal remedies, complaints

When/Whom to Notify: Annually and 72 hours before pesticide application
Education or Other Legal Code: Education Code 17612
Board Policy/Administrative Regulation #: AR 3514.2
Subject: Use of pesticide products, active ingredients, internet address to access information on pesticides

When/Whom to Notify: When the school confirms the presence of immigration enforcement on the school site
Education or Other Legal Code: Education Code 32282
Board Policy/Administrative Regulation #: AR 0450, AR 1445
Subject: Presence of immigration enforcement on school site

When/Whom to Notify: Annually
Education or Other Legal Code: Education Code 49013; 5 CCR 4622
Board Policy/Administrative Regulation #: AR 1312.3; BP 0460; BP 3260
Subject: Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees

When/Whom to Notify: Annually
Education or Other Legal Code: Education Code 49414
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained to administer emergency epinephrine auto-injectors delivery systems

When/Whom to Notify: At least once per school year
Education or Other Legal Code: Education Code 49414.7
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained to administer stock albuterol inhalers

When/Whom to Notify: At least once per year
Education or Other Legal Code: Education Code 49414.3
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Request for volunteers to be trained to administer opioid antagonist

When/Whom to Notify: To all employees
Education or Other Legal Code: Government Code 1126
Board Policy/Administrative Regulation #: BP 4136/4236/4336
Subject: Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal

When/Whom to Notify: To all employees
Education or Other Legal Code: Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210
Board Policy/Administrative Regulation #: BP 4020, BP 4159/4259/4359
Subject: District's drug- and alcohol-free workplace; actions that will be taken if violated; available employee assistance programs

When/Whom to Notify: Upon employment
Education or Other Legal Code: Government Code 21029
Board Policy/Administrative Regulation #: None
Subject: Right to purchase PERS service credit for military service performed prior to public employment

When/Whom to Notify: Upon placement of automated external defibrillator (AED) in school, annually thereafter
Education or Other Legal Code: Health and Safety Code 1797.196
Board Policy/Administrative Regulation #: AR 5141
Subject: Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan

When/Whom to Notify: Annually, or more frequently if there is new information
Education or Other Legal Code: Health and Safety Code 120875, 120880
Board Policy/Administrative Regulation #: BP 4119.43/4219.43/4319.43
Subject: AIDS and hepatitis B, methods to prevent exposure

When/Whom to Notify: To new employees upon hire, all employees annually and upon request, in districts with 25 or more employees
Education or Other Legal Code: Government Code 12945.8
Board Policy/Administrative Regulation #: AR 4161.2/4261.2/4361.2
Subject: Rights pursuant to Government Code 12945.8 pertaining to leaves and accommodations for victims of qualifying act of violence

When/Whom to Notify: With each paycheck
Education or Other Legal Code: Labor Code 246
Board Policy/Administrative Regulation #: AR 4161.1/4261.1/4361.1
Subject: Amount of sick leave available

When/Whom to Notify: Upon hire, in employee handbook, and upon request for parental leave
Education or Other Legal Code: Labor Code 1034
Board Policy/Administrative Regulation #: BP 4033
Subject: The district's policy on lactation accommodation

When/Whom to Notify: To covered employees and former employees
Education or Other Legal Code: Labor Code 2800.2
Board Policy/Administrative Regulation #: AR 4154/4254/4354
Subject: Availability of COBRA/Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage

When/Whom to Notify: To employees participating in a flexible spending account
Education or Other Legal Code: Labor Code 2810.7
Board Policy/Administrative Regulation #: None
Subject: Deadline to withdraw funds from account before the end of the plan year

When/Whom to Notify: Post and keep posted in a conspicuous location frequented by employees where the notice may be easily read by employees during the hours of the workday
Education or Other Legal Code: Labor Code 3550
Board Policy/Administrative Regulation #: AR 4157.1
Subject: Current compensation insurance carrier of the employer, or when appropriate, statement that the employer is self-insured, and who is responsible for claims adjustment

When/Whom to Notify: To every new employee, either at the time employee is hired or by end of first pay period
Education or Other Legal Code: Labor Code 3551
Board Policy/Administrative Regulation #: AR 4157.1/4257.1/4357.1
Subject: Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting

personal physician/chiropractor

When/Whom to Notify: Prior to beginning employment or volunteering

Education or Other Legal Code: Penal Code 11165.7, 11166.5

Board Policy/Administrative Regulation #: AR 5141.4

Subject: Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law

When/Whom to Notify: Upon employment and when leaving work due to pregnancy or nonoccupational sickness or injury

Education or Other Legal Code: Unemployment Insurance Code 2613

Board Policy/Administrative Regulation #: AR 4154/4254/4354

Subject: Disability insurance rights and benefits

When/Whom to Notify: To principal, counselor who directly supervises or reports on student's behavior or progress, and teacher and other administrators who directly supervise or report on student's behavior or progress when the Superintendent or designee believes the employee needs the information for the protection of self or others when working with the student, when Superintendent or designee receives written notification that minor student has committed a felony or misdemeanor involving specified offenses

Education or Other Legal Code: Welfare and Institutions Code 827

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Limited exception to juvenile court record confidentiality to ensure rehabilitation of juvenile criminal offenders and protect students and staff

When/Whom to Notify: To all employees and job applicants

Education or Other Legal Code: 2 CCR 11023; 34 CFR 104.8, 106.98,

Board Policy/Administrative Regulation #: BP 0410, AR 4030

Subject: District's policy on nondiscrimination and related complaint procedures

When/Whom to Notify: To all employees via employee handbook, or to each new employee

Education or Other Legal Code: 2 CCR 11091, 11095; 29 CFR 825.300

Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8

Subject: Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible

When/Whom to Notify: Post and keep posted on premises or via electronic posting, in conspicuous places where employees are employed

Education or Other Legal Code: 2 CCR 11095

Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8

Subject: A notice explaining the CFRA's provisions and procedures for filing complaints of violations of the Act with the Civil Rights Department.

When/Whom to Notify: To all employees

Education or Other Legal Code: 8 CCR 3203

Board Policy/Administrative Regulation #: AR 4157/4257/4357

Subject: The right and procedure to access the injury and illness prevention program

When/Whom to Notify: To all employees

Education or Other Legal Code: 34 CFR 106.8

Board Policy/Administrative Regulation #: AR 4119.11/4219.11/4319.11

Subject: Nondiscrimination on the basis of sex; contact information for district's Title IX Coordinator; referral of inquiries to Title IX Coordinator and/or Office for Civil Rights

When/Whom to Notify: Annually

Education or Other Legal Code: 40 CFR 763.84, 763.93

Board Policy/Administrative Regulation #: AR 3514

Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

When/Whom to Notify: Prior to the beginning of school year or upon employment

Education or Other Legal Code: 20 USC 2354; 34 CFR 100 Appendix B, 104.8

Board Policy/Administrative Regulation #: AR 6178

Subject: All career and technical education opportunities are offered without regard to race, color, national origin, sex, or disability in accordance with 34 CFR 100

II. To Certificated Employees

When/Whom to Notify: Prominently display in location frequented by certificated employees who serve students in any of grades 7-12

Education or Other Legal Code: Education Code 234.1

Board Policy/Administrative Regulation #: BP 5145.3

Subject: Information on existing school site and community resources related to the support of students who may face bias or bullying

When/Whom to Notify: To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire

Education or Other Legal Code: Education Code 22455.5

Board Policy/Administrative Regulation #: AR 4121

Subject: Criteria for membership in retirement system; right to elect membership at any time

When/Whom to Notify: Upon employment of a retired certificated individual

Education or Other Legal Code: Education Code 22461

Board Policy/Administrative Regulation #: AR 4117.14/4317.14

Subject: Postretirement earnings limitation or employment restriction; monthly report of compensation

When/Whom to Notify: To certificated employees

Education or Other Legal Code: Education Code 35171

Board Policy/Administrative Regulation #: AR 4115, BP 4315

Subject: District regulations related to performance evaluations

When/Whom to Notify: 30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated

Education or Other Legal Code: Education Code 44663

Board Policy/Administrative Regulation #: AR 4115

Subject: Copy of employee's evaluation

When/Whom to Notify: By May 30, if district elects to issue reemployment notices to certificated employees

Education or Other Legal Code: Education Code 44842

Board Policy/Administrative Regulation #: AR 4112.1

Subject: Request that the employee notify district of intent to remain in service next year

When/Whom to Notify: To probationary and temporary certificated employees upon employment and every July thereafter

Education or Other Legal Code: Education Code 44916

Board Policy/Administrative Regulation #: AR 4112.1, AR 4121

Subject: Employment status and salary

When/Whom to Notify: When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year

Education or Other Legal Code: Education Code 44934, 44934.1, 44936

Board Policy/Administrative Regulation #: BP/4118; AR 4118

Subject: Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice

When/Whom to Notify: To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/dismissal notice

Education or Other Legal Code: Education Code 44938

Board Policy/Administrative Regulation #: BP 4118

Subject: Notice of deficiency and opportunity to correct

When/Whom to Notify: To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year

Education or Other Legal Code: Education Code 44938

Board Policy/Administrative Regulation #: BP 4118

Subject: Notice of deficiency and opportunity to correct

When/Whom to Notify: To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings

Education or Other Legal Code: Education Code 44940.5

Board Policy/Administrative Regulation #: AR 4118

Subject: Notice of intent to dismiss 30 days from notice unless employee demands hearing

When/Whom to Notify: Before the end of the school year to temporary employee who served 75 percent of school year but will be released

Education or Other Legal Code: Education Code 44954

Board Policy/Administrative Regulation #: BP 4121

Subject: District's decision not to reelect employee for following school year

When/Whom to Notify: To teacher, when a student engages in or is reasonably suspected of specified acts

Education or Other Legal Code: Education Code 49079

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Student has committed specified act that constitutes ground for suspension or expulsion

When/Whom to Notify: To teacher of a student who is suspended or expelled, when Superintendent or designee receives transfer student's record regarding acts that resulted in suspension or expulsion

Education or Other Legal Code: Education Code 48201

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Student has committed specified act that constitutes ground for suspension or expulsion

When/Whom to Notify: To certificated employee upon change in employment status due to alleged misconduct

Education or Other Legal Code: 5 CCR 80303

Board Policy/Administrative Regulation #: AR 4117.7/4317.7

Subject: Contents of state regulation re: regarding report to Commission on Teacher Credentialing

III. To Classified Employees

When/Whom to Notify: When a classified employee is subject to disciplinary action for cause, in a nonmerit district

Education or Other Legal Code: Education Code 45113

Board Policy/Administrative Regulation #: AR 4218

Subject: Notice of charges, right to hearing, timeline for requesting hearing

When/Whom to Notify: By March 15, when laid off due to lack of work or lack of funds, with final notice by May 15

Education or Other Legal Code: Education Code 45117

Board Policy/Administrative Regulation #: AR 4217.3

Subject: Notice of layoff, displacement and reemployment rights, right to hearing; final notice of Board decision regarding termination

When/Whom to Notify: At least 60 days prior to the effective date of layoff, if the employee's position must be eliminated due to the expiration of a specially funded program
Education or Other Legal Code: Education Code 45117
Board Policy/Administrative Regulation #: AR 4217.3
Subject: Notice of layoff date, displacement and reemployment rights

When/Whom to Notify: Upon employment and upon each change in classification
Education or Other Legal Code: Education Code 45169
Board Policy/Administrative Regulation #: AR 4212
Subject: Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek

When/Whom to Notify: To permanent employee whose leave is exhausted
Education or Other Legal Code: Education Code 45192, 45195
Board Policy/Administrative Regulation #: AR 4261.1, AR 4261.11
Subject: Exhaustion of leave, opportunity to request additional leave

IV. To Administrative/Supervisory Personnel

When/Whom to Notify: To superintendent, deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract
Education or Other Legal Code: Education Code 35031
Board Policy/Administrative Regulation #: BP 2121, BP 4312.1
Subject: Decision not to reelect or reemploy upon expiration of contract or term

When/Whom to Notify: Upon request by administrative or supervisory employee transferred to teaching position
Education or Other Legal Code: Education Code 44896
Board Policy/Administrative Regulation #: AR 4313.2
Subject: Statement of the reasons for the reassignment

When/Whom to Notify: By March 15 to employee who may be released/reassigned the following school year
Education or Other Legal Code: Education Code 44951
Board Policy/Administrative Regulation #: AR 4313.2
Subject: Notice that employee may be released or reassigned the following school year

V. To Individual Employees Under Special Circumstances

When/Whom to Notify: In the event of a breach of security of district records to affected employees
Education or Other Legal Code: Civil Code 1798.29
Board Policy/Administrative Regulation #: BP 3580
Subject: Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies

When/Whom to Notify: Prior to placing derogatory information in personnel file
Education or Other Legal Code: Education Code 44031
Board Policy/Administrative Regulation #: AR 4112.6/4212.6/4312.6
Subject: Notice of derogatory information, opportunity to review and comment

When/Whom to Notify: To employees who volunteer to administer emergency epinephrine auto-injector delivery systems
Education or Other Legal Code: Education Code 49414
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Defense and indemnification from civil liability by the district

When/Whom to Notify: To district police officer, within 30 days of decision to impose discipline
Education or Other Legal Code: Government Code 3304

Board Policy/Administrative Regulation #: AR 3515.3

Subject: Decision to impose discipline, including the date that discipline will be imposed

When/Whom to Notify: New employees upon hire, to all employees annually, at any time upon request, and any time an employee informs an employer that the employee or the employee's family member is a victim

Education or Other Legal Code: Government Code 12945.8

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Accommodations and leave for victims of a qualifying act of violence

When/Whom to Notify: To employee returning from military leave of absence, within 30 days of return

Education or Other Legal Code: Government Code 20997

Board Policy/Administrative Regulation #: AR 4161.5/4261.5/4361.5

Subject: Right to receive PERS service credit for military service; application form

When/Whom to Notify: 24 hours before Board meets in closed session to hear complaints or charges against employee

Education or Other Legal Code: Government Code 54957

Board Policy/Administrative Regulation #: BB 9321

Subject: Employee's right to have complaints/charges heard in open session

When/Whom to Notify: When taking disciplinary action against employee for disclosure of confidential information

Education or Other Legal Code: Government Code 54963

Board Policy/Administrative Regulation #: BP 4119.23/4219.23/4319.23

Subject: Law prohibiting disclosure of confidential information obtained in closed session

When/Whom to Notify: Within one working day of work-related injury or victimization of crime

Education or Other Legal Code: Labor Code 3553, 5401

Board Policy/Administrative Regulation #: AR 4157.1/4257.1/4357.1

Subject: Potential eligibility for workers' compensation benefits, claim form

When/Whom to Notify: When adverse employment action is based on DOJ criminal history information or subsequent arrest notification

Education or Other Legal Code: Penal Code 11105, 11105.2

Board Policy/Administrative Regulation #: AR 4112.5/4212.5/4312.5

Subject: Copy of DOJ notification

When/Whom to Notify: To any employee with exposure to blood or potentially infectious materials, upon initial employment and at least annually thereafter

Education or Other Legal Code: 8 CCR 3204

Board Policy/Administrative Regulation #: AR 4119.42/4219.42/4319.42

Subject: The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records

When/Whom to Notify: To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area

Education or Other Legal Code: 8 CCR 5194

Board Policy/Administrative Regulation #: AR 3514.1

Subject: Requirements of 8 CCR 5194, including any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights

When/Whom to Notify: To employee eligible for military leave

Education or Other Legal Code: 38 USC 4334

Board Policy/Administrative Regulation #: AR 4161.5/4261.5/4361.5

Subject: Notice of rights, benefits, and obligations under military leave

When/Whom to Notify: Within five business days of employee's request for family care and medical leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave
Education or Other Legal Code: 29 CFR 825.300; 2 CCR 11049, 11091
Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8
Subject: Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice

When/Whom to Notify: Whenever notice of eligibility for FMLA is provided to employee
Education or Other Legal Code: 29 CFR 825.300
Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8
Subject: Rights and responsibilities ~~re:~~ regarding use of FMLA; consequences of failure to meet obligations



Policy 4200: Classified Personnel

Status: DRAFT

Original Adopted Date: 05/07/2020

The Governing Board recognizes and believes that classified personnel/employees provide essential services that support and enhance the Eden Area Regional Occupational Program's (Eden Area ROP) educational program. The Governing Board, including the academic achievement, personal growth, and well-being of Eden Area ROP students. Additionally, the Board acknowledges that classified employees benefit from professional development in fulfilling the expectations for their position and expects classified employees to engage in ongoing professional development to improve their skills and pursue excellence.

The Superintendent or designee shall fill each of its classified positions with qualified persons/individuals who meet applicable requirements and district qualifications, consistent with position requirements.

(cf. 0200 – Goals for the School District)

(cf. 4211 – Recruitment and Selection)

The Superintendent or designee shall define and communicate the duties, responsibilities, and expectations for each classified position.

The Superintendent or designee may provide professional development opportunities to classified staff for the purpose of continual improvement of knowledge and skills related to the employee's position.

The Governing Board shall classify all employees and positions not requiring certification qualifications as the classified service, except for those employees and positions specifically exempt from classified service. (Education Code 45103)

Individuals who possess certification qualifications shall not be prohibited from being employed in a classified position. (Education Code 45104)

(cf. 4211 – Recruitment and Selection)

(cf. 4212 – Appointment and Conditions of Employment)

Each classified position shall have a designated title and regular minimum number of assigned hours per day, days per week, and months per year.

Classified employees shall be assigned by their immediate supervisors with the approval of the Superintendent or designee. They shall be required to perform those duties prescribed by the Governing Board for the position the employee holds, in accordance with applicable job descriptions.

(cf. 4141/4241 – Collective Bargaining Agreement)

Each classified employee shall be held accountable/responsible for duties/completing assigned to him/her/duties consistent with the applicable job description and shall undergo regular performance evaluations/be evaluated in accordance with law, Board policies, administrative regulations, as appropriate.

(cf. 4215 – Evaluation/Supervision)

Substitute and Short-Term Employees

The Eden Area ROP may employ a substitute employee to replace a classified employee who is temporarily absent from duty. (Education Code 45103)

If the Eden Area ROP is in the process of hiring a permanent employee to fill a classified position, the Governing Board may fill the vacancy with one or more substitute employees for no more/less than 75 percent% of the

workschool year. (Education Code 45103)

The Eden Area ROP may employ a short-term employee to perform a service for the Eden Area ROP when that service or similar services will not be extended or needed on a continuing basis. Before employing a short-term employee, the Governing Board, at a regularly scheduled meeting, shall specify the service required to be performed by the employee and shall certify the ending date of the service. The Governing Board may shorten or extend the ending date, but the date shall not be extended beyond 195 (less than 75% of the school year) work days per year, including holidays, sick leave, vacation, and other leaves of absence, irrespective of the number of hours worked per day. (Education Code 45103)



Regulation 4212: Appointment And Conditions Of Employment

Status: DRAFT

Original Adopted Date: 05/07/2020

Upon recommendation of the Superintendent, the Governing Board shall approve the appointment of all classified employees. The position and the pay rate shall be reported to the Governing Board at a regular meeting.

Individuals appointed to the classified staff shall, at a minimum:

1. ~~1.~~ Submit to fingerprinting and criminal background clearance as required by law (Education Code 45125)
2. ~~2.~~ Not have been convicted of a violent or serious felony (Education Code 45122.1)
(cf. 4112.5/4212.5/4312.5 – Criminal Record Check)
3. ~~3.~~ Not have been convicted of any sex offense as defined in Education Code 44010 (Education Code 45123)
(cf. 4218 – Dismissal/Suspension/Disciplinary Action)
4. ~~4.~~ Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332 (Education Code 45124)
5. ~~5.~~ If the individual will be working directly and in an unaccompanied setting with minor students on a more than incidental and occasional basis or will have supervision or disciplinary power over minor students, not behave been required to register as a sex offender pursuant to Penal Code 290 because of a conviction for a crime where the victim was a minor under the age of 16 (Penal Code 290.95)
(cf. 3515.5 – Sex Offender Notification)
6. ~~6.~~ Not have been convicted of any controlled substance offense as defined in Education Code 44011 (Education Code 45123)
7. ~~7.~~ Submit to a physical examination, tuberculosis testing/risk assessment, or provide proof thereof as required by law and Governing Board policy (Education Code 45122, 49406)
(cf. 4112.4/4212.4/4312.4 – Health Examinations)
8. ~~8.~~ File the oath or affirmation of allegiance required by Government Code 3100-3109
(cf. 4112.3/4212.3/4312.3 – Oath or Affirmation)
9. ~~9.~~ Fulfill any other requirements as specified by law, Governing Board policy or administrative regulation, including any reports of egregious misconduct in accordance with Board Policy 4111/4211/4311 – Recruitment and Selection or otherwise related to credentialing, assignment, and misconduct reporting
(cf. 4112.8/4212.8/4312.8 – Employment of Relatives)

Notification of Classification and Compensation

When first employed and upon each subsequent change in classification, classified employees other than short-term, limited-term, or provisional employees shall be given two copies of their class specification, salary data, assignment or work location, duty hours and prescribed work week. Salary data shall specify pay period (monthly, semimonthly or other) and applicable rates of compensation (daily, hourly, overtime and differential rates). Employees shall keep one copy of this information and shall sign and date the other copy and return it to their supervisor. (Education Code 45169)

{cf. 4112.9/4212.9/4312.9 - Employee Notifications}

{cf. 4151/4251/4351 - Employee Compensation}



Policy 4300: Administrative And Supervisory Personnel

Status: DRAFT

Original Adopted Date: 05/07/2020

The Governing Board recognizes and believes that effective management is vital to the success of the Eden Area Regional Occupational Program (Eden Area ROP) students and programs. Management personnel are expected to demonstrate the Eden Area ROP's educational goals. The Board recognizes the importance of initiative and good judgment in the development, implementation, and oversight of Eden Area ROP programs. Supervisors shall promote the and operations, and encourages management personnel to support productivity, professional growth, and teamwork of Eden Area ROP staff among employees. Additionally, the Board acknowledges that administrative and supervisory personnel benefit from professional development in fulfilling the expectations of their position and may provide or require professional development aligned with Eden Area ROP priorities, operational needs, and applicable agreements, such that employees may improve their skills and pursue excellence.

(cf. 4000 – Concepts and Roles)

Except for the Superintendent who is hired by the Board as specified in Board Policy 2120 – Superintendent Recruitment and Selection, the Superintendent or designee shall select and recommend qualified candidates for administrative and supervisory positions consistent with position requirements and the needs of the Eden Area ROP, and the Board shall ratify and approve appointments in accordance with law and Board policy.

The Superintendent or designee shall define and communicate the duties, responsibilities, and expectations for each administrative and supervisory position.

Each administrative and supervisory employee shall be responsible for completing assigned duties consistent with the applicable job description and shall be evaluated in accordance with law, Board policies, and administrative regulations, as appropriate.

The Governing Board shall adopt policies related to administrative and supervisory personnel insofar as they are needed to comply with law and describe terms of employment within the Eden Area ROP.

The Superintendent or designee may provide professional development opportunities to administrative and supervisory employees for the purpose of continual improvement of knowledge and skills related to the employee's position.



Regulation 4300: Administrative And Supervisory Personnel

Status: DRAFT

Original Adopted Date: 05/07/2020

Classified Senior Management and Supervisory Employees

A senior management employee is either a fiscal advisor to the Superintendent or an employee in the highest position not requiring certification in an Eden Area Regional Occupational Program (Eden Area ROP) program area, with the responsibility for formulating policy or administering the program. (Education Code 45108.5)

Employees holding positions designated as classified senior management and supervisory positions are entitled to all of the rights, benefits, and burdens of other classified employees, except that each senior management and supervisory employee shall not obtain permanent status in a senior management position. (Education Code 45100.5, 45256.5)



Policy 5141.4: Child Abuse Prevention And Reporting

Status: DRAFT

Original Adopted Date: 06/05/2020 | Last Revised Date: 12/11/2025 | Last Reviewed Date: 12/11/2025

The Governing Board is committed to supporting the safety and well-being of Eden Area Regional Occupational Program (Eden Area ROP) students and desires to facilitate the prevention of and response to child abuse, assault, and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse, assault, and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

The Superintendent or designee may collaborate with the county's child welfare, probation, mental health, public health, and sheriff's departments; juvenile court; and office of education, on intervention programs for students.

Child Abuse Prevention

The Eden Area ROP's instructional program may provide age-appropriate and culturally sensitive child abuse prevention curriculum which explains students' right to live free of abuse, includes instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, informs students of available support resources, and teaches students how to obtain help and disclose incidents of abuse.

Any instructional program on child abuse may include annual instruction on sexual abuse and assault, and human trafficking prevention, including instruction on the prevalence and nature of abuse, including sexual abuse and assault and human trafficking, strategies to reduce risk, techniques to set healthy boundaries, and how to safely seek assistance. (Education Code 51950)

~~The Additionally, the Eden Area ROP's program also may include age-appropriate instruction in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction.~~ (Education Code 51900.6, 51950)

Parent(s)/guardian(s) shall have the right to excuse their child from all or part of instruction regarding abuse, including sexual abuse, and human trafficking prevention education, and assessments related to that education, in accordance with law and Board policy. (Education Code 51950)

The Superintendent or designee may display posters, in areas on campus where students frequently congregate, notifying students of the appropriate telephone number to call to report child abuse or neglect. (Education Code 33133.5)

~~In addition~~ Additionally, student identification cards for students in grades 7-12 shall ~~include~~ have printed on them the 988 Suicide and Crisis Lifeline, the National Domestic Violence Hotline ~~telephone number~~ (1-800-799-7233), and The Trevor Project's LGBTQ+ suicide hotline (1-866-488-7386, or by texting START to 678-678). In addition, student identification cards of students in grades 7-12 may have printed on them a quick response (QR) code that links to the county's mental health resources website. (Education Code 215.5)

The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the Eden Area ROP's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

Child Abuse Reporting

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

Procedures for reporting child abuse, as specified in Penal Code 11164-11174.3, shall be included in the Eden Area ROP and/or school comprehensive safety plan. (Education Code 32282)

Eden Area ROP employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The Superintendent or designee shall provide training regarding the duties of mandated reporters as required by law and as specified in the accompanying administrative regulation. (Education Code 44691; Penal Code 11165.7)



Regulation 5141.4: Child Abuse Prevention And Reporting

Status: DRAFT

Original Adopted Date: 06/05/2020 | Last Revised Date: 12/11/2025 | Last Reviewed Date: 12/11/2025

Definitions

Child abuse or neglect includes the following: (Penal Code 11165.5, 11165.6)

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
3. Neglect of a child as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of employment **as a peace officer** (Penal Code 11165.5, 11165.6)
3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be legally privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by an Eden Area Regional Occupational Program (Eden Area ROP) employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain weapons or other dangerous objects within the control of a student (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code 49001)

Additionally, general neglect does not include: (Penal Code 11165.2)

1. A parent/guardian's economic disadvantage
2. A child receiving treatment by spiritual means pursuant to Welfare and Institutions Code 16509.1, or not receiving specified medical treatment for religious reasons

Mandated reporters include, but are not limited to, **Governing Board members**; teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; athletic coaches, administrators, and directors; licensees, administrators, and employees of a licensed child day care facility; Head Start program teachers; Eden Area ROP police or security officers; licensed nurses or health care providers; **and** administrators, presenters, and counselors of a child abuse prevention program; **and volunteers who are over 18 years of age and who interact with students outside of the immediate supervision and control of the student's parent/guardian or a school employee.** (Penal Code 11165.7)

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts

that could cause a reasonable person in a like position, drawing when appropriate on the person's training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

Reportable Offenses

Using the procedures provided below, a mandated reporter shall make a report whenever the mandated reporter, while acting in a professional capacity or within the scope of employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11165.9, 11166.05, 11167)

Any Eden Area ROP employee who reasonably believes to have observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under 14 years of age shall notify a peace officer. (Penal Code 152.3)

The fact that a child is experiencing homelessness or is classified as an unaccompanied minor, as defined in the federal McKinney-Vento Homeless Assistance Act (42 USC 11434a), is not, in and of itself, a sufficient basis for reporting child abuse or neglect. (Penal Code 11165.15)

Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom the person knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

Reporting Procedures

1. Initial Telephone Report

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding an Eden Area ROP police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

Such reports shall be made to the following agency(ies):

Alameda County Social Services
24100 Amador Street, Hayward, CA 94544
510) 259-1800

When the initial telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

2. Written Report

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall prepare and either send, fax, or electronically transmit to the appropriate agency a written follow-up report, which includes a completed California Department of Justice (DOJ) form (BCIA 8572). (Penal Code 11166, 11168)

The DOJ form may be obtained from the Eden Area ROP office or other appropriate agencies, such as the police department, sheriff's department, or county probation or welfare department.

Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location, and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The name, address, telephone number, and other relevant personal information about the person(s) who might have abused or neglected the child
- e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

The mandated reporter shall make a report even if some of this information is not known or is uncertain to the mandated reporter. (Penal Code 11167)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

3. Internal Reporting

The mandated reporter shall not be required to disclose the mandated reporter's identity to a supervisor, the principal, or the Superintendent or designee. (Penal Code 11166)

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

Training

Within the first six weeks of each school year, or within the first six weeks of employment if hired during the school year, or within six weeks of commencing volunteer services, the Superintendent or designee shall provide training on

mandated reporting requirements to Eden Area ROP employees, and persons working on their behalf, and volunteers who are mandated reporters. (Education Code 44691; Penal Code 11165.7)

The Superintendent or designee may use the online training module provided by the California Department of Social Services (CDSS). (Education Code 44691)

The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. Additionally, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified. (Education Code 44691; Penal Code 11165.7)

In addition, the Superintendent or designee shall provide annual training on the prevention of abuse, including sexual abuse and assault, of children on Eden Area ROP property, by Eden Area ROP staff and volunteers, or in Eden Area ROP-sponsored programs. (Education Code 44691)

The Superintendent or designee shall obtain and retain proof of each mandated reporter's completion of the training. (Education Code 44691)

A person who has completed the mandated reporter training provided by CDSS and received a certificate of completion within the previous 12 months shall be deemed to satisfy the mandated reporter training requirements specified in Education Code 44691.

The Superintendent or designee shall periodically provide continuing education that enables Eden Area ROP personnel to learn about new developments in the understanding of abuse, including sexual abuse and assault, and human trafficking, and current prevention efforts and methods. Such education may include early identification of abuse, including sexual abuse, and human trafficking of students and minors. (Education Code 51950)

Victim Interviews by Social Services

Whenever CDSS or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform the person of the following requirements prior to the interview: (Penal Code 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable the child to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the

Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. (Education Code 48906)

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with procedures for reporting suspected child abuse occurring on Eden Area ROP property to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those guidelines and/or procedures, an interpreter shall be provided.

To file a complaint against an Eden Area ROP employee or other person suspected of child abuse or neglect on Eden Area ROP property, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. ~~The~~ Additionally, the employee shall ~~also~~ file a report when obligated to do so pursuant to Penal Code 11166 using the procedures described above for mandated reporters.

~~In addition~~ Additionally, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 3200-3205.

Notifications

The Superintendent or designee shall provide to all new employees ~~and volunteers~~ who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. Additionally, the Eden Area ROP shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment ~~or volunteering~~, any person who will be a mandated reporter by virtue of the person's position shall sign a statement indicating knowledge of the reporting obligations under Penal Code 11166 and compliance with such provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

~~The~~ Additionally, the Superintendent or designee ~~also~~ shall notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of the mandated reporter's professional capacity or outside the scope of employment (Penal Code 11172)

Any other person making a report shall not incur civil or criminal liability unless it can be proven that the person knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)

2. If a mandated reporter fails to timely report an incident of known or reasonably suspected child abuse or neglect, the mandated reporter may be guilty of a crime punishable by a fine and/or imprisonment (Penal Code 11166)

No employee shall be subject to any sanction by the Eden Area ROP for making a report unless it can be shown that the employee knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166, 11172)



Policy 5141.75: Weather Safety

Status: DRAFT

Original Adopted Date: Pending

The Governing Board recognizes that extreme weather may pose significant risks to the health and safety of students participating in physical activities during extreme weather conditions, including students who are at higher risk of health impacts from extreme weather. The Board desires to protect students from such risks. Additionally, because children are particularly vulnerable to the effects of overexposure to ultraviolet (UV) radiation from the sun and artificial sources, the Board desires to support the prevention of harmful effects of excessive UV radiation exposure by students and to assist students in developing sun-safe habits to use throughout their lives.

Extreme weather conditions means occurrences of unusually severe weather conditions, including, but not limited to, periods of extreme heat, excessive precipitation, and floods, that may pose significant harm to students. (Education Code 33355)

Physical activity means physical education classes, sports, and athletic practices and games sponsored by the Eden Area Regional Occupational Program (Eden Area ROP), except for those relating to an interscholastic athletic program administered by the California Interscholastic Federation. (Education Code 33355)

The Superintendent or designee shall develop, maintain, and implement weather protocols for extreme weather conditions, which incorporate the standardized guidelines compiled by the California Department of Education and detail specific measures to be taken during extreme weather conditions, including, but not limited to: (Education Code 33355)

1. Clear criteria for determining when weather conditions are considered extreme weather conditions and warrant modification or cessation of outdoor physical activities
2. Procedures for monitoring weather forecasts and alerts to anticipate extreme weather conditions
3. Protocols for communicating with staff, students, and parents/guardians regarding changes to outdoor activities due to extreme weather conditions
4. Designation of indoor alternative activities that can be safely conducted during extreme weather conditions
5. Staff training on recognizing signs of weather-related distress in students and appropriate response measures
6. Coordination with relevant local agencies and experts to ensure timely access to weather-related information and resources

The Eden Area ROP's weather protocols may include:

1. Considering air quality conditions when determining whether outdoor physical activity should be modified
2. Maintaining air quality index thresholds for reducing or discontinuing strenuous outdoor activities
3. Having procedures for relocating activities indoors during periods of poor air quality or wildfire smoke
4. Identifying and maintaining adequate mitigation resources, such as shade structures, hydrations stations, and indoor cooling areas
5. Providing equitable access to mitigation measures across school sites
6. Planning for flexible scheduling to accommodate weather variability

The Superintendent or designee shall annually review, evaluate, and, if necessary, update the weather protocols to

incorporate best practices and address any emerging concerns or challenges, and to reflect changes in weather patterns, advances in safety practices, and feedback from stakeholders. (Education Code 33355)

Sun Safety

The Superintendent or designee shall establish a developmentally appropriate prevention/intervention program for grades transitional kindergarten-12 to prevent student overexposure to UV radiation. The Superintendent or designee may coordinate sun safety and UV radiation education and policy efforts with the California Department of Public Health, the local health department, and other local agencies and/or community organizations. Such school-based programs shall involve students, parents/guardians, and the community.

The Superintendent or designee may incorporate sun safety elements into the curriculum in order to increase students' understanding of the health risks associated with overexposure to UV radiation from the sun or artificial sources and to encourage students to engage in preventive practices.

Students may take reasonable measures to protect their skin and eyes from overexposure to the sun while on campus, while attending Eden Area ROP-sponsored activities, or while under the supervision and control of Eden Area ROP employees.

To encourage and assist students to avoid overexposure to the sun when they are outdoors, students shall be allowed to:

1. Wear sun-protective clothing, including, but not limited to, hats (Education Code 35183.5)
2. Wear UV-protective sunglasses outdoors
3. Use sunscreen during the school day without a physician's note or prescription (Education Code 35183.5)

Those students using sunscreen shall be encouraged to apply sunscreen at least 15-20 minutes prior to any outdoor activity that will require prolonged exposure to the sun. School personnel shall not be required to assist students in applying sunscreen.

4. Use UV-protective lip balm

The Superintendent or designee shall evaluate the adequacy of shaded and/or indoor areas for recreation at each school and consider the provision of sufficient shaded areas in plans for new construction or modernization of facilities.

The Superintendent or designee may monitor the UV Index and modify outdoor school activities with regard to the risk of harm associated with the Index level.

Staff shall be encouraged to model recommended sun-safe behaviors, such as avoiding excessive sun exposure, using sunscreen, and wearing hats and other sun-protective clothing.

The Superintendent or designee shall inform school staff and parents/guardians of the Eden Area ROP's sun safety measures and encourage parents/guardians to provide sunscreen, lip balm, hats, and other sun-protective clothing for their children to use at school. Additionally, the Superintendent or designee may provide information to parents/guardians about the risks of overexposure to UV radiation and preventive measures they may take to protect their children during nonschool hours.



Policy 5142: Safety

Status: DRAFT

Original Adopted Date: 06/05/2020 | **Last Revised Date:** 12/11/2025 | **Last Reviewed Date:** 12/11/2025

The Governing Board recognizes the importance of providing a safe school environment that is conducive to learning and engagement and promotes student safety and well-being. Appropriate measures shall be implemented to minimize the risk of harm to students, including, but not limited to, protocols for maintaining safe conditions on school grounds, promoting safe use of school facilities and equipment, including safe use of technology, and guiding student participation in educational programs, and school-sponsored activities.

Eden Area Regional Occupational Program (Eden Area ROP) staff shall be responsible for the proper supervision of students at all times when students are subject to Eden Area ROP rules, including, but not limited to, during school hours, Eden Area ROP-sponsored activities, before and after-school programs, morning drop-off and afternoon pick-up, and while students are using Eden Area ROP transportation.

Additionally, Eden Area ROP employees, volunteers, and contractors shall promote safe environments for student learning and engagement that maintain appropriate boundaries among and between students. (Education Code 32100)

Appropriate boundaries shall be maintained between students and school employees, adult volunteers, and school contractors, and among and between adults employed, volunteering, or under contract with the Eden Area ROP, in accordance with Board Policy 4119.21/4219.21/4319.21 - Professional Standards and Board Policy 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions.

In addition, school facilities, including classroom and nonclassroom environments, shall be constructed and furnished in order to promote safe environments for learning and engagement that are easily supervised by Eden Area ROP staff. (Education Code 32100)



Regulation 5142: Safety

Status: DRAFT

Original Adopted Date: 06/05/2020 | Last Revised Date: 12/11/2025 | Last Reviewed Date: 12/11/2025

~~Each~~ The Superintendent or designee shall establish emergency procedures, rules for student conduct, and rules for the safe and appropriate use of school facilities, equipment and materials consistent with law, Governing Board policy, and administrative regulation. The rules shall be communicated to students, distributed to parents/guardians and readily available at the school at all times.

Release of Students

Students shall be released during the school day only to the custody of an adult who is one of the following:

1. The student's custodial parent/guardian and noted on the current emergency card
2. An adult authorized in the Eden Area Regional Occupational Program's (Eden Area ROP's) student information system as someone to whom the student may be released when the custodial parent/guardian cannot be reached, provided the Superintendent or designee verifies the adult's identity
3. An authorized law enforcement officer acting in accordance with law
4. An adult taking the student to emergency medical care at the request of the Superintendent or designee

Student Identification Cards and Safety Information

Student identification cards of students in grades 7-12 shall have printed on them the 988 Suicide and Crisis Lifeline, ~~and~~ the National Domestic Violence Hotline (1-800-799-7233), and The Trevor Project's LGBTQ+ suicide hotline (1-866-488-7386, or by texting START to 678-678). Additionally, student identification cards of students in grades 7-12 may have printed on them a quick response (QR) code that links to the county's mental health resources website. (Education Code 215.5)

Hearing Protection

The Superintendent or designee shall monitor students' exposure to excessive noise in classrooms and provide protection as necessary. ~~The~~ Additionally, the Superintendent or designee may ~~also~~ provide hearing conservation education to teach students ways to protect their hearing.

Eye Safety Devices

The Superintendent or designee shall provide schools with eye safety devices for use whenever students, teachers, or visitors are engaged in or observing an activity or using hazardous substances likely to cause injury to the eyes. Eye safety devices may be sold to students for an amount not to exceed their actual cost to the Eden Area ROP. (Education Code 32030, 32031, 32033)



Policy 5145.6: Parent/Guardian Notifications

Status: DRAFT

Original Adopted Date: 06/05/2020 | Last Revised Date: 10/04/2024 | Last Reviewed Date: 10/04/2024

The Governing Board desires to promote effective communication the from the school and to families to keep families informed regarding educational programs, Eden Area Regional Occupational Program (Eden Area ROP) and school operations, and the legal rights of students and parents/guardians. The Superintendent or designee shall send parents/guardians all notifications required by law and any other notifications the Superintendent or designee believes will promote familial understanding and involvement.

Notice of the rights and responsibilities of parents/guardians as specified in Education Code 48980 shall be sent at the beginning of each academic year and may be provided by regular mail, in electronic form when so requested by the parent/guardian, or by any other method normally used by the Eden Area Regional Occupational Program (Eden Area ROP) for written communication with parents/guardians. (Education Code 48981)

No activity specified in Education Code 48980 shall be undertaken with respect to any particular student unless the student's parent/guardian has been informed of such action through the annual notification or other separate special notification. Such notice shall state the activity that will be undertaken and the approximate date on which the activity will occur. (Education Code 48983-48984)

The annual notification shall include a request that the parent/guardian sign the notice and return it to the school or, if the notice is provided in electronic format, that the parent/guardian submit a signed acknowledgment of receipt of the notice to the school. The parent/guardian's signature is not required. Any signature is an acknowledgment of receipt of the information but does not indicate that consent to participate in any particular program has been given or withheld. (Education Code 48982)

Whenever a student enrolls at the Eden Area ROP during the school year, the student's parents/guardians shall be given all required parental notifications at that time.

Notifications shall be presented in an understandable and uniform format.

When necessary, the Eden Area ROP shall provide notifications to qualified individuals with disabilities in alternative formats, such as braille, large front, or audio recordings, to enable such individuals to effectively participate in any program, service, or activity, as required by law.

Whenever 15 percent or more of the students enrolled at the Eden Area ROP speak a single primary language other than English, as determined from the California Department of Education census data collected pursuant to Education Code 52164, all notices sent to the parent/guardian of any such student shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language. (Education Code 48981, 48985)

Whenever an employee learns that a student's parent/guardian is unable to understand the Eden Area ROP's printed notifications for any reason, the employee shall inform the principal or designee, who shall work with the parent/guardian to establish other appropriate means of communication.



Exhibit 5145.6-E(1): Parent/Guardian Notifications

Status: DRAFT

Original Adopted Date: 02/03/2022 | Last Revised Date: 10/02/2025 | Last Reviewed Date: 10/02/2025

Cautionary Notice: Government Code 17581.5 releases districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2023 (SB 101, Ch. 12, Statutes of 2023) extends the suspension of these requirements through the 2023-24 fiscal year. As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

This exhibit is a non-exhaustive list of notices that the law explicitly requires be provided to parents/guardians. Other notices may exist and be identified in the future.

I. Annually

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 222.5; 46015
Board Policy/Administrative Regulation #: See BP 5146
Subject: Rights and options for pregnant and parenting students

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 234.7
Board Policy/Administrative Regulation #: See BP 0410, BP 1445
Subject: Right to a free public education regardless of immigration status or religious beliefs; information relating to educational rights developed by the Attorney General

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 17611.5, 17612, 48980.3
Board Policy/Administrative Regulation #: See AR 3514.2
Subject: Use of pesticide products, active ingredients, internet address to access information, and, if district uses certain pesticides, integrated pest management plan

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 35291, 48980
Board Policy/Administrative Regulation #: See AR 5144, AR 5144.1
Subject: District and site discipline rules

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 44050
Board Policy/Administrative Regulation #: See BP 4119.21, BP 4219.21, BP 4319.21, BP 4119.24/4219.24/4319.24
Subject: Code For districts that maintain a code of conduct, material addressing employee interactions with students

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 46010.1
Board Policy/Administrative Regulation #: See AR 5113
Subject: Absence for confidential medical services

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980
Board Policy/Administrative Regulation #: See BP 6111
Subject: Schedule of minimum days and student-free staff development days

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980

Board Policy/Administrative Regulation #: None

Subject: The protections, requirements, and responsibilities prescribed in Assembly Bill 715 of the 2025-26 Regular Legislative Session

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 231.5; 5 CCR 4917; 34 CFR 106.8

Board Policy/Administrative Regulation #: See AR 5145.7

Subject: Copy of sexual harassment policy as related to students; contact information for Title IX coordinator

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 35160.5, 46600-46611, 48204, 48301

Board Policy/Administrative Regulation #: See BP 5111.1, AR 5116.1, AR 5117

Subject: All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process

When to Notify: Beginning of each school year, if Governing Board allows such absence

Education or Other Legal Code: Education Code 48980, 46014

Board Policy/Administrative Regulation #: See AR 5113

Subject: Absence for religious exercise or purposes

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 48205

Board Policy/Administrative Regulation #: See AR 5113, BP 6154

Subject: Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48980, 49423, 49480

Board Policy/Administrative Regulation #: See AR 5141.21

Subject: Administration of prescribed medication

When to Notify: Beginning of each school year in grades 11-12

Education or Other Legal Code: Education Code 48980.5

Board Policy/Administrative Regulation #: ~~To be included in BP 6178~~None

Subject: Information on local apprenticeship and pre-apprenticeship programs

When to Notify: At the beginning of each school year in grades 7-12 Education or Other Legal Code: Education Code 48980.6

Board Policy/Administrative Regulation #: ~~To be included in~~ BP 6141.4

Subject: Any dual enrollment or International Baccalaureate courses offered by the district

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 48985.5

Board Policy/Administrative Regulation #: See BP 5131.6

Subject: The dangers of using synthetic drugs not prescribed by a physician, possibility that such drugs can be found in counterfeit pills, and the risk of social media being used to market synthetic drugs, such as fentanyl

When to Notify: Annually (not otherwise specified)

Education or Other Legal Code: Education Code 49013; 5 CCR 4622

Board Policy/Administrative Regulation #: See AR 1312.3, BP 0460, BP 3260

Subject: Uniform complaint procedures, available appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan

When to Notify: Beginning of each school year

Education or Other Legal Code: Education Code 49063
Board Policy/Administrative Regulation #: See AR 5125, AR 5125.3
Subject: Challenge, review and expunging of records

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7
Board Policy/Administrative Regulation #: See AR 5125
Subject: Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria for defining school officials and to determine legitimate educational interest, categories defined as directory information, disclosures, right to file complaint with U.S. Department of Education, course prospectus availability

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37
Board Policy/Administrative Regulation #: See AR 5125.1
Subject: Release of directory information

When to Notify: Beginning of each school year
Education or Other Legal Code: 34 CFR 104.8, 106.9
Board Policy/Administrative Regulation #: See BP 0410, BP 6178
Subject: Nondiscrimination

When to Notify: Beginning of each school year to parent/guardian, teacher, and employee organizations or, in their absence, individuals
Education or Other Legal Code: 40 CFR 763.84, 40 CFR 763.93
Board Policy/Administrative Regulation #: See AR 3514
Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

II. At Specific Times During the Student's Academic Career

When to Notify: Upon a student's enrollment
Education or Other Legal Code: Education Code 49063
Board Policy/Administrative Regulation #: See AR 5125, AR 5125.3
Subject: Specified rights related to student records

When to Notify: On a timely basis following an absence
Education or Other Legal Code: Education Code 51101
Board Policy/Administrative Regulation #: See AR 5020
Subject: If child is absent from school without permission

III. When Special Circumstances Occur

When to Notify: In the event of a breach of security of district records
Education or Other Legal Code: Civil Code 1798.29
Board Policy/Administrative Regulation #: See BP 3580
Subject: Types of records affected, date of breach, description of incident, contact information for credit reporting agencies

When to Notify: Upon receipt of a complaint alleging discrimination
Education or Other Legal Code: Education Code 262.3
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Civil law remedies available to complainants

When to Notify: When the school confirms the presence of immigration enforcement on the school site

Education or Other Legal Code: Education Code 32282
Board Policy/Administrative Regulation #: AR 0450, 1445
Subject: Presence of immigration enforcement on school site

When to Notify: Prior to implementing alternative schedule
Education or Other Legal Code: Education Code 46162
Board Policy/Administrative Regulation #: See BP 6112
Subject: Public hearing on alternative schedule in secondary grades

When to Notify: At least 72 hours before use of pesticide product not included in annual list
Education or Other Legal Code: Education Code 17612
Board Policy/Administrative Regulation #: See AR 3514.2
Subject: Intended use of pesticide product

When to Notify: If school has lost its WASC accreditation status
Education or Other Legal Code: Education Code 35178.4
Board Policy/Administrative Regulation #: See BP 6190
Subject: Loss of status, potential consequences

When to Notify: When student excluded due to quarantine, contagious or infectious disease, danger to safety or health
Education or Other Legal Code: Education Code 48213
Board Policy/Administrative Regulation #: See AR 5112.2
Subject: Student has been excluded from school

When to Notify: When student is removed from class and teacher requires parental attendance at school
Education or Other Legal Code: Education Code 48900.1
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Parental attendance required; timeline for attendance

When to Notify: When student is released to peace officer
Education or Other Legal Code: Education Code 48906
Board Policy/Administrative Regulation #: See BP 5145.11
Subject: Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as a victim of suspected child abuse

When to Notify: At time of suspension
Education or Other Legal Code: Education Code 48911
Board Policy/Administrative Regulation #: See BP 5144.1, AR 5144.1
Subject: Notice of suspension

When to Notify: One month before the scheduled minimum day
Education or Other Legal Code: Education Code 48980
Board Policy/Administrative Regulation #: See BP 6111
Subject: When minimum days are scheduled after the beginning of the school year

When to Notify: When parents/guardians request guidelines for filing complaint of child abuse at a school site
Education or Other Legal Code: Education Code 48987
Board Policy/Administrative Regulation #: See AR 5141.4
Subject: Guidelines for filing complaint of child abuse at a school site with local child protective agencies

When to Notify: When student in danger of failing a course
Education or Other Legal Code: Education Code 49067
Board Policy/Administrative Regulation #: See AR 5121
Subject: Student in danger of failing a course

When/Whom to Notify: When parent/guardian's challenge of student record is denied and parent/guardian appeals
Education or Other Legal Code: Education Code 49070
Board Policy/Administrative Regulation #: See AR 5125.3
Subject: If Governing Board sustains allegations, the correction of destruction of record; if denied, right to submit written objection

When/Whom to Notify: When district is considering program to gather safety-related information from students' social media activity
Education or Other Legal Code: Education Code 49073.6
Board Policy/Administrative Regulation #: See BP 5125
Subject: Opportunity for input on proposed program

When/Whom to Notify: When district adopts program to gather information from students' social media activity, and annually thereafter
Education or Other Legal Code: Education Code 49073.6
Board Policy/Administrative Regulation #: AR 5125
Subject: Information is being gathered, access to records, process for removal or corrections, destruction of records

When to Notify: Within 24 hours of release of information to a judge or probation officer
Education or Other Legal Code: Education Code 49076
Board Policy/Administrative Regulation #: See AR 5125
Subject: Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition

When to Notify: Before release of information pursuant to court order or subpoena
Education or Other Legal Code: Education Code 49077
Board Policy/Administrative Regulation #: See AR 5125
Subject: Release of information pursuant to court order or subpoena

When to Notify: When an automated external defibrillator (AED) is placed in a school serving students in grades 6-12, at least annually notify students
Education or Other Legal Code: Health and Safety Code 1797.196
Board Policy/Administrative Regulation #: See AR 6145.2 Athletic Competition
Subject: The location of all AED units on campus

When/Whom to Notify: At least 14 days prior to sex offender coming on campus as volunteer
Education or Other Legal Code: Penal Code 626.81
Board Policy/Administrative Regulation #: See AR 1240, BP 1250
Subject: Dates and times permission granted; obtaining information from law enforcement

When to Notify: When hearing is requested by person asked to leave school premises
Education or Other Legal Code: Penal Code 627.5
Board Policy/Administrative Regulation #: See AR 3515.2
Subject: Notice of hearing

When/Whom to Notify: When responding to complaint re: discrimination, special education, or noncompliance with law
Education or Other Legal Code: 5 CCR 4631
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Findings, disposition of complaint, any corrective actions, appeal rights and procedures

When to Notify: When student complains of sexual harassment
Education or Other Legal Code: 34 CFR 106.44, 106.45
Board Policy/Administrative Regulation #: See AR 5145.7

Subject: Right to file formal complaint, availability of supportive measures, notice of process, reason for dismissal of complaint if applicable

IV. Special Education Notices

n/a

V. Building, Classroom, and Other Notices to Be Posted

Where to Post: In each bathroom and locker room at each school site

Education or Other Legal Code: Education Code 231.6

Board Policy/Administrative Regulation #: See AR 5145.7

Subject: Poster that notifies students of the applicable written policy on sexual harassment required by Education Code 231.5

Where to Post: In all district schools and offices, including staff lounges and student government meeting rooms

Education or Other Legal Code: Education Code 234.1

Board Policy/Administrative Regulation #: See AR 1312.3

Subject: Uniform complaint procedures Board policy and administrative regulation

Where to Post: In district administrative buildings

Education or Other Legal Code: Education Code 234.7

Board Policy/Administrative Regulation #: BP 1445

Subject: Information relating to, "The Immigration-Enforcement Actions at California Schools Guide for Students and Families," also known as, "Know Your Educational Rights," developed by the Attorney General; post in every language that the Attorney General provides and update the school year following any updates published by the Attorney General

Where to Post : In each classroom in each school

Education or Other Legal Code: Education Code 35186

Board Policy/Administrative Regulation #: See AR/E 1312.4

Subject: Complaints subject to Williams uniform complaint procedures

Where to Post: On or Before July 1, 2026, in a prominent and conspicuous location outside at least one all-gender restroom

Education or Other Legal Code: Education Code 35292.5

Board Policy/Administrative Regulation #: See AR 3517, AR 5145.3

Subject: Signage identifying the bathroom facility as being open to all genders and in conformity with 24 CCR 11B-703, is available during school hours and school functions when students are present, designated point of contact

Where to Post: In any school serving any of grades 3-12, in a prominent and conspicuous location in every restroom required to stock menstrual products,

Education or Other Legal Code: Education Code 35292.6

Board Policy/Administrative Regulation #: See AR 3517

Subject: Requirement to stock and make available free of cost an adequate supply of menstrual products that includes email address and telephone number for a designated individual responsible for maintaining requisite supply of menstrual products

Where to Post: Prominently and conspicuously displayed in appropriate public areas that are accessible to, and commonly frequented by students at each school site

Education or Other Legal Code: Education Code 49428.5

Board Policy/Administrative Regulation #: See BP 5141.5

Subject: Distribution of digitized mental health poster online



Bylaw 9200: Limits Of Board Member Authority

Status: DRAFT

Original Adopted Date: 06/07/2012 | Last Revised Date: 06/05/2020 | Last Reviewed Date: 06/05/2020

Eden Area Regional Occupational Program (Eden Area ROP) Governing Board members are the designated representatives of the school districts participating in the Joint Powers Agreement, and each serves as a member on their respective Boards.

The Governing Board recognizes that the Governing Board is the unit of authority over the Eden Area ROP and that a Governing Board member has no expects individual authority. Governing Board members shall hold the education of students above any partisan principle, group interest, or personal interest to conduct themselves in accordance with Board Bylaw 9000 - Role of the Board and Board Bylaw 9005 - Governance Standards. Unless agreed to by the Board as a whole, an individual Board member possesses no authority to direct staff, represent the Board or the Eden Area ROP, or exercise administrative responsibility with respect to the schools.

{cf. 1160 - Political Processes}

{cf. 9000 - Role of the Board}

{cf. 9005 - Governance Standards}

{cf. 9270 - Conflict of Interest}

{cf. 9323 - Meeting Conduct}

Unless agreed to by the Governing Board as a whole, individual members of the Governing Board shall not exercise any administrative responsibility with respect to the schools or command the services of any school employee. Individual Governing Board members shall submit requests for information to the Superintendent. Governing Board members shall refer Governing Board-related correspondence to the Superintendent for forwarding to the Governing Board or for placement on the Governing Board's agenda, as appropriate.

{cf. 1340 - Access to District Records}

{cf. 4112.6/4212.6/4312.6 - Personnel Files}

{cf. 9011 - Disclosure of Confidential/Privileged Information}

{cf. 9322 - Agenda/Meeting Materials}

Individual Governing Board members do not have the authority to resolve complaints. Any Governing Board member approached directly by a person with a complaint should refer the complainant to the Superintendent or designee so that the issue may receive proper consideration and be handled through the appropriate Eden Area ROP process.

{cf. 1312.1 - Complaints Concerning District Employees}

{cf. 1312.2 - Complaints Concerning Instructional Materials}

{cf. 1312.3 - Uniform Complaint Procedures}

{cf. 1312.4 - Williams Uniform Complaint Procedures}

{cf. 3320 - Claims and Actions Against the District}

{cf. 4031 - Complaints Concerning Discrimination in Employment}

{cf. 6159.1 - Procedural Safeguards and Complaints for Special Education}

Additionally, individual Board members do not have the authority to investigate, resolve, or otherwise actively engage

with community members with respect to complaints, personnel or student matters, or legal issues. Any Board member who receives a communication regarding such a topic shall forward the communication to or otherwise inform the Superintendent or Board president, as appropriate, who shall respond or otherwise follow-up, as needed. The Board member shall not respond substantively to the communication beyond acknowledging receipt and explaining the limits of the Board member's authority. It shall be the responsibility of the Superintendent or Board president to inform the Board or place the topic on a future Board agenda.

Individual Board members are permitted to engage with community members, including responding to general inquiries or expressions of opinion. Such engagement shall be consistent with Board policies and bylaws such as Board Bylaw 9010 – Public Statements and Board Bylaw 9012 – Board Member Electronic Communications, and may not purport to represent the position of the Board.

Requests for information by an individual Board member shall be submitted to the Superintendent.

A Board member may observe and/or volunteer in a school or classroom, including in the school or classroom in which the Board member's child is enrolled, in accordance with Board Policy/Administrative Regulation 1240—Volunteer Assistance and Board Policy/Administrative Regulation 5020 - Parent Rights and Responsibilities. Prior to observing or volunteering, a Board member shall inform the Superintendent. Additionally, a Board member who is present on Eden Area ROP property or at Eden Area ROP programs or activities is expected to be aware of the role and limits on authority as a Board member.

A Board member who chooses to observe or volunteer shall do so in a manner that does not disrupt school operations. Any questions or concerns regarding operational or personnel matters shall be directed to the Superintendent or designee. Any questions or concerns specific to the Board member's child may be directed to appropriate site staff. If a question or concern is both specific to the Board member's child and involves operational or personnel matters, the Board member shall collaborate with the Superintendent or designee to determine whether the Board member shall direct the question or concern to site staff or whether the responsibility to investigate or resolve the question or concern, if necessary, lies with the Superintendent or designee.

COMMUNICATION



Alameda County Office of Education

Alysse Castro, Superintendent

September 15, 2026

Blaine Torpey, Superintendent
Members of the Board of Education
Eden Area ROP (EAROP) via email

APPROVAL of 2026-27 Adopted Budget

Dear Superintendent Torpey and Members of the Board,

Eden Area ROP's Adopted Budget is approved. ACOE's review of the ROP's 2026-27 Adopted Budget and Multiyear Budget Projection shows that the ROP complies with the approval criteria per Education Code Section 42127.

We appreciate the continued hard work and commitment of the ROP staff, the Board, and the community. Please contact us with any questions or concerns.

In community,

Allan Garde
Associate Superintendent of Business Services

Cc: Anthony Oum, Fiscal Services Administrator, Eden Area ROP
Shirene Moreira, Chief of District Business & Advisory Services, ACOE
Julia Xu, Director III, District Advisory Services, ACOE
Jennifer Stevens, Director I, District Advisory Services, ACOE