Joint Powers Governing Board, Regular Board Meeting

10/28/2026 05:30 PM

1040 Florence Road
Livermore, CA 94550

AGENDA

The Mission of Tri-Valley ROP is to:

- Educate and train a broad spectrum of students by providing a bridge of opportunity connecting school to continuing education and career.
- Support and guide the development of life and career skills valued by business, industry, colleges, and society.
- Provide an environment of continuous program improvement, responsive to the changing needs of students, employers, and industry.
- Educate all students to acquire the skills, attitudes and values needed to find and retain jobs, to be socially responsible, and to make positive contributions to their families and the community.

JOINT POWERS GOVERNING BOARD

Emily Prusso, *Chairperson*
(925) 606-3281
eprussotrustee@lvjusd.org
Member District:
Livermore Valley Joint Unified School District

Laurie Walker, *Vice Chairperson*
(925) 963-6371
lwalker@pleasantonusd.net
Member District:
Pleasanton Unified School District

Kristin Speck, *Trustee*
(925) 351-2031
speckkristin@dublinusd.org
Member District:
Dublin Unified School District

Julie Duncan, *Superintendent*
(925) 455-4800 x 106
jduncan@tvrop.org

Secretary to the Governing Board

JOINT POWERS GOVERNING BOARD MEETING PROCEDURES

Members of the public are encouraged to attend meetings of the Board. Individuals may address the Board regarding items *on* the agenda during the agenda item or, for Closed Session items, prior to Board adjournment into Closed Session. To address the Board regarding an item that *is* on the agenda, please complete a ***blue speaker card*** and submit it to the Administrative Assistant **prior** to Call to Order of the meeting or prior to the agenda item you wish to address. This allows the Board Chairperson to divide the available time among speakers.

Speakers may address the Board under agenda item **5 PUBLIC COMMENT** regarding items of public interest within the Board's jurisdiction but are *not* on the agenda. Speakers should complete a ***yellow speaker card*** and submit it to the Administrative Assistant **prior** to Call to Order of the meeting.

By law, the Board may listen to comments, but may not enter into discussion nor take action on any item not on the agenda. Time is limited to 3 minutes per speaker and 20 minutes per subject matter.

1. CALL TO ORDER / ROLL CALL - 5:30 p.m. 7

2. ADJOURN TO CLOSED SESSION 8

A. Discipline/Dismissal/Release (Government Code, §45195) 9

B. Conference with Labor Negotiator: Unrepresented Employee 10

Agency Negotiator: Board Chairperson
Unrepresented Employee: Superintendent

3. CONVENE IN OPEN SESSION - 6:00 p.m. 11

A. Pledge of Allegiance 12

B. Approval of the Agenda 13

Prior to approving the agenda, a Board member may request that an agenda item be pulled or moved on the agenda.

C. Announcement of Any Reportable Action Taken in Closed Session 14

4. PUBLIC COMMENT 15

At this time, members of the public may address the Board regarding matters *not* on the agenda but within the Board's jurisdiction. (For items that *are* on the agenda, the opportunity for public comment will be presented during each agenda item.) Speakers should submit a speaker card to the Administrative Assistant prior to Call to Order: a *yellow card* for items not on the agenda and a *blue card* to speak during an agenda item. Time is limited to 3 minutes per speaker and 20 minutes per topic.

5. CONSENT CALENDAR - MOTIONS 16

The Consent Calendar is for items that require the approval of the Board, but are routine in nature. The Board acts upon these items in one vote. Any member of the Board, administration, or public may request that an item be pulled from the Consent Calendar and discussed and/or acted upon separately under Deferred Consent Items.

A. Approval of the Minutes from the Regular Board Meeting of September 9, 2026 17

The Board will consider approval of the minutes from the September 9, 2026, Board Meeting.

B. Approval of the Minutes from the Special Board Meeting: Budget and Compensation/Medical Benefit Analysis of October 14, 2026 23

The Board will consider approval of the minutes from the October 14, 2026, Special Board Meeting.

C. Approval of Donations 27

The Board will consider approval of donations received through October 28, 2026.

6. DEFERRED CONSENT ITEMS 29

Items that are pulled from the Consent Calendar to be addressed individually will be discussed and acted upon at this time.

7. INFORMATION / ACTION ITEMS 30

Informational items are noted as Information only. Action items are up for a vote by the Board. Most items require a simple majority of Board member votes to pass.

A. Career Technical Education Incentive Grant (CTEIG) Memorandum of Understanding 31

The Board will consider approval of the CTEIG Memorandum of Understanding for the Fiscal Year (FY) 2026-27 Round 12.

B. CalPERS Health Program Resolution 2026-27.8 34

Superintendent Duncan will present the CalPERS Health Benefits Resolution for approval effective 01/01/2027.

C. Approval of Proposed 2026-2027 Salary Schedules and CalPERS Health Benefit Contribution 38

Superintendent Duncan will present the Proposed 2026-2027 Salary Schedules for Certificated, Classified Confidential, Classified, Management and Superintendent retro to 07/01/2026 and CalPERS Health Benefit Contribution for Board approval.

D. First and Final Reading of the CSBA Recommended Revisions of Tri-Valley Regional Occupational Program Board Policies 52

The Board will consider approval of the CSBA's recommended revisions to the Tri-Valley Regional Occupational Program (TVROP) Board Policies:

1. Policy 1240: Volunteer Assistance
2. Policy 2110: Superintendent Responsibilities And Duties
3. Policy 4100: Certificated Personnel
4. Policy 4111: Recruitment And Selection
5. Regulation 4112: Appointment And Conditions Of Employment
6. Regulation 4112.5: Criminal Record Check
7. Exhibit 4112.5-E(1): Criminal Record Check
8. Regulation 4112.6: Personnel Files
9. Policy 4211: Recruitment And Selection
10. Regulation 4212.5: Criminal Record Check
11. Exhibit 4212.5-E(1): Criminal Record Check
12. Regulation 4212.6: Personnel Files
13. Policy 4311: Recruitment And Selection
14. Regulation 4312.5: Criminal Record Check
15. Exhibit 4312.5-E(1): Criminal Record Check
16. Regulation 4312.6: Personnel Files

E. Approval of the Personnel Document of October 28, 2026 125

The Board must act on all issues regarding employees of the TVROP. The Personnel Document specifies each area and may include new hires, resignations, retirements and/or vacancies for Board approval.

8. SUPERINTENDENT'S REPORT 127

Julie Duncan, Superintendent, will report on recent meetings, activities, or legislation.

9. BOARD MEMBER REPORTS 128

Board members may wish to report on their recent activities.

10. RECOGNITIONS 129

Staff will recognize the Board Members for their dedication, service, and support of Tri-Valley ROP students and program.

11. ANNOUNCEMENTS 130

The next Regular Meeting of the Joint Powers Governing Board will be held Wednesday, December 9, 2026 at 5:30 p.m.

12. ADJOURNMENT 131

1. CALL TO ORDER / ROLL CALL - 5:30 p.m.

2. ADJOURN TO CLOSED SESSION

2. A. Discipline/Dismissal/Release (Government Code, §45195)

2. B. Conference with Labor Negotiator: Unrepresented Employee

Quick Summary / Abstract

Agency Negotiator: Board Chairperson
Unrepresented Employee: Superintendent

3. CONVENE IN OPEN SESSION - 6:00 p.m.

3. A. Pledge of Allegiance

3. B. Approval of the Agenda

Quick Summary / Abstract

Prior to approving the agenda, a Board member may request that an agenda item be pulled or moved on the agenda.

3. C. Announcement of Any Reportable Action Taken in Closed Session

4. PUBLIC COMMENT

Quick Summary / Abstract

At this time, members of the public may address the Board regarding matters *not* on the agenda but within the Board's jurisdiction. (For items that *are* on the agenda, the opportunity for public comment will be presented during each agenda item.) Speakers should submit a speaker card to the Administrative Assistant prior to Call to Order: a *yellow card* for items not on the agenda and a *blue card* to speak during an agenda item. Time is limited to 3 minutes per speaker and 20 minutes per topic.

5. CONSENT CALENDAR - MOTIONS

Quick Summary / Abstract

The Consent Calendar is for items that require the approval of the Board, but are routine in nature. The Board acts upon these items in one vote. Any member of the Board, administration, or public may request that an item be pulled from the Consent Calendar and discussed and/or acted upon separately under Deferred Consent Items.

5. A. Approval of the Minutes from the Regular Board Meeting of September 9, 2026

Quick Summary / Abstract

The Board will consider approval of the minutes from the September 9, 2026, Board Meeting.

Supporting Documents

Minutes from the Regualar Board Meeting of September from 09-09-2026

Tri-Valley Regional Occupational Program
1040 Florence Road, Livermore, CA 94550
Phone (925) 455-4800 ● Fax (925) 449-9126

JOINT POWERS GOVERNING BOARD
Regular Board Meeting of September 9, 2026
5:30 p.m. Closed Session
6:00 p.m. Open Session

1. **CALL TO ORDER / ROLL CALL – 5:30 p.m.**
   Chairperson Prusso called the meeting to order at 5:35 p.m.
   Roll Call
   Trustee Prusso – Aye
   Trustee Speck – Aye
   Trustee Walker arrived to the Board Meeting at 6:00 p.m.

2. **PUBLIC COMMENT** on posted closed session item only – *None*

3. **ADJOURN TO CLOSED SESSION** *Government Code, §54957*

   A. **Employee Discipline/Dismissal/Release**

4. **RECONVENE IN OPEN SESSION – 6:07 p.m.**

   A. **Pledge of Allegiance**

   B. **Approval of the Agenda**
   The Board approved the agenda as written.

Moved	***Seconded***	***Ayes***	***Noes***	***Abstain***	***Absent***
Speck	Walker	3	0	0	0

   C. **Announcement of Any Reportable Action Taken in Closed Session -** *None*

5. **PUBLIC COMMENT -** *None*

6. **RECOGNITIONS**
   Superintendent Duncan recognized Alysa Machado-Oliver, Medical Occupations, as the 2026 – 2027 Teacher of the Year.

7. **CONSENT CALENDAR – MOTIONS**

Moved	***Seconded***	***Ayes***	***Noes***	***Abstain***	***Absent***
Speck	Walker	3	0	0	0

   A. **Approval of Minutes from the Regular Board Meeting of June 10, 2026**
   The Board approved the minutes from the June 10, 2026 Regular Board Meeting.

   B. **Approval of Bill and Salary Reports – June 1 – August 31, 2026**
   The Board approved the Bill and Salary warrants which show the District's operating and salary expenditures for the period noted.

C. Approval of Purchase Order Summary – June 1 – August 31, 2026
The Board approved the purchase order summary which shows the encumbrances of District funds for the period noted.

D. Acceptance of Donations
The Board approved the donations received up to August 31, 2026.

8. CONSENT – RESOLUTIONS

Moved	*Seconded*	*Ayes*	*Noes*	*Abstain*	*Absent*
Speck	Walker	3	0	0	0

A. Resolution No. 2026-27.1 - Signature Card – Authorized Agents Payroll Warrants and Disbursements
The Board approved the Resolution authorizing persons named to sign warrants and approval of payments on behalf of the District.

B. Resolution No. 2026-27.2 - Authorization for Bank Signatures
The Board approved the Resolution authorizing persons named to sign bank documents on behalf of the District.

C. Resolution No. 2026-27.3 - Appointment of Authorized Agents for State and Federal Applications
The Board approved the Resolution authorizing persons named to sign State and Federal applications and documents on behalf of the District.

D. Resolution No. 2026-27.4 – Appointment of Authorized Agents for Budget Transfers of Funds – Revenues and Expenditures
The Board approved the Resolution authorizing persons named to sign Budget Transfers of Funds working documents on behalf of the District.

E. Resolution No. 2026-27.5 - Delegation of Authority
The Board approved the Resolution authorizing persons named to act with Board Authority to procure goods, services and labor on behalf of the District.

F. Resolution No. 2026-27.6 - Authorized Agents for Official Documents and Reports
The Board approved the Resolution authorizing persons named to act with Board Authority to sign official documents on behalf of the District.

G. Resolution No. 2026-27.7 – California Adult Education Program
The Board approved the Resolution authorizing the individual person named to act with Board Authority to represent Tri-Valley ROP in the Mid-Alameda County Consortium.

9. DEFERRED CONSENT ITEM/S - *None*

10. INFORMATION / ACTION ITEMS

A. 2026 Summer Program Update – *Information*
Suzanne Smith presented the 2026 Summer Programs offered to Tri-Valley Students and Instructors.

B. Approval of the 2025 – 2026 Unaudited Actuals - *Action*
The 2025-2026 Unaudited Actuals were presented to the Board for review and approval. The Unaudited Actuals show the revenue and expenditures for the prior fiscal year and are submitted

to the Alameda County Office of Education and then on to the California Department of Education for inspection and approval.

Moved	***Seconded***	***Ayes***	***Noes***	***Abstain***	***Absent***
Speck	Walker	3	0	0	0

Trustee Speck requested clarification regarding the differences between the Estimated Actuals and Unaudited Actuals. Doug D'Amour and Superintendent Duncan explained that the majority of the differences was because of unspent grant funds being carried forward and that regularly operating expenditures were close to the adopted budget. The Board also discussed the District's reliance on grant funding, deficit spending, and the need for budget projections to align with actuals.

C. Approval of Personnel Document of September 9, 2026 – *Action*
The Board approved the Personnel Document.

Moved	***Seconded***	***Ayes***	***Noes***	***Abstain***	***Absent***
Speck	Walker	3	0	0	0

D. Salary Comparison and Medical Benefits – *Discussion/Information*
Superintendent Duncan presented an update on Medical Benefits to employees and retirees and input on salary comparison and benefit stipend scenarios for the October Board Workshop.

Superintendent Duncan shared the history of Medical Benefits for Tri-Valley ROP employees and CalPERS medical not being available to Tri-Valley ROP employees until Superintendent Duncan contacted CalPERS and Alameda County Office of Education to look into benefit options. It was determined that Tri-Valley ROP employees and retirees may participate in CalPERS health coverage. The minimum employer contribution is $167 per month, plus administrative fees. This also applies to all eligible retirees and surviving spouses.

CalPERS will take care of enrollment materials for the eligible retirees and surviving spouses. There will be a special open enrollment from November 1 – December 31, 2026.

Superintendent Duncan presented salary comparisons. Certificated salaries at the other ROPs (Eden ROP and Mission Valley ROP) were 17% higher than Tri-Valley ROP salaries. Classified and management were 12% to 17% higher.

Superintendent Duncan requested direction on what the Board would like to see at the workshop.

The Board gave direction on next steps for the October 14, 2026 Board Workshop:

- Updated salary comparison by position.
- Medical benefit contribution options using 50% and 75% of the single Kaiser premium.
- Employee feedback regarding interest in medical coverage.
- Options for the existing $6,000 in lieu stipend.
- A three-year financial projection showing the sustainability of proposed salary and benefit increases.

11. SUPERINTENDENT'S REPORT

Superintendent Duncan reported on recent meetings, activities, or legislation.

Customer Service

- Superintendent Duncan is President of the Statewide ACSA CTE Council and Suzanne Smith is President of CAROCP to ensure we are capturing and disseminating accurate CTE data and information to our Member Districts to improve CCI, as well as, advocate to CDE for more dedicated CTE funding
- Suzanne Smith testified at the Capitol on behalf of CAROCP against AB 917 on July 1st
- Athena Duran has been meeting with Foothill High School student-led team for the College and Career Expo at Foothill High School to plan for the October 20th event

Programs:

- Suzanne Smith successfully secured funding and implementation of our 2nd CNA Academy for Alternative Ed. Students who were able to complete an intensive summer program and obtain job offers
- Amy Brown and the entire Middle College faculty attended AVID training this summer
- Secured dynamic new instructors for Marketing Sales and Service, Sports Medicine, Automotive Technology and Middle College English/AVID 11th grade
- Athena Duran is working to coordinate with Member District partners to host our Advisory Night, November 3rd at Granada High School from 4:30 p.m. – 6:00 p.m.
- Another successful summer CCAP offering of Fundamentals of Public Speaking offered regionally for 28 students. All earned 3 CSU/UC transferable units
- AI Integration and Technology Coordinator, Jen Palacio, was contracted and started September 1st. She brings a wealth of experience from her previous career working as Project Coordinator for two large tech Start-up companies. She is currently making connections with member district technology teams, researching AI tools for teachers and developing a training calendar for staff

Fiscal Management:

- Submitted on June 19th the CTEIG 2026-2027 grant application with Member Districts to hopefully secure $4M+ in funding to maintain and enhance CTE programs on an enhanced new platform with new rules. Superintendent Duncan was once again providing CDE with the application issues both inconsistencies in RFA or technical issues with the online system. We were thanked for our guidance. Today at 11 a.m., the SBE approved the CTEIG application and we will be awarded $4,043,125
- Superintendent Duncan attended the Keenan Annual Retreat in July to ensure we are following best practices related to liability and property

Relationships:

- Suzanne Smith attended the Statewide CAROCP meeting to discuss best practices for program curriculum and delivery and is currently President
- Suzanne Smith was selected to the K12 Strong Workforce Selection Committee for Round 9 of K12SWP grant and is one of the three Official Chairs of the grant

12. BOARD MEMBER REPORTS - *None*

13. ANNOUNCEMENTS

- The Tri-Valley ROP Board Workshop will be held on October 14, 2026, at 5:30 p.m.
- The next Regular Meeting of the Joint Powers Governing Board will be held on October 28, 2026, at 5:30 p.m.

14. ADJOURNMENT – 7:55 p.m.

Submitted,

Approved and entered into the proceedings of the Board this 28th day of October, 2026

_____
Julie Duncan
Secretary to the Board

_____
Emily Prusso
Chairperson

EM/JD/rv

5. B. Approval of the Minutes from the Special Board Meeting: Budget and Compensation/ Medical Benefit Analysis of October 14, 2026

Quick Summary / Abstract

The Board will consider approval of the minutes from the October 14, 2026, Special Board Meeting.

Supporting Documents

Minutes from the Special Board Meeting 10-14-2026

Tri-Valley Regional Occupational Program
1040 Florence Road, Livermore, CA 94550
Phone (925) 455-4800 ● Fax (925) 449-9126

JOINT POWERS GOVERNING BOARD
Special Board Meeting: Tri-Valley ROP Budget and Compensation/Medical Benefit Analysis
Board Workshop of October 14, 2026
4:30 p.m. Closed Session
5:30 p.m. Open Session
Las Positas College/Middle College Hub
Building 400
3000 Campus Hill Drive
Livermore, CA 94551

1. **CALL TO ORDER/ROLL CALL – 4:30 p.m.**
   Trustee Prusso called the meeting to order at 4:34 p.m.
   Roll Call
   Trustee Prusso – Aye
   Trustee Speck – Aye
   Trustee Walker – Aye

2. **ADJOURN TO CLOSED SESSION –** *Pursuant to Government Code §54957*

   A. **Public Employee Discipline/Dismissal/Release**

3. **RECONVENE INTO OPEN SESSION – 5:30 p.m.**

   A. **Pledge of Allegiance**
   B. **Report Out of Closed Session** - *None*

4. **PUBLIC COMMENT –** Three Public Comments

5. **BOARD WORKSHOP**

   A. **Tri-Valley ROP Budget and Compensation/Medical Benefit Analysis**

   Superintendent Duncan provided an overview of Tri-Valley ROP's history, partnerships, and approximately $45 million in grant funding secured over the past 12 years. She presented the salary and benefit comparison study conducted at the Board's direction, including comparisons with the Member Districts, and Regional Occupational Programs and some surrounding districts with comparable positions.

   The Board provided feedback when examining the salary ranges of each position as it related to the impact of the low and high daily rate disparities. The Board asked the Superintendent to run the following calculations and compare the results to the proposed MYP and the AC ROPs average range to assist with salary schedule proposals for the October 28, 2026 Regular Board Meeting:

Certificated
- Increase the salary schedule by 17%

Classified Confidential
- Keep the current salary schedule without an increase

Senior Support Specialist
- Increase the salary schedule from 5 steps to 10 steps
- Use the average percentage which appeared to be an increase of 3.6%-3.7%
- Begin increase on Step 6

Support Specialist
- Increase the salary schedule from 5 steps to 10 steps
- Use the average percentage and increase between each step
- Begin increase on Step 6

College and Career Specialist
- Increase the salary schedule from 5 steps to 10 steps
- Use average percentage between each step
- Begin increase on Step 6

Coordinator of Programs
- Keep Step 1 the same
- Apply 3% increases between each step
- Keep the seven-step salary schedule

Middle College Coordinator
- Keep the salary schedule
- 3% increases between each step

Director of College and Career Readiness
- Increase Step 1 by 8%
- Apply 3% increases between each step
- Keep the seven-step salary schedule

Superintendent
- Increase salary schedule by 11%
- Apply 3% between each step

Medical Benefits
Superintendent Duncan reviewed the CalPERS medical benefit options, employee survey results, and projected costs. The Board discussed increasing the annual employer contribution by $5,000 (pro-rated by FTE) totaling $11,000 for those eligible employees that choose to enroll in CalPERS medical coverage. The Board further discussed keeping the $6,000 annual In lieu benefit (pro-rated by FTE) for employees who choose to decline coverage or are not eligible for coverage. The Board requested additional data regarding retiree medical benefit eligibility and CalPERS vesting.

Career Technical Education Incentive Grant (CTEIG) Funding
Superintendent Duncan reviewed the 2026-2027 CTEIG allocation of approximately $4 million. Doug D'Amour presented the multi-year financial projections with the proposed salary adjustments and medical benefits that was posted.

The Board discussed the Member Districts' retaining their current CTEIG allocation amounts vs a bump of 4% in the 2027-28 school year.

The Board confirmed that the proposed salary adjustments would be retroactive to July 1, 2026.

6. ANNOUNCEMENTS

- The next Regular Meeting of the Board is scheduled for Wednesday, October 28, 2026, at 5:30 p.m.

7. ADJOURNMENT – 8:06 p.m.

Submitted,

Approved and entered into the proceedings of the Board this 28th day of October, 2026

Julie Duncan
Secretary to the Board

Emily Prusso
Chairperson

EP/JD/rv

5. C. Approval of Donations

Quick Summary / Abstract

The Board will consider approval of donations received through October 28, 2026.

Supporting Documents

Donations

Tri-Valley Regional Occupational Program
Approval of Donations

DATE	PROGRAM	AMOUNT
9/14/2026	Construction Technology	$2,500.00
	TOTAL:	$2,500.00

6. DEFERRED CONSENT ITEMS

Quick Summary / Abstract

Items that are pulled from the Consent Calendar to be addressed individually will be discussed and acted upon at this time.

7. INFORMATION / ACTION ITEMS

Quick Summary / Abstract

Informational items are noted as Information only. Action items are up for a vote by the Board. Most items require a simple majority of Board member votes to pass.

7. A. Career Technical Education Incentive Grant (CTEIG) Memorandum of Understanding

Quick Summary / Abstract

The Board will consider approval of the CTEIG Memorandum of Understanding for the Fiscal Year (FY) 2026-27 Round 12.

Supporting Documents

2026-27 CTE Incentive Grant Memorandum of Understanding

Tri-Valley Regional Occupational Program Memorandum of Understanding (MOU)
for a Joint Powers Authority
for participation in the Career Technical Education Incentive Grant (CTEIG)
Fiscal Year (FY) 2026-27 Round 12

Names of Participating Local Educational Agencies (LEAs):

Agency	**ADA Contributed to Consortium**	**CTEIG Allocation**
Tri-Valley Regional Occupational Program (Lead)	N/A	$1,752,674.44
Dublin Unified School District	5,572.53	$641,326.22
Livermore Valley Joint Unified School District	5,676.62	$824,562.27
Pleasanton Unified School District	6,779.74	$824,562.27

This MOU is established to assist multiple LEAs in their regional area to provide a more comprehensive Career Technical Education (CTE) program offering to more students. The MOU is comprised of the LEAs listed above. This agreement will become effective upon receipt of this document with original signatures of the Superintendent or Authorized Designee from each of the participating LEAs and will extend through the duration of the state CTEIG funding, or until revised or disbanded by the participating LEAs.

1. As the administrative agency and fiscal lead for the JPA, **Tri-Valley ROP** will receive and administer the JPA's allocated funds, and submit the necessary plans, applications, and all fiscal claims to the California Department of Education (CDE). Each of the LEAs participating in the JPA will cooperate in the development of these documents and will provide timely responses to the request for information and data.

2. Each member of the JPA will release the Average Daily Attendance (ADA) of their students in their district that will participate in the JPA's CTE programs to determine funding for this specific CTEIG funding structure. The JPA will report only those students' ADA that the member has released for the purpose of determining the grant allocation award. Each member and fiscal agent will submit data on CTE students according to what they are claiming or releasing of ADA for the grant funding structure of ADA, as outlined in Education Code (EC) Section 53071, (B), i-v.

Each member of the MOU and fiscal lead agency will sign all grant assurances and comply with all requirements as a grant recipient for the CTEIG funding, as outlined in EC Section 53071.

In accordance with the CTEIG program, EC Section 53070 (a-e), of the amounts appropriated pursuant to subdivisions (b), (c), and (d), 4 percent is designated for applicants with average daily attendance of less than or equal to 140, 8 percent is

designated for applicants with average daily attendance of more than 140 and less than or equal to 550, and 88 percent is designated for applicants with average daily attendance of more than 550.

For purposes of this section (e), average daily attendance shall be those figures that are reported at the time of the second principal apportionment for the previous fiscal year for pupils in grades 7 to 12, inclusive.

For any applicant consisting of more than one school district, county office of education, charter school, or regional occupational center or program operated by a joint powers authority, or of any combination of those entities, the sum of the average daily attendance for each of the constituent entities shall be used for purposes of this subdivision.

This agreement shall remain in effect as long as the State continues to allocate funds for the CTE Incentive Grant Program, or a member district provides written notice prior to March 1st of the current fiscal year of their desire to withdraw from the consortium for the subsequent application year.

Tri-Valley ROP may claim indirect costs incurred.

As evidenced by the accompanying Superintendent or Authorized Designee signatures, each of the JPA's participating LEAs agrees to the conditions set forth in this Memorandum of Understanding:

Dublin Unified

LEA Name	Authorized Signature, Curtis Haar	Date

Livermore Valley Joint Unified

LEA Name	Authorized Signature, Michelle Pechette	Date

Pleasanton Unified

LEA Name	Authorized Signature, Ed Diolazo	Date

Tri-Valley ROP

LEA Name	Authorized Signature, Julie Duncan	Date

7. B. CalPERS Health Program Resolution 2026-27.8

Quick Summary / Abstract

Superintendent Duncan will present the CalPERS Health Benefits Resolution for approval effective 01/01/2027.

Supporting Documents

CalPERS Health Program Resolution 2026-27.8

HEALTH RESOLUTION

CalPERS ID #	**5084030324**
Agency Name	**Tri-Valley Regional Occupational Program**
Desired Effective Date	**January 1, 2027**

RESOLUTION NO. 2026-27.8
ELECTING TO BE SUBJECT TO THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS

WHEREAS, (1) A contracting agency meeting the eligibility requirements set forth in Government Code Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees' Retirement System (the "Board"), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and

WHEREAS, (2) **Tri-Valley Regional Occupational Program** is a contracting agency eligible to be subject to the Act under Government Code Section 22920; and

WHEREAS, (3) Government Code Section 22892(a) provides that a contracting agency subject to the Act shall fix the amount of the employer contribution by resolution; and

WHEREAS, (4) Government Code Section 22892(b) provides that the employer contribution shall be an equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; and

WHEREAS, (5) **Tri-Valley Regional Occupational Program** desires to obtain for its employees and annuitants the benefit of the Act and to accept the liabilities and obligations of an employer under the Act; now, therefore, be it

RESOLVED, (a) **Tri-Valley Regional Occupational Program** elects to be subject to the provisions of the Act; and be it further

RESOLVED, (b) That the employer contribution for each employee or annuitant shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan up to a maximum of **PEMHCA Minimum** per month, plus administrative fees and Contingency Reserve Fund assessments; and be it further

RESOLVED, (c) **Tri-Valley Regional Occupational Program** has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above; and be it further

RESOLVED, (d) That the participation of the employees and annuitants of **Tri-Valley Regional Occupational Program** shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that **Tri-Valley Regional Occupational Program** would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS

may be obligated, and reserves the right to terminate the health coverage of all participants of the employer; and be it further

RESOLVED, (e) That the executive body appoint and direct, and it does hereby appoint and direct, **Julie Duncan, Superintendent and Secretary to the Governing Board** to file with the Board a verified copy of this resolution, and to perform on behalf of **Tri-Valley Regional Occupational Program** all functions required of it under the Act; and be it further

RESOLVED, (f) That coverage under the Act be effective on **January 1, 2027.**

Adopted at a regular meeting of the Tri-Valley Regional Occupational Program at 1040 Florence Rd., Livermore, CA 94550 this 28th day of October, 2026.

Signed: _____
Emily Prusso, Board Chair

Attest: _____
Julie Duncan, Board Secretary

7. C. Approval of Proposed 2026-2027 Salary Schedules and CalPERS Health Benefit Contribution

Quick Summary / Abstract

Superintendent Duncan will present the Proposed 2026-2027 Salary Schedules for Certificated, Classified Confidential, Classified, Management and Superintendent retro to 07/01/2026 and CalPERS Health Benefit Contribution for Board approval.

Financial Impact

The ongoing fiscal impact of the proposed salary increase is projected to be $543,100.48 in 2026-27. This includes the cost of salaries, statutory benefits, and In-Lieu benefits. The ongoing fiscal impact of additional health benefit contributions is projected to be $75,000.00 in 2026-27.

Total projected ongoing fiscal impact: $618,100.48 in 2026-27.

Rationale

In response to recent notable increases in salary and benefits for Alameda County ROPs and Member Districts employees, the Board requested TVROP staff to conduct research and prepare a comparative analysis of TVROP's Salary and Stipend In-Lieu benefit schedule with those of Alameda County ROPs and Member Districts to determine alignment.

During the October 14, 2026, Board Workshop, the Board was presented with a comprehensive analysis of TVROP, Alameda County ROPs and Member District Salary and Benefit schedules. The comparison reflected TVROP employees' compensation was significantly lower across several positions and classifications. During the workshop, the Board provided feedback regarding the salary ranges of each position as well as increasing annual health benefit contributions.

Board feedback provided during the workshop and input from the TVROP Coordinating Council were used to develop the proposed changes.

Supporting Documents

C-1 - Final_Proposed_2026-27 Certificated Salary Schedule

C-2 - Final_Proposed_2026-27 Classified Salary Schedule

C-3 - Final_Proposed_2026-27 Classified Confidential Salary Schedule

C-4 - Final_Proposed_2026-27 Certificated Management Salary Schedule

C-5 - Final_Proposed_2026-27 Superintendent Salary Schedule

TVROP Board Meeting 10_28_26

Tri-Valley Regional Occupational Program

2026-2027 Certificated Salary Schedule

Retro 7/01/2026

DRAFT 17% Increase - Pending Board Approval 10/28/26

Based on 180 day instructional year

Step	Column I Prelim Designation	Column II Clear Designation	Column III BA + 45	Column IV BA + 60	Column V BA + 75
1	$ 71,339	$ 73,584	$ 75,828	$ 80,317	$ 84,806
2	$ 73,584	$ 75,828	$ 78,072	$ 82,563	$ 87,051
3	$ 75,828	$ 78,072	$ 80,317	$ 84,806	$ 89,293
4	$ 78,072	$ 80,317	$ 82,563	$ 87,051	$ 91,537
5	$ 80,317	$ 82,563	$ 84,806	$ 89,293	$ 93,783
6	$ 82,563	$ 84,806	$ 87,051	$ 91,537	$ 96,026
7	$ 84,806	$ 87,051	$ 89,293	$ 93,783	$ 98,271
8		$ 89,293	$ 91,537	$ 96,026	$ 100,516
9		$ 89,293	$ 93,783	$ 98,271	$ 102,759
10		$ 89,293	$ 96,026	$ 100,516	$ 105,002
11		$ 89,293	$ 98,271	$ 102,759	$ 107,247
12		$ 91,537	$ 100,516	$ 105,002	$ 109,493
13		$ 91,537			$ 111,737
14		$ 91,537			$ 113,981
15		$ 91,537			$ 116,224
16		$ 93,783			$ 118,469

Extra Duty

Approved Staff Development Day(s) paid at per diem rate not to exceed two days.

Degree Stipend

Doctorate:	$1,500	
Masters:	$1,350	
Bachelor:	$800	(for designated subjects credentials Column I & II)
Associate:	$500	(for designated subjects credentials Column I & II)

Longevity

1) Longevity will be granted to employees who have reached the following steps and columns.
2) Longevity payments shall be calculated on the appropriate salary of the final step and column and cannot be calculated on any other compensation to the employee, with the exception of Extra Duty as indicated above.
3) Payments will be divided up by 11 months of the fiscal year.

3%	Start of 4th Year on Step 16 of Column II or Column V
4%	Start of 8th Year on Step 16 of Column II or Column V
5%	Start of 12th Year on Step 16 of Column II or Column V
6%	Start of 16th Year on Step 16 of Column II or Column V

Placement

1) Instructors may be granted up to 16 years of teaching experience credit w/CA cleared credential dependent upon starting Column level.
2) Instructors may be granted up to 6 years of industry experience with a Preliminary CTE credential.
3) All course work must be pre-approved by the *Superintendent or designee* and earned during the prior year for column advancement. Units of credit must be directly related to instructional area and may be upper division, graduate credit or continuing education (16 hours of continuing education = 1 unit of credit). Deadline for submission is October 15 for the coming year.

Additional Hours/Curriculum

Variable Hourly Rate : $45.00 (Evening and weekend program instruction and non-student contact service)

Health Benefit Contribution

$11,000 toward CalPERS Health or $6,000 In-Lieu if not enrolled in CalPERS Health (pro-rated by FTE)

Tri-Valley Regional Occupational Program
2026-2027 Classified Salary Schedule

Retro 7/01/2026 - Pending Board Approval 10/28/26
DRAFT Add 5 steps

Hourly Rates

Position	Days	1	2	3	4	5	6	7	8	9	10
ROP Senior Support Specialist	240	$ 32.07	$ 33.24	$ 34.48	$ 35.80	$ 37.15	$ 38.26	$ 39.41	$ 40.59	$ 41.81	$ 43.07
ROP Support Specialist	240	$ 27.72	$ 28.89	$ 30.12	$ 31.44	$ 32.82	$ 33.80	$ 34.82	$ 35.86	$ 36.94	$ 38.05
ROP College and Career Specialist	206	$ 30.65	$ 31.56	$ 32.55	$ 33.59	$ 34.65	$ 35.52	$ 36.40	$ 37.31	$ 38.25	$ 39.20

Overtime Rates

Position	Days	1	2	3	4	5	6	7	8	9	10
ROP Senior Support Specialist	240	$ 48.11	$ 49.86	$ 51.72	$ 53.70	$ 55.73	$ 57.40	$ 59.12	$ 60.89	$ 62.72	$ 64.60
ROP Support Specialist	240	$ 41.58	$ 43.34	$ 45.18	$ 47.16	$ 49.23	$ 50.71	$ 52.23	$ 53.79	$ 55.41	$ 57.07
ROP College and Career Specialist	206	$ 45.98	$ 47.34	$ 48.83	$ 50.39	$ 51.98	$ 53.27	$ 54.61	$ 55.97	$ 57.37	$ 58.80

Estimated Annual Rates - Based on 1.0 FTE

Position	Days	1	2	3	4	5	6	7	8	9	10
ROP Senior Support Specialist	240	$ 61,574.40	$ 63,820.80	$ 66,201.60	$ 68,736.00	$ 71,328.00	$ 73,467.84	$ 75,671.88	$ 77,942.03	$ 80,280.29	$ 82,688.70
ROP Support Specialist	240	$ 53,222.40	$ 55,468.80	$ 57,830.40	$ 60,364.80	$ 63,014.40	$ 64,904.83	$ 66,851.98	$ 68,857.54	$ 70,923.26	$ 73,050.96
ROP College and Career Specialist	206	$ 50,511.20	$ 52,010.88	$ 53,642.40	$ 55,356.32	$ 57,103.20	$ 58,530.78	$ 59,994.05	$ 61,493.90	$ 63,031.25	$ 64,607.03

Includes holidays

Degree Stipend

Masters stipend:	$ 1,350
Bachelor stipend:	$ 800
Associate Stipend:	$ 500

Longevity

Payment will be divided into equal monthly payments of the fiscal year.

3%	Start of 11th year
4%	Start of 16th year
5%	Start of 21st year
6%	Start of 22nd year
7%	Start of 23rd year
8%	Start of 24th year

Health Benefit Contribution

$11,000 toward CalPERS Health or $6,000 In-Lieu if not enrolled in CalPERS Health (pro-rated by FTE)

Tri-Valley Regional Occupational Program

2026-2027 Classified Confidential Salary Schedule

Retro - 7/01/2026

DRAFT - Pending Board Approval 10/28/26

Position	Work Year	1	2	3	4	5	6	7
Assistant to the Superintendent	240	$92,878	$95,845	$98,883	$102,016	$105,194	$108,454	$108,898

Includes holidays

Degree Stipend	
Masters:	$ 1,350
Bachelor:	$ 800
Associate:	$ 500

Longevity		
Payment will be divided into equal monthly payments of the fiscal year.	3%	Start of 4th year on Column 7
	4%	Start of 8th year on Column 7
	5%	Start of 12th year on Column 7
	6%	Start of 16th year on Column 7

Health Benefit Contribution

$11,000 toward CalPERS Health or $6,000 In-Lieu if not enrolled in CalPERS Health (pro-rated by FTE)

Tri-Valley Regional Occupational Program
2026-2027 Certificated Management Salary Schedule

Retro to 7/01/2026 - Pending Board Approval 10/28/26

DRAFT

Position	Work Year	1	2	3	4	5	6	7
Director of College & Career Readiness	215	$158,331.00	$163,081.00	$167,974.00	$173,013.00	$178,203.00	$183,549.00	$189,056.00
	per-diem	$736.42	$758.52	$781.27	$804.71	$828.85	$853.72	$879.33
Coordinator Middle College	215	$141,245.52	$145,482.89	$149,847.37	$154,342.79	$158,973.08	$163,742.27	$168,654.54
	per-diem	$656.96	$676.66	$696.96	$717.87	$739.41	$761.59	$784.44
Coordinator Program Services	210	$137,961.12	$142,099.95	$146,362.95	$150,753.84	$155,276.46	$159,934.75	$164,732.79
	per-diem	$656.96	$676.67	$696.97	$717.88	$739.41	$761.59	$784.44

Degree Stipend

Doctorate:	$1,500
Masters:	$1,350

Longevity

Payment will be divided into equal monthly payments

3%	start of 4th year on Step 7
4%	start of 8th year on Step 7
5%	start of 12th year on Step 7
6%	start of 16th year on Step 7

Health Benefit Contribution

$11,000 toward CalPERS Health or $6,000 In-Lieu if not enrolled in CalPERS Health (pro-rated by FTE)

All monies for IRS flex 125 benefit packages are included in the base salary.

Work days do not include holidays.

Tri-Valley Regional Occupational Program
Superintendent
2026-2027

Retro 7/01/2026

DRAFT 12% Increase Pending Board Approval 10/28/26

Position	Work Year*	1	2	3	4	5	6	7
Superintendent	220	$207,586	$213,814	$220,228	$226,835	$233,640	$240,649	$247,869
per-diem		$943.57	$971.88	$1,001.04	$1,031.07	$1,062.00	$1,093.86	$1,126.68

Degree Stipend	
Doctrate Stipend:	$ 1,500
Masters stipend:	$ 1,350

Health Benefit Contribution	$11,000 toward CalPERS Health or $6,000 In-Lieu if not enrolled in CalPERS Health (pro-rated by FTE)

Longevity

Payment will be divided into equal monthly payments of the fiscal year.

3%	Start of 3rd year on Column 7
4%	Start of 6th year on Column 7
5%	Start of 9th year on Column 7
6%	Start of 12th year on Column 7

Placement on the salary schedule is determined by years of experience; this schedule does not preclude the Board from making broader adjustments to the Superintendent's salary. Advancement is dependent upon Board Approval.

TVROP Board Meeting
October 28, 2026

Proposed Salary Increases & Health Benefit Contribution

With salary and health benefit contribution feedback from the TVROP Board at the 10/14/26 Board Workshop and input from the TVROP Coordinating Council, the advisory to the TVROP Board, the Superintendent requests the approval of salary increases to schedules that align with Alameda County ROPs, as well as, approval of a TVROP contribution towards health benefits as presented.

Tri-Valley Regional Occupational Program

2026-2027 Certificated Salary Schedule

Retro 7/01/2026

DRAFT 17% Increase - Pending Board Approval 10/28/26

Based on 180 day instructional year

Step	Column I Prelim Designation	Column II Clear Designation	Column III BA + 45	Column IV BA + 60	Column V BA + 75
1	$ 71,339	$ 73,584	$ 75,828	$ 80,317	$ 84,806
2	$ 73,584	$ 75,828	$ 78,072	$ 82,563	$ 87,051
3	$ 75,828	$ 78,072	$ 80,317	$ 84,806	$ 89,293
4	$ 78,072	$ 80,317	$ 82,563	$ 87,051	$ 91,537
5	$ 80,317	$ 82,563	$ 84,806	$ 89,293	$ 93,783
6	$ 82,563	$ 84,806	$ 87,051	$ 91,537	$ 96,026
7	$ 84,806	$ 87,051	$ 89,293	$ 93,783	$ 98,271
8		$ 89,293	$ 91,537	$ 96,026	$ 100,516
9		$ 89,293	$ 93,783	$ 98,271	$ 102,759
10		$ 89,293	$ 96,026	$ 100,516	$ 105,002
11		$ 89,293	$ 98,271	$ 102,759	$ 107,247
12		$ 91,537	$ 100,516	$ 105,002	$ 109,493
13		$ 91,537			$ 111,737
14		$ 91,537			$ 113,981
15		$ 91,537			$ 116,224
16		$ 93,783			$ 118,469

Extra Duty

Approved Staff Development Day(s) paid at per diem rate not to exceed two days.

Degree Stipend

Doctorate:	$1,500	
Masters:	$1,350	
Bachelor:	$800	(for designated subjects credentials Column I & II)
Associate:	$500	(for designated subjects credentials Column I & II)

Longevity

1) Longevity will be granted to employees who have reached the following steps and columns.
2) Longevity payments shall be calculated on the appropriate salary of the final step and column and cannot be calculated on any other compensation to the employee, with the exception of Extra Duty as indicated above.
3) Payments will be divided up by 11 months of the fiscal year.

3%	Start of 4th Year on Step 16 of Column II or Column V
4%	Start of 8th Year on Step 16 of Column II or Column V
5%	Start of 12th Year on Step 16 of Column II or Column V
6%	Start of 16th Year on Step 16 of Column II or Column V

Placement

1) Instructors may be granted up to 16 years of teaching experience credit w/CA cleared credential dependent upon starting Column level.
2) Instructors may be granted up to 6 years of industry experience with a Preliminary CTE credential.
3) All course work must be pre-approved by the *Superintendent or designee* and earned during the prior year for column advancement. Units of credit must be directly related to instructional area and may be upper division, graduate credit or continuing education (16 hours of continuing education = 1 unit of credit). Deadline for submission is October 15 for the coming year.

Additional Hours/Curriculum

Variable Hourly Rate : $45.00 (Evening and weekend program instruction and non-student contact service)

Health Benefit Contribution

$11,000 toward CalPERS Health or $6,000 In-Lieu if not enrolled in CalPERS Health (pro-rated by FTE)

Tri-Valley Regional Occupational Program
2026-2027 Classified Salary Schedule

Retro 7/01/2026 - Pending Board Approval 10/28/26
DRAFT Add 5 steps

Hourly Rates												
Position	**Days**	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	
ROP Senior Support Specialist	240	$ 32.07	$ 33.24	$ 34.48	$ 35.80	$ 37.15	$ 38.26	$ 39.41	$ 40.59	$ 41.81	$ 43.07	Add steps 6-10, begin step 6 3% higher than step 5, each step following increases by 3%
ROP Support Specialist	240	$ 27.72	$ 28.89	$ 30.12	$ 31.44	$ 32.82	$ 33.80	$ 34.82	$ 35.86	$ 36.94	$ 38.05	Add steps 6-10, begin step 6 3% higher than step 5, each step following increases by 3%
ROP College and Career Specialist	206	$ 30.65	$ 31.56	$ 32.55	$ 33.59	$ 34.65	$ 35.52	$ 36.40	$ 37.31	$ 38.25	$ 39.20	Add steps 6-10, begin step 6 2.5% higher than step 5, each step following increases by 3%

Overtime Rates											
Position	**Days**	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**
ROP Senior Support Specialist	240	$ 48.11	$ 49.86	$ 51.72	$ 53.70	$ 55.73	$ 57.40	$ 59.12	$ 60.89	$ 62.72	$ 64.60
ROP Support Specialist	240	$ 41.58	$ 43.34	$ 45.18	$ 47.16	$ 49.23	$ 50.71	$ 52.23	$ 53.79	$ 55.41	$ 57.07
ROP College and Career Specialist	206	$ 45.98	$ 47.34	$ 48.83	$ 50.39	$ 51.98	$ 53.27	$ 54.61	$ 55.97	$ 57.37	$ 58.80

Estimated Annual Rates - Based on 1.0 FTE											
Position	**Days**	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**
ROP Senior Support Specialist	240	$ 61,574.40	$ 63,820.80	$ 66,201.60	$ 68,736.00	$ 71,328.00	$ 73,467.84	$ 75,671.88	$ 77,942.03	$ 80,280.29	$ 82,688.70
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ROP College and Career Specialist	206	$ 50,511.20	$ 52,010.88	$ 53,642.40	$ 55,356.32	$ 57,103.20	$ 58,530.78	$ 59,994.05	$ 61,493.90	$ 63,031.25	$ 64,607.03

Includes holidays

Degree Stipend	
Masters stipend:	$ 1,350
Bachelor stipend:	$ 800
Associate Stipend:	$ 500

Longevity		
Payment will be divided into equal monthly payments of the fiscal year.	3%	Start of 11th year
	4%	Start of 16th year
	5%	Start of 21st year
	6%	Start of 22nd year
	7%	Start of 23rd year
	8%	Start of 24th year

Health Benefit Contribution
$11,000 toward CalPERS Health or $6,000 In-Lieu if not enrolled in CalPERS Health (pro-rated by FTE)

Tri-Valley Regional Occupational Program
2026-2027 Certificated Management Salary Schedule

Retro to 7/01/2026 - Pending Board Approval 10/28/26

DRAFT

Position	Work Year	1	2	3	4	5	6	7	
Director of College & Career Readiness	215	$158,331.00	$163,081.00	$167,974.00	$173,013.00	$178,203.00	$183,549.00	$189,056.00	Increase step 1 by 8%, each step increase by 3%
	per-diem	$736.42	$758.52	$781.27	$804.71	$828.85	$853.72	$879.33	
Coordinator Middle College	215	$141,245.52	$145,482.89	$149,847.37	$154,342.79	$158,973.08	$163,742.27	$168,654.54	Increase step 1 to 2%, each step increase by 3%
	per-diem	$656.96	$676.66	$696.96	$717.87	$739.41	$761.59	$784.44	
Coordinator Program Services	210	$137,961.12	$142,099.95	$146,362.95	$150,753.84	$155,276.46	$159,934.75	$164,732.79	Increase step 1 to 2%, each step increase by 3%
	per-diem	$656.96	$676.67	$696.97	$717.88	$739.41	$761.59	$784.44	

Degree Stipend

Doctorate:	$1,500
Masters:	$1,350

Longevity

Payment will be divided into equal monthly payments

3%	start of 4th year on Step 7
4%	start of 8th year on Step 7
5%	start of 12th year on Step 7
6%	start of 16th year on Step 7

Health Benefit Contribution

$11,000 toward CalPERS Health or $6,000 In-Lieu if not enrolled in CalPERS Health (pro-rated by FTE)

All monies for IRS flex 125 benefit packages are included in the base salary.

Work days do not include holidays.

Tri-Valley Regional Occupational Program
Superintendent
2026-2027

Retro 7/01/2026

DRAFT 12% Increase Pending Board Approval 10/28/26

Position	Work Year*	1	2	3	4	5	6	7
Superintendent	220	$207,586	$213,814	$220,228	$226,835	$233,640	$240,649	$247,869
per-diem		$943.57	$971.88	$1,001.04	$1,031.07	$1,062.00	$1,093.86	$1,126.68

Increase Step 1 by 12%, each step increase by 3%

Degree Stipend	
Doctrate Stipend:	$ 1,500
Masters stipend:	$ 1,350

Health Benefit Contribution $11,000 toward CalPERS Health or $6,000 In-Lieu if not enrolled in CalPERS Health (pro-rated by FTE)

Longevity

Payment will be divided into equal monthly payments of the fiscal year.

3%	Start of 3rd year on Column 7
4%	Start of 6th year on Column 7
5%	Start of 9th year on Column 7
6%	Start of 12th year on Column 7

Placement on the salary schedule is determined by years of experience; this schedule does not preclude the Board from making broader adjustments to the Superintendent's salary. Advancement is dependent upon Board Approval.

Impact of Proposed 2026-27 Salary Increases and Additional TVROP Health Benefit Contribution

CTEIG passthrough	**$ 2,202,357.00**	**$ 2,290,451.00**	**$ 2,202,357.00**

CTEIG Passthrough includes additional 4% to Districts in 2027-28

MYP Fund Balance*			
Description	2026-27	2027-28	2028-29
Total Revenue	9,648,750	9,036,854	8,039,794
Total Expenditures	10,049,063	9,367,682	8,944,215
Net Income (Loss)	(400,313)	(330,828)	(904,421)
Beginning Balance	2,764,928	2,364,615	2,033,786
Ending Balance	2,364,615	2,033,786	1,129,365
Revolving Cash	20,000	20,000	20,000
Restricted	214,220	47,001	47,001
Reserve Requirement - 5%	502,453	468,384	447,211
Additional Board Reserve - 3%	235,401	212,317	202,256
Excess over Reserves	1,392,540	1,286,084	412,897

		Adjustments		
	Retirees	21,324.00	21,324.00	21,324.00
	In-Lieu	75,000.00	75,000.00	75,000.00
	salary	-	-	-
		96,324.00	96,324.00	96,324.00

FTE	15			
In-Lieu/Contrib Inc	5,000.00			
Total	75,000.00	**2029-30 Increase to MD Contribution Cost**	$	576,279.95

***MYP Assumptions into 2029-30**

- Districts continue Member District Contributions with an annual 4% Increase
- The cost of the Member District Contributions will increase by $576,279.95 between 2026-27 and 2029-30
- CTEIG District Allocation in 2028-29 is an estimate of the 2026-27 allocation with TVROP retaining 5%
- If the CTEIG award remains the same into 2029-30, the Member Districts will have a $576,279.95 shortfall

Member District Contributions

		2026-27	2027-28	2028-29	2029-30
28%	DUSD	1,292,272.80	1,343,963.71	1,397,722.26	1,453,631.15
36%	LVJUSD	1,661,494.64	1,727,954.43	1,797,072.60	1,868,955.51
36%	PUSD	1,661,493.60	1,727,953.34	1,797,071.48	1,868,954.34
		4,615,261.04	4,799,871.48	4,991,866.34	5,191,540.99

Diff 2026-27 to 2029-30 **576,279.95**

CTEIG Allocation

		2026-27	2027-28	2028-29	2029-30
28%	DUSD	616,659.82	641,326.21	616,659.82	616,659.82
36%	LVJUSD	792,848.34	824,562.27	792,848.34	792,848.34
36%	PUSD	792,848.34	824,562.27	792,848.34	792,848.34
		2,202,356.50	2,290,450.76	2,202,356.50	2,202,356.50

District Cost of Member Contrib not covered by CTEIG allocation

		2026-27	2027-28	2028-29	2029-30
28%	DUSD	675,612.98	702,637.50	781,062.44	836,971.33
36%	LVJUSD	868,646.30	903,392.15	1,004,224.26	1,076,107.17
36%	PUSD	868,645.26	903,391.07	1,004,223.14	1,076,106.00
		2,412,904.54	2,509,420.72	2,789,509.84	2,989,184.49

DUSD	161,358.35
LVJUSD	207,460.87
PUSD	207,460.74
	576,279.95

7. D. First and Final Reading of the CSBA Recommended Revisions of Tri-Valley Regional Occupational Program Board Policies

Quick Summary / Abstract

The Board will consider approval of the CSBA's recommended revisions to the Tri-Valley Regional Occupational Program (TVROP) Board Policies:

1. Policy 1240: Volunteer Assistance
2. Policy 2110: Superintendent Responsibilities And Duties
3. Policy 4100: Certificated Personnel
4. Policy 4111: Recruitment And Selection
5. Regulation 4112: Appointment And Conditions Of Employment
6. Regulation 4112.5: Criminal Record Check
7. Exhibit 4112.5-E(1): Criminal Record Check
8. Regulation 4112.6: Personnel Files
9. Policy 4211: Recruitment And Selection
10. Regulation 4212.5: Criminal Record Check
11. Exhibit 4212.5-E(1): Criminal Record Check
12. Regulation 4212.6: Personnel Files
13. Policy 4311: Recruitment And Selection
14. Regulation 4312.5: Criminal Record Check
15. Exhibit 4312.5-E(1): Criminal Record Check
16. Regulation 4312.6: Personnel Files

Policies

[DRAFT] Policy 1240: Volunteer Assistance

[DRAFT] Policy 2110: Superintendent Responsibilities And Duties

[DRAFT] Policy 4100: Certificated Personnel

[DRAFT] Policy 4111: Recruitment And Selection

[DRAFT] Regulation 4112: Appointment And Conditions Of Employment

[DRAFT] Regulation 4112.5: Criminal Record Check

[DRAFT] Exhibit 4112.5-E(1): Criminal Record Check

[DRAFT] Regulation 4112.6: Personnel Files

[DRAFT] Policy 4211: Recruitment And Selection

[DRAFT] Regulation 4212.5: Criminal Record Check

[DRAFT] Exhibit 4212.5-E(1): Criminal Record Check

[DRAFT] Regulation 4212.6: Personnel Files

[DRAFT] Policy 4311: Recruitment And Selection

[DRAFT] Regulation 4312.5: Criminal Record Check

[DRAFT] Exhibit 4312.5-E(1): Criminal Record Check

[DRAFT] Regulation 4312.6: Personnel Files

Policy 1240: Volunteer Assistance

Status: DRAFT

Original Adopted Date: 06/12/2024 | **Last Reviewed Date:** 06/12/2024

The Governing Board recognizes that volunteer assistance in programs can enrich the educational program, increase supervision of students, and contribute to school safety while strengthening the programs' 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. He/she may also 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, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. (Government Code 12940)

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.

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 program.

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.

Volunteers shall act in accordance ~~with~~ with law, TVROP and Member District policies, regulations, and school rules. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
22 CCR 101170	Criminal record clearance
22 CCR 101216	Health screening; volunteers in child care centers
Ed. Code 35021	Volunteer aides
Ed. Code 35021.1	Automated records check
Ed. Code 35021.3	Registry of volunteers for before/after school programs
Ed. Code 44814-44815	Supervision of students during lunch and other nutrition periods

State	Description
Ed. Code 45125	Fingerprinting requirements
Ed. Code 45125.01	Interagency agreements for criminal record information
Ed. Code 45340-45349	Instructional aides
Ed. Code 45360-45367	Teacher aides
Ed. Code 48981	Parent/guardian notifications
Ed. Code 49024	Activity Supervisor Clearance Certificate
Ed. Code 49406	TB risk assessment
Ed. Code 8482-8484.6	After School Education and Safety program
Ed. Code 8484.7-8484.9	21st Century Community Learning Center program
Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 3543.5	Prohibited interference with employees' rights
H&S Code 1596.7995	Immunization requirements for volunteers in child care and development center or preschool
H&S Code 1596.871	Fingerprints of individuals in contact with child day care facility clients
Lab. Code 1720.4	Public works; exclusion of volunteers from prevailing wage law
Lab. Code 3352	Workers' compensation; definitions
Lab. Code 3364.5	Authority to provide workers' compensation insurance for volunteers
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act
Pen. Code 290	Registration of sex offenders
Pen. Code 290.4	Information regarding sex offenders
Pen. Code 290.95	Disclosure by person required to register as sex offender
Pen. Code 626.81	Sex offender; permission to volunteer at school

Management Resources	Description
PERB Decision	Whisman Elementary School District (1991) PERB Decision No. 868
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Justice, Megan's Law
Website	California Department of Education, Parents/Family and Community
Website	Commission on Teacher Credentialing
Website	CSBA
Website	California State Parent Teacher Association

Cross References	Description
0410	Nondiscrimination In District Programs And Activities
1000	Concepts And Roles
1150	Commendations And Awards

Cross References	Description
1250	Visitors/Outsiders
1700	Relations Between Private Industry And The Schools
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3515.2	Disruptions
3515.2	Disruptions
3530	Risk Management/Insurance
3530	Risk Management/Insurance
3541.1	Transportation For School-Related Trips
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4112.4	Health Examinations
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4119.11	Sexual Harassment
4119.11	Sexual Harassment
4119.24	Maintaining Appropriate Adult-Student Interactions
4131	Staff Development
4157.1	Work-Related Injuries
4212	Appointment And Conditions Of Employment
4212.4	Health Examinations
4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4217.3	Layoff/Rehire
4219.11	Sexual Harassment
4219.11	Sexual Harassment
4219.24	Maintaining Appropriate Adult-Student Interactions
4231	Staff Development
4257.1	Work-Related Injuries
4312.4	Health Examinations
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4319.11	Sexual Harassment
4319.11	Sexual Harassment

Cross References	Description
4319.24	Maintaining Appropriate Adult-Student Interactions
4331	Staff Development
4357.1	Work-Related Injuries
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5141.52	Suicide Prevention
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6145	Extracurricular And Cocurricular Activities
6154	Homework/Makeup Work
7140	Architectural And Engineering Services
7140	Architectural And Engineering Services
9200	Limits Of Board Member Authority

Policy 2110: Superintendent Responsibilities And Duties

Status: DRAFT

Original Adopted Date: 06/12/2024 | **Last Reviewed Date:** 06/12/2024

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 ,and achievement, well-being and the attainment of the district's vision and goals. The Board also 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 clarify expectations and goals for the Superintendent at the beginning of every evaluation year.

As the chief executive officer of the district, the Superintendent shall implement all Board decisions and manage the instructional and noninstructional operations of the programs. The Superintendent also serves as a member of the district's governance team and has responsibilities to support Board operations and decision making.

The Superintendent may delegate any of his/her responsibilities and duties to other TVROP staff, but he/she 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 district 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 district, and at least once every two years thereafter. (Government Code 53235.1)

The district 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 district shall post on its website clear instructions and contact information for the purpose of requesting these records. (Government Code 53235.2)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Ed. Code 17604	Delegation of powers to agents
Ed. Code 17605	Delegation of authority to purchase supplies and equipment
Ed. Code 35020-35046	Officers and agents
Ed. Code 48900	Grounds for suspension or expulsion
Gov. Code 53234-53235.2	Ethics training

Management Resources	Description
CSBA Publication	Superintendent Governance Standards
Website	Fair Political Practices Commission, Ethics Training
Website	CSBA District and County Office of Education Legal Services
Website	American Association of School Administrators
Website	Association of California School Administrators

Management Resources	Description
Website	CSBA

Cross References	Description
0000	Vision
2000	Concepts And Roles
2111	Superintendent Governance Standards
2120	Superintendent Recruitment And Selection
2121	Superintendent's Contract
2140	Evaluation Of The Superintendent
2210	Administrative Discretion Regarding Board Policy
4301	Administrative Staff Organization
9000	Role Of The Board
9005	Governance Standards
9010	Public Statements

Policy 4100: Certificated Personnel

Status: DRAFT

Original Adopted Date: 06/12/2024 | **Last Reviewed Date:** 06/12/2024

The Governing Board recognizes that ~~teachers and other certificated personnel work closely with students~~ the district's certificated employees are essential in carrying out the Tri-Valley ROP's educational goals and supporting the academic achievement, personal growth, and well-being of students. ~~The Superintendent or designee shall ensure that the duties, responsibilities, and TVROP's expectations for certificated positions are clearly defined and made known to each member of the certificated staff.~~ Additionally, the Board acknowledges that certificated personnel benefit from professional development in fulfilling the expectations for their position and expects certificated employees to engage in ongoing professional growth to improve their skills and pursue excellence.

The Superintendent or designee shall fill each of its certificated positions with individuals who meet applicable credentialing requirements and district qualifications, consistent with position requirements.

The Superintendent or designee shall define and communicate the duties, responsibilities, and expectations for each certificated position.

Each certificated staff member shall be held accountable for duties assigned to him/her and shall undergo regular performance evaluations in accordance with law , Board policies, administrative regulations ~~and negotiated agreements.~~ as appropriate.

~~The Board strongly encourages certificated staff to continually improve their skills and pursue excellence within their profession.~~

~~Policies, rules and regulations related to certificated personnel shall be available to all concerned and shall be administered in a fair and equitable manner.~~

The Superintendent or designee may provide professional development opportunities to certificated staff for the purpose of continual improvement of knowledge and skills related to the employee's position.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Ed. Code 44006	Certificated person
Ed. Code 90	Definition; certificated and certified
Gov. Code 3543.2	Scope of representation

Management Resources	Description
Website	CSBA District and County Office of Education Legal Services

Cross References	Description
4111	Recruitment And Selection
4115	Evaluation/Supervision
4115	Evaluation/Supervision
4131	Staff Development

Cross References	Description
4211	Recruitment And Selection
4311	Recruitment And Selection

Policy 4111: Recruitment And Selection

Status: DRAFT

Original Adopted Date: 06/12/2024 | **Last Reviewed Date:** 06/12/2024

The Governing Board is committed to employing suitable, qualified individuals to effectively carry out the Tri-Valley ROP's vision, mission, and goals, and believes that students benefit when TVROP staff reflects the racial, ethnic, linguistic, and cultural diversity of the TVROP.

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

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 Superintendent or designee shall also disseminate job announcements to ensure a wide range of candidates.

When posting an employment opportunity, the Superintendent or designee shall include the pay scale for the open position. (Labor Code 432.2)

The Superintendent shall develop and maintain appropriate hiring procedures to identify the best possible candidates for a position. 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 confidential and consistent with law.

When considering an applicant for a certificated position, the district 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 district 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 TVROP 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 TVROP 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 TVROP retains the right to maintain drug-free Programs 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)

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 TVROP needs ~~and any applicable collective bargaining agreements~~, the TVROP 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.

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State	Description
Ed. Code 200-280	Prohibition of discrimination
Ed. Code 35035	Powers and duties of the superintendent; transfer authority
Ed. Code 44051	Noncertificated employees; report of egregious misconduct
Ed. Code 44066	Limitations on certification requirements
Ed. Code 44259	Teaching credential, exception; designated subjects; minimum requirements
Ed. Code 44750	Teacher recruitment resource center
Ed. Code 44830-44831	Employment of certificated persons
Ed. Code 44858	Age or marital status in certificated positions
Ed. Code 44859	Prohibition against certain rules and regulations regarding residency
Ed. Code 44939.5	Certificated employees; report of egregious misconduct
Ed. Code 45103-45139	Employment; classified employees
Ed. Code 49406	TB risk assessment
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 7920.000-7930.215	California Public Records Act
Gov. Code 815.2	Liability of public entities and public employees
H&S Code 53570-53574	Teacher Housing Act of 2016
Lab. Code 432.3	Salary information

Federal	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
28 CFR 35.101-35.190	Americans with Disabilities Act
34 CFR 106.51-106.61	Nondiscrimination on the basis of sex in employment in education program or activities
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
5 USC 552	Freedom of Information Act
8 USC 1324a	Unlawful employment of aliens
8 USC 1324b	Unfair immigration related employment practices

Management Resources	Description
CA Commission on Teacher Credentialing Publication	Strategic Plan: Ensuring Educator Excellence, 2023
California County Superintendents Publication	Teacher Recruitment in California: An Analysis of Effective Strategies, Research Brief, Veritas Research and Evaluation Group, October 2017
California Department of Education Publication	How to Increase the Diversity of California's Educator Workforce, April 2022
Court Decision	C.A. v William S. Hart Union High School District et al. (2012) 138 Cal.Rptr.3d 1
Ctr for Cities + Schools, cityLAB & Terner Ctr Pub	Education Workforce Housing in California: Developing the 21st Century Campus, 2021
Ctr for Cities + Schools, cityLAB & Terner Ctr Pub	Education Workforce Housing in California: The Handbook
Website	University of California Los Angeles, cityLAB
Website	University of California Berkeley, Terner Center for Housing Innovation
Website	University of California Berkeley, Center for Cities + Schools
Website	CSBA District and County Office of Education Legal Services
Website	Commission on Teacher Credentialing
Website	Education Job Opportunities Information Network
Website	Teach USA
Website	California County Superintendents
Website	California Civil Rights Department
Website	U.S. Department of Education
Website	U.S. Equal Employment Opportunity Commission
Website	California Department of Education

Cross References	Description
0000	Vision

Cross References	Description
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
2230	Representative And Deliberative Groups
4000	Concepts And Roles
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4032	Reasonable Accommodation
4100	Certificated Personnel
4111.2	Legal Status Requirement
4111.2	Legal Status Requirement
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.21	Interns
4112.21	Interns
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.6	Personnel Files
4112.61	Employment References
4112.8	Employment Of Relatives
4113	Assignment
4113	Assignment
4117.14	Postretirement Employment
4119.21	Professional Standards
4119.21-E(1)	Professional Standards
4119.24	Maintaining Appropriate Adult-Student Interactions
4200	Classified Personnel
4200	Classified Personnel
4211.2	Legal Status Requirement
4211.2	Legal Status Requirement
4212	Appointment And Conditions Of Employment
4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4212.6	Personnel Files
4212.61	Employment References

Cross References	Description
4212.8	Employment Of Relatives
4219.21	Professional Standards
4219.21-E(1)	Professional Standards
4219.24	Maintaining Appropriate Adult-Student Interactions
4300	Administrative And Supervisory Personnel
4311.2	Legal Status Requirement
4311.2	Legal Status Requirement
4312.1	Contracts
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.6	Personnel Files
4312.61	Employment References
4312.8	Employment Of Relatives
4317.14	Postretirement Employment
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
4319.24	Maintaining Appropriate Adult-Student Interactions
4331	Staff Development
9000	Role Of The Board

Regulation 4112: Appointment And Conditions Of Employment

Status: DRAFT

Original Adopted Date: 06/12/2024 **| Last Reviewed Date:** 06/12/2024

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 Board at a regular meeting.

Individuals appointed to the certificated staff shall:

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

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

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)

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)

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 and/or provide a medical certificate as required by law and Board policy (Education Code 44839, 49406)

10. Submit to drug and alcohol testing in accordance with law,and Board policy ~~as required by Board policy~~ , as applicable

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. File the oath or affirmation of allegiance required by Government Code 3100-3109

13. Fulfill any other requirements as specified by law, ~~collective bargaining agreement~~, 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

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State	Description
Ed. Code 35161	Board delegation of any powers or duties
Ed. Code 44008	Effect of termination of probation

State	Description
Ed. Code 44009	Conviction of specified crimes
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44066	Limitations on certification requirements
Ed. Code 44250-44277	Credentials and assignment of teachers
Ed. Code 44330	Effect of registration of certification document
Ed. Code 44830	Employment
Ed. Code 44830.1	Criminal record summary; certificated employees
Ed. Code 44836	Employment of certificated persons convicted of sex offense or controlled substance offense
Ed. Code 44837	Employment of sexual sociopath
Ed. Code 44838	Statement of military service
Ed. Code 44839	Medical certificate; periodic medical examination
Ed. Code 44839.5	Requirements for employment of retirant
Ed. Code 44939.5	Report of egregious misconduct
Ed. Code 49406	TB risk assessment
Gov. Code 1021.5	Disqualification for employment
Gov. Code 12940-12950	Unlawful employment practices
Gov. Code 3100-3109	Oath or affirmation of allegiance
H&S Code 1596.7995	Immunization requirements for employees in child care and development center or preschool
H&S Code 1597.055	Teachers in day care centers
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 288.3	Contacting a minor
Pen. Code 288.4	Meeting a minor
Pen. Code 290	Registration of sex offenders
Pen. Code 290.95	Disclosure by persons required to register as sex offenders
Pen. Code 647.6	Miscellaneous offenses
Pen. Code 667.5	Prior prison terms; enhancement of prison terms
W&I Code 6300-6332	Sexual psychopaths

Management Resources	Description
Court Decision	C.A. v William S. Hart Union High School District et al. (2012) 138 Cal.Rptr.3d 1
Website	CSBA District and County Office of Education Legal Services

Cross References	Description
4020	Drug And Alcohol-Free Workplace
4111	Recruitment And Selection
4112.2	Certification
4112.2	Certification
4112.21	Interns
4112.21	Interns
4112.3	Oath Or Affirmation
4112.3-E(1)	Oath Or Affirmation
4112.4	Health Examinations
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.6	Personnel Files
4112.8	Employment Of Relatives
4117.14	Postretirement Employment
4118	Dismissal/Suspension/Disciplinary Action
4211	Recruitment And Selection
4212	Appointment And Conditions Of Employment
4212.3	Oath Or Affirmation
4212.3-E(1)	Oath Or Affirmation
4212.4	Health Examinations
4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4212.6	Personnel Files
4212.8	Employment Of Relatives
4311	Recruitment And Selection
4312.3	Oath Or Affirmation
4312.3-E(1)	Oath Or Affirmation
4312.4	Health Examinations
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.6	Personnel Files
4312.8	Employment Of Relatives
4317.14	Postretirement Employment

Regulation 4112.5: Criminal Record Check

Status: DRAFT

Original Adopted Date: 06/12/2024 | **Last Reviewed Date:** 06/12/2024

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. 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. Convicted of a violent or serious felony and has obtained a certificate of rehabilitation or a pardon

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. 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

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 Tri-Valley ROP without obtaining a criminal record summary if that employee is employed as a certificated employee in another California school ~~TVROP~~ district and became a permanent employee of another California school ~~TVROP~~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 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

The Superintendent or designee shall require each person to be employed by the TVROP 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. The applicant has not resided in California for at least one year immediately preceding the application for employment.

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 TVROP. (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, or probationary employee serving before March 15 of the employee's second probationary 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 TVROP receives written electronic notification by the DOJ of the fact of conviction, the temporary employee, substitute employee, or probationary employee serving before March 15 of the employee's second probationary 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 TVROP. (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 Records

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 TVROP 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, 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)

Interagency Agreement

Subject to an interagency agreement with other school TVROP, the TVROP shall submit and receive CORI on behalf of all participating TVROP. (Education Code 44830.2, 45125.01)

Upon receipt from the DOJ of a report of conviction of a serious or violent felony, the TVROP shall communicate that fact to participating TVROP and shall remove the affected employee from the common list of persons eligible for employment. (Education Code 44830.2, 45125.01)

In addition, upon receipt from the DOJ of a criminal history record or report of subsequent arrest for any person on a common list of persons eligible for employment, the TVROP shall give notice to the superintendent of any participating TVROP, or the person designated in writing by that superintendent, that the report is available for inspection on a confidential basis by the superintendent or the authorized designee. The report shall be made available at the TVROP office for 30 days following the receipt of the notice. (Education Code 44830.2, 45125.01)

The TVROP shall not release a copy of that information to any participating TVROP or any other person. In addition, the TVROP shall retain or dispose of the information in the manner specified in law and in this administrative regulation after all participating TVROP have had an opportunity to inspect it in accordance with law. (Education Code 44830.2, 45125.01)

The TVROP shall maintain a record of all persons to whom the information has been shown and shall make this record available to the DOJ. (Education Code 44830.2, 45125.01)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
11 CCR 701-708	Criminal offender record information
11 CCR 720-724	Incomplete criminal history information
11 CCR 994-994.15	Certification of individuals who take fingerprint impressions
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44051	Employment history
Ed. Code 44332-44332.6	Temporary certificate of clearance
Ed. Code 44346.1	Applicants for credential; conviction of a violent or serious felony
Ed. Code 44830.1	Criminal record summary; certificated employees
Ed. Code 44830.2	Certificated employees; interagency agreement for sharing criminal record information
Ed. Code 44836	Employment of certificated persons convicted of sex offense or controlled substance offense
Ed. Code 44932	Grounds for dismissal of permanent employees

State	Description
Ed. Code 44939.5	Certificated employees; report of egregious misconduct
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 45125	Use of personal identification cards to ascertain conviction of crime
Ed. Code 45125.01	Interagency agreements for criminal record information
Ed. Code 45125.5	Automated records check
Ed. Code 45126	Duty of Department of Justice to furnish information
Ed. Code 49024	Activity Supervisor Clearance Certificate
Gov. Code 1021.5	Disqualification for employment
Gov. Code 12954	Employment discrimination; cannabis use
H&S Code 11350	Offenses Involving Controlled Substances Formerly Classified as Narcotics
H&S Code 11377	Offenses Involving Controlled Substances Formerly Classified as Restricted Dangerous Drugs
Pen. Code 11075-11081	Criminal record dissemination
Pen. Code 11102.2	Maintenance of criminal offender records; custodian of records
Pen. Code 11105	Access to criminal history information
Pen. Code 11105.2	Subsequent arrest notification
Pen. Code 11105.3	Record of conviction involving sex crimes, drug crimes, or crimes of violence
Pen. Code 11140-11144	Furnishing of state criminal history information
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 1203.4	Dismissal of conviction
Pen. Code 1203.425	Conviction relief
Pen. Code 13300-13305	Local summary criminal history information
Pen. Code 288.3	Contacting a minor
Pen. Code 288.4	Meeting a minor
Pen. Code 647.6	Miscellaneous offenses
Pen. Code 667.5	Prior prison terms; enhancement of prison terms

Federal	Description
28 CFR 50.12	Exchange of FBI identification records

Management Resources	Description
Court Decision	Central Valley Chapter of the 7th Step Foundation Inc. v. Evelle J. Younger (1989) 214 Cal. App. 3d 145
Website	Office of the Attorney General, Department of Justice, Applicant Agency Justice Connection
Website	CSBA District and County Office of Education Legal Services
Website	Office of the Attorney General, Department of Justice, Background Checks

Management Resources	Description
Website	CSBA

Cross References	Description
1240	Volunteer Assistance
1240	Volunteer Assistance
1340	Access To District Records
1340	Access To District Records
2120	Superintendent Recruitment And Selection
3580	District Records
3580	District Records
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4111	Recruitment And Selection
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.6	Personnel Files
4112.9	Employee Notifications
4118	Dismissal/Suspension/Disciplinary Action
4119.23	Unauthorized Release Of Confidential/Privileged Information
4200	Classified Personnel
4200	Classified Personnel
4211	Recruitment And Selection
4212	Appointment And Conditions Of Employment
4212.6	Personnel Files
4212.9	Employee Notifications
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.23	Unauthorized Release Of Confidential/Privileged Information
4311	Recruitment And Selection
4312.6	Personnel Files
4312.9	Employee Notifications
4319.23	Unauthorized Release Of Confidential/Privileged Information
6145	Extracurricular And Cocurricular Activities
9011	Disclosure Of Confidential/Privileged Information

Exhibit 4112.5-E(1): Criminal Record Check **Status:** DRAFT

| Last Revised Date: 06/12/2024

SAMPLE EMPLOYEE STATEMENT FORM
CONDITIONS FOR RELEASE OF CRIMINAL OFFENDER RECORD INFORMATION

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:_____

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11 CCR 701-708	Criminal offender record information
11 CCR 720-724	Incomplete criminal history information

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Ed. Code 44830.1	Criminal record summary; certificated employees
Ed. Code 44830.2	Certificated employees; interagency agreement for sharing criminal record information
Ed. Code 44836	Employment of certificated persons convicted of sex offense or controlled substance offense
Ed. Code 44932	Grounds for dismissal of permanent employees
Ed. Code 44939.5	Certificated employees; report of egregious misconduct
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 45125	Use of personal identification cards to ascertain conviction of crime
Ed. Code 45125.01	Interagency agreements for criminal record information
Ed. Code 45125.5	Automated records check
Ed. Code 45126	Duty of Department of Justice to furnish information
Ed. Code 49024	Activity Supervisor Clearance Certificate
Gov. Code 1021.5	Disqualification for employment
Gov. Code 12954	Employment discrimination; cannabis use
H&S Code 11350	Offenses Involving Controlled Substances Formerly Classified as Narcotics
H&S Code 11377	Offenses Involving Controlled Substances Formerly Classified as Restricted Dangerous Drugs
Pen. Code 11075-11081	Criminal record dissemination
Pen. Code 11102.2	Maintenance of criminal offender records; custodian of records
Pen. Code 11105	Access to criminal history information
Pen. Code 11105.2	Subsequent arrest notification
Pen. Code 11105.3	Record of conviction involving sex crimes, drug crimes, or crimes of violence
Pen. Code 11140-11144	Furnishing of state criminal history information
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 1203.4	Dismissal of conviction
Pen. Code 1203.425	Conviction relief
Pen. Code 13300-13305	Local summary criminal history information
Pen. Code 288.3	Contacting a minor
Pen. Code 288.4	Meeting a minor

State	Description
Pen. Code 647.6	Miscellaneous offenses
Pen. Code 667.5	Prior prison terms; enhancement of prison terms

Federal	Description
28 CFR 50.12	Exchange of FBI identification records

Management Resources	Description
Court Decision	Central Valley Chapter of the 7th Step Foundation Inc. v. Evelle J. Younger (1989) 214 Cal. App. 3d 145
Website	Office of the Attorney General, Department of Justice, Applicant Agency Justice Connection
Website	CSBA District and County Office of Education Legal Services
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Website	CSBA

Cross References	Description
1240	Volunteer Assistance
1240	Volunteer Assistance
1340	Access To District Records
1340	Access To District Records
2120	Superintendent Recruitment And Selection
3580	District Records
3580	District Records
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4111	Recruitment And Selection
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.6	Personnel Files
4112.9	Employee Notifications
4118	Dismissal/Suspension/Disciplinary Action
4119.23	Unauthorized Release Of Confidential/Privileged Information
4200	Classified Personnel
4200	Classified Personnel
4211	Recruitment And Selection
4212	Appointment And Conditions Of Employment

Cross References	Description
4212.6	Personnel Files
4212.9	Employee Notifications
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.23	Unauthorized Release Of Confidential/Privileged Information
4311	Recruitment And Selection
4312.6	Personnel Files
4312.9	Employee Notifications
4319.23	Unauthorized Release Of Confidential/Privileged Information
6145	Extracurricular And Cocurricular Activities
9011	Disclosure Of Confidential/Privileged Information

Regulation 4112.6: Personnel Files

Status: DRAFT

Original Adopted Date: 06/12/2024 **| Last Reviewed Date:** 06/12/2024

The Superintendent or designee shall maintain personnel files for all current employees at the Tri-Valley ROP's central office or at the location where the employee works.

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.

Personnel files for TVROP police or security officers shall be maintained and accessed in accordance with Government Code 3305-3306.5 ~~and AR 3515.3 - TVROP Police/Security Department.~~

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 file, he/she shall be informed that the signature only signifies that he/she has read the material and does not necessarily indicate that he/she agrees with its contents.

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

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

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 own comments and have them attached to the derogatory statement. (Education Code 44031)

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

Individual Governing Board members shall not be allowed to access personnel files, but the Board may request pertinent information from an employee's file in cases of personnel action.

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 wishing to inspect his/her personnel record shall contact the Superintendent or designee.

With the exceptions noted below, all personnel records related to the employee's performance , including education or training records, or to any grievance concerning the employee shall be made available for inspection by the 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: (Education Code 44031; Labor Code 1198.5)

1. Records related to the investigation of a possible criminal offense

2. Letters of reference

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

Personnel records related to the employee's job performance or to any grievance concerning him/her shall be made available to the employee at reasonable intervals and at reasonable times , but not later than 30 calendar days from the date the district 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 district's receipt of the written request. . 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 TVROP, unless the employee is required to view the file where it is stored. (Education Code 44031; Labor Code 1198.5)

For former employees, the Superintendent or designee shall make the records available for inspection at the location where the district 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)

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 TVROP stores the personnel records, with no loss of compensation to the employee

The employee may be accompanied by a representative of his/her choice while reviewing his/her personnel records.

Inspection shall take place in the presence of the Superintendent or designee. The Superintendent or designee shall keep a record of the date and time the file was reviewed and the name and title of the person(s) present during the review.

In no instance shall any material be removed from the records. Requests for copies of material in a personnel record must be made in writing.

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 district 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 district for actual postal expenses. (Labor Code 1198.5)

Record Retention

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

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, credible complaints of, substantiated investigations into, or discipline for egregious misconduct as defined in Education Code 44932. However, such documentation may be removed if, during a hearing before the Board, an arbiter, personnel commission, Commission on Professional Competence, 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)

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, credible complaints of, substantiated investigations into, or discipline for egregious misconduct as defined in Education Code 44932. However, such documentation may be removed if, during a hearing before the Board, an arbiter, personnel commission, Commission on Professional Competence, 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 district, 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 Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 16020-16022	Records; general provisions
5 CCR 16023-16027	District records; retention and destruction
Ed. Code 234.7	Protections relating to immigration and citizenship status
Ed. Code 35253	Regulations to destroy records
Ed. Code 44031	Personnel file contents and inspection
Ed. Code 44051	Noncertificated employees; report of egregious misconduct

State	Description
Ed. Code 44663	Certificated employees; performance evaluations and related materials
Ed. Code 44932	Grounds for dismissal of permanent employees
Ed. Code 44939.5	Certificated employees; report of egregious misconduct
Gov. Code 3305-3306.5	District police officers; personnel files
Gov. Code 7920.000-7930.215	California Public Records Act
Gov. Code 7927.700	Exemption for personnel records if invasion of personal privacy
Gov. Code 7928.300	Disclosure of employee contact information to employee organization
Lab. Code 1198.5	Personnel records related to performance and grievance
Pen. Code 11165.14	Report of investigation of child abuse complaint

Management Resources	Description
Court Decision	Bakersfield City School District v. Superior Ct. (2004) 118 Cal.App.4th 1041
Court Decision	Marken v. Santa Monica-Malibu Unified School District (2012) 202 Cal.App.4th 1250
Website	CSBA District and County Office of Education Legal Services

Cross References	Description
0440	District Technology Plan
0441	Artificial Intelligence
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1340	Access To District Records
1340	Access To District Records
1445	Response To Immigration Enforcement
1445	Response To Immigration Enforcement
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3515	Campus Security
3580	District Records
3580	District Records
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4032	Reasonable Accommodation
4111	Recruitment And Selection

Cross References	Description
4111.2	Legal Status Requirement
4111.2	Legal Status Requirement
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.61	Employment References
4112.9	Employee Notifications
4115	Evaluation/Supervision
4115	Evaluation/Supervision
4118	Dismissal/Suspension/Disciplinary Action
4119.23	Unauthorized Release Of Confidential/Privileged Information
4131.1	Teacher Support And Guidance
4144	Complaints
4144	Complaints
4151	Employee Compensation
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4211	Recruitment And Selection
4211.2	Legal Status Requirement
4211.2	Legal Status Requirement
4212	Appointment And Conditions Of Employment
4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4212.61	Employment References
4212.9	Employee Notifications
4215	Evaluation/Supervision
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.23	Unauthorized Release Of Confidential/Privileged Information
4251	Employee Compensation
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4311	Recruitment And Selection

Cross References	Description
4311.2	Legal Status Requirement
4311.2	Legal Status Requirement
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.61	Employment References
4312.9	Employee Notifications
4315	Evaluation/Supervision
4319.23	Unauthorized Release Of Confidential/Privileged Information
4344	Complaints
4344	Complaints
4351	Employee Compensation
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
5125	Student Records
5125	Student Records
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
9011	Disclosure Of Confidential/Privileged Information
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session

Policy 4211: Recruitment And Selection

Status: DRAFT

Original Adopted Date: 06/12/2024 | **Last Reviewed Date:** 06/12/2024

The Governing Board is committed to employing suitable, qualified individuals to effectively carry out the Tri-Valley ROP's vision, mission, and goals, and believes that students benefit when TVROP staff reflects the racial, ethnic, linguistic, and cultural diversity of the TVROP.

The Superintendent or designee
~~shall develop equitable, fair, and transparent recruitment and selection processes and procedures that ensure individuals are selected for employment in the TVROP based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination.~~ recruitment and selection processes, consistent with applicable law, Board policy, and collective bargaining agreements, that are 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.

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 TVROP employees.

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 Superintendent or designee shall also disseminate job announcements to ensure a wide range of candidates.

When posting an employment opportunity, the Superintendent or designee shall include the pay scale for the open position. (Labor Code 432.2)

The Superintendent shall develop and maintain appropriate hiring procedures to identify the best possible candidates for a position. 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 confidential and consistent with law.

When considering an applicant for a certificated position, the district 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 district 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 TVROP 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 TVROP 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 TVROP retains the right to maintain drug-free Programs 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)

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 TVROP needs ~~and any applicable collective bargaining agreements~~, the TVROP 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 Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Ed. Code 200-280	Prohibition of discrimination
Ed. Code 35035	Powers and duties of the superintendent; transfer authority
Ed. Code 44051	Noncertificated employees; report of egregious misconduct
Ed. Code 44066	Limitations on certification requirements
Ed. Code 44259	Teaching credential, exception; designated subjects; minimum requirements
Ed. Code 44750	Teacher recruitment resource center
Ed. Code 44830-44831	Employment of certificated persons
Ed. Code 44858	Age or marital status in certificated positions
Ed. Code 44859	Prohibition against certain rules and regulations regarding residency
Ed. Code 44939.5	Certificated employees; report of egregious misconduct
Ed. Code 45103-45139	Employment; classified employees
Ed. Code 49406	TB risk assessment
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 7920.000-7930.215	California Public Records Act
Gov. Code 815.2	Liability of public entities and public employees
H&S Code 53570-53574	Teacher Housing Act of 2016
Lab. Code 432.3	Salary information

Federal	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
28 CFR 35.101-35.190	Americans with Disabilities Act
34 CFR 106.51-106.61	Nondiscrimination on the basis of sex in employment in education program or activities
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
5 USC 552	Freedom of Information Act
8 USC 1324a	Unlawful employment of aliens
8 USC 1324b	Unfair immigration related employment practices

Management Resources	Description
CA Commission on Teacher Credentialing Publication	Strategic Plan: Ensuring Educator Excellence, 2023
California County Superintendents Publication	Teacher Recruitment in California: An Analysis of Effective Strategies, Research Brief, Veritas Research and Evaluation Group, October 2017
California Department of Education Publication	How to Increase the Diversity of California's Educator Workforce, April 2022
Court Decision	C.A. v William S. Hart Union High School District et al. (2012) 138 Cal.Rptr.3d 1
Ctr for Cities + Schools, cityLAB & Terner Ctr Pub	Education Workforce Housing in California: Developing the 21st Century Campus, 2021
Ctr for Cities + Schools, cityLAB & Terner Ctr Pub	Education Workforce Housing in California: The Handbook
Website	University of California Los Angeles, cityLAB
Website	University of California Berkeley, Terner Center for Housing Innovation
Website	University of California Berkeley, Center for Cities + Schools
Website	CSBA District and County Office of Education Legal Services
Website	Commission on Teacher Credentialing
Website	Education Job Opportunities Information Network
Website	Teach USA
Website	California County Superintendents
Website	California Civil Rights Department
Website	U.S. Department of Education
Website	U.S. Equal Employment Opportunity Commission
Website	California Department of Education

Cross References	Description
0000	Vision

Cross References	Description
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
2230	Representative And Deliberative Groups
4000	Concepts And Roles
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4032	Reasonable Accommodation
4100	Certificated Personnel
4111.2	Legal Status Requirement
4111.2	Legal Status Requirement
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.21	Interns
4112.21	Interns
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.6	Personnel Files
4112.61	Employment References
4112.8	Employment Of Relatives
4113	Assignment
4113	Assignment
4117.14	Postretirement Employment
4119.21	Professional Standards
4119.21-E(1)	Professional Standards
4119.24	Maintaining Appropriate Adult-Student Interactions
4200	Classified Personnel
4200	Classified Personnel
4211.2	Legal Status Requirement
4211.2	Legal Status Requirement
4212	Appointment And Conditions Of Employment
4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4212.6	Personnel Files
4212.61	Employment References

Cross References	Description
4212.8	Employment Of Relatives
4219.21	Professional Standards
4219.21-E(1)	Professional Standards
4219.24	Maintaining Appropriate Adult-Student Interactions
4300	Administrative And Supervisory Personnel
4311.2	Legal Status Requirement
4311.2	Legal Status Requirement
4312.1	Contracts
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.6	Personnel Files
4312.61	Employment References
4312.8	Employment Of Relatives
4317.14	Postretirement Employment
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
4319.24	Maintaining Appropriate Adult-Student Interactions
4331	Staff Development
9000	Role Of The Board

Regulation 4212.5: Criminal Record Check

Status: DRAFT

Original Adopted Date: 06/12/2024 | **Last Reviewed Date:** 06/12/2024

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. 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. Convicted of a violent or serious felony and has obtained a certificate of rehabilitation or a pardon

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. 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

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 Tri-Valley ROP without obtaining a criminal record summary if that employee is employed as a certificated employee in another California school TVROP and became a permanent employee of another California school TVROP 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 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

The Superintendent or designee shall require each person to be employed by the TVROP 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. The applicant has not resided in California for at least one year immediately preceding the application for employment.

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 TVROP. (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, or probationary employee serving before March 15 of the employee's second probationary 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 TVROP receives written electronic notification by the DOJ of the fact of conviction, the temporary employee, substitute employee, or probationary employee serving before March 15 of the employee's second probationary 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 TVROP. (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 Records

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 TVROP 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, 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)

Interagency Agreement

Subject to an interagency agreement with other school TVROP, the TVROP shall submit and receive CORI on behalf of all participating TVROP. (Education Code 44830.2, 45125.01)

Upon receipt from the DOJ of a report of conviction of a serious or violent felony, the TVROP shall communicate that fact to participating TVROP and shall remove the affected employee from the common list of persons eligible for employment. (Education Code 44830.2, 45125.01)

In addition, upon receipt from the DOJ of a criminal history record or report of subsequent arrest for any person on a common list of persons eligible for employment, the TVROP shall give notice to the superintendent of any participating TVROP, or the person designated in writing by that superintendent, that the report is available for inspection on a confidential basis by the superintendent or the authorized designee. The report shall be made available at the TVROP office for 30 days following the receipt of the notice. (Education Code 44830.2, 45125.01)

The TVROP shall not release a copy of that information to any participating TVROP or any other person. In addition, the TVROP shall retain or dispose of the information in the manner specified in law and in this administrative regulation after all participating TVROP have had an opportunity to inspect it in accordance with law. (Education Code 44830.2, 45125.01)

The TVROP shall maintain a record of all persons to whom the information has been shown and shall make this record available to the DOJ. (Education Code 44830.2, 45125.01)

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State	Description
11 CCR 701-708	Criminal offender record information
11 CCR 720-724	Incomplete criminal history information
11 CCR 994-994.15	Certification of individuals who take fingerprint impressions
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44051	Employment history
Ed. Code 44332-44332.6	Temporary certificate of clearance
Ed. Code 44346.1	Applicants for credential; conviction of a violent or serious felony
Ed. Code 44830.1	Criminal record summary; certificated employees
Ed. Code 44830.2	Certificated employees; interagency agreement for sharing criminal record information
Ed. Code 44836	Employment of certificated persons convicted of sex offense or controlled substance offense
Ed. Code 44932	Grounds for dismissal of permanent employees

State	Description
Ed. Code 44939.5	Certificated employees; report of egregious misconduct
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 45125	Use of personal identification cards to ascertain conviction of crime
Ed. Code 45125.01	Interagency agreements for criminal record information
Ed. Code 45125.5	Automated records check
Ed. Code 45126	Duty of Department of Justice to furnish information
Ed. Code 49024	Activity Supervisor Clearance Certificate
Gov. Code 1021.5	Disqualification for employment
Gov. Code 12954	Employment discrimination; cannabis use
H&S Code 11350	Offenses Involving Controlled Substances Formerly Classified as Narcotics
H&S Code 11377	Offenses Involving Controlled Substances Formerly Classified as Restricted Dangerous Drugs
Pen. Code 11075-11081	Criminal record dissemination
Pen. Code 11102.2	Maintenance of criminal offender records; custodian of records
Pen. Code 11105	Access to criminal history information
Pen. Code 11105.2	Subsequent arrest notification
Pen. Code 11105.3	Record of conviction involving sex crimes, drug crimes, or crimes of violence
Pen. Code 11140-11144	Furnishing of state criminal history information
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 1203.4	Dismissal of conviction
Pen. Code 1203.425	Conviction relief
Pen. Code 13300-13305	Local summary criminal history information
Pen. Code 288.3	Contacting a minor
Pen. Code 288.4	Meeting a minor
Pen. Code 647.6	Miscellaneous offenses
Pen. Code 667.5	Prior prison terms; enhancement of prison terms

Federal	Description
28 CFR 50.12	Exchange of FBI identification records

Management Resources	Description
Court Decision	Central Valley Chapter of the 7th Step Foundation Inc. v. Evelle J. Younger (1989) 214 Cal. App. 3d 145
Website	Office of the Attorney General, Department of Justice, Applicant Agency Justice Connection
Website	CSBA District and County Office of Education Legal Services
Website	Office of the Attorney General, Department of Justice, Background Checks

Management Resources	Description
Website	CSBA

Cross References	Description
1240	Volunteer Assistance
1240	Volunteer Assistance
1340	Access To District Records
1340	Access To District Records
2120	Superintendent Recruitment And Selection
3580	District Records
3580	District Records
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4111	Recruitment And Selection
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.6	Personnel Files
4112.9	Employee Notifications
4118	Dismissal/Suspension/Disciplinary Action
4119.23	Unauthorized Release Of Confidential/Privileged Information
4200	Classified Personnel
4200	Classified Personnel
4211	Recruitment And Selection
4212	Appointment And Conditions Of Employment
4212.6	Personnel Files
4212.9	Employee Notifications
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.23	Unauthorized Release Of Confidential/Privileged Information
4311	Recruitment And Selection
4312.6	Personnel Files
4312.9	Employee Notifications
4319.23	Unauthorized Release Of Confidential/Privileged Information
6145	Extracurricular And Cocurricular Activities
9011	Disclosure Of Confidential/Privileged Information

Exhibit 4212.5-E(1): Criminal Record Check **Status:** DRAFT

| Last Revised Date: 06/12/2024

SAMPLE EMPLOYEE STATEMENT FORM
CONDITIONS FOR RELEASE OF CRIMINAL OFFENDER RECORD INFORMATION

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:_____

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Ed. Code 45125	Use of personal identification cards to ascertain conviction of crime
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H&S Code 11377	Offenses Involving Controlled Substances Formerly Classified as Restricted Dangerous Drugs
Pen. Code 11075-11081	Criminal record dissemination
Pen. Code 11102.2	Maintenance of criminal offender records; custodian of records
Pen. Code 11105	Access to criminal history information
Pen. Code 11105.2	Subsequent arrest notification
Pen. Code 11105.3	Record of conviction involving sex crimes, drug crimes, or crimes of violence
Pen. Code 11140-11144	Furnishing of state criminal history information
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 1203.4	Dismissal of conviction
Pen. Code 1203.425	Conviction relief
Pen. Code 13300-13305	Local summary criminal history information
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Pen. Code 288.4	Meeting a minor

State	Description
Pen. Code 647.6	Miscellaneous offenses
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Federal	Description
28 CFR 50.12	Exchange of FBI identification records

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4112.6	Personnel Files
4112.9	Employee Notifications
4118	Dismissal/Suspension/Disciplinary Action
4119.23	Unauthorized Release Of Confidential/Privileged Information
4200	Classified Personnel
4200	Classified Personnel
4211	Recruitment And Selection
4212	Appointment And Conditions Of Employment

Cross References	Description
4212.6	Personnel Files
4212.9	Employee Notifications
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.23	Unauthorized Release Of Confidential/Privileged Information
4311	Recruitment And Selection
4312.6	Personnel Files
4312.9	Employee Notifications
4319.23	Unauthorized Release Of Confidential/Privileged Information
6145	Extracurricular And Cocurricular Activities
9011	Disclosure Of Confidential/Privileged Information

Regulation 4212.6: Personnel Files

Status: DRAFT

Original Adopted Date: 06/12/2024 **| Last Reviewed Date:** 06/12/2024

The Superintendent or designee shall maintain personnel files for all current employees at the Tri-Valley ROP's central office or at the location where the employee works.

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.

Personnel files for TVROP police or security officers shall be maintained and accessed in accordance with Government Code 3305-3306.5 ~~and AR 3515.3 - TVROP Police/Security Department.~~

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 file, he/she shall be informed that the signature only signifies that he/she has read the material and does not necessarily indicate that he/she agrees with its contents.

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

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

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 own comments and have them attached to the derogatory statement. (Education Code 44031)

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

Individual Governing Board members shall not be allowed to access personnel files, but the Board may request pertinent information from an employee's file in cases of personnel action.

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 wishing to inspect his/her personnel record shall contact the Superintendent or designee.

With the exceptions noted below, all personnel records related to the employee's performance , including education or training records, or to any grievance concerning the employee shall be made available for inspection by the 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: (Education Code 44031; Labor Code 1198.5)

1. Records related to the investigation of a possible criminal offense

2. Letters of reference

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

Personnel records related to the employee's job performance or to any grievance concerning him/her shall be made available to the employee at reasonable intervals and at reasonable times but not later than 30 calendar days from the date the district 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 district's receipt of the written request. . 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 TVROP, unless the employee is required to view the file where it is stored. (Education Code 44031; Labor Code 1198.5)

For former employees, the Superintendent or designee shall make the records available for inspection at the location where the district 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)

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 TVROP stores the personnel records, with no loss of compensation to the employee

The employee may be accompanied by a representative of his/her choice while reviewing his/her personnel records.

Inspection shall take place in the presence of the Superintendent or designee. The Superintendent or designee shall keep a record of the date and time the file was reviewed and the name and title of the person(s) present during the review.

In no instance shall any material be removed from the records. Requests for copies of material in a personnel record must be made in writing.

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 district 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 district for actual postal expenses. (Labor Code 1198.5)

Record Retention

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

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, credible complaints of, substantiated investigations into, or discipline for egregious misconduct as defined in Education Code 44932. However, such documentation may be removed if, during a hearing before the Board, an arbiter, personnel commission, Commission on Professional Competence, 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)

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, credible complaints of, substantiated investigations into, or discipline for egregious misconduct as defined in Education Code 44932. However, such documentation may be removed if, during a hearing before the Board, an arbiter, personnel commission, Commission on Professional Competence, 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 district, 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 Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 16020-16022	Records; general provisions
5 CCR 16023-16027	District records; retention and destruction
Ed. Code 234.7	Protections relating to immigration and citizenship status
Ed. Code 35253	Regulations to destroy records
Ed. Code 44031	Personnel file contents and inspection
Ed. Code 44051	Noncertificated employees; report of egregious misconduct
Ed. Code 44663	Certificated employees; performance evaluations and related materials
Ed. Code 44932	Grounds for dismissal of permanent employees

State	Description
Ed. Code 44939.5	Certificated employees; report of egregious misconduct
Gov. Code 3305-3306.5	District police officers; personnel files
Gov. Code 7920.000-7930.215	California Public Records Act
Gov. Code 7927.700	Exemption for personnel records if invasion of personal privacy
Gov. Code 7928.300	Disclosure of employee contact information to employee organization
Lab. Code 1198.5	Personnel records related to performance and grievance
Pen. Code 11165.14	Report of investigation of child abuse complaint

Management Resources	Description
Court Decision	Bakersfield City School District v. Superior Ct. (2004) 118 Cal.App.4th 1041
Court Decision	Marken v. Santa Monica-Malibu Unified School District (2012) 202 Cal.App.4th 1250
Website	CSBA District and County Office of Education Legal Services

Cross References	Description
0440	District Technology Plan
0441	Artificial Intelligence
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1340	Access To District Records
1340	Access To District Records
1445	Response To Immigration Enforcement
1445	Response To Immigration Enforcement
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3515	Campus Security
3580	District Records
3580	District Records
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4032	Reasonable Accommodation
4111	Recruitment And Selection
4111.2	Legal Status Requirement
4111.2	Legal Status Requirement

Cross References	Description
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.61	Employment References
4112.9	Employee Notifications
4115	Evaluation/Supervision
4115	Evaluation/Supervision
4118	Dismissal/Suspension/Disciplinary Action
4119.23	Unauthorized Release Of Confidential/Privileged Information
4131.1	Teacher Support And Guidance
4144	Complaints
4144	Complaints
4151	Employee Compensation
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4211	Recruitment And Selection
4211.2	Legal Status Requirement
4211.2	Legal Status Requirement
4212	Appointment And Conditions Of Employment
4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4212.61	Employment References
4212.9	Employee Notifications
4215	Evaluation/Supervision
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.23	Unauthorized Release Of Confidential/Privileged Information
4251	Employee Compensation
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4311	Recruitment And Selection
4311.2	Legal Status Requirement
4311.2	Legal Status Requirement

Cross References	Description
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.61	Employment References
4312.9	Employee Notifications
4315	Evaluation/Supervision
4319.23	Unauthorized Release Of Confidential/Privileged Information
4344	Complaints
4344	Complaints
4351	Employee Compensation
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
5125	Student Records
5125	Student Records
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
9011	Disclosure Of Confidential/Privileged Information
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session

Policy 4311: Recruitment And Selection

Status: DRAFT

Original Adopted Date: 06/12/2024 | **Last Reviewed Date:** 06/12/2024

The Governing Board is committed to employing suitable, qualified individuals to effectively carry out the Tri-Valley ROP's vision, mission, and goals, and believes that students benefit when TVROP staff reflects the racial, ethnic, linguistic, and cultural diversity of the TVROP.

The Superintendent or designee shall develop ~~equitable, fair, and transparent recruitment and selection processes and procedures that ensure individuals are selected for employment in the TVROP based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination.~~ recruitment and selection processes, consistent with applicable law, Board policy, and collective bargaining agreements, that are 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.

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 TVROP employees.

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 Superintendent or designee shall also disseminate job announcements to ensure a wide range of candidates.

When posting an employment opportunity, the Superintendent or designee shall include the pay scale for the open position. (Labor Code 432.2)

The Superintendent shall develop and maintain appropriate hiring procedures to identify the best possible candidates for a position. 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 confidential and consistent with law.

When considering an applicant for a certificated position, the district 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 district 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 TVROP 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 TVROP 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 TVROP retains the right to maintain drug-free Programs 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)

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 TVROP needs ~~and any applicable collective bargaining agreements~~, the TVROP 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 Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Ed. Code 200-280	Prohibition of discrimination
Ed. Code 35035	Powers and duties of the superintendent; transfer authority
Ed. Code 44051	Noncertificated employees; report of egregious misconduct
Ed. Code 44066	Limitations on certification requirements
Ed. Code 44259	Teaching credential, exception; designated subjects; minimum requirements
Ed. Code 44750	Teacher recruitment resource center
Ed. Code 44830-44831	Employment of certificated persons
Ed. Code 44858	Age or marital status in certificated positions
Ed. Code 44859	Prohibition against certain rules and regulations regarding residency
Ed. Code 44939.5	Certificated employees; report of egregious misconduct
Ed. Code 45103-45139	Employment; classified employees
Ed. Code 49406	TB risk assessment
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 7920.000-7930.215	California Public Records Act
Gov. Code 815.2	Liability of public entities and public employees
H&S Code 53570-53574	Teacher Housing Act of 2016
Lab. Code 432.3	Salary information

Federal	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
28 CFR 35.101-35.190	Americans with Disabilities Act
34 CFR 106.51-106.61	Nondiscrimination on the basis of sex in employment in education program or activities
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
5 USC 552	Freedom of Information Act
8 USC 1324a	Unlawful employment of aliens
8 USC 1324b	Unfair immigration related employment practices

Management Resources	Description
CA Commission on Teacher Credentialing Publication	Strategic Plan: Ensuring Educator Excellence, 2023
California County Superintendents Publication	Teacher Recruitment in California: An Analysis of Effective Strategies, Research Brief, Veritas Research and Evaluation Group, October 2017
California Department of Education Publication	How to Increase the Diversity of California's Educator Workforce, April 2022
Court Decision	C.A. v William S. Hart Union High School District et al. (2012) 138 Cal.Rptr.3d 1
Ctr for Cities + Schools, cityLAB & Terner Ctr Pub	Education Workforce Housing in California: Developing the 21st Century Campus, 2021
Ctr for Cities + Schools, cityLAB & Terner Ctr Pub	Education Workforce Housing in California: The Handbook
Website	University of California Los Angeles, cityLAB
Website	University of California Berkeley, Terner Center for Housing Innovation
Website	University of California Berkeley, Center for Cities + Schools
Website	CSBA District and County Office of Education Legal Services
Website	Commission on Teacher Credentialing
Website	Education Job Opportunities Information Network
Website	Teach USA
Website	California County Superintendents
Website	California Civil Rights Department
Website	U.S. Department of Education
Website	U.S. Equal Employment Opportunity Commission
Website	California Department of Education

Cross References	Description
0000	Vision

Cross References	Description
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
2230	Representative And Deliberative Groups
4000	Concepts And Roles
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4032	Reasonable Accommodation
4100	Certificated Personnel
4111.2	Legal Status Requirement
4111.2	Legal Status Requirement
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.21	Interns
4112.21	Interns
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.6	Personnel Files
4112.61	Employment References
4112.8	Employment Of Relatives
4113	Assignment
4113	Assignment
4117.14	Postretirement Employment
4119.21	Professional Standards
4119.21-E(1)	Professional Standards
4119.24	Maintaining Appropriate Adult-Student Interactions
4200	Classified Personnel
4200	Classified Personnel
4211.2	Legal Status Requirement
4211.2	Legal Status Requirement
4212	Appointment And Conditions Of Employment
4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4212.6	Personnel Files
4212.61	Employment References

Cross References	Description
4212.8	Employment Of Relatives
4219.21	Professional Standards
4219.21-E(1)	Professional Standards
4219.24	Maintaining Appropriate Adult-Student Interactions
4300	Administrative And Supervisory Personnel
4311.2	Legal Status Requirement
4311.2	Legal Status Requirement
4312.1	Contracts
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.6	Personnel Files
4312.61	Employment References
4312.8	Employment Of Relatives
4317.14	Postretirement Employment
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
4319.24	Maintaining Appropriate Adult-Student Interactions
4331	Staff Development
9000	Role Of The Board

Regulation 4312.5: Criminal Record Check

Status: DRAFT

Original Adopted Date: 06/12/2024 | **Last Reviewed Date:** 06/12/2024

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. 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. Convicted of a violent or serious felony and has obtained a certificate of rehabilitation or a pardon

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. 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

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 Tri-Valley ROP without obtaining a criminal record summary if that employee is employed as a certificated employee in another California school TVROP and became a permanent employee of another California school TVROP 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 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

The Superintendent or designee shall require each person to be employed by the TVROP 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. The applicant has not resided in California for at least one year immediately preceding the application for employment.

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 TVROP. (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, or probationary employee serving before March 15 of the employee's second probationary 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 TVROP receives written electronic notification by the DOJ of the fact of conviction, the temporary employee, substitute employee, or probationary employee serving before March 15 of the employee's second probationary 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 TVROP. (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 Records

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 TVROP 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, 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)

Interagency Agreement

Subject to an interagency agreement with other school TVROP, the TVROP shall submit and receive CORI on behalf of all participating TVROP. (Education Code 44830.2, 45125.01)

Upon receipt from the DOJ of a report of conviction of a serious or violent felony, the TVROP shall communicate that fact to participating TVROP and shall remove the affected employee from the common list of persons eligible for employment. (Education Code 44830.2, 45125.01)

In addition, upon receipt from the DOJ of a criminal history record or report of subsequent arrest for any person on a common list of persons eligible for employment, the TVROP shall give notice to the superintendent of any participating TVROP, or the person designated in writing by that superintendent, that the report is available for inspection on a confidential basis by the superintendent or the authorized designee. The report shall be made available at the TVROP office for 30 days following the receipt of the notice. (Education Code 44830.2, 45125.01)

The TVROP shall not release a copy of that information to any participating TVROP or any other person. In addition, the TVROP shall retain or dispose of the information in the manner specified in law and in this administrative regulation after all participating TVROP have had an opportunity to inspect it in accordance with law. (Education Code 44830.2, 45125.01)

The TVROP shall maintain a record of all persons to whom the information has been shown and shall make this record available to the DOJ. (Education Code 44830.2, 45125.01)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
11 CCR 701-708	Criminal offender record information
11 CCR 720-724	Incomplete criminal history information
11 CCR 994-994.15	Certification of individuals who take fingerprint impressions
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44051	Employment history
Ed. Code 44332-44332.6	Temporary certificate of clearance
Ed. Code 44346.1	Applicants for credential; conviction of a violent or serious felony
Ed. Code 44830.1	Criminal record summary; certificated employees
Ed. Code 44830.2	Certificated employees; interagency agreement for sharing criminal record information
Ed. Code 44836	Employment of certificated persons convicted of sex offense or controlled substance offense
Ed. Code 44932	Grounds for dismissal of permanent employees
Ed. Code 44939.5	Certificated employees; report of egregious misconduct

State	Description
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 45125	Use of personal identification cards to ascertain conviction of crime
Ed. Code 45125.01	Interagency agreements for criminal record information
Ed. Code 45125.5	Automated records check
Ed. Code 45126	Duty of Department of Justice to furnish information
Ed. Code 49024	Activity Supervisor Clearance Certificate
Gov. Code 1021.5	Disqualification for employment
Gov. Code 12954	Employment discrimination; cannabis use
H&S Code 11350	Offenses Involving Controlled Substances Formerly Classified as Narcotics
H&S Code 11377	Offenses Involving Controlled Substances Formerly Classified as Restricted Dangerous Drugs
Pen. Code 11075-11081	Criminal record dissemination
Pen. Code 11102.2	Maintenance of criminal offender records; custodian of records
Pen. Code 11105	Access to criminal history information
Pen. Code 11105.2	Subsequent arrest notification
Pen. Code 11105.3	Record of conviction involving sex crimes, drug crimes, or crimes of violence
Pen. Code 11140-11144	Furnishing of state criminal history information
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 1203.4	Dismissal of conviction
Pen. Code 1203.425	Conviction relief
Pen. Code 13300-13305	Local summary criminal history information
Pen. Code 288.3	Contacting a minor
Pen. Code 288.4	Meeting a minor
Pen. Code 647.6	Miscellaneous offenses
Pen. Code 667.5	Prior prison terms; enhancement of prison terms

Federal	Description
28 CFR 50.12	Exchange of FBI identification records

Management Resources	Description
Court Decision	Central Valley Chapter of the 7th Step Foundation Inc. v. Evelle J. Younger (1989) 214 Cal. App. 3d 145
Website	Office of the Attorney General, Department of Justice, Applicant Agency Justice Connection
Website	CSBA District and County Office of Education Legal Services
Website	Office of the Attorney General, Department of Justice, Background Checks
Website	CSBA

Cross References	Description
1240	Volunteer Assistance
1240	Volunteer Assistance
1340	Access To District Records
1340	Access To District Records
2120	Superintendent Recruitment And Selection
3580	District Records
3580	District Records
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4111	Recruitment And Selection
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.6	Personnel Files
4112.9	Employee Notifications
4118	Dismissal/Suspension/Disciplinary Action
4119.23	Unauthorized Release Of Confidential/Privileged Information
4200	Classified Personnel
4200	Classified Personnel
4211	Recruitment And Selection
4212	Appointment And Conditions Of Employment
4212.6	Personnel Files
4212.9	Employee Notifications
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.23	Unauthorized Release Of Confidential/Privileged Information
4311	Recruitment And Selection
4312.6	Personnel Files
4312.9	Employee Notifications
4319.23	Unauthorized Release Of Confidential/Privileged Information
6145	Extracurricular And Cocurricular Activities
9011	Disclosure Of Confidential/Privileged Information

Exhibit 4312.5-E(1): Criminal Record Check

Status: DRAFT

| Last Revised Date: 06/12/2024

SAMPLE EMPLOYEE STATEMENT FORM
CONDITIONS FOR RELEASE OF CRIMINAL OFFENDER RECORD INFORMATION

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:_____

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
11 CCR 701-708	Criminal offender record information
11 CCR 720-724	Incomplete criminal history information

State	Description
11 CCR 994-994.15	Certification of individuals who take fingerprint impressions
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense
Ed. Code 44051	Employment history
Ed. Code 44332-44332.6	Temporary certificate of clearance
Ed. Code 44346.1	Applicants for credential; conviction of a violent or serious felony
Ed. Code 44830.1	Criminal record summary; certificated employees
Ed. Code 44830.2	Certificated employees; interagency agreement for sharing criminal record information
Ed. Code 44836	Employment of certificated persons convicted of sex offense or controlled substance offense
Ed. Code 44932	Grounds for dismissal of permanent employees
Ed. Code 44939.5	Certificated employees; report of egregious misconduct
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 45125	Use of personal identification cards to ascertain conviction of crime
Ed. Code 45125.01	Interagency agreements for criminal record information
Ed. Code 45125.5	Automated records check
Ed. Code 45126	Duty of Department of Justice to furnish information
Ed. Code 49024	Activity Supervisor Clearance Certificate
Gov. Code 1021.5	Disqualification for employment
Gov. Code 12954	Employment discrimination; cannabis use
H&S Code 11350	Offenses Involving Controlled Substances Formerly Classified as Narcotics
H&S Code 11377	Offenses Involving Controlled Substances Formerly Classified as Restricted Dangerous Drugs
Pen. Code 11075-11081	Criminal record dissemination
Pen. Code 11102.2	Maintenance of criminal offender records; custodian of records
Pen. Code 11105	Access to criminal history information
Pen. Code 11105.2	Subsequent arrest notification
Pen. Code 11105.3	Record of conviction involving sex crimes, drug crimes, or crimes of violence
Pen. Code 11140-11144	Furnishing of state criminal history information
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 1203.4	Dismissal of conviction
Pen. Code 1203.425	Conviction relief
Pen. Code 13300-13305	Local summary criminal history information
Pen. Code 288.3	Contacting a minor
Pen. Code 288.4	Meeting a minor

State	Description
Pen. Code 647.6	Miscellaneous offenses
Pen. Code 667.5	Prior prison terms; enhancement of prison terms

Federal	Description
28 CFR 50.12	Exchange of FBI identification records

Management Resources	Description
Court Decision	Central Valley Chapter of the 7th Step Foundation Inc. v. Evelle J. Younger (1989) 214 Cal. App. 3d 145
Website	Office of the Attorney General, Department of Justice, Applicant Agency Justice Connection
Website	CSBA District and County Office of Education Legal Services
Website	Office of the Attorney General, Department of Justice, Background Checks
Website	CSBA

Cross References	Description
1240	Volunteer Assistance
1240	Volunteer Assistance
1340	Access To District Records
1340	Access To District Records
2120	Superintendent Recruitment And Selection
3580	District Records
3580	District Records
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4111	Recruitment And Selection
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.6	Personnel Files
4112.9	Employee Notifications
4118	Dismissal/Suspension/Disciplinary Action
4119.23	Unauthorized Release Of Confidential/Privileged Information
4200	Classified Personnel
4200	Classified Personnel
4211	Recruitment And Selection
4212	Appointment And Conditions Of Employment

Cross References	Description
4212.6	Personnel Files
4212.9	Employee Notifications
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.23	Unauthorized Release Of Confidential/Privileged Information
4311	Recruitment And Selection
4312.6	Personnel Files
4312.9	Employee Notifications
4319.23	Unauthorized Release Of Confidential/Privileged Information
6145	Extracurricular And Cocurricular Activities
9011	Disclosure Of Confidential/Privileged Information

Regulation 4312.6: Personnel Files

Status: DRAFT

Original Adopted Date: 06/12/2024 **| Last Reviewed Date:** 06/12/2024

The Superintendent or designee shall maintain personnel files for all current employees at the Tri-Valley ROP's central office or at the location where the employee works.

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.

Personnel files for TVROP police or security officers shall be maintained and accessed in accordance with Government Code 3305-3306.5 ~~and AR 3515.3 - TVROP Police/Security Department.~~

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 file, he/she shall be informed that the signature only signifies that he/she has read the material and does not necessarily indicate that he/she agrees with its contents.

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

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

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 own comments and have them attached to the derogatory statement. (Education Code 44031)

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

Individual Governing Board members shall not be allowed to access personnel files, but the Board may request pertinent information from an employee's file in cases of personnel action.

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 wishing to inspect his/her personnel record shall contact the Superintendent or designee.

With the exceptions noted below, all personnel records related to the employee's performance , including education or training records, or to any grievance concerning the employee shall be made available for inspection by the 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: (Education Code 44031; Labor Code 1198.5)

1. Records related to the investigation of a possible criminal offense

2. Letters of reference

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

Personnel records related to the employee's job performance or to any grievance concerning him/her shall be made available to the employee at reasonable intervals and at reasonable times but not later than 30 calendar days from the date the district 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 district's receipt of the written request.. 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 TVROP, unless the employee is required to view the file where it is stored. (Education Code 44031; Labor Code 1198.5)

For former employees, the Superintendent or designee shall make the records available for inspection at the location where the district 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)

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 TVROP stores the personnel records, with no loss of compensation to the employee

The employee may be accompanied by a representative of his/her choice while reviewing his/her personnel records.

Inspection shall take place in the presence of the Superintendent or designee. The Superintendent or designee shall keep a record of the date and time the file was reviewed and the name and title of the person(s) present during the review.

In no instance shall any material be removed from the records. Requests for copies of material in a personnel record must be made in writing.

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 district 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 district for actual postal expenses. (Labor Code 1198.5)

Record Retention

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

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, credible complaints of, substantiated investigations into, or discipline for egregious misconduct as defined in Education Code 44932. However, such documentation may be removed if, during a hearing before the Board, an arbiter, personnel commission, Commission on Professional Competence, 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)

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, credible complaints of, substantiated investigations into, or discipline for egregious misconduct as defined in Education Code 44932. However, such documentation may be removed if, during a hearing before the Board, an arbiter, personnel commission, Commission on Professional Competence, 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 district, 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.

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State	Description
5 CCR 16020-16022	Records; general provisions
5 CCR 16023-16027	District records; retention and destruction
Ed. Code 234.7	Protections relating to immigration and citizenship status
Ed. Code 35253	Regulations to destroy records
Ed. Code 44031	Personnel file contents and inspection
Ed. Code 44051	Noncertificated employees; report of egregious misconduct
Ed. Code 44663	Certificated employees; performance evaluations and related materials

State	Description
Ed. Code 44932	Grounds for dismissal of permanent employees
Ed. Code 44939.5	Certificated employees; report of egregious misconduct
Gov. Code 3305-3306.5	District police officers; personnel files
Gov. Code 7920.000-7930.215	California Public Records Act
Gov. Code 7927.700	Exemption for personnel records if invasion of personal privacy
Gov. Code 7928.300	Disclosure of employee contact information to employee organization
Lab. Code 1198.5	Personnel records related to performance and grievance
Pen. Code 11165.14	Report of investigation of child abuse complaint

Management Resources	Description
Court Decision	Bakersfield City School District v. Superior Ct. (2004) 118 Cal.App.4th 1041
Court Decision	Marken v. Santa Monica-Malibu Unified School District (2012) 202 Cal.App.4th 1250
Website	CSBA District and County Office of Education Legal Services

Cross References	Description
0440	District Technology Plan
0441	Artificial Intelligence
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1340	Access To District Records
1340	Access To District Records
1445	Response To Immigration Enforcement
1445	Response To Immigration Enforcement
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3515	Campus Security
3580	District Records
3580	District Records
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4032	Reasonable Accommodation
4111	Recruitment And Selection
4111.2	Legal Status Requirement

Cross References	Description
4111.2	Legal Status Requirement
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.61	Employment References
4112.9	Employee Notifications
4115	Evaluation/Supervision
4115	Evaluation/Supervision
4118	Dismissal/Suspension/Disciplinary Action
4119.23	Unauthorized Release Of Confidential/Privileged Information
4131.1	Teacher Support And Guidance
4144	Complaints
4144	Complaints
4151	Employee Compensation
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4211	Recruitment And Selection
4211.2	Legal Status Requirement
4211.2	Legal Status Requirement
4212	Appointment And Conditions Of Employment
4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4212.61	Employment References
4212.9	Employee Notifications
4215	Evaluation/Supervision
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.23	Unauthorized Release Of Confidential/Privileged Information
4251	Employee Compensation
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4311	Recruitment And Selection
4311.2	Legal Status Requirement

Cross References	Description
4311.2	Legal Status Requirement
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.61	Employment References
4312.9	Employee Notifications
4315	Evaluation/Supervision
4319.23	Unauthorized Release Of Confidential/Privileged Information
4344	Complaints
4344	Complaints
4351	Employee Compensation
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
5125	Student Records
5125	Student Records
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
9011	Disclosure Of Confidential/Privileged Information
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session

7. E. Approval of the Personnel Document of October 28, 2026

Quick Summary / Abstract

The Board must act on all issues regarding employees of the TVROP. The Personnel Document specifies each area and may include new hires, resignations, retirements and/or vacancies for Board approval.

Supporting Documents

Personnel Document 10-28-2026

Tri-Valley Regional Occupational Program
JOINT POWERS GOVERNING BOARD MEETING
Regular Board Meeting of October 28, 2026
PERSONNEL DOCUMENT

2026 - 2027 CLASSIFIED / CONFIDENTIAL – NEW HIRE			
Name/FTE	**Description /Location**	**Effective Date**	**Superintendent's Recommendation**
Carolina Saldivar 1.00	College and Career Specialist Dublin High School	9/18/2026	Approve
Alexandra Campbell 1.00	College and Career Specialist Emerald High School	10/26/2026	Approve

8. SUPERINTENDENT'S REPORT

Quick Summary / Abstract

Julie Duncan, Superintendent, will report on recent meetings, activities, or legislation.

9. BOARD MEMBER REPORTS

Quick Summary / Abstract

Board members may wish to report on their recent activities.

10. RECOGNITIONS

Quick Summary / Abstract

Staff will recognize the Board Members for their dedication, service, and support of Tri-Valley ROP students and program.

11. ANNOUNCEMENTS

Quick Summary / Abstract

The next Regular Meeting of the Joint Powers Governing Board will be held Wednesday, December 9, 2026 at 5:30 p.m.

12. ADJOURNMENT