CENTER JOINT UNIFIED SCHOOL DISTRICT

www.centerusd.org

Local Control Accountability Plan Goals:

1. CJUSD Students will be challenged and supported to achieve academic success in a clean, safe environment through Multi-Tiered Systems of Support (MTSS)
2. CJUSD students will be College and Career ready through Multi-Tiered Systems of Support (MTSS) Actions/Services
3. CJUSD students and families will be engaged and informed regarding the educational process and opportunities through Multi-Tiered Systems of Support (MTSS)

BOARD OF TRUSTEES REGULAR MEETING

District Board Room, Room 503
Wilson C. Riles Middle School
4747 PFE Road, Roseville, CA 95747

Wednesday, May 15, 2019 - 6:00 p.m.

		STATUS
I.	**CALL TO ORDER & ROLL CALL - 5:30 p.m.**	
II.	**ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION** **1.** Conference with Labor Negotiator, (David Grimes), Re: CSEA and CUTA (G.C. §54957.6) **2.** Student Expulsions/Readmissions (G.C. §54962) **3.** Public Employee Performance Evaluation (G.C. §54957) - Superintendent	
III.	**PUBLIC COMMENTS REGARDING ITEMS TO BE DISCUSSED IN CLOSED SESSION**	
IV.	**CLOSED SESSION - *5:30 p.m.***	
V.	**OPEN SESSION - CALL TO ORDER - *6:00 p.m.***	
VI.	**FLAG SALUTE**	
VII.	**ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**	Info/Action
VIII.	**ADOPTION OF AGENDA**	Action
IX.	**STUDENT BOARD REPRESENTATIVE REPORTS** *(3 minutes each)* 1. Center High School - Maximus Gomez 2. McClellan High School - Asirah Jackson	Info

Note: If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, please contact the Superintendent's Office at (916) 338-6409 at least 48 hours before the scheduled Board meeting. [Government Code §54954.2] [Americans with Disabilities Act of 1990, §202.]

NOTICE: The agenda packet and supporting materials, including materials distributed less than 72 hours prior to the schedule meeting, can be viewed at Center Joint Unified School District, Superintendent's Office, located at 8408 Watt Avenue, Antelope, CA. For more information please call 916-338-6409.

	X.	**ORGANIZATION REPORTS** *(3 minutes each)*	Info
	1.	CUTA - Venessa Mason, President	
	2.	CSEA - Marie Huggins, President	
	XI.	**COMMITTEE UPDATES** *(8 minutes each)*	Info
Facilities & Op.	**1.**	**Facilities Update** - Craig Deason	
	XII.	**REPORTS/PRESENTATIONS** *(8 minutes each)*	Info
Curr & Instr	**1.**	**Career Technical Education (CTE) Pathways and Programs Update** - Mike Jordan	
↓	**2.**	**English Learner Program Update** - Mike Jordan	
	XIII.	**COMMENTS FROM THE AUDIENCE REGARDING ITEMS NOT ON THE AGENDA**	Public Comments Invited
		Anyone may address the Board regarding any item that is within the Board's subject matter jurisdiction. However, the Board may not discuss or take action on any item which is not on this agenda except as authorized by Government Code Section 54954.2. A speaker shall be limited to 3 minutes (Board Policy 9323).All public comments on items listed on this agenda will be heard at the time the Board is discussing that item.	
	XIV.	**BOARD / SUPERINTENDENT REPORTS** *(10 minutes)*	Info
	XV.	**CONSENT AGENDA** *(5 minutes)*	Action
		NOTE: The Board will be asked to approve all of the following items by a single vote, unless any member of the Board asks that an item be removed from the consent agenda and considered and discussed separately.	
Governance	1.	Approve Adoption of Minutes from April 10, 2019 Regular Meeting	
↓	2.	Approve Adoption of Minutes from May 1, 2019 Special Meeting	
↓	3.	Approve 2019-2020 Legal Services Fees - Atkinson, Andelson, Loya, Ruud & Romo, Attomeys at Law	
↓	4.	Approve Resolution #26/2018-19: Resolution On Board Compensation for Missed Meeting	
Personnel	5.	Approve Classified Personnel Transactions	
↓	6.	Approve Certificated Personnel Transactions	
Student Serv.	7.	Approve MOU with Sacramento Children's Home (SCH) for the eVIBE Program	
↓	8.	Approve Out-of-State Conference: 2019 NAEHCY Conference (National Association for the Education of Homeless Children and Youth),Washington, DC (R. Miranda, M. Montes, & TBA - FRC)	
↓	9.	Approve Out-of-State Conference: 2019 School Climate & Culture Forum, Las Vegas, NV (R. Miranda - FRC)	
Spec. Ed.	10.	Approve Community Advisory Committee (CAC) Nominee for the Sacramento County SELPA	
Curr & Instr	11.	Approve Professional Services Agreement: Document Tracking Services (for 2019-20)	
↓	12.	Approve Professional Services Agreement: Carmazzi Global Solutions (for 2019-20)	
↓	13.	Approve Professional Services Agreement: Eaton Interpreting Services, Inc. (for 2019-20)	
↓	14.	Ratify Course Based Independent Study Program for 2018/2019 - Edgenuity	
↓	15.	Approve ETS HBCA College Trip to Georgia, North Carolina, Virginia, and Washington DC	
Facilities & Op.	16.	Approve Professional Services Agreement: Loy Mattison Enterprises (for 2019-20)	
↓	17.	Approve Agreement between Center Joint Unified School District and BRCO Constructors, Inc.	
Business	18.	Approve Payroll Orders: July 2018 - April 2019	
↓	19.	Approve Supplemental Agenda (Vendor Warrants): April 2019	

XVI. BUSINESS ITEMS

Curr & Instr **A.** **Instructional Materials Adoption Grades 6-7-8 Next Generation Science Standards Textbooks** Action

The Science Department at Wilson C. Riles Middle School (grades 7-8) and the piloting 6th grade teachers at all 4 elementary schools (Dudley, Spinelli, North Country and Oak Hill) reached an agreement in recommending the textbooks and online curriculum *Amplify Science* published by Amplify. With the adoption of these materials, we will have complete our adoption cycle for Next General Science Standards materials for the grade band 6th-8th grades.

Facilities & Op. **B.** **Resolution #24/2018-19: Resolution of Intent to Dedicate Real Property to the County of Placer for Street Improvements** Action

This resolution of Intent is the first step to dedicate property for road widening on PFE Road in front of our proposed elementary site located next to Riles MS.

Governance **C.** **First Reading: Board Policies/Regulations/Exhibits** Action

BP/E 0420.41 - Charter School Oversight

(BP/E revised)

Policy updated to include the California School Dashboard as a means for monitoring charter school performance and identifying the need for technical assistance. Policy also deletes material related to the identification of schools for federal Program Improvement, which is no longer operational. Exhibit reorganized and subheads added for clarity. Exhibit also reflects **NEW LAW (SB 126, 2019)** and **NEW ATTORNEY GENERAL OPINION** which clarify that charter schools are subject to the Brown Act, California Public Records Act, Political Reform Act, and conflict of interest laws, and **NEW LAWS** which (1) prohibit the operation of a charter school as a for-profit corporation or organization **(AB 406)**; (2) provide that a student who is receiving individual instruction at home or a hospital due to a temporary disability must be allowed to return to the charter school when well enough to do so **(AB 2109)**; (3) require specified accommodations for pregnant and parenting students **(AB 2289)**; (4) prohibit taking negative action against a student or former student for a debt owed to the school **(AB 1974)**; (5) require development of a local control funding formula (LCFF) budget overview for parents/guardians in conjunction with the local control and accountability plan (LCAP) **(AB 1808)**; (6) require charter schools applying for certain categorical funding to adopt a school plan for student achievement **(AB 716)**; (7) require charter schools to adopt a comprehensive safety plan **(AB 1747)**; (8) require each bus to be equipped with a child safety alert system **(AB 1840)**; (9) require charter schools serving grades 7-12 to offer comprehensive sexual health and HIV prevention education **(AB 2601)**; (10) require parental notification regarding human trafficking resources **(SB 1104)**; (11) require charter schools to exempt certain students transferring in grades 11-12 from locally established graduation requirements **(AB 2121)**; (12) allow students to wear cultural or religious adornments at graduation ceremonies **(AB 1248)**; (13) require charter schools to provide eligible students with a free or reduced-price meal each day **(AB 1871)**; (14) require charter schools to review their suicide prevention policy at least once every five years **(AB 2639)**; (15) require that the suicide prevention hotline number be printed on student identification cards **(SB 972)**; (16) require notification of how to access school or community mental health services **(AB 2022)**; (17) require an automated external defibrillator to be accessible at athletic events **(AB 2009)**; (18) mandate the adoption of policy on bullying and cyberbullying prevention **(AB 2291)**; (19) prohibit the use of seclusion and restraint for disciplinary purposes **(AB 2657)**; (20) prohibit the inclusion of a student's or parent/guardian's personal information in board minutes when so requested **(SB 1036)**; and (21) require charter schools receiving state facilities funding to provide an annual report of facilities expenditures and submit an audit within one year of project completion **(AB 99, 2017; AB 1808)**.

First Reading: Board Policies/Regulations/Exhibits (continued)

BP/AR 1312.3 - Uniform Complaint Procedures
(BP/AR revised)
Policy and regulation updated to reflect **NEW LAWS** authorizing the use of uniform complaint procedures (UCP) to resolve allegations of noncompliance with accommodations for pregnant and parenting students **(AB 2289)**, the development and adoption of an LCFF budget overview for parents/guardians **(AB 1808)**, the development of a school plan for student achievement **(AB 716)**, and specified educational rights of migrant students and immigrant students enrolled in a newcomer program **(AB 2121)**. Policy also updates section on "Non-UCP Complaints" to reflect **NEW LAW (AB 1808)** which provides that complaints alleging health and safety violations in license-exempt California State Preschool Programs are subject to Williams UCP. Regulation also updates section on "Notifications" to more closely reflect the California Department of Education's (CDE) Federal Program Monitoring instrument, deletes section on "District Responsibilities" which duplicates material in other sections, reorganizes section on "Report of Findings" for clarity, and revises section on "Corrective Actions" to delete item #9 which is not a remedy.

AR/E 1312.4 - Williams Uniform Complaint Procedures
(AR, E(1), and E(2) revised; E(3) and E(4) added)
Regulation updated to reflect **NEW LAW (AB 1808)** which authorizes the use of Williams UCP to resolve allegations of health and safety violations in license-exempt California State Preschool Programs. Regulation also adds optional paragraph authorizing the use of Williams UCP for complaints alleging that a school that serves grades 6-12 and meets a 40 percent student poverty threshold fails to comply with the requirements to stock at least 50 percent of the school's restrooms with feminine hygiene products and to not charge students for such products. Exhibit 1 revised to add the applicable complaint procedure for the types of complaints listed in the notice. Exhibit 2 expands the applicability of the complaint form to include complaints alleging the failure to provide feminine hygiene products. New Exhibits 3 and 4 provide a sample notice and complaint form for complaints regarding health and safety in license-exempt preschool programs pursuant to AB 1808.

AR 1340 - Access to District Records
(AR revised)
Regulation updated to revise section on "Public Records" to delete legal cite which was repealed pursuant to **NEW LAW (AB 716)** and to include any district or school plan, unless otherwise prohibited by law, as a public record to which members of the public have access. Regulation also updated to reflect the prohibition against disclosing an individual's citizenship or immigration status or religious beliefs, practices, or affiliation to federal government authorities.

BP/AR 3100 - Budget
(BP/AR revised)
Policy updated to reflect **NEW LAW (AB 1808)** which requires districts to annually develop, adopt, and post an LCFF budget overview for parents/guardians and to file the budget overview with the county superintendent of schools. Section on "Long-Term Financial Obligations" revised to reflect **NEW LAW (SB 1413)** which establishes the California Employers' Pension Prefunding Trust Program to allow districts to prefund required contributions to the California Public Employees' Retirement System. Regulation updated to emphasize that any recommendations by the budget advisory committee should be consistent with the district's vision, goals, priorities, LCAP, and other comprehensive plans and to clarify that a regional budget review committee convened by the county superintendent of schools requires approval of the Superintendent of Public Instruction as well as the district board.

BP/AR 3260 - Fees and Charges
(BP/AR revised)
Policy and regulation updated to add new section on "Collection of Debt," reflecting **NEW LAW (AB 1974)** which prohibits negative action against a student or former student for a debt owed to the school and requires districts to provide parents/guardians with an itemized invoice that references applicable district policies. Regulation also revised to more directly reflect the most recent CDE fiscal advisory regarding student fees.

First Reading: Board Policies/Regulations/Exhibits (continued)

BP/AR 3515.4 - Recovery for Property Loss or Damage
(BP/AR revised)
Policy updated to reflect the 2019 limits for parent/guardian liability for property loss or damage caused by a child's willful misconduct and for any reward paid for information leading to the identification of persons responsible for property damage. Policy also reflects **NEW LAW (AB 1974)** which prohibits the collection of debt owed by a current or former homeless or foster youth. Regulation updated to reflect the requirement to offer an option for a student to provide work in lieu of payment when the parents/guardians are unable to pay, and AB 1974 which allows the district, at its discretion, to offer any student, regardless of ability to pay, a nonmonetary means to settle debt. Regulation also adds a paragraph allowing the district to withhold a student's grades, diplomas, or transcripts until the damages have been recovered. Section on "Payment of Reward" deleted and key concepts moved to BP.

BP/AR 4030 - Nondiscrimination in Employment
(BP/AR revised)
Policy and regulation updated to clarify applicability of the policy to nonemployees providing services to the district pursuant to a contract. Policy reflects **NEW STATE REGULATIONS (Register 2018, No. 20)** which add a definition of national origin and make it an unlawful employment practice to inquire into or discriminate against an employee on the basis of immigration status. Policy also reflects **NEW LAW (SB 1300)** which (1) prohibits districts from requiring an employee, in exchange for a raise or bonus or as a condition of employment or continued employment, to sign a nondisparagement agreement or release the right to file a claim against the district for unlawful acts in the workplace, including sexual harassment, and (2) provides that a district may be responsible for any harassment (not just sexual harassment) of employees by nonemployees if the district knows or should have known of the conduct and failed to take action. Regulation revises section on "Measures to Prevent Discrimination" to reflect a requirement, formerly in BP, to post the California Department of Fair Employment and Housing (DFEH) poster on workplace discrimination and harassment and to add the requirement to post the DFEH poster on the rights of transgender employees. Regulation also reflects **NEW LAW (SB 1300)** which authorizes training on bystander intervention.

AR 4161.1/4361.1 - Personal Illness/Injury Leave
(AR revised)
Regulation updated to revise section on "Continued Absence After Available Sick Leave Is Exhausted/Differential Pay" to clarify that, for districts choosing Option 2, employees must receive "at least" 50 percent of their regular salary during the additional period of absence. Section on "Parental Leave" updated to reflect **NEW LAW (AB 2012)** which requires that, regardless of the type of differential pay system used by the district, employees must receive at least 50 percent of their regular salary for any portion of the 12-week parental leave that remains following the exhaustion of sick leave.

AR 4261.1 - Personal Illness/Injury Leave
(AR revised)
Regulation updated to revise section on "Continued Absence After Available Sick Leave Is Exhausted/Differential Pay" to clarify that, for districts choosing Option 2, employees must receive "at least" 50 percent of their regular salary during the additional period of absence. Section on "Parental Leave" updated to reflect **NEW LAW (AB 2012)** which requires that, regardless of the type of differential pay system used by the district, employees must receive at least 50 percent of their regular salary for any portion of the 12-week parental leave that remains following the exhaustion of sick leave.

First Reading: Board Policies/Regulations/Exhibits (continued)

BP/AR 5117 - Interdistrict Attendance
(BP/AR revised)
Policy updated to delete references to the Open Enrollment Act since schools are not currently being identified as low achieving based on the Academic Performance Index, update legal cites, and clarify the continuing requirement to register as a school district of choice with the Superintendent of Public Instruction and county board of education before enrolling students under that program. Regulation updated to reflect **NEW LAW (AB 2826)** which adds a requirement, applicable to districts that have entered into interdistrict attendance agreements, to post on their web site the procedures and timelines for requests for interdistrict transfer permits. Regulation also reflects timelines added by AB 2826 for notifying parents/guardians of the district's granting or denial of the transfer request, which differ for current-year and future-year transfer requests, and for the parent/guardian's appeal of the district's decision to the county office of education. In section on "School District of Choice Program," material deleted regarding the denial of a transfer into the district based on a negative impact on a desegregation plan or the racial/ethnic balance of the district, as such grounds are only applicable to transfers out of the district.

AR 5125.2 - Withholding Grades, Diploma and Transcripts
(AR revised)
Regulation updated to reflect **NEW LAW (AB 1974)** which allows districts to offer any student, other than a current or former homeless student, nonmonetary means to settle debt owed for property loss or damage resulting from the student's willful misconduct and to withhold the student's grades, diploma, and/or transcripts until the work or other alternative is completed.

BP 5127 - Graduation Ceremonies and Activities
(BP revised)
Policy updated to provide optional language providing that passage of any of the three high school equivalency tests approved by the State Board of Education is not equivalent to completing all graduation requirements for participation in graduation ceremonies. Option for student-initiated, student-led prayer at graduation ceremonies deleted consistent with court decisions which suggest that such prayer could be unconstitutional. Policy also reflects **NEW LAW (AB 1248)** which permits students to wear tribal regalia or recognized religious or cultural adornments to the cap and gown, unless the district determines that an item is likely to cause substantial disruption of the ceremony.

E 5145.6 - Parental Notifications
(E revised)
Exhibit reflects **NEW LAWS** requiring parental notice of the rights of pregnant and parenting students **(AB 2289)**, mental health services available in the school and community **(AB 2022)**, risks and effects of lead exposure when child enrolls in a licensed child care center or preschool **(AB 2370)**, and specified educational rights of migrant students and newly arrived immigrant students in grades 11-12 **(AB 2121)**. Exhibit also deletes two items related to Open Enrollment Act transfers since schools are not currently being identified as low achieving under this program. Section V updated to add legal cite pursuant to **NEW LAW (AB 1808)** which requires classroom notice on Williams UCP to include health and safety issues in license-exempt California State Preschool Programs.

AR 5148 - Child Care and Development
(AR revised)
Regulation updated to reflect **NEW LAW (AB 605)** which establishes a new child care center license and requires all centers to be licensed by January 1, 2024. Section on "Eligibility and Enrollment" updated to reflect **NEW LAW (AB 2626)** which raises the income eligibility threshold for subsidized services from 70 to 85 percent of the state median income and provides that a family that establishes eligibility for services, regardless of the basis of eligibility, is generally entitled to receive services for at least 12 months before being recertified for eligibility. Regulation also reflects **NEW LAW (AB 2370)** which requires licensed child care programs to provide parents/guardians with information regarding lead exposure and blood testing.

First Reading: Board Policies/Regulations/Exhibits (continued)

BB/E 9323.2 - Actions by the Board
(BB/E(1)/E(2) revised)
Bylaw updated to reference the timelines by which a civil action may be filed to determine the applicability of the Brown Act to past board actions, and to clarify the circumstances under which a board action cannot be invalidated. Exhibit 1 updated to consolidate several items related to situating a community day school on an existing school site, add board action to respond to an emergency facilities condition without giving notice for bids to let contracts (requiring two-thirds vote for three-member boards, or four-fifths vote for five-member and seven-member boards), and reflect **NEW LAW (AB 2249)** which amends the threshold requirements for public works projects bid pursuant to the Uniform Public Construction Cost Accounting Act. Section on "Actions Requiring a Unanimous Vote of the Board" updated to further explain the ability to authorize the use of day labor or force account and/or waive the competitive bid process when the board determines that an emergency exists. Exhibit 2 contains minor revision for clarity.

XVII. ADVANCE PLANNING Info

a. *Future Meeting Dates:*
   i. *Special Meeting: Wednesday, June 5, 2019 @ 6:00 p.m. - District Board Room - Room 503, located at Riles Middle School, 4747 PFE Road, Roseville, CA 95747*
   ii. *Regular Meeting: Wednesday, June 12, 2019 @ 6:00 p.m. - District Board Room - Room 503, located at Riles Middle School, 4747 PFE Road, Roseville, CA 95747*
b. *Suggested Agenda Items:*

XVIII. CONTINUATION OF CLOSED SESSION (Item IV) Action

XIX. ADJOURNMENT Action

Agenda Item Number XII-1

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: **Curriculum and Instruction**

Date: **May 3, 2019** **Action Item**

To: **Board of Trustees** **Information Item XX**

From: **Michael Jordan,**
Director of Curriculum & Instruction
and Special Education

Initials: MJS **# Attached Pages**

SUBJECT: Mr. Jordan will facilitate a presentation to the CJUSD board to update them on the career technical education (CTE) pathways and programs in the district.

RECOMMENDATION:

AGENDA ITEM # XII-1

CONSENT AGENDA

Agenda Item Number XII-2

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: **Curriculum and Instruction**

Date: **May 3, 2019** **Action Item**

To: **Board of Trustees** **Information Item XX**

From: **Michael Jordan,**
Director of Curriculum & Instruction
and Special Education

Initials: MJ **# Attached Pages**

SUBJECT: Mr. Jordan will facilitate a presentation to the CJUSD board to update them on the English Learner program in the district.

RECOMMENDATION:

AGENDA ITEM # XII-2

CONSENT AGENDA

AGENDA ITEM # XV-1

Center Joint Unified School District

		AGENDA REQUEST FOR:
Dept./Site:	Superintendent's Office	Action Item X
To:	Board of Trustees	Information Item _____
Date:	May 15, 2019	# Attached Pages _____
From:	Scott A. Loehr, Superintendent	
Principal's Initials: _____		

SUBJECT: Adoption of Minutes

The minutes from the following meeting are being presented:

April 10, 2019 Regular Meeting

RECOMMENDATION: The CJUSD Board of Trustees approve the presented minutes.

CONSENT AGENDA

AGENDA ITEM # XV-1

CENTER JOINT UNIFIED SCHOOL DISTRICT

BOARD OF TRUSTEES REGULAR MEETING
District Board Room, Room 503
Wilson C. Riles Middle School
4747 PFE Road, Roseville, CA 95747

Wednesday, April 10, 2019

M I N U T E S

OPEN SESSION - CALL TO ORDER - Trustee Hunt called the meeting to order at 5:30 p.m.

ROLL CALL - Trustees Present: Mr. Hunt, Mr. J'Beily, Mrs. Pope, Mr. Wilson

Trustees Absent: Mrs. Anderson

Administrators Present: Scott Loehr, Superintendent
Craig Deason, Assist. Supt., Operations & Facilities
David Grimes, Director of Personnel/Student Services
Mike Jordan, Director of Curriculum/Instruction/Special Ed.

Administrators Absent: Lisa Coronado, Director of Fiscal Services

ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

1. Conference with Labor Negotiator, (David Grimes), Re: CSEA and CUTA (G.C. §54957.6)
2. Student Expulsions/Readmissions (G.C. §54962)
3. Public Employee Performance Evaluation (G.C.§54957) - Superintendent

PUBLIC COMMENTS REGARDING ITEMS TO BE DISCUSSED IN CLOSED SESSION - None

CLOSED SESSION - ***5:30 p.m.***

OPEN SESSION - CALL TO ORDER – ***6:00 p.m.***

FLAG SALUTE - led by Jeremy Hunt

Trustee Hunt noted that Trustee Anderson is absent tonight; she is scheduled for surgery and is preparing for that.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION – the Board met in Closed Session and no action was taken.

ADOPTION OF AGENDA - There was a motion to approve the adoption of the agenda as amended: pull Consent Agenda Item #14 for separate consideration.

Motion: Wilson
Second: Pope

Ayes: Hunt, J'Beily, Pope, Wilson
Noes: None
Absent: Anderson

STUDENT BOARD REPRESENTATIVE REPORTS

1. Center High School – Maximus Gomez

- really busy this time of year; students are getting some final things done before going into Spring Break.
- Dance Production is this Thursday and Friday at the CHS Theater
- Senior Ball is this Saturday at the Croatian Center
- Sports-O-Rama sign ups are this Thursday and Friday
- next week is Spring Break

2. McClellan High School – Asirah Jackson

- about 15 students earned honor roll for last grading period, 5 students earned outstanding attendance; students were recognized at an awards assembly yesterday.
- 2 more McClellan students graduated last Friday; by the end of the year McClellan should have 27 student that have earned a high school diploma this year.
- final Alternative Athletic League sport will begin soon. All McClellan students will be able to join in the co-ed softball team and practice for the tournament in May.
- local Boy Scout Troop used the McCauley Gymnasium for a successful Spaghetti Feed last month.
- McClellan students raised over $120 for Pennies for Patients, which supports cancer research
- preschool students visited Wacky Tacky for a play day
- Adult Educations office and teaching staff pulled together to offer a smooth transition for one of the ESL classes that had a teacher resign. They are looking forward to another smooth transition after a new teacher is hired next week.
- the Construction class is working hard to finish the tiny home project by the nd of the year.

ORGANIZATION REPORTS

1. CUTA - Venessa Mason, President, was not available to report.

2. CSEA - Marie Huggins, President, had nothing to report.

COMMITTEE UPDATES

Facilities Committee Update - Craig Deason, Assistant Superintendent of Operations & Facilities, covered the following in Project updates:

<u>Project Updates</u>

- Modernizations-
  - No change
- 2019 Summer Projects
  - Going Smoothly
- CHS Stadium Turf Replacement-
  - Plans DSA approved today.
  - Will of Board approve CMAS resolution, and Field Turf Proposal
- Riolo Vineyards
  - Commence construction of the Riolo Vineyards Lift Station in mid-2019.
  - Rough Grade both Mason Trails (170 lots), Elliott Property and Glen Willow (177 lots) in 2020.
  - Deliver finished lots to merchant homebuilders in late 2020 early 2021
  - Construct expanded PFE/Walerga Intersection in 2020
  - Start Construction Documents for Silver Sage in 2020/2021
  - Start Preliminary Design of the PFE/Watt Intersection in early 2020
  - Resolutions at next 2 Board Mtgs. Dedication of land for street improvements.

REPORTS/PRESENTATIONS

1. **Williams Uniform Complaint Quarterly Reporting** - Mike Jordan, Director of Curriculum/Instruction/Special Ed., reported that there was nothing to report.

2. **Best Buddies Presentation** - Keri Green and Sandy Weaver, teachers at Center HS, introduced their club officers. They also shared a powerpoint presentation about the Best Buddies Program at Center High School. There are 35 Buddies and Peer Buddies in the group. Mr. & Mrs. DeLeon, parents of students in the program noted that as parents you worry about whether your child will have friends. With this program they have someone that they can hang out with on the weekends, play video games, and the ability to join in the overall high school experience. This has been the best year of high school for their student. Trustee Wilson noted that this is a great program. He asked about a list of approved and disapproved words. Another parent noted that there are words the people are going to fight to keep using, but the word retarded is no longer on the table; we are teaching the world kindness. Trustee Hunt thanked Sandy Weaver and Keri Green for their work in getting this program at Center High School.

The meeting was briefly paused for the Best Buddies group to exit the Board Room.

COMMENTS FROM THE AUDIENCE REGARDING ITEMS NOT ON THE AGENDA

Rebekah Garcia, CHS Librarian, shared with the district a partnership that the district could enter into with the Sacramento Public Library. Mr. Jordan noted that he has heard back from the Sacramento Public Library and we will be getting an MOU, which would be for the whole district. Trustee Wilson noted that he heard about the program and thought it should be shared.

Ramon Fonseca, parent, shared his concerns with a personnel matter and how it was handled. Mr. Fonseca mentioned that the Board signed a letter and Trustee Pope questioned what document was signed by the Board. It was determined that they did not sign a letter, but the Board names are listed on the top of the letterhead. Mr. Fonseca noted that he felt that Mr. Krebbs should be exonerated.

Mr. Krebbs, former coach, gave input as to his recollection as to where and how the events happened. He noted that there is animosity at our school among coaches and has tried not to be apart of it. He also noted several Center students that have done well in track competitions; he referred to them as Mr. Gallagher, Center High, and his legacies.

Layla Romero, student at CHS, gave handouts to the Board and shared her thoughts in support of allowing Seniors to decorate graduation caps. Trustee Wilson asked if it was her understanding that it was a tradition in the past. Layla noted that it was her understanding that it had been done in the past. Trustee Pope asked for clarification about her question on staff attending graduation. Mr. Jordan noted that it is not in the teacher's contracts to be there. Traditionally about half of the staff attends.

BOARD/SUPERINTENDENT REPORTS

Mrs. Anderson – was not available to report

Mr. J'Beily – had nothing to report

Mrs. Pope – had nothing to report

Mr. Wilson – had nothing to report

BOARD/SUPERINTENDENT REPORTS (continued)

Mr. Loehr

- noted that he has respect for the Best Buddies Program
- noted that there is about 6 weeks left after Spring Break; Summer School is in full mption
- wished Ms. Anderson good luck in her surgery tomorrow
- wished Mr. Wilson a Happy Birthday
- looking forward to May 1st Awards Ceremony

Mr. Hunt

- noted that tonight we have seen a part of what makes our district so amazing. We have students that are lead by great staff. The presentation from Best Buddies, Ms. Romero's report, the leaders in Best Buddies, and the McClellan & CHS Student Board Reps are all great examples of amazing kids that have had a great education. He thanked and congratulated them.

CONSENT AGENDA ITEMS PULLED FOR SEPARATE CONSIDERATION

14. Approve 2018-2019 Safe School and Emergency Preparedness Plan - Center HS

Trustee Wilson shared that CPR procedures have changed. For next year lets make sure everyone knows the new way. Mr. Loehr thanked Trustee Wilson for the input. We will look into changing the template. Trustee Wilson noted that everything under the Kidnapping/Attempted Kidnapping section is reactive; he asked that we add that someone get the license plate number. Mr. Loehr noted that this is reactive; it is not necessarily that this is the witness; this is how we react to the situation. Mr. Deason noted that there are different versions of the CPR out there by different groups. These will need to go to the Safety Committee for review.

Motion: Pope
Second: Wilson

Ayes: Hunt, J'Beily, Pope, Wilson
Noes: None
Absent: Anderson

CONSENT AGENDA

1. Approved Adoption of Minutes from March 20, 2019 Regular Meeting
2. Approved Classified Personnel Transactions
3. Approved Certificated Personnel Transactions
4. Approved New CSEA Contract Language Relating to Family Medical Leave (FMLA)
5. Approved Updated Memorandum of Understanding with CSEA Chapter #610 Regarding Hiring Incentives for New Bus Drivers
6. Approved Negotiated Agreement with CSEA Chapter #610 Regarding Changes to the Collective Bargaining Agreement, Article III, Organizational Security
7. Approved Revised CSEA Contract Language Relating to the Distribution of Overtime and Temporary Work Assignments
8. Approved Out-of-State Travel for Conference: Best Buddies Leadership Conference
9. Approved Memorandum of Understanding between Sacramento County Office of Education and Center Joint Unified School District for Career Technical Education Incentive Grant
10. Ratified 2017-18 School Accountability Report Cards
11. Approved Memorandum of Understanding Agreement #19039 between Sacramento County Office of Education and Center Joint Unified School District for Professional Development Support for Leading and Teaching Math
12. Approved Memorandum of Understanding Agreement #19041 between Sacramento County Office of Education and Center Joint Unified School District for Professional Development Support in Mathematics for 4th-6th Grade Teachers
13. Approved Professional Services Agreement: Lisa Coates
14. *This item was pulled for separate consideration.*

CONSENT AGENDA (continued)

15. Approved Resolution #23/2018-19: Eligibility Renewal Application, State & Federal Surplus Property Program
16. Approved Resolution # 22/2018-19: Acknowledging the State Allocation Board's "Applications Received Beyond Bond Authority List", and Authorizing the Superintendent to Submit Project Funding Request Applications for the North Country Elementary School Modernization Project
17. Approved Three Year Service Agreement with The Howard E. Nyhart Company
18. Approved Payroll Orders: July 2018 - March 2019
19. Approved Supplemental Agenda (Vendor Warrants): March 2019

Motion: Wilson
Second: Pope

Ayes: Hunt, J'Beily, Pope, Wilson
Noes: None
Absent: Anderson

BUSINESS ITEMS

PUBLIC HEARING: Consideration and Adoption of a Resolution to Increase Level 1 School Fees Imposed On Residential and Commercial/Industrial Development Projects. Mr. Loehr noted that the state adjusted the amount allowed to collect.

President Hunt opened the public hearing at 6:59 p.m. There were no public comments. The public hearing was closed at 7:00 p.m.

A. APPROVED - Residential & Commercial/Industrial Development School Fee Justification Study and Resolution #21/2018-19: Resolution of the Governing Board of the Center Joint Unified School District To Increase Statutory School Fees Imposed on Residential and Commercial/Industrial Development Projects Pursuant to Education Code Section 17620 (Level 1 Fees)

Motion: Wilson
Second: Pope

Ayes: Hunt, J'Beily, Pope, Wilson
Noes: None
Absent: Anderson

B. APPROVED - Resolution #20/2018-19: Execute Center High Turf Replacement Through California Multiple Award Schedules (CMAS) and Piggyback Bids

Motion: Pope
Second: Wilson

Ayes: Hunt, J'Beily, Pope, Wilson
Noes: None
Absent: Anderson

C. APPROVED - Field Turf Replacement - Center High School Stadium

Mr. Loehr noted that there was a typo in talking about the amount in the document. He noted that we created a fund with the cell tower funds to pay for the replacement. Mr. Loehr also noted that there will be a cougar logo in the center of the field.

Motion: Wilson
Second: Pope

Ayes: Hunt, J'Beily, Pope, Wilson
Noes: None
Absent: Anderson

Mr. Loehr thanked Mr. Deason for all of his work on this.

ADVANCE PLANNING

a. *Future Meeting Dates:*
   i. *Special Meeting: Wednesday, May 1, 2019 @ 6:00 p.m. - Center High School Theater, 3111 Center Court Lane, Antelope, CA 95843*
   ii. *Regular Meeting: Wednesday, May 15, 2019 @ 6:00 p.m. - District Board Room - Room 503, located at Riles Middle School, 4747 PFE Road, Roseville, CA 95747*

b. *Suggested Agenda Items:*

CONTINUATION OF CLOSED SESSION – 7:04 p.m.

RETURN TO OPEN SESSION – 7:32 p.m.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION – the Board met in Closed Session and no action was taken.

ADJOURNMENT – 7:32 p.m.

Motion: Wilson
Second: Pope

Ayes: Hunt, J'Beily, Pope, Wilson
Noes: None
Absent: Anderson

Respectfully submitted,

_____
Scott A. Loehr, Superintendent
Secretary to the Board of Trustees

_____
Donald E. Wilson, Clerk
Board of Trustees

_____
Adoption Date

AGENDA ITEM # XV-2

Center Joint Unified School District

		AGENDA REQUEST FOR:
Dept./Site:	Superintendent's Office	Action Item X
To:	Board of Trustees	Information Item
Date:	May 15, 2019	# Attached Pages
From:	Scott A. Loehr, Superintendent	
Principal's Initials:		

SUBJECT: Adoption of Minutes

The minutes from the following meeting are being presented:

May 1, 2019 Special Meeting

RECOMMENDATION: The CJUSD Board of Trustees approve the presented minutes.

CONSENT AGENDA

AGENDA ITEM # XV-2

CENTER JOINT UNIFIED SCHOOL DISTRICT

BOARD OF TRUSTEES SPECIAL MEETING
Center High School Theater
3111 Center Court Lane, Antelope, CA 95843

Monday, May 1, 2019

M I N U T E S

CALL TO ORDER - Trustee Hunt called the meeting to order at 6:00 p.m.

ROLL CALL - Trustees Present: Mrs. Anderson, Mr. Hunt, Mr. J'Beily, Mrs. Pope, Mr. Wilson

Administrators Present: Scott Loehr, Superintendent
Lisa Coronado, Director of Fiscal Services
Craig Deason, Assist. Supt., Operations & Facilities
David Grimes, Director of Personnel/Student Services
Mike Jordan, Director of C&I and Special Education

FLAG SALUTE - led by Trustee Jeremy Hunt

ADOPTION OF AGENDA - the agenda was adopted as presented.

Motion: Pope
Second: Anderson

Ayes: Anderson, Hunt, J'Beily, Pope
Noes: None
Absent: Wilson

COMMENTS FROM THE AUDIENCE REGARDING ITEMS ON THE AGENDA - None

Trustee Wilson arrived at 6:05 p.m.

RECOGNITIONS

1. Staff and Student Recognitions from Various Sites – The retirees were recognized for their years of service with the district and were presented with a plaque. Students from each site were presented certificates for various academic, citizenship, and/or athletic accomplishments.

ADVANCE PLANNING

a. Future Meeting Dates:

i. Regular Meeting: Wednesday, May 15, 2019 @ 6:00 p.m. - District Board Room - Room 503, located at Riles Middle School, 4747 PFE Road, Roseville, CA 95747

b. Suggested Agenda Items:

ADJOURNMENT – 6:19 p.m.

Motion: Pope
Second: Wilson

Vote: General Consent

Respectfully submitted,

Scott A. Loehr, Superintendent
Secretary to the Board of Trustees

Donald E. Wilson, Clerk
Board of Trustees

Adoption Date

AGENDA ITEM # XV-3

Center Joint Unified School District

		AGENDA REQUEST FOR:
Dept./Site:	Superintendent's Office	Action Item X
To:	Board of Trustees	Information Item _____
Date:	May 15, 2019	# Attached Pages 2
From:	Scott A. Loehr, Superintendent	
Principal/Administrator Initials: _____		

SUBJECT: 2019-2020 Legal Services Fees - Atkinson, Andelson, Loya, Ruud & Romo, Attorneys at Law

Atkinson, Andelson, Loya, Ruud & Romo, Attorneys at Law are increasing their legal services fees for the 2019-20 school year effective July 1, 2019.

RECOMMENDATION: CJUSD Board of Trustees approve the 2019-2020 Legal Services Fees with Atkinson, Andelson, Loya, Ruud & Romo, Attorneys at Law.

CONSENT AGENDA

AGENDA ITEM: XV-3

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

A PROFESSIONAL LAW CORPORATION

ATTORNEYS AT LAW

2485 NATOMAS PARK DRIVE, SUITE 240
SACRAMENTO, CALIFORNIA 95833-2937
(916) 923-1200

FAX (916) 923-1222
WWW.AALRR.COM

CERRITOS
(562) 653-3200

FRESNO
(559) 225-6700

IRVINE
(949) 453-4260

MARIN
(628) 234-6200

PASADENA
(626) 583-8600

PLEASANTON
(925) 227-9200

RIVERSIDE
(951) 683-1122

SAN DIEGO
(858) 485-9526

OUR FILE NUMBER:
005484.00001
23521429.1

May 1, 2019
Via Email Only

Scott A. Loehr (*sloehr@centerusd.org*)
Superintendent
Center Joint Unified School District
8408 Watt Avenue
Antelope, CA 95843-9116

Re: Legal Services Fees

Dear Mr. Loehr:

Our cost of providing legal services has increased during the past year. Although our team of experienced education law attorneys makes every effort to perform work as expertly and efficiently as possible, we must increase our hourly and training rates effective July 1, 2019. Based upon market surveys, our rates continue to be below our competitors.

Our current Agreement for Special Services, Section III.A., authorizes rate increases by providing at least thirty (30) days' written notice. Please accept this as our notice that our rates effective July 1, 2019, will be as indicated below.

Hourly Rates

Senior Partners	$300.00
Partners/Senior Counsel	$295.00
Senior Associates	$275.00
Associates	$265.00
Non-Legal Consultants	$220.00
Electronic Technology Litigation Specialist	$205.00
Senior Paralegals/Law Clerks	$200.00
Paralegals/Legal Assistants	$190.00

Fixed Rates

A full day of training (up to 8 hours)	$6,000.00
A half day of training (up to 4 hours)	$4,000.00
A two hour training (no change)	$3,000.00
A one hour training (no change)	$2,000.00

We want you to know we appreciate serving your legal needs as your trusted advisors. Please do not hesitate to contact me if you have any questions or concerns.

Very truly yours,

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

Scott K. Holbrook

SKH/eb

AGENDA ITEM # XV-4

Center Joint Unified School District

		AGENDA REQUEST FOR:	
Dept./Site:	Superintendent's Office	Action Item	X
To:	Board of Trustees	Information Item	
Date:	May 15, 2019	# Attached Pages	1
From:	Scott A. Loehr, Superintendent		
Principal/Administrator Initials:			

SUBJECT: Resolution #26/2018-19: Resolution On Board Compensation For Missed Meeting

This resolution is to authorize payment to Trustee Anderson for the missed meeting on April 10, 2019.

RECOMMENDATION: CJUSD Board of Trustees approve Resolution #26/2018-19: Resolution On Board Compensation For Missed Meeting.

CONSENT AGENDA

AGENDA ITEM: XV-4

CENTER JOINT UNIFIED SCHOOL DISTRICT

RESOLUTION # 26/2018-19
RESOLUTION ON BOARD COMPENSATION FOR MISSED MEETING

WHEREAS, the Governing Board of the Center Joint Unified School District appreciates the services provided by members of the Board and provides compensation for meeting attendance in accordance with Education Code 35120 and Board Bylaw 9250; and

WHEREAS, Education Code 35120 provides that the monthly compensation provided to Board members shall be commensurate with the percentage of meetings attended during the month unless otherwise authorized by Board resolution; and

WHEREAS, Education Code 35120 specifies limited circumstances under which the Board is authorized to compensate a Board member for meetings he/she missed; and

WHEREAS, the Board finds that Trustee Nancy Anderson did not attend the Board meeting on Wednesday, April 10, 2019 for the following reason:

[ ] Performance of other designated duties for the district during the time of the meeting
[X] Illness or jury duty
[ ] Hardship deemed acceptable by the Board

NOW THEREFORE BE IT RESOLVED that the Board of the Center Joint Unified School District approves full compensation of the Board member for the month of April 2019.

PASSED AND ADOPTED THIS 15th day of May, 2019 at a regular meeting, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Attest:

Scott A. Loehr, Superintendent
Center Joint Unified School District

Jeremy Hunt, President
Board of Trustees

AGENDA ITEM # XV-5

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site:	**Personnel Department**	**Action Item**	**X**
Date:	**May 15, 2019**	**Information Item**	_
To:	**Board of Trustees**	**# Attached Pages**	**1**
From:	**David Grimes, Director of Personnel and Student Services**		

Subject: Classified Personnel Transactions

New Hire

Jennifer DeLaCruz, Instructional Specialist/PH Autism
Safa Husein, Noon Duty
Seth King, Instructional Specialist/PH Autism
Melissa Montes, Student and Family Support Assistant
Marchell Smith, Instructional Specialist/PH Autism

Promotion

Kelly Leonard, Instructional Specialist/PH Autism

Resignation

Liz Heeran, Instructional Assistant
Megan McCune, Instructional Specialist/PH Autism

Retirement

Roger Hagedorn, Maintenance Worker
Patricia Rivas, Library Technician

Recommendation: Approve Classified Personnel Transactions as Submitted

CONSENT AGENDA

Jennifer DeLaCruz has been hired as an Instructional Specialist/PH Autism at Oak Hill Elementary effective April 23, 2019.

Safa Husein has been hired as a Noon Duty at Wilson Riles Middle School effective May 6, 2019.

Seth King has been hired as an Instructional Specialist/PH Autism at North Country Elementary effective April 23, 2019.

Melissa Montes has been hired as a Student and Family Support Assistant at the Family Resource Center effective May 20, 2019.

Marchell Smith has been hired as an Instructional Specialist/PH Autism at Dudley Elementary effective April 3, 2019.

Kelly Leonard has been promoted to Instructional Specialist/PH Autism at North Country Elementary effective April 3, 2019.

Liz Heeran has resigned from her position as Instructional Assistant as North Country Elementary School effective April 11, 2019.

Megan McCune has resigned from her position as Instructional Specialist/PH Autism at Spinelli Elementary effective May 30, 2019.

Roger Hagedorn is retiring from his position as Maintenance Worker for the Maintenance Department effective June 30, 2019.

Patricia Rivas is retiring from her position as Library Technician at Dudley Elementary effective May 30, 2019.

AGENDA ITEM # XV-6

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site:	**Personnel Department**	**Action Item**	**X**
Date:	**May 5, 2019**	**Information Item**	
To:	**Board of Trustees**	**# Attached Pages**	**1**
From:	**David Grimes, Director of Personnel and Student Services**		

Subject: Certificated Personnel Transactions

New Hires

Sada Dewey, Wilson C. Riles
Tanya Gebauer, Wilson C. Riles
Abram Jones, Center Adult School

Promotions

Jennifer Slay, Wilson C. Riles
Sarah Wildman, Wilson C. Riles

Resignations

Justin (Dylan) Haxton, Dudley Elementary

Retirement

Jennifer Andrews, Dudley Elementary
Karen Cook, Wilson C. Riles
Larry Hesling, Center H.S.

Recommendation: Approve Certificated Personnel Transactions as Submitted

CONSENT AGENDA

Promotions

Jennifer Slay has been promoted to Academic Coordinator, Wilson C. Riles, effective August 5, 2019.

Sarah Wildman has been promoted to Academic Coordinator, Wilson C. Riles, effective August 5, 2019.

New Hires

Sada Dewey has been hired as Counselor for Wilson C. Riles effective August 5, 2019.

Tanya Gebauer has been hired as Special Ed. Teacher for Wilson C. Riles effective August 5, 2019.

Abram Jones has been hired as temporary Adult Ed. ESL Teacher for Center Adult School, effective May 6th, 2019 to end May 31, 2019.

Retirement

Jennifer Andrews has submitted her intent to retire from her position as Kindergarten Teacher, Dudley Elementary, effective end of May 31, 2019.

Karen Cook has submitted her intent to retire from her position as P.E. Teacher, Wilson C. Riles, effective end of May 31, 2019.

Larry Heslin has submitted his intent to retire from his position as Spanish Teacher, Center High School, effective end of day May 31, 2019.

Resigned

Justin (Dylan) Haxton has submitted his intention to resign from his position as 6th Grade Teacher, Dudley Elementary, effective end of day May 31, 2019.

AGENDA ITEM # XV-7

Center Joint Unified School District

		AGENDA REQUEST FOR:	
Dept./Site:	Family Resource Center	**Action Item**	X
To:	Board of Trustees	**Information Item**	
Date:	April 11, 2019	**# Attached Pages**	
From:	Ryan Miranda, Program Coordinator		
Principal/Administrator Initials:			

SUBJECT: MOU with Sacramento Children's Home (SCH) to continue to deliver evidenced-based curricula focused on emotional awareness, goal setting, social skills, identifying/managing bullying, violence prevention, and conflict resolution in Center JUSD schools.

Sacramento Children's Home has, for several years now, implemented curricula at all four elementary schools. SCH delivers the Too Good for Violence curriculum – Social Perspectives (K-6th grade). We have received a positive response from school staff, students and parents. CJUSD is also happy to refer families to SCH's Nurturing Parenting Program, which helps guide families to become stronger, happier and healthier.

RECOMMENDATION: Approve

CONSENT AGENDA

AGENDA ITEM: PM

XV-7

MEMORANDUM OF UNDERSTANDING
Between
Sacramento Children's Home
AND
Center Unified School District

I. PURPOSE:

The purpose of this agreement is to clarify roles, responsibilities and services provided by Sacramento Children's Home (SCH) and Center Unified School District while conducting business at school district sites.

II. PROGRAM DESIGN: The Sacramento Children's Home eVIBE (Early Intervention in Violence Begins with Education) Program is an evidenced based model using the following four curriculums: *Nurturing Parenting Program (NPP),* designed to decrease family conflict, violence abuse and neglect, *Too Good For Violence- Social Perspectives (TGFV-SP) Elementary Program*, to teach children interpersonal problem solving and conflict resolution skills necessary to interact positively and safely, *Too Good For Violence- Social Perspectives (TGFV-SP) Middle Program,* focusing on the personal and interpersonal skill development to foster positive relationships and academic success and *Too Good For Violence- Social Perspective (TGFV-SP) High School*, building positive peer relationship skills necessary to prevent youth violence. These are voluntary programs integrating conflict resolution, social skills and violence prevention curriculum in a group based setting targeting multiple age groups in grades 3rd-12th. NPP targets parents or family caregivers. Program flexibility allows for all four curriculums to be taught in the school day setting or after school hours.

III. RESPONSIBILITIES:

A. **Sacramento Children's Home** agrees to commit the following staff, resources, and services to support the goals and objectives of the eVIBE program:

1. Sacramento Children's Home (SCH) will be responsible to Center Unified District for the contractual, administrative, and fiscal responsibilities of the eVIBE program.
2. Sacramento Children's Home will be responsible for implementing the Too Good for Violence- Social Perspectives and Nurturing Parenting Program curriculums at selected school sites.
3. The Center Unified School District has determined that services performed under this Agreement will result in contact with students. Sacramento Children's Home shall obtain fingerprinting clearance for all employees before services can begin. Sacramento Children's Home will provide a complete list to the school site/District employees cleared by the DOJ who will provide services under this Agreement. Failure to provide

such a written certification before services begin, or within thirty days after execution of this Agreement, whichever comes first, will result in immediate termination.

4. Sacramento Children's Home will share all eVIBE program curriculum, program events and literature with Center Unified School District.
5. Sacramento Children's Home will present an eVIBE program brochure and flyer that outlines all program services and program contacts.
6. Sacramento Children's Home will provide a completion of eVIBE program certificate to students who complete required number of classes.
7. Sacramento Children's Home will host parent engagement activities for parents/caregivers of students enrolled in the eVIBE program. Site locations for these events will be determined and approved by school site administrators.
8. Sacramento Children's Home will work with school administrators for eVIBE program referrals.
9. Sacramento Children's Home will follow all policies and procedures of the Center Unified School District. This will include maintaining the care and cleanliness of all designated classrooms or facilities used by the eVIBE program staff.
10. Sacramento Children's Home will collect outcome data for the purposes of compliance with outcome measures.

B. Center Unified School District agrees to collaborate and partner with the Sacramento Children's Home to support the goals and objectives of the eVIBE program:

1. Center Unified School District will provide the facility/classroom space to conduct concurrent groups of up to 30 students for the Too Good For Violence- Social Perspective 12 week program.
2. Center Unified School District teachers will collect the following 3 documents before the Too Good For Violence- Social Perspectives class lessons start at the school site: Student Consent for Participation form, Intake form and Notice of Privacy Practices Acknowledge of Receipt of Agreement.
3. Center Unified School District will provide facility space to conduct parent /family activity meetings.
4. Center Unified School District will refer students/families to the NPP and Too Good for Violence programs.
5. Center Unified School District will work with Sacramento Children's' Home to coordinate the program implementation schedule during the school day or afterschool hours.

IV. TERMS AND CONDITIONS:

The terms of this MOU shall commence on **July 1st, 2019 – June 30th, 2020** are renewable thereafter from year to year unless either participating party gives written notice of termination. Either party may terminate this MOU in thirty (30) days upon written notification on intention to terminate the agreement with or without cause. The MOU is predicated on obtaining funding from the County of Sacramento.

V. INSURANCE:

Without limiting indemnification, SCH shall maintain in force at all times during the term of this MOU and any extensions or modifications thereto, insurance against claims for injuries to person or damages to property which may arise from or in connection with the performance of the MOU by SCH, its agents, representatives or employees. Center Unified School District reserves the right at any time to review the coverage, form, and amount of the insurance and may require SCH to obtain sufficient coverage, form and amount to provide adequate protection.

VI. INDEMNIFICATION:

To the fullest extent allowed by law, Center Unified School District shall defend, indemnify and hold harmless Sacramento Children's Home and its directors, officers, agents, employees and guests against any claim or demand arising from any actual or alleged act, error, or omission by Center Unified School District or its directors, officer's agents, employees, volunteers or guests arising from Center Unified School District's duties and obligations described in this agreement or imposed by law.

To the fullest extent allowed by law, Sacramento Children's Home shall defend, indemnify and hold harmless Center Unified School District and its directors, officers, agents, employees and guests against any claim or demand arising from any actual or alleged act, error, or omission by Sacramento Children's Home or its directors, officer's agents, employees volunteers or guests arising from Sacramento Children's Home duties and obligations described in this agreement or imposed by law.

VII. AMENDMENTS:

Amendments to this MOU may be made with mutual written agreement from the participating parties.

This operational agreement shall be effective upon signature. We, the undersigned, as authorized representatives of the Sacramento Children's Home and the Center Unified School District, do hereby approve this document.

David Baker, Ed.D., Chief Executive Officer
Sacramento Children's Home

Date

Date

School District Representative

AGENDA ITEM # XV-8

Center Unified School District

AGENDA REQUEST FOR:

Dept./Site: Family Resource Center – Student Services

Action Item X

To: Board of Trustees

Information Item_____

Date: 4/25/2019

Attached Pages 8

From: Ryan Miranda

Principal's Initials:

SUBJECT

Approve out of state travel for three (Ryan Miranda, District Homeless Liaison; Melissa Montes, Program Staff; and TBA .) CJUSD Family Resource Staff (Homeless Education Program) to attend the **2019 NAEHCY Conference (National Association for the Education of Homeless Children and Youth) in Washington D.C. on November 2-5, 2019**. All expenses covered through the Federal McKinney-Vento Homeless Assistance Act's Education for Homeless Children and Youth Program grant. As CJUSD's Homeless Education Program, it is imperative that our program staff stay up-to-date on best practices as it pertains to serving the educational, social-emotional, and post-secondary needs of children and youth experiencing homelessness.

RECOMMENDATION: Approve

CONSENT AGENDA

AGENDA ITEM # XV-8

NATIONAL ASSOCIATION FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH

Register

Register Schedule Education Exhibit Hotel & Travel Awards Partners Speakers FAQ Sponsors

Conference registration is currently slated to open April 22, 2019. The hotel block will open when conference registration opens.

This conference is HUD-approved. Therefore, project administrative funds awarded under the CoC and Emergency Solutions Grants (ESG) Programs may be used to attend the Conference. This is a great opportunity to engage your CoC partners to attend and strengthen school-housing partnerships.

Conference registration pricing for 2019 is as follows

Member Pricing (all 2018 attendees are members, plus others who joined throughout the year. If you are uncertain if you are a member, contact us and we will let you know). To make it easier for you, you can renew your membership at the time of registration. All memberships from the 2018 conference are good through the 2019 conference. If you would like to renew separately, you may also do that. For member benefits, please go to https://naehcy.org/membership/

Early Member Registration: $570
(prior to September 16, 2019): $520.00 registration + $50 annual membership = $570

Full Price Member Registration: $625
(September 16 – November 1, 2019): $575.00 registration + $50 annual membership = $625

Onsite Member Registration: $725
(November 2-5, 2019): $675.00 registration + $50 annual membership = $725

Single Day Member: $375
(Sunday or Monday 11/3 or 11/4 only): $325 registration + $50 membership = $375

Non-Member Pricing: For non-members, the pricing is as follows. If you join for an additional $50 at the time of registration, you save $50 ($620 non-member registration fee – $570 ($520 registration + $50 membership fee))! For member benefits in addition to the reduced conference rate, please go to https://naehcy.org/membership/

Early Non-Member Registration:
(prior to September 16, 2019): $620.00

OK READ MORE

Full Price Non-Member Registration:
(September 16 - November 1, 2019): $675.00

Onsite Non-Member Registration:
(November 2-6, 2019): $775.00

Single Day Non-Member:
(Sunday or Monday 11/3 or 11/4 only): $425.00

Student: $325

Pre-Con Added to Full Conference Registration: +$175.00

Pre-Con Only: $275
$225.00 + $50 membership

A $50.00 charge applies to any registration substitutions. No substitutions will be accepted after October 21, 2019.

Sending payment? Download our W9 HERE.

Cancellation Policy:

Cancellation of your conference registration prior to October 1 will incur a $50 processing charge per registrant, regardless of payment status. Telephone cancellation is not accepted; certified mail is recommended. When submitting a refund request, please include the name and Registration ID of each registrant, the name of the organization or person receiving the refund, and the mailing address for receiving the refund. Refund requests must be mailed to: NAEHCY Conference Refunds, PO Box 26274, Minneapolis MN 55426. Refund requests are generally processed after the Conference using the same method of payment used for Registration.

Fees are nonrefundable after October 15, 2019. If you do not cancel your registration, and you do not attend the conference, you are still responsible for your registration fee. You have the option of substituting another individual for your registration for a fee of $50.00.

OK READ MORE

NATIONAL ASSOCIATION FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH

Schedule

Saturday November 2, 2019 – PreConference Sessions

7:30 a.m. – 12:00 p.m. PreConference Session Registration

9:00 a.m. – 12:00 p.m. PreConference AM Sessions

1:30 p.m. – 4:30 p.m. PreConference PM Sessions

1:30 p.m. – 4:30 p.m. State Coordinator Meeting – *Please note that this is a half day meeting this year*

1:30 p.m. – 4:30 p.m. Full Conference Registration

Sunday November 3, 2019 – Full Conference Day One

7:00 a.m. – 4:00 p.m. Conference Registration

8:30 a.m. – 10:00 a.m. Exhibitor Set Up

10:00 a.m. – 5:00 p.m. Exhibits open

8:00 a.m. – 9:30 a.m. – Opening General Session / Breakfast

9:45 a.m. – 11:30 a.m. – Morning Concurrent Sessions

11:45 a.m. – 1:00 p.m. – Luncheon General Session

1:15 p.m. – 5:00 p.m. – Afternoon Concurrent Sessions

5:15 p.m. – 6:30 p.m. – Annual NAEHCY Member Meeting and Elections

6:30 p.m. – 8:00 p.m. – Opening Night Reception

Monday November 4, 2019 – Full Conference Day Two

7:00 a.m. – 4:00 p.m. Conference Registration

8:00 a.m. – 5:00 p.m. Exhibits open

8:00 a.m. – 9:30 a.m. – Breakfast General Session

9:45 a.m. – 11:30 a.m. – Morning Concurrent Sessions

11:45 a.m. – 1:00 a.m. – Luncheon General Session

1:15 p.m. – 5:00 p.m. – Afternoon Concurrent Sessions

7:00 p.m. – 9:00 p.m. – Documentary screening "Personal Statement"

Tuesday November 5, 2019 – Final Half Day of Conference

8:00 a.m. – 9:30 a.m. – Breakfast General Session

9:45 a.m. – 11:30 a.m. – Morning Concurrent Sessions

11:30 a.m. – Conference Adjourns

or

8:00 a.m. – 10:00 a.m. – Congressional Breakfast – Capitol Hill

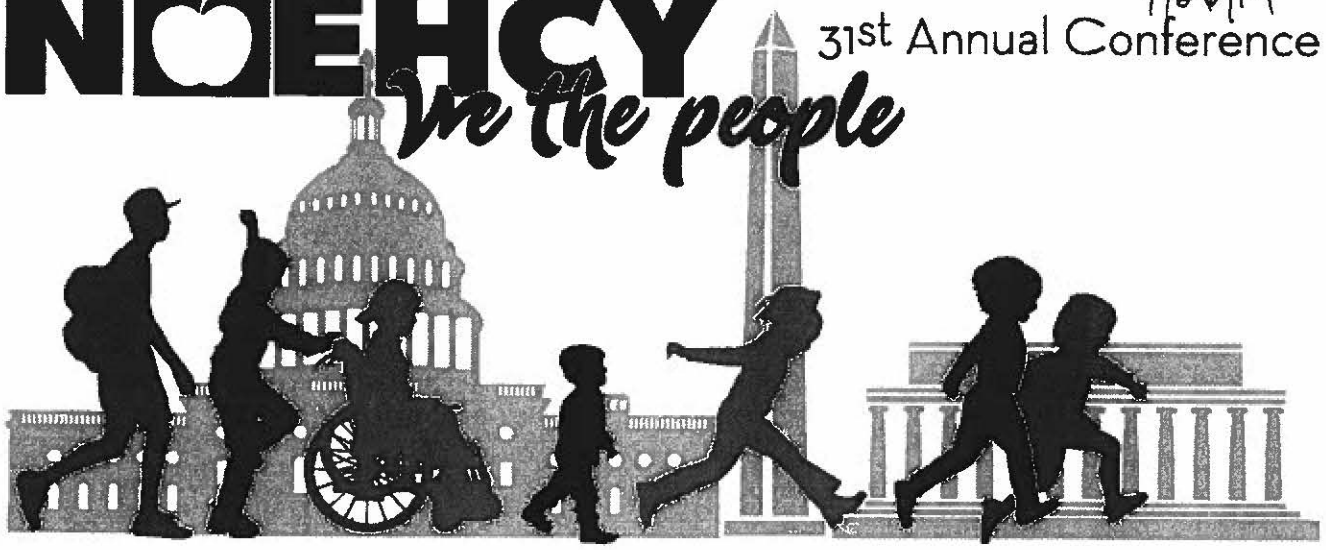
10:00 a.m. – 4:00 a.m. – Hill Visits – Senate and/or House Offices

Return to Conference

Concurrent Sessions have not been made available 4/26/19

NAEHCY 31st Annual Conference

We the people



November 2-5, 2019 | Washington Hilton

NAEHCY's 2019 Conference – Washington, D.C.
Pre-Conference Session Options – November 2, 2019

Morning Pre-Conference Sessions 9:00 a.m. – 12:00 p.m.

Mc Kinney-Vento 101: Implementing the McKinney-Vento Act, what you need to know.

Presented by NCHE

New to working with the McKinney-Vento Act? Been at it for a couple of years, but need a refresher course to make sure you stay true to the law? This is the session for you! We'll cover the scope of the issue, paths to homelessness and their impact on students, and federal law governing school responses to homelessness. Student scenarios and common barriers to implementing the law will be discussed, giving participants the ability to apply what they learn to their daily work on behalf of students in homeless situations.

Strategies for Helping Unaccompanied Homeless Youth Access School and Services

Presented by:

Deborah Boone, McKinney Vento Homeless Education Parents & Students Succeed Program Coordinator, Richland County School District One, Richland

Larissa Dickinson, LICSW-PIP, District Social Worker, Homeless Education Liaison, Social Services Department, Mobile County Public Schools

Unaccompanied homeless youth have unique needs and present challenging questions for schools and service providers. We will review the legal requirements for educating unaccompanied homeless youth, and for providing support services outside of school so that youth can succeed in school. Topics include identification, school enrollment, credit accrual and recovery, applying for federal financial aid, food stamps, TANF, SSI, and child support. The session will provide practical strategies to implement the unaccompanied homeless youth amendments to the McKinney-Vento Act made by the Every Student Succeeds Act, and to welcome, engage, and support unaccompanied homeless youth in school.

Supporting the College Transition: Single-Point of Contact Programs

Presented By:

Stacey Havlik, Villanova University, Assistant Professor, NAEHCY SPOC Consultant
Shirley Fan-Chan, NAEHCY Higher Education Committee

Single-point-of-contact (SPOC) programs are an important way to support students experiencing homelessness in their transition to college. In these programs, individuals in college settings are identified and trained to support the issues faced by students experiencing homelessness. They can be a resource and source of support. Therefore, NAEHCY published a model for SPOC programs that provides a clear description of how such programs can be implemented at universities and how they can be supported by those working at the secondary level. This session will provide an overview of NAEHCY's SPOC program model, as well as describe an example of how the state of Massachusetts is implementing a statewide SPOC program.

A Tale of Two State Coordinators

Presented by:

Dr. Kristin Myers, Foster Care Education Coordinator, Office of Dropout Prevention and Student Re-Engagement. Colorado Department of Education, Denver CO
Kerry Wrenick, LMSW, State Coordinator for Homeless Education, Colorado Department of Education, Denver, CO

McKinney-Vento and Foster Care serve different populations, however, the interventions are often the same. This session will consider potential barriers and the impact of social determinants, specific to highly-mobile students. Attendees will take a deep dive into how to join forces at the state and local levels (e.g. funding sources, navigating partnerships, agency collaboration) to serve highly-mobile students. Participants will gain insight on maximizing resources and leveraging your professional role across systems.

An Immersive Approach to Awareness, Part II: Deeper Level Training for School Staff and Your School Community

Presented by:

Pam Kies-Lowe, Michigan State MV Coordinator
The Michigan McKinney-Vento Crew
Kaleigh Buris, Regional MV Grant Coordinator, Newaygo and Oceana Counties, MI;
Karen Roy, Regional MV Grant Coordinator, Big Rapids, MI;
Sara Orris, Regional MV Grant Coordinator, Oakland County, MI;
Julie Ratekin, Regional MV Grant Coordinator, Wayne County, MI; and MORE
Kelly-Jo Shebeck, Clark County, NV;
Linda Mirabal Pace, South Carolina State MV Coordinator;

This preconference workshop is a follow-up to the one provided at the 2017 NAEHCY Conference in Chicago and will delve more deeply into tools and techniques for providing homeless awareness trainings to school district staff and school communities. This can be an overwhelming task for local liaisons. An immersive and experiential approach to such trainings can positively influence the attitudes of school staff and community members, lead to improved identification and support of students living in transition, and even re-energize liaisons who provide frequent trainings. Presenters from several states will share "best practices" that have proven to be effective at the

school, district and community levels and that can be adapted and replicated anywhere in the country.

This session will go beyond immersing participants in activities that promote awareness and sensitivity to the issues of homelessness to improve their understanding of the choices their clients make. We will focus on hands-on use of immersive awareness tools, strategies and techniques for use in your schools. You will learn how to draw in the skeptics and doubters, win over those who never knew there were homeless students in their schools, and garner support for your homeless education program from unexpected places.

Afternoon Pre-Conference Sessions – 1:30 p.m. – 4:30 p.m.

Mc Kinney-Vento 101: Implementing the McKinney-Vento Act, what you need to know.

Presented by NCHE

New to working with McKinney-Vento Act? Been at it for a couple of years, but need a refresher course to make sure you stay true to the law? This is the session for you! We'll cover the scope of the issue, paths to homelessness and their impact on students, and federal law governing school responses to homelessness. Student scenarios and common barriers to implementing the law will be discussed, giving participants the ability to apply what they learn to their daily work on behalf of students in homeless situations.

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Supporting Our Youngest Learners: Programs and Services for Infants, Toddlers, Preschoolers, and their Families

Presented by:

Carie Bires, Ounce of Prevention Fund, Chicago IL

This session will describe the various programs and services that provide early care and education and family support to young children and their families that experience homelessness. Presenters will discuss the various program eligibility requirements, relationship to the McKinney-Vento Act and homelessness, and how programs support parents and caregivers, healthy child development,

and positive educational and health outcomes. Participants will also learn about the impacts and prevalence of homelessness among young children, how to access early care and education programs in their communities, and strategies for creating partnerships with early childhood stakeholders.

Trafficking Update – Commerical Sexual Exploitation of Children (CSEC)

Presented by:

Fair Girls, a Washington D.C. organization that provides intervention and holistic care to survivors of human trafficking; and

Amara Legal Center, the only organization in the D.C. area dedicated solely to serving the legal needs of survivors of sex trafficking and to sex workers.

Topics covered will include who is at risk, signs of trafficking, and how to work with survivors.

Social Work / Ethics –

Presented by:

Angela Hardiman, LMSW

This session will address the ethical considerations when working with homeless students and their families, as defined by professional licensure and FERPA. It will highlight how working within the parameters set forth by the letter of the law and the standards of social work practice work together to protect children and families and provide them with the best possible educational service and outcomes.

Foster Care

Presented by:

Dr. Kristin Myers, Foster Care Education Coordinator, Office of Dropout Prevention and Student Re-Engagement. Colorado Department of Education, Denver CO

Shirley Fan-Chan, NAEHCY Higher Education Committee

Nicole Steward, Foster Youth Liaison, Milpitas United School District

Samantha Garrett

This session will address common considerations and barriers in working with students in the foster care system. Topics that will be considered are: dual roles of foster care and homeless points of contact, working with the child welfare system, navigating special education issues, supporting the social/emotional needs of students in foster care, trauma-related considerations, and challenges for youth after emancipation from foster care. Presenters include two state coordinators for foster care education and their child welfare counterparts, and a clinician and expert who works directly with children and youth in foster care. Whether you are brand new to working with students in foster care or a seasoned veteran, this session will have something for you!

Full Day Session – 8:00 a.m. – 5:00 p.m.

Youth Mental Health First Aid – *An 8 Hour Credentialed Course*

Presented by: Lori Cavender, Tranquility Training Instructor

As we all know, working with homeless youth can sometimes be a difficult task due to their past traumas and issues such as anxiety, depression and other mental health concerns. As Homeless Liaisons, school staff, and service providers, many of us do not have counseling backgrounds. This 8-hour course will provide you with the tools and resources to help children and families in need.

Mental disorders are more common than heart disease and cancers combined. However, mental illnesses have for too long been treated as separate and tangential to our overall health and wellbeing. Because of this, accessing mental health services is not as simple as making an appointment with your family doctor. The stigma surrounding mental illness often prevents people from seeking treatment, and those that do want help are not sure where to turn. Mental health services are also minimal especially for children and families have a hard time knowing what to do when their child is struggling mentally.

The National Council for Behavioral Health has spearheaded the adoption of Youth Mental Health First Aid (YMHFA), an innovative public education model that is addressing this pervasive and persistent challenge in communities across the United States. YMHFA increases the understanding that mental illnesses are real, common, and treatable and that the second leading cause of death in children is suicide. YMHFA is an evidence-based, in-person training program with the proven ability to teach individuals, especially those who work closely with children, how to recognize and respond to the warning signs of mental disorders and suicidal tendencies and link young people with appropriate treatment. ***Please note: this is an 8 hour session. It will begin at 8 a.m., break for lunch at noon, and reconvene from 1 p.m. until 5 p.m.*** All attendees will receive a certificate upon completion of this course as well as your textbook for the course.

Washington Hilton

Contact Information Start Over

MAP

2019 NAEHCY Annual Conference
NOV 1, 2019 - NOV 5, 2019

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IE9, IE 10 & 11, Chrome, Firefox

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No change fee *(Fare difference may apply.)*	✔	✔	✔
Reusable funds	✔	✔	✔
EarlyBird eligible	N/A	✔	✔
Refundable	✔	✔	
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Fly By® *(Priority Security Lane)*	✔		
Complimentary premium drink	✔		
Rapid Rewards® earning formula	12x Fare	10x Fare	6x Fare

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			Business Select	Anytime	Wanna Get Away
2 stops # 2739 / 2715	6:10AM → 9:15PM	Duration 12h 5m, 2 stops — MCO 0h 45m, ATL 3h 5m	$640	$612	$182
1 stop # 3102 / 3182	6:50AM → 4:25PM	Duration 6h 35m, 1 stop — DEN 1h 5m	$636	$608	$383
2 stops # 4252 / 3369	8:45AM → 11:35PM	Duration 11h 50m, 2 stops — PDX 0h 35m, DEN 3h 50m	$640	$612	$331
2 stops # 5423 / 2715	9:05AM → 9:15PM	Duration 9h 10m, 2 stops — DAL 1h 10m, ATL 0h 50m	$640	$612	$189
1 stop # 3291 / 3369	11:15AM → 11:35PM	Duration 9h 20m, 1 stop — DEN 3h 35m			

1 stop # 4324 / 3369
1:15PM → 11:35PM
Duration 7h 20m, 1 stop | DEN 1h 30m
$636 | $608 | $297

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2 free checked bags *(1st and 2nd checked bags fly free. Weight and size limits apply.)*	✓	✓	✓
No change fee *(Fare difference may apply.)*	✓	✓	✓
Reusable funds	✓	✓	✓
EarlyBird eligible	N/A	✓	✓
Refundable	✓	✓	
Priority boarding A1-A15	✓		
Fly By® *(Priority Security Lane)*	✓		
Complimentary premium drink	✓		
Rapid Rewards® earning formula	12x Fare	10x Fare	6x Fare

Returning flights

= Change planes

			Business Select	Anytime	Wanna Get Away
2 stops # 1163 / 1039 **6:00AM → 12:30PM**	Duration 9h 30m, 2 stops	DEN 1h 0m, LAX 0h 45m	$640	$612	$182
2 stops # 1163 / 2454 **6:00AM → 2:25PM**	Duration 11h 25m, 2 stops	DEN 3h 10m, LAS 0h 55m	$640	$612	$238
2 stops # 1163 / 142 **6:00AM → 3:05PM**	Duration 12h 5m, 2 stops	DEN 2h 15m, SEA 0h 55m	$640	$612	$182
2 stops # 778 / 899 **8:00AM → 2:55PM**	Duration 9h 55m, 2 stops	ATL 1h 5m, SAN 0h 45m	$640	$612	$182
2 stops # 778 / 260 **8:00AM → 4:00PM**	Duration 11h 0m, 2 stops	ATL 2h 15m, STL 0h 55m			

1 stop # 1146 / 1185 **2:00**PM → **8:25**PM	Duration **9h 25m** 1 stop	DEN 3h 0m	$~~640~~ $~~638~~	$~~612~~ $~~608~~	$~~183~~ $~~207~~
1 stop # 362 / 522 **6:45**PM → **11:20**PM	Duration **7h 35m** 1 stop	DEN 1h 0m	$636	$608	$177

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AGENDA ITEM # XV-9

Center Unified School District

AGENDA REQUEST FOR:

Dept./Site: Family Resource Center – Student Services

Action Item X

To: Board of Trustees

Information Item_____

Date: 4/25/2019

Attached Pages 13

From: Ryan Miranda

Principal's Initials:

SUBJECT

Approve out of state travel for Ryan Miranda, Family Resource Center Program Coordinator, to attend the **2019 School Climate & Culture Forum in Las Vegas, NV on July 9-12**. All expenses covered through Sacramento County Office of Education's Student Mental Health and Wellness grant and Bullying Prevention Project. I'm requesting to attend, as this is an opportunity to discover innovative methods to engage our students and families, learn multifaceted intervention strategies to support our students social & emotional well-being, bring back activities to use in the school setting, and contribute to my program and district-wide initiatives (support the academic, social & emotional needs of all students) by attending sessions on: cyberbullying, trauma-informed practices, evidence-based programming, restorative practices, and cultural competence to name a few. Information will be shared out with administrators during leadership meetings and social-emotional learning committee meetings.

RECOMMENDATION: Approve

CONSENT AGENDA

AGENDA ITEM # XV-9

HOSTED BY ACCUTRAIN

SCHOOL Climate & Culture FORUM

Orlando
March 21-24 2019
Pre-Conference March 21

Las Vegas
July 8-12 2019
Pre-Conference July 8-9

Teacher Learning Center.

AWARETY

Innovative Schools SUMMIT 2019

This event is part of Innovative Schools Summit. Attendees receive complimentary access to all Summit sessions. Featured presenters include:

Baruti Kafele
Closing the Attitude Gap
ORLANDO
LAS VEGAS

Merlyna Valentine
Transformational Leadership
ORLANDO

Larry Thompson
Responsibility-Centered Discipline
ORLANDO
LAS VEGAS

Dr. Ruby Payne
Framework for Understanding Poverty
ORLANDO

Dr. Stuart Ablon
The School Discipline Fix
LAS VEGAS

Brian Mendler
Discipline with Dignity
ORLANDO
LAS VEGAS

Dr. Robyn R. Jackson
No More Excuses
LAS VEGAS

Michael Dorn
Safe Havens International
ORLANDO

Register Online: www.SchoolClimateForum.com

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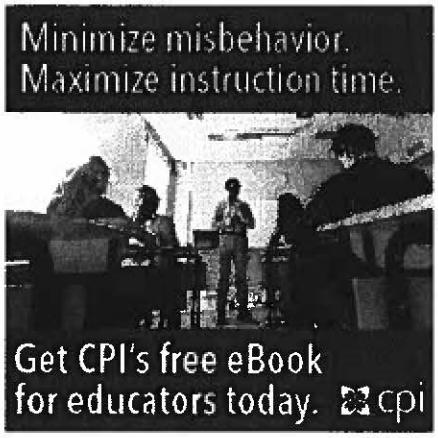

(http://educate.crisisprevention.com/handbook-for-educators.html?

code=TS2019XOXAXV&src=Tradeshow)

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Registration

Please Note: Pre-Conference Sessions for the Innovative Schools Summit Las Vegas will be held on July 8th & 9th, 2019. The main Summit will begin at 8:30 am on July 10th, 2019.

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2019 Las Vegas Sessions

Innovative School Summit Las Vegas - Sessions (Accepted & Confirmed)

Session Title	Session Description	Presenter Name	Conference
Awakening Whole School Flourishing: Mind, Heart, Soul, and Body	How fabulous could your school be if it fostered the physical, emotional, social, spiritual, environmental, cognitive, and financial well-being of the community? Come learn about a planning tool and organizing framework that helps schools create a positive, proactive culture of well-being.	Jennifer Moore, Ed.D.	School Clim & Culture
Rethinking Challenging Behaviors: Skill, Not Will	Neuroscience research tells us why traditional school discipline doesn't work with our most challenging students. Conventional wisdom is wrong: challenging students do not lack the will to behave well. They lack the skills to behave well. Prepare yourself for a paradigm shift in how you understand and help students with behavioral challenges.	J. St Ablon, Ph.D	All Confere
Transforming School Discipline: The Collaborative Problem Solving Approach	Want a proven alternative to traditional schools discipline that is truly trauma sensitive and aims to reduce disproportionality? Collative Problem Solving (CPS) is an evidence-based approach that challengings conventional notions about challenging behavior and how best to approach it. Dr. Ablon will provide an overview of CPS and share best practices for systematic implementation.	J. Stuart Ablon, Ph.D.	School Discipline
Disruptive Behavior Disorders: Insights and Strategies that will Improve Outcomes for students with ODD, Conduct Disorder, and Intermittent Explosive Disorder	Between 2 and 16% of students have behaviors that disrupt their day, the efforts of their teachers, and the focus of their peers. This session will review where these patterns come from, what makes them worse, and strategies to provide a calmer, more productive school climate. In this session, you will learn how to: • Learn what's wrong with these students. Understand where resistant, defiant, hostile, manipulative, aggressive, and hurtful behaviors come from. • Common tactics that escalate negative behaviors. • Keeping your cool: How to prevent and respond in ways that improve your chances • Moving from problem to asset: Strategies to find and nurture hidden strengths in the most challenging students	Mike Paget, M.Ed.	Pre-Conference
Motivating and Managing Hard to	From the author of the international best-selling book Discipline with Dignity, this session is loaded with strategies, techniques, and ideas designed to prevent	Brian Mendler	Pre-Conference

All Sessions | Pre-Conference

2019 Las Vegas Agenda

Pre-Conference - Monday, July 8, 2019

Pre-Conference Registration ..... 7:00 am - 9:00 am

Pre-Conference Sessions ..... 9:00 am - 12:00 pm

Positive Behavioral Supports with Students Who Are Wired Differently - Mike Paget, M.Ed:

Mean Girls Behind the Screen: Addressing & Preventing Bullying, Cyberbullying & Relational Aggression - Steph Jensen, MS, LPC

See My Pain: Using Trauma-Informed Strategies to Help Students Engaging in Self-Destructive Behaviors - Kaye Randall, MSW, LISW-CP

Lunch (on your own) ..... 12:00 pm - 1:00 pm

Pre-Conference Sessions ..... 1:00 pm - 4:00 pm

Lost Boys: Strategies to Help Educators Navigate the World of Boys for Academic Success! - Steph Jensen, MS, LPC:

Be the Difference: Growth Mindset Strategies for Creating Resiliency, Responsibility and Accountability - Kaye Randall, MSW, LISW-

CP

25 Tech Tools Teachers Can Use to Enhance Engagement - Eric Clark M.Ed.

*Note: An additional fee will be charged for each pre-conference session

Pre-Conference - Tuesday, July 9, 20

Pre-Conference Registration ..... 7:00 am - 9:00 am

Pre-Conference Sessions ..... 9:00 am - 12:00 pm

Girl Drama: Best Practices to Help Educators Reduce Relational Aggression, Cyberbullying & Emotional Violence - Tracie Berry-McGhee, M.Ed., LPC

Self- Regulation Training: Framework for Success - Brad Chapin, MS, LCP, LMLP

Motivating & Managing Hard to Reach, Uninterested and Disruptive Student - Brian Mendler

First Preventers' Playbook: Instrumental Strategies to Create a School Culture of Preventing Safety Issues - Rick Shaw

Lunch (on your own) ..... 12:00 pm - 1:00 pm

Pre-Conference Sessions ..... 1:00 pm - 4:00 pm

Salvaging Our Sons: Helping Educators Reach, Teach and Empower Young Men - Robert Jackson

Supportive Discipline: Teaching Students to "Own" Their Behaviors - Eric Clark, M.Ed.

Stay Classy! Using Social Emotional Learning Competencies to Create Alternatives to Suspension - Susan Coleman, Ph.D.

Disruptive Behavior Disorders: Insights and Strategies that will Improve Outcomes for Students with ODD, Conduct Disorders and Intermittent Explosive Disorder - Mike Paget, M.Ed.

Wednesday, July 10, 2019

Registration/Check-In ..... 6:30 am - 8:30 am

Welcome / Plenary Session ..... 8:30 am - 9:30 am

Plenary Session Speaker: Dr. Stuart Ablon

Keynote & Breakout Sessions ..... 10:00 am - 11:00 am

Keynote Speaker: Dr. Stuart Ablon

Featured Session & Breakout Sessions ..... 11:15 am - 12:15 pm

Featured Session Speaker: Baruti Kafele

Lunch (on your own) ..... 12:[illegible]pm - 1:[illegible]

Keynote & Breakout Sessions ..... 2:[illegible]

Keynote Session Speaker: Dr. Jen Hartstein

Keynote & Breakout Sessions ..... 3:00 pm - 4:00 pm

Keynote Session Speaker: Dr. Jen Hartstein

General Session ..... 4:10 pm - 5:00 pm

Thursday, July 11, 2019

Refreshments & Exhibits ..... 7:00 am - 8:30 am

Plenary Session ..... 8:30 am - 9:30 am

Plenary Session Speaker: Dr. Robyn Jackson

Keynote & Breakout Sessions ..... 10:00 am - 11:00 am

Keynote Session Speaker: Dr. Robyn Jackson

Keynote & Breakout Sessions ..... 11:15 am - 12:15 pm

Keynote Session Speaker: Vaughn Baker

Lunch (on your own) ..... 12:20 pm - 1:50 pm

Keynote & Breakout Sessions ..... 1:45 pm - 2:45 pm

Keynote & Breakout Sessions ..... 3:00 pm - 4:00 pm

General Session ..... 4:10 pm - 5:00 pm

25 in 50: 25 Innovative Strategies to Create a Positive School Climate

Friday, July 12, 2019

Refreshments & Exhibits ..... 7:30 am - 8:30 am

Plenary Session ..... 8:30 am - 9:30 am

Plenary Session Speaker: Larry Thompson

Keynote & Breakout Sessions ..... 10:00 am - 11:[illegible]

Keynote Speaker: Larry Thompson

Closing Session ..... 1[illegible] 12:15 pm

Closing Session Speaker: David Rendall

View All Summit Locations

Atlanta

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Las Vegas

Innovative School Summit Las Vegas - Sessions (Accepted & Confirmed)

Session Title Session Description Presenter Name Conference

Awakening Whole School Flourishing: Mind, Heart, Soul, and Body How fabulous could your school be if it fostered the physical, emotional, social, spiritual, environmental, cognitive, and financial well-being of the community? Come learn about a planning tool and organizing framework that helps schools create a positive, proactive culture of well-being. Jennifer Moore, Ed.D. School Climate & Culture

Rethinking Challenging Behaviors: Skill, Not Will Neuroscience research tells us why traditional school discipline doesn't work with our most challenging students. Conventional wisdom is wrong: challenging students do not lack the will to behave well. They lack the skills to behave well. Prepare yourself for a paradigm shift in how you understand and help students with behavioral challenges. J. Stuart Ablon, Ph.D. All Conferences

Transforming School Discipline: The Collaborative Problem Solving Approach Want a proven alternative to traditional schools discipline that is truly trauma sensitive and aims to reduce disproportionality? Collative Problem Solving (CPS) is an evidence-based approach that challengings conventional notions about challenging behavior and how best to approach it. Dr. Ablon will provide an overview of CPS and share best practices for systematic implementation. J. Stuart Ablon, Ph.D. School Discipline

Disruptive Behavior Disorders: Insights and Strategies that will Improve Outcomes for students with ODD, Conduct Disorder, and Intermittent Explosive Disorder Between 2 and 16% of students have behaviors that disrupt their day, the efforts of their teachers, and the focus of their peers. This session will review where these patterns come from, what makes them worse, and strategies to provide a calmer, more productive school climate. In this session, you will learn how to:

• Learn what's wrong with these students. Understand where resistant, defiant, hostile, manipulative, aggressive, and hurtful behaviors come from.

• Common tactics that escalate negative behaviors.

• Keeping your cool: How to prevent and respond in ways that improve your chances

• Moving from problem to asset: Strategies to find and nurture hidden strengths in the most challenging students Mike Paget, M.Ed. Pre-Conference

Motivating and Managing Hard to Reach, Uninterested and Disruptive Students From the author of the international best-selling book Discipline with Dignity, this session is loaded with strategies, techniques, and ideas designed to prevent motivation and discipline problems in the most difficult classrooms. Discover and practice specific strategies and techniques designed to change attitudes and ignite a passion for success. This practical, informative session will transform the lives of your most disruptive students. Objectives:

Recognize underlying causes of student misbehavior.

Identify 3 places to build relationships.

Describe merits of values vs. rules.

Demonstrate 8 steps to diffusing any student. Brian Mendler Pre-Conference

Trauma Informed School Practices through Community of Learners Working through a community of educators-learners, we have developed a network to support the work for trauma informed school practice.We draw from the literature base in public health, social work, neuroscience, and nursing, along with some limited sources from the field of education, to trace out how a trauma-informed perspective affects one's approach to teaching traumatized youth. Regina Rahimi Ed.D., Delores Liston, Ph.D., Amee Adkins, Ph.D. School Climate & Culture, Innovative Teaching Strategies

Principal as CCO (Chief Communication Officer) The session will show school leaders innovative and effective communication strategies including the development of staff websites, social media, chats and more. We will discuss the importance of branding your school and seeing communication methods from the audience perspective. Paul Pack, MA Innovative Teaching Strategies

Personalized Learning: A Journey to Student Centered Learning-Time the Variable, Learning the Constant, and Students the Focus Summit Elementary, since embarking on its personalized learning initiative, has experienced double-digit gains, according to its state accountability reports. Moreover, Summit is experiencing scholars that can think -becoming creators of their own learning. By coding, public speaking, and articulating their learning paths at early ages they challenge the status quo. Lakya Washington, Ed.S., Gefredia Washington-Nash, Ed.S. Innovative Teaching Strategies

Rise and S.H.I.N.E.! This engaging experience will help you uncover and amplify the unique gifts our children possess. Focusing on the word, S.H.I.N.E., we will illuminate our students to be successful! When we honor the undeniable impact of unique gifts, we prepare them today for their journeys of tomorrow. LaVonna Roth At-Risk & Struggling Students, Girl Bullying & Empowerment

Stop Creating Lesson Plans; Start Creating Learning Experiences Discover proven and practical classroom strategies for creating a culture of curiosity, wonder, and intrigue. Transform everyday lesson plans into authentic, memorable learning experiences. Come with a willingness to try something new; leave with tips and tools to build a classroom of students who are inspired to learn. Terra Tarango Innovative Teaching Strategies

Butter, Ice, Alcohol, & Peroxide Don't Heal Wounds: Self-Care for Educators When students experience trauma, the professionals endure it as well. This phenomenon is known as vicarious trauma which mimics the symptoms of Post-Traumatic Stress Disorder. This session will equip attendees with recognizing vicarious trauma and creating a preventative self-care plan. Catava Burton, Ed.S. School Climate & Culture

Teens, Tech, and Relationships This session will examine the evolving dynamics of youth relationships and how to help guide our children through a social landscape that we don't quite understand. We will look at communication and how the advancement of technology has impacted relationships and explore the nature of connection and how it has evolved, positively and negatively. Dena Kohleriter, LCSW Girl Bullying & Empowerment, NextGen School Safety

At-Risk & Hard-to-Reach Students: Understand Them to Teach Them" This insightful session will provide attendees with a better understanding of why and root cause we are dealing with so many

students who are at-risk, as well as, specific strategies to engage ALL learners. Participants will learn how effective relationship building with children is fundamental for student and school success. Understanding the reason we teach, with special emphasis on the student is the central theme of this presentation. Author and motivational speaker, Tommie Mabry will offer the participant a refreshing look into the eyes of the students from his own experience as a student at risk as well as an educator.
Tommie Mabry, MA School Climate & Culture

Bravery Redefined: Celebrating strength to foster success This lively workshop will take a fresh look at the root of "bad behavior" and the brain processes behind it. Participants will discover new tools based on the latest neuroscience to increase learning opportunities, reduce negative behavior and improve communication between school and home. Jessica Sinarski, LPC School Discipline

Salvaging Our Sons: Helping Educators Reach, Teach & Empower Young Men This workshop will address issues that all male students face, as well as issues related to adverse childhood experiences (ACEs) and/or trauma -- including violence and divorce, incarceration or death of parents. How males process stressors influences their behavior, motivation and desire to learn. All students experience negative moments inside and outside of school, however boys process them differently. During this interactive session, administrators and educators will gain insight into how to help male students overcome life's challenges with ready-to-use strategies. Robert Jackson Pre-Conference

Addressing the Poverty MindsetSchools that serve low-income, minority communities tend to face similar and pervasive issues that are actually a result of the Poverty Mindset; a system of beliefs, attitudes and perspectives. This workshop clarifies misconceptions about poverty, defines what Poverty Mindset is, why it exists, how it secretly impacts our schools and what we can do to change it...permanently! Hotep Benzo, MBA School climate & Culture

Positive Behavioral Supports with Students Who Are Wired Differently Supporting students who are "Wired Differently" requires practices beyond traditional discipline. This session will include an overview of the major emotional and behavioral challenges of students who are "Wired Differently." We will discuss effective school wide prevention and positive skill building practices at the universal, secondary, and tertiary tiers. Mike Paget, M.Ed. Pre-Conference

A Hand Full of Aces...The Trauma Impact on Students Who Are Wired DifferentlyIncreasingly schools are aware of the impact of trauma on their students. The landmark work on Adverse Childhood Experiences has shown us the physical, emotional, and mental wellness impact on students. Those who are "Wired Differently" are often impacted intensely by their ACE history. This session will discuss the impact, but more importantly, some practical ideas to help students find ways to move beyond their histories and find academic and social success. Mike Paget, M.Ed. School Climate & Culture

25 Tech Tools Teachers Can Use to Enhance Engagement For educators just getting their feet wet with technology integration to those currently using technology in the classroom, presenter Eric Clark will explore exciting 21st century tech tools that will increase student engagement and bring a wow factor into the classroom. One-to-one computing, BYOD (Bring Your Own Device), Smart Boards and other improvements have revolutionized the technology environment in many North American classrooms. Yet, many educators have lagged behind in incorporating that technology into their instruction resulting in classrooms that are not much different than they were 20 years ago. In this seminar, Clark will draw upon his experience as a media teacher, media entrepreneur, administrator and

master trainer to help teachers sort through tools they might find useful in their classrooms – while opening their minds to other ways to harness technology. Eric Clark, M.Ed. Pre-Conference

Supportive Discipline: Teaching Students to "Own" Their Behaviors Working with difficult, demanding, and disruptive students is not a new challenge for educators. However, there are current concerns being voiced regarding the changing nature and intensity of the behaviors of these students. Some educators are reporting increases in selfish, manipulative and hostile behaviors while others are noticing more students who are overly anxious and/or difficult to engage. Even well seasoned, award-winning master educators can sometimes have their ""feathers ruffled"" by certain students in certain situations. Responsibility-Centered Discipline is designed to assist all educators with identifying and addressing challenging student behaviors that affect the academic and behavioral progress of the students with whom they work. This power-packed seminar will provide you with up-to-date insights and strategies for reaching and helping those young people who seem to evoke the strongest feelings of frustration, hurt, and sometimes discouragement in professional educators. Eric Clark, M.Ed. Pre-Conference

GED to PhD.: The Story Behind the Data This real-life inspirational story will give you goosebumps. It's a stimulating account of Craig J. Boykin's inspiring journey from GED to PhD. In this session educators will learn how to help at-risk students succeed in their classroom. Learn WHY many at-risk students aren't motivated to learn. Learn WHY many at-risk students gravitate towards sports and not education. Come learn what you as an educator can do to help the Craig's you teach daily. It's clear that students from poverty are habitually at a disadvantage when it comes to education, and educators can find it challenging to motivate such students become positively engaged in their own learning. Craig advises educators to avoid giving up on "difficult" students by deciding that certain students "can't be taught." Craig Boykin, MA School Climate & Culture

Overcoming Cultural Poverty, Disengaged Parents, and Apathetic Students. Poverty is all too common in America's schools. What's rare, is an opportunity for educators to sit an absorb first-hand from a former at-risk student who dropped out of high school, endured a mother abusing drugs, absent father and learning disability. Ultimately, repeating two grades. In this engaging session participants will unlearn perceived fallacies about students from poverty as well as discover my 4 R's of education. Educators must be REAL with students and parents from poverty. Educators must understand that RESPECT is everything to today's youth (which is why when made to feel disrespected they go from calm to irate really quickly). Educators should make classroom material RELEVANT to the lives of the youth and Educators must form and nurture meaningful RELATIONSHIPS with each student. Craig's trademark slogan is "GED to PHD", which is a concrete paradigm that educators should never give up on any student. Craig Boykin, MA School Climate & Culture

Tools and Strategies for School Leaders to Dismantle the School-to-Prison Pipeline It is imperative that teachers make education count for ALL students. Across America, Craig conveys to educators that we must (1) educate ourselves about the "school discipline gap." (2) Help students and colleagues unlearn misperceptions about students from poverty. (3) Continue reaching out to low-income families even when they appear unresponsive (and without assuming, if they are unresponsive, that we know why). (4) Respond when colleagues stereotype poor students or parents. (5) Fight to keep low-income students from being assigned unjustly to special education or low academic tracks. (6) Make curriculum relevant to poor students, drawing on and validating their experiences and intelligences. Most

important, we must consider how our own class biases affect our interactions with and expectations of our students. Craig Boykin, MA School Climate & Culture

See My Pain: Using Trauma-Informed Strategies to Help Students Engaging in Self-Destructive Behaviors

Students cannot learn effectively when they are experiencing the effects of trauma. The impact of childhood trauma and chronic stress is an issue facing students, educators and society at large. However, when students are taught trauma-informed strategies, it raises the possibility of stronger resilience across many domains of life. This workshop will help participants better understand how to respond to the effects of trauma -- including self-injury and other self-destructive behaviors -- using research-based, best-practice approaches. These strategies are designed to increase the ability to focus, improve emotional regulation, and empower students to engage in their own cognitive restructuring. During this session, Kaye Randall will teach innovative approaches educators may use in the school setting to create a wellness path for students, in and out of the classroom. These strategies are designed to help students understand and master their interpretations and choices -- which will enable them to live more connected and powerful lives. Kaye Randall, MSW, LISW-CP Pre-Conference

Be the Difference: Growth Mindset Strategies for Creating Resiliency, Responsibility and Accountability

Inspiring internal motivation for change with students can be challenging. Enabling young people to see themselves as the authors of their lives and enabling them to live responsibly with accountability, kindness and compassion are some of the most critical life skills. When students choose a context of growth, they learn that the challenges of life may offer the greatest opportunities for that growth! This workshop gives specific creative strategies for facilitating and maintaining the growth mindset context specific to the student's social and emotional learning needs. Kaye Randall, MSW, LISW-CP Pre-Conference

Girl Drama: Best Practices to Help Educators Reduce Relational Aggression,

Cyberbullying & Emotional Violence Girl friendships are intense and all-encompassing from early elementary years on; but cliques, power struggles and an intense desire to belong create a ripe field for relational aggression. Describing the emotional milieu girls face as they grow, bestselling author Lisa Damour, Ph.D. reminds us that a girl's "key support system – her tribe – consists of peers who are also as reactive and erratic as they will ever be. (She) works hard every day to harness powerful and unpredictable emotions so that she can get on with doing everything else she means to do. In this session, she will discuss the impact of social aggression and the factors that motivate relational aggression. She will share tools to develop a trauma-free space to promote girl empowerment. The benefits of gender-specific programming that promotes strength and resiliency in girls will be explored. Discover tools for promoting pro-social behaviors like kindness, sharing and empathy in girls K-12, while improving their attitude toward school and reducing depression. Tracie Berry-McGhee, M.Ed., LPC, NCC Pre-Conference

Eliminating Your Biggest Student Safety Fears, Liabilities, and Gaps in Less Than 60 Minutes Are you confused by all the expert advice, guidelines, and vendor speak? Are you wondering why huge spending on security solutions are not preventing more incidents? Do increasing lawsuits and reputation damage concern you? Is Social Media creating challenges? This session will highlight key sections of guidelines and standards and reveal why common approaches like adding more security and more incident reporting options isn't resulting in more incident prevention. We will also share school successes using

new and proven solutions so your students, staff, and community can feel safer in your school today! Rick Shaw NextGen School Safety

Please oh Please be PATIENT: Pause And Think, Inhale/Exhale Now Talk/Tap-out.Managing the behaviors associated with toxic and or traumatic stress within a classroom can be overwhelming. During this breakout educators will learn how to be PATIENT with self and students. Candice Cox School Climate & Culture

First Preventers Playbook: Create a School Culture of PreventionAre you tired of the mounting violence in schools today? Are you scared First Responders/SROs can't be everywhere and respond fast enough to save your students? Would you like to know how research-based data proves you can prevent school shootings, violence, bullying, suicides, and other incidents? What if evidence-based data showed you how assets you already have, your First Preventers, can make your school and community safer? In this session we will share extensive research-based data from real-life incidents/tragedies to show how prevention was and is possible. We will also share how schools with community-wide strategies are successfully preventing incidents, tragedies, and lawsuits by connecting the dots and changing lives and the world forever. Rick Shaw NextGen School Safety

The Impact of Insta: How Social Media is Affecting Young Women This session will focus on the impact of social media on young women today. We will talk about the changes in usage over the past 10 years, the impact on young women's mental health, along with the positive elements of social media usage (yes, there are some!). Participants will leave with an improved knowledge of how to encourage positive social media usage and how to help girls feel empowered when they are online. They will also learn strategies to help girls bring that empowerment out from behind the screens and into real life. Dr. Jen Hartstein Girl Bullying & Empowerment

V is for Validation: Creating a Culture of Empathy This session will focus on how changing the way we talk and listen to one another can have powerful, and wide reaching, results. All of us need to be validated for how we feel and our personal experiences. School is a great place to teach the power of validation and how it connects to empathy, creating a positive and connected school community.

Participants will learn how to validate and why this is an important skill to know for one's self and one's students. The power of empathy will be discussed and skills highlighted as to how to increase it amongst students. Dr. Jen Hartstein NextGen School Safety

Teaching Self-Regulation: Avoiding Classroom Chaos When a student can't read, we teach him how. When a student struggles with algebra, we give her skills to help. When a student has trouble behaving, what do we do? Self-Regulation skills can be taught. Not all students have the same ability to regulate emotions, behaviors and responses to difficulties. And those who have not mastered Self-Regulation can be very disruptive to instruction time. When educators include lessons on Self-Regulation as part of the curriculum, everyone can benefit from the training on how to recognize triggers and how to manage responses to them. Rather than trying to modify behavior and/or removing the stimuli that results in unacceptable behavior, Self-Regulation training gives students control over their responses. During this insightful session Brad Chapin will share strategies that have helped students develop skills necessary for success in academic performance, relationships and overall wellness. Brad will demonstrate that

personal responsibility for behaviors and self-discipline are stronger predictors of academic success than IQ.

Brad Chapin, LCP, LMLP Pre-Conference

Future Proof Children From Failing Burt will explain how to "inner engineer" your school and manufacturer greatness one child at a time. By utilizing his approach to the "Whole Person Theory," you will see how emotional intelligence, grit, and confidence are skills required for students to think fast, take decisive action in today's competitive world, and to be successful both personally and professionally. Without these skills, America's children are truly being "left behind." Michael Burt, Ed.D., MA School Climate & Culture

Innovative Australian Strategies For Reaching and Teaching At Risk and Disengaged Students Engage with real innovative teaching strategies from the toughest but most meaningful schooling environments in Australia. Case study examples of school and classroom culture change and strategies which have been used to reach some of our most disengaged youth. Case studies strongly focussed from Australia's first peoples and students already incarcerated. Joe Christensen School Climate & Culture

Meet the KHAOS Kids K.H.A.O.S. kids are characters created to assist children, parents, and educators with understanding the symptoms and behaviors of 7 common mental health diagnosises within children. Meeting the KHAOS KIDS assists educators with recognizing and addressing behaviors in a trauma informed manner. Candice Cox School Discipline

Technology Enabled School and Community Safety A discussion of how schools and cities can utilize mobile and internet apps to improve communication between schools, law enforcement, and community members and increase school and community safety. This interactive session will focus on current systems, technology gaps, and barriers and opportunities for communities to use such technologies effectively. David Griffith, Ph.D. NextGen School Safety

I'm Not Broken: Cultivating School Climates That Address the Disproportionality

in Discipline for Students of Color! The presentation will demonstrate how to seamlessly embed cultural and racial consideration to positive behavior supports. The presentation will assist Behavior Teams to validate, affirm and bridge cultural incongruencies of school-wide and home expectations of diverse students. Strategies will be shared on how to build social-emotional learning to foster student resiliency. Edwin Javius, MA School Climate & Culture

Mindfulness AKA Pay Attention – Understanding and Applying Mindfulness in Social Emotional Learning (SEL) and Social Emotional Academic Development (SEAD) This interactive workshop introduces mindfulness as applied to education. Through the application of mindfulness, paying attention, teachers will acquire and grow their own Social, Emotional, and Academic Development competencies: Self-awareness, self-management, social awareness, relationship skills, and responsible decision-making skills. Educators will practice SEAD skills to create meaningful, healthy relationships with students and colleagues. Molly Dahl, M.Ed, Deb Oliver, Ed.D Innovative Teaching Strategies

The Mindful SEAD Method of Classroom Management – Using the Social, Emotional, and Academic Development Framework for Enhancing Classroom Management Techniques. Participants examine best practices and strategies for managing their dynamic classroom environments more effectively,

through the lens of Social, Emotional and Academic Development (SEAD). Explorations of: Student behavior and misbehavior, student self-management and self-discipline strategies, and techniques for classroom preparation, organization, and management, as well as mindfulness and attention strategies. Molly Dahl, M.Ed, Deb Oliver, Ed.D Innovative Teaching Strategies

Stronger Relationships through a Restorative Lens Participants will gain insight into successful restorative practices that have a long term impact on student behaviour, relationships and school culture within a K-12 school setting. Andy Smith, MA School Climate & Culture

A Triage Model for Student Behavior Interventions This session will highlight how to use a triage intervention model to manage student behaviour. Andy Smith, MA School Discipline

How Your Childhood Affects the Way You Teach The first fifteen years of life--your formative years--have a huge impact on the way you view the world and how you interact with others. It also has an impact on your teaching style--the way you teach, how you motivate your students, and how you keep them engaged. Kristin will explore each generation and how their childhood molded their teaching. Kristin Scroggin, MA Innovative Teaching Strategies

Keeping the Brain in Mind – Effective Strategies for Excellent Instruction Great teachers know not only what to do in the classroom but why it works. This workshop will use brain-friendly, research-based learning to help you improve your instruction in the key areas of: The Learning Environment, Knowing Your Students, Planning Instruction, Delivering Instruction, and Assessment. Cheryl Moretz, Ed.D., Matt Carlin, Ed.M., Paul Sears, Ed.,M. Innovative Teaching Strategies

Powerful Strategies to Enhance the Learning of Gifted and Highly Able Students This workshop, by noted Stories With Holes author Nathan Levy, explores numerous, proven ways to reach gifted learners in challenging ways. Participants will leave with a variety of new strategies and specific ideas to help pupils become better creative and critical thinkers. A variety of successful teaching and parenting techniques relating to social and emotional needs will be shared. Bring your thinking caps and your funny bones to this dynamic presentation. Nathan Levy, MA Innovative Teaching Strategies

Black Girl Blues: An Examination of Intra-racial Bullying Black Girl Blues addresses the long standing issues regarding relationships among black girls. Research shows that girls are suspended at a higher rate than their white counterparts. BGB looks at these issues from a historical perspective and provides tangible activities that students can utilize in their efforts to problem solve in their everyday lives. Carolyn Strong, MA, M.Ed. Girl Bullying & Empowerment

Handing Conflict like a QUEEN The QUEEN model of conflict resolution was written specifically to deal with the needs of girls when moderating conflict. QUEEN's purpose is to encourage an inner dialogue and foster the notions that words carry consequences for both the speaker and the recipient. Carolyn Strong, MA, M.Ed. Girl Bullying & Empowerment

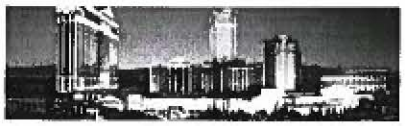
School Safety & Social Media Threats: How to Utilize Publicly Available Social Media to Ensure Safer Schools The vast majority of recent school violence attacks have had precursors leaked online in the form of social media posts. Knowing where, how, and when to look for this critical information is the current challenge this nation faces and it is one that we will thoroughly address. There are simple and free online tools and techniques that all those responsible for ensuring the safety in your schools need to be using on a regular basis. We will cover the challenges that frontline investigators and school staff

are currently facing including anonymous online threats, sexting and sextortion, swatting and doxing, geolocational utilities as well as dangers, image verification of firearms and suicidal imagery, and searching Instagram by school location, without needing to have an Instagram account! Sam Jingfors, VP, Safer Schools Together NextGen School Safety

Mentoring in the 21st Century Mentoring, at its core, guarantees young people that there is someone who cares about them, assures them they are not alone in dealing with day-to-day challenges, guides them, and makes them feel like they matter. Research confirms that quality mentoring relationships have powerful positive effects on young people in a variety of personal, academic, and professional situations. Ultimately, mentoring connects a young person to personal growth and development, and social and economic opportunity. Yet one in three young people will grow up without this critical asset. Schools are in the best position to provide this type of relationship to their students. This workshop is designed for educators to learn best practices in creating a great Mentoring program in their schools. It will also provide tips and strategies that will help adults succeed in their role as a Mentor for the student. Lauren Beyer, Ph.D., John Beyer, Ph.D., Kaye Randall, MSW, LISW-CP School Climate & Culture

Start Over

MAP



2019 Innovative Schools Summit
JUL 7, 2019 - JUL 12, 2019

MAKE A RESERVATION

EDIT

Guest Information

Caesars Palace / Tue, Jul 9, 2019 - Fri, Jul 12, 2019 / Forum Classic Room King Bed Non Smoking 1 adult

Check In:	TUE, JUL 9, 2019
Check Out:	FRI, JUL 12, 2019
Nights	3
Rooms	1
Guests	1

Caesars Palace

USD 459.00
FORUM CLASSIC ROOM KING BED NON SMOKING
1 adult, 3 nights

SUBTOTAL:
USD 459.00

PERSONAL INFORMATION

PERSONAL INFORMATION PAYMENT INFORMATION

Room: Forum Classic Room King Bed Non Smoking Number of adults in this room: 1 Number of children: 0

GUEST 1

Arrival Date	7/9/19	Departure Date	7/12/19
Prefix		Email	
First Name		Confirm Email	
Middle Initial		Organization	
Last Name		Country	SELECT COUNTRY
Suffix		Mailing Address	
Position/Title		Mailing Address 2	
		City	
		State, Zip	
		Phone Number	

Airport Transportation
Provided by LASxpress

Show details

OTHER INFORMATION

Additional Requests

Yes, I'd like to be notified about the upcoming event specials and promotions. See our Terms & Conditions

Show room policies

Proceed to Payment Information NEXT

Privacy Policy, Terms and Conditions.

Approved Partners

Trip & Price Details

Price Payment Confirmation

Flight $218.00

Departing 7/9/19 Tuesday

Wanna Get Away $71.63
(Adult x1)

DEPARTS	12:55 PM	SMF Sacramento, CA - SMF	FLIGHT 1729	
ARRIVES	2:05 PM	BUR Burbank, CA - BUR	TRAVEL TIME 1hr 10min	
stop 1: Burbank, CA - BUR				*no plane change*
DEPARTS	2:35 PM	BUR Burbank, CA - BUR	FLIGHT 1729	
ARRIVES	3:45 PM	LAS Las Vegas, NV - LAS	TRAVEL TIME 1hr 10min	

Wanna Get Away

Earn **430 Rapid Rewards® points** *per Passenger, per one-way.*

- 2 free checked bags *(1st and 2nd checked bags fly free. Weight and size limits apply.)*
- EarlyBird eligible
- No change fee *(Fare difference may apply.)*
- Reusable funds

SUBTOTAL
$71.63

Returning 7/12/19 Friday

Wanna Get Away $96.74
(Adult x1)

DEPARTS	10:10 AM	LAS Las Vegas, NV - LAS	FLIGHT 1898	
ARRIVES	11:15 AM	ONT Ontario/LA, CA - ONT	TRAVEL TIME 1hr 5min	
stop 1: Ontario/LA, CA - ONT				*no plane change*
DEPARTS	11:45 AM	ONT Ontario/LA, CA - ONT	FLIGHT 1898	
ARRIVES	1:05 PM	SMF Sacramento, CA - SMF	TRAVEL TIME 1hr 20min	

Wanna Get Away *Only 3 left!*

Earn **581 Rapid Rewards® points** *per Passenger, per one-way.*

- 2 free checked bags *(1st and 2nd checked bags fly free. Weight and size limits apply.)*
- EarlyBird eligible
- No change fee *(Fare difference may apply.)*
- Reusable funds

SUBTOTAL
$96.74

Taxes & fees **$49.63**

Flight total **$218.00**

Icon legend

WiFi available | Live TV available | EarlyBird Check-In®

Helpful Information:

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- When booking with Rapid Rewards® points, your point balance may not immediately update in your account.

No change fees.[1]

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after first purchase.

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after you spend $500 in your first 3 months.

Learn more >

YOU PAY TODAY	$218.00
CREDIT ON YOUR STATEMENT	-$200.00
TOTAL AFTER STATEMENT CREDIT	$18.00

Not ready to buy yet? Save this flight for later.

* 1st and 2nd checked bags fly free. Weight and size limits apply.

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By clicking 'Continue', you agree to accept the fare rules and want to continue with this purchase.

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No worries, your flight will remain in your cart while you search for a car.

Add a car

Book now. Pay later!

From $67.02*/day in Las Vegas

Book now

*Taxes and fees excl. Terms apply

PICK-UP LOCATION	PICK-UP DATE	PICK-UP TIME
Las Vegas, NV	7/09	5:00 PM
Las Vegas, NV - LAS	Tue, Jul 9, 2019	

RETURN LOCATION	RETURN DATE	RETURN TIME
Las Vegas, NV	7/12	9:00 AM
Las Vegas, NV - LAS	Fri, Jul 12, 2019	

RENTAL COMPANY (Optional)	VEHICLE SIZE (Optional)
No preference	No preference

Search

TOTAL DUE NOW **$218.00**

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* 1st and 2nd checked bags fly free. Weight and size limits apply.

Log in for faster checkout | Continue

By clicking 'Continue', you agree to accept the fare rules and want to continue with this purchase.

Agenda Item Number XV - 10

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Special Education

Date: April 5, 2019 — **Action Item** X

To: Board of Trustees — **Information Item**

From: Michael Jordan

Director of Curriculum, Instruction and Special Education

1 # Attached Pages

Initials:_____

CONSENT AGENDA

SUBJECT: Community Advisory Committee (CAC) Nominee for the Sacramento County SELPA

The Special Education Department recommends Wendy Lone Bear to serve as the CJSUD parent representative on the Community Advisory Committee (CAC) with the Sacramento County SELPA.

RECOMMENDATION: CJUSD Board of Trustees to approve Wendy Lone Bear as the CAC representative to the SELPA.

AGENDA ITEM # XV-10

SACRAMENTO COUNTY SELPA
Application for Membership
COMMUNITY ADVISORY COMMITTEE FOR SPECIAL EDUCATION

District to complete the information below and submit to Sacramento County SELPA

CAC Applicant Name: Wendy Lone Bear

Address: 8333 Bramble Bush Circle Antelope, CA 95843

Phone number: 916-292-2751 Email Address: Wendy.lonebear@gmail.com

Are you a Parent, Student, Community or School Staff? Parent

Nominated by Special Education Director: Mike Jordan Director of Special Educ Date: 4/4/19
(Name & Title)

Total number of CAC members from your district to date: 1

Current members comprised of:
✓ Parents ____ Students ____ Special Ed. Teachers ____ Regular Ed. Teachers

Board of Trustees President Signature: _____ Date: _____

District Superintendent Signature: _____ Date: _____

Please send completed form to Aimee Myers: amyers@scoe.net 916-228-2229
Sacramento County SELPA, PO Box 269003 Sacramento, CA 95826

AGENDA ITEM # XV-11

Center Joint Unified School District

Dept./Site:	**Instructional Services**	**AGENDA REQUEST FOR:**	
Date:	**May 3, 2019**	**Action Item**	
To:	**Board of Trustees**	**Information Item**	X
From:	**Mike Jordan** MJJ **Director of C&I/Special Education**	**# Attached Pages**	9

SUBJECT: Professional Service Agreement

CONSULTANT'S NAME: Document Tracking Services

SERVICES TO BE RENDERED: Provide document translation for Special Education documents, Curriculum & Instruction documents and district/state parent notifications.

DATES OF SERVICE: June 1, 2019 – June 01, 2020.

PAYMENT PER DAY: Determined by document length and language.

TOTAL AMT OF CONTRACT: As needed.

FUNDING SOURCE: 01-0000-0-5800-103-0000-7700-019-000

RECOMMENDATION: CJUSD Board of Trustees approves Professional Services Agreement with Document Tracking Services.

CONSENT AGENDA

AGENDA ITEM # XV-11

Center Joint Unified School District
8408 Watt Avenue
Antelope, CA 95843

PROFESSIONAL SERVICES AGREEMENT

This agreement for professional services is entered into this 1st day of June, 2019, by and between the Center Joint Unified School District and the person(s) or firm described below, hereinafter described as CONTRACTOR. Persons performing services under this contract hold themselves out to be independent contractors, not employees of the DISTRICT, and hold(s) the DISTRICT harmless from claims under workers' compensation laws. CONTRACTOR further declares that he/she/it is/are in the business of providing the described service for any and all persons/organizations desiring such services, that such services are not provided exclusively for Center Joint Unified School District. CONTRACTOR also holds the DISTRICT harmless from claims arising from loss, damage, or injury while performing the stipulated services.

*Contractor Name: Document Tracking Services

Address: 10225 Barnes Canyon Rd Suite A200, San Diego CA 92121

Phone: 858-784-0967 Taxpayer ID #: 20-3469254

*Full description of services to be provided:
Provide document translation services for Special Education, District notifications, IEPs and documents as needed.

*Payment Determined by document size and language needed. CONTRACTOR will submit a signed invoice not more frequently than monthly, detailing services provided and charges. Payment will be made within forty-five days after receipt of invoice or service, whichever is later.

*Beginning Date of Service: 6/1/19 *Frequency of Service Dates: As needed
*Ending Date of Service: 6/1/20

Method of Payment and Tax Reporting: (check one)
☐ Variable Payroll- W-2 Generated (Requires completion of W-4 & I-9 in Personnel Dept.)
☒ Accounts Payable- 1099 Generated (Requires completion of W-9).

Total amount of this contract_____ Budget # 01-0000-0-5800-103-4760-1000-019-000

Reason service cannot be provided by a District employee:
No employee has the required certification, skills, and knowledge.

Signature of CONTRACTOR*: _____ Date*: 4/24/19
Signature of District employee requesting service: _____ Date: 4/29/19
Date Board of Trustees Approved (if over $500.00): _____ Date: _____
Personnel Approval (if cleared to start): _____ Date: _____
Signature of Accounting Supervisor: _____ Date: _____

***CONTRACT NOT VALID WITHOUT ALL DISTRICT SIGNATURES**

INDEPENDENT CONTRACTOR OR EMPLOYEE?
DISTRICT GUIDELINES

PART I	YES	NO
1. Has this category of worker already been classified an "employee" by the IRS? *Refer to page 1 for individuals listed in IRS Publication SWR 40 and others identified during the IRS compliance studies in San Diego County.*	☐	☒
2. Is the individual working as an employee prescribed by the Education Code? *Education Code sections 45100-45451 88000-88263 define what constitutes classified service and 44800-45060 87000-87333 define certificated service. The IRS predisposes an employer employee relationship when state law mandates such a relationship.*	☐	☒
3. Is the individual already an employee of the district in another capacity?	☐	☒
4. Has the individual performed substantially the same services for the district as an employee in the past? *Is the individual retired, returning to substitute, or train, etc.?*	☐	☒
5. Are there currently employees of the district doing substantially the same services as will be required of this individual?	☐	☒
6. Does the district have the legal right to control the method of performance by this individual? *Consider whether the district has to train this individual or give instruction as to when, where, how, and in what order to work. Does the district require the individual to submit reports or perform the services at a district site? These factors would indicate the district maintains control sufficient for an employer/employee relationship. However, it is <u>not necessary</u> that the district exercise this right or have the expertise required to do so. In many cases this would not be practical nor advisable*	☐	☒
7. Are the services, as being provided, an integral part of school operations? *Are the services being provided necessary to the operation of the school, program, project, etc.? This indicates the district has an interest in the method of performance, and implies the maintenance of legal control.*	☐	☒

If the answer to of the above questions is "YES",

STOP HERE

Do not complete the rest of the questions. The individual is the district employee and must be paid and reported accordingly.

If <u>all</u> of the above are "NO", continue...

PART II	YES	NO
8. Must the required service be performed by this individual? *Consider whether or not the individual may designate someone else to do the work without the district's knowledge or approval*	☐	☒
9. Does the district have a continuing relationship with this individual? *Is this a "one shot deal" or will the district continue to use this individual in the future? This could be on an infrequent or irregular basis but a continuous relationship exists.*	☐	☒
10. Can this relationship be terminated without the consent of <u>both</u> parties?	☐	☒

If the answer to questions 8, 9, or 10 is "YES", there is a good possibility that an employment relationship exists. Questions 8 & 9 are indicators of district control that, in conjunction with

other factors, imply an employment relationship. Go back to PART I and re-evaluate each question. If questions 1-7 are still all "NO", continue..

PART II - continued	YES	NO
11. Does the individual operate an independent trade or business that is available to the general public? *A determining factor in judging independence is the performance of services to the general public. In evaluating this criteria, school districts are considered to be separate entities. Keep in mind: if the district is utilizing this individual's services on a full-time basis, the individual is not available to the general public. NOTE: Possession of a business license or incorporation does not automatically satisfy this requirement. The determination must be made on the actual relationship between the district and the individual performing services.*	☒	☐
12 Does the individual have a substantial investment in his/her business, i.e. maintains a facility, equipment, etc.? *This is indicative of economic risk inherent in business enterprises. An independent contractor must be able to make a profit or sustain a loss.*	☒	☐

If either 11 or 12 are "NO", the individual is a district employee

STOP HERE

and process the individual through payroll.

If 11 and 12 are both "YES", continue

	YES	NO
13. Does the individual provide all materials and support services necessary for the performance of this service? *The district should not be providing office space, clerical, secretarial, or any other support for this individual such as materials, xeroxing, printing, office supplies, etc. Any necessary assistants would be hired by the individual.*	☒	☐
14. Is this paid by the job or on a commission?	☒	☐
15 Does the individual bear the cost of any travel and business expenses incurred to perform this service? *Generally, these types of expenses are paid by an employer, however some contracts provide for payment of airfare, mileage, etc. for consultants.*	☒	☐

If 11 and 12 are "YES", 13 through 15 should also be "YES" and are items that should be written into the consultant contract. This individual is an independent contractor. A "YES" on questions 13 through 15 supports the district's conclusion and substantiates a "reasonable basis" for treatment as an independent contractor. While there are circumstances where the district might pay contractually provided expenses, these should be kept at a minimum to avoid giving the impression of an employment relationship.

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Document Tracking Service, LLC

2 Business name/disregarded entity name, if different from above
Document Tracking Services

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☒ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ C

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
Exempt payee code (if any) _____
Exemption from FATCA reporting code (if any) _____

5 Address (number, street, and apt. or suite no.) See instructions.
10225 Barnes Canyon Road, Suite A200

Requester's name and address (optional)

6 City, state, and ZIP code
San Diego, CA 92121

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
___ - ___ - ____

or

Employer identification number
2 0 - 3 4 8 9 2 5 4

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ▶	Date ▶ 1/1/19

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

DOCUMENT TRACKING SERVICES

LICENSING AGREEMENT

This Agreement effective **June 1, 2019**, is made and entered into by **Center Joint Unified School District** as Licensee and Document Tracking Services (DTS) as Licensor each a "Party" and collectively the "Parties".

Licensee desires that DTS provide a license to use DTS proprietary web-based application in accordance with the following provisions:

A. License. DTS hereby grants to Licensee a non-exclusive license to use DTS application in order to create, edit, update, print and track specific documents as described in Exhibit **A** of this agreement.

   (i) DTS retains all rights, title and interest in DTS application and any registered trademarks associated with the license.

   (ii) Licensee retains all rights, title and interest in the documents as described in Exhibit **A** of this agreement.

B. Internet Areas. All parties including third party licensees shall not be permitted to establish any "pointers" or links between the Online Area and any other area on or outside of the DTS login without the prior written approval.

C. Term of License. The term of the Agreement is for **one (1) year** from the effective date (as noted in paragraph one) of the license agreement.

D. Personnel. DTS will assign the appropriate personnel to represent DTS in all aspects of the license including but not limited to account set up and customer license inquiries.

E. Content. DTS will be solely responsible for loading the content supplied by Licensee into DTS secure server and provide complete access to Licensee and its representatives.

F. Security of Data. DTS at all times will have complete security of Licensee documents on dedicated servers that only authorized DTS personnel will have access to; all login by DTS authorized will be stored and saved as to time of log-in and log-out.

   (i) Licensee may request DTS to only store Licensee documents for the period of time that allows Licensee and its authorized personnel to create, edit and update their documents.

G. Management of Database. DTS shall allow Licensee to review, edit, create, update and otherwise manage all content of Licensee available through the Secure Login of DTS.

H. Customer License. DTS shall respond promptly and professionally to questions, comments, complaints and other reasonable requests regarding any aspect of DTS application by Licensee. DTS business hours are Monday-Friday 8AM PST to 5PM PST except for national/state holidays.

DOCUMENT TRACKING SERVICES

I. License Fee. Licensee shall pay a fee of **$2,250.**

J. Document Set Up Fee. The one-time set up fee for documents as described in Exhibit A and made a part of this Agreement is **$0.**

K. Payment Terms. Licensee shall pay the annual licensing fee upon execution of the Agreement between parties and the electronic submittal of the invoice to Licensee.

L. Number of Documents. The maximum number of documents per school district is limited to **five (5).**

M. Warranty. Licensee represents and warrants that all information provided to DTS, including but not limited to narratives, editorials, information regarding schools, is owned by Licensee and Licensee has the right to use and allow use by DTS as called for hereunder and that no copyrights, trademark rights or intellectual property rights of any nature of any third party will be infringed by the intended use thereof. In the event any claim is brought against DTS based on an alleged violation of the rights warranted herein, Licensee agrees to indemnify and hold DTS harmless from all such claims, including attorney fees and costs incurred by DTS in defending such claims.

N. Definitions.

(i) Document. A document is defined as **a**) a specific template provided by CDE or; **b**) any specific word document or forms that have different fields or school references such as elementary, middle or high schools* submitted by District or CDE; or **c**) individual inserts submitted by District or CDE that are integrated into existing documents or are offered as supplemental and/or addendums to other report documents.

* Licensee submits a SPSA template for their elementary, middle and high schools, which is counted as three (3) separate documents.

(ii) Customized Documents. Any document that is not a standard CDE template is considered a custom document and as such may be subject to additional setup fees; DTS shall provide an estimated cost of these additional fees prior to the execution of this agreement.

O. Document Setup Fee. DTS will charge a one-time setup fee of $200 per standard document up to a maximum of $850 for customized documents.

P. Additional Fees. Licensee shall pay additional fees if Licensee exceeds the number of documents as described in section L of this agreement. The fee for each additional document is $39 per document times the number of schools in the district. The fee shall be payable within thirty (30) days from DTS invoice.

Q. Additional Services. DTS can also provide Data Transfer and Document Translation services to Licensee for an additional fee. The fee for each additional service would be agreed upon between the parties and invoiced at the time the services were requested. The fee shall be payable within thirty (30) days from DTS invoice.

DOCUMENT TRACKING SERVICES

Exhibit A

The following are standard documents to be used in conjunction with the license.

1. 2019 School Accountability Report Card, English & Spanish (Custom Template)
2. 2019 School Plan for Student Achievement (CDE Template)
3. 2019 Local Control and Accountability Plan (CDE Template)
4. 2019 Local Education Agency Plan (CDE Template)
5. Others to be identified as needed.

DOCUMENT TRACKING SERVICES

The Parties hereto have executed this Agreement as of the Effective Date.

Document Tracking Services, LLC

By: Aaron Tarazon, Director
Document Tracking Services
10225 Barnes Canyon Road, Suite A200
San Diego, CA 92121
858-784-0960 - Phone
858-587-4640 - Corporate Fax

Date: April 11, 2019

Licensee

By: _____

Date: _____

Center Joint Unified School District

AGENDA ITEM # XV-12

Center Joint Unified School District

Dept./Site:	**Instructional Services**	**AGENDA REQUEST FOR:**	
Date:	**May 3, 2019**	**Action Item**	
To:	**Board of Trustees**	**Information Item**	X
From:	**Tami J'Beily Coordinator of Categoricals**	**# Attached Pages**	5

SUBJECT: Professional Service Agreement

CONSULTANT'S NAME: Carmazzi Global Solutions

SERVICES TO BE RENDERED: Provide language interpreting services for parents/guardians for the classroom, IEPs, meetings or other related school activities.

DATES OF SERVICE: July 1, 2019 – June 30, 2020.

PAYMENT PER DAY: $105.00 per hour

TOTAL AMT OF CONTRACT: As needed.

FUNDING SOURCE: 01-0000-0-5800-103-4760-1000-019-000

RECOMMENDATION: CJUSD Board of Trustees approves Professional Services Agreement with Carmazzi Global Solutions, Inc.

CONSENT AGENDA

AGENDA ITEM # XV-12

Center Joint Unified School District
8408 Watt Avenue
Antelope, CA 95843

PROFESSIONAL SERVICES AGREEMENT

This agreement for professional services is entered into this 1st day of July, 2019, by and between the Center Joint Unified School District and the person(s) or firm described below, hereinafter described as CONTRACTOR. Persons performing services under this contract hold themselves out to be independent contractors, not employees of the DISTRICT, and hold(s) the DISTRICT harmless from claims under workers' compensation laws. CONTRACTOR further declares that he/she/it is/are in the business of providing the described service for any and all persons/organizations desiring such services, that such services are not provided exclusively for Center Joint Unified School District. CONTRACTOR also holds the DISTRICT harmless from claims arising from loss, damage, or injury while performing the stipulated services.

*Contractor Name: Carmazzi Global Solutions

Address: 1026 Florin Rd. #384, Sacramento CA 95831

Phone: 916-714-7848 Taxpayer ID #: 68-0557648

*Full description of services to be provided:
Provide interpreting services for student and/or parents for classroom, IEP,SST, and meetings or other related school activities.
OPI Telephone Services (Over the phone Interpretation Quick Access Porter)

*Payment $105.00 per hour. Over the Phone services:$1.45 per minute. CONTRACTOR will submit a signed invoice not more frequently than monthly, detailing services provided and charges. Payment will be made within forty-five days after receipt of invoice or service, whichever is later.

*Beginning Date of Service: 7/1/19 *Frequency of Service Dates: As needed
*Ending Date of Service: 6/30/20

Method of Payment and Tax Reporting: (check one)
☐ Variable Payroll- W-2 Generated (Requires completion of W-4 & I-9 in Personnel Dept.)
☒ Accounts Payable- 1099 Generated (Requires completion of W-9).

Total amount of this contract_____ Budget # 01-0000-0-5800-103-4760-1000-019-000

Reason service cannot be provided by a District employee:

Signature of CONTRACTOR*: _____ Date*: 04/25/2019
Signature of District employee requesting service: _____ Date: 4/29/19
Date Board of Trustees Approved (if over $500.00): _____ Date: _____
Personnel Approval (if cleared to start): _____ Date: _____
Signature of Accounting Supervisor: _____ Date: _____

***CONTRACT NOT VALID WITHOUT ALL DISTRICT SIGNATURES**

INDEPENDENT CONTRACTOR OR EMPLOYEE?
DISTRICT GUIDELINES

PART I	YES	NO
1. Has this category of worker already been classified an "employee" by the IRS? *Refer to page 1 for individuals listed in IRS Publication SWR 40 and others identified during the IRS compliance studies in San Diego County.*	☐	☒
2. Is the individual working as an employee prescribed by the Education Code? *Education Code sections 45100-45451/88000-88263 define what constitutes classified service and 44800-45060/87000-87333 define certificated service. The IRS predisposes an employer/employee relationship when state law mandates such a relationship.*	☐	☒
3. Is the individual already an employee of the district in another capacity?	☐	☒
4. Has the individual performed substantially the same services for the district as an employee in the past? *Is the individual retired, returning to substitute, or train, etc.?*	☐	☒
5. Are there currently employees of the district doing substantially the same services as will be required of this individual?	☐	☒
6. Does the district have the legal right to control the method of performance by this individual? *Consider whether the district has to train this individual or give instruction as to when, where, how, and in what order to work. Does the district require the individual to submit reports or perform the services at a district site? These factors would indicate the district maintains control sufficient for an employer/employee relationship. However, it is not necessary that the district exercise this right or have the expertise required to do so. In many cases this would not be practical nor advisable.*	☐	☒
7. Are the services, as being provided, an integral part of school operations? *Are the services being provided necessary to the operation of the school, program, project, etc.? This indicates the district has an interest in the method of performance, and implies the maintenance of legal control.*	☐	☒

If the answer to of the above questions is "YES",

STOP HERE

Do not complete the rest of the questions. The individual is the district employee and must be paid and reported accordingly.

If all of the above are "NO", continue...

PART II	YES	NO
8. Must the required service be performed by this individual? *Consider whether or not the individual may designate someone else to do the work without the district's knowledge or approval*	☐	☒
9. Does the district have a continuing relationship with this individual? *Is this a "one shot deal" or will the district continue to use this individual in the future? This could be on an infrequent or irregular basis but a continuous relationship exists.*	☐	☒
10. Can this relationship be terminated without the consent of both parties?	☐	☒

If the answer to questions 8, 9, or 10 is "YES", there is a good possibility that an employment relationship exists. Questions 8 & 9 are indicators of district control that, in conjunction with

other factors, imply an employment relationship. Go back to PART I and re-evaluate each question. If questions 1-7 are still all "NO", continue...

PART II - continued	YES	NO
11. Does the individual operate an independent trade or business that is available to the general public? *A determining factor in judging independence is the performance of services to the general public. In evaluating this criteria, school districts are considered to be separate entities. Keep in mind: if the district is utilizing this individual's services on a full-time basis, the individual is <u>not</u> available to the general public. NOTE: Possession of a business license or incorporation does <u>not</u> automatically satisfy this requirement. The determination <u>must</u> be made on the actual <u>relationship</u> between the district and the individual performing services.*	☒	☐
12. Does the individual have a substantial investment in his/her business, i.e. maintains a facility, equipment, etc.? *This is indicative of economic risk inherent in business enterprises. An independent contractor must be able to make a profit or sustain a loss.*	☒	☐

If <u>either</u> 11 or 12 are "NO", the individual is a district employee

STOP HERE

and process the individual through payroll.

If 11 and 12 are <u>both</u> "YES", continue

	YES	NO
13. Does the individual provide all materials and support services necessary for the performance of this service? *The district should not be providing office space, clerical, secretarial, or any other support for this individual such as materials, xeroxing, printing, office supplies, etc. Any necessary assistants would be hired by the individual.*	☒	☐
14. Is this paid by the job or on a commission?	☒	☐
15. Does the individual bear the cost of any travel and business expenses incurred to perform this service? *Generally, these types of expenses are paid by an employer, however, some contracts provide for payment of airfare, mileage, etc. for consultants.*	☒	☐

If 11 and 12 are "YES", 13 through 15 should also be "YES" and are items that should be written into the consultant contract. This individual is an independent contractor. A "YES" on questions 13 through 15 supports the district's conclusion and substantiates a "reasonable basis" for treatment as an independent contractor. While there are circumstances where the district might pay contractually provided expenses, these should be kept at a minimum to avoid giving the impression of an employment relationship.

Form **W-9**
(Rev. December 2014)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Carmazzi Inc

2 Business name/disregarded entity name, if different from above
Carmazzi Global Solutions

3 Check appropriate box for federal tax classification; check only one of the following seven boxes:
☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☑ S Corporation ☐ Partnership ☐ Trust/estate
☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶
Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.
☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
Exempt payee code (if any)
Exemption from FATCA reporting code (if any)
(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.)
1026 Florin Road #384

Requester's name and address (optional)

6 City, state, and ZIP code
Sacramento, CA 95831

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number
			-			-				

or

Employer identification number
6	8	-	0	5	5	7	6	4	8

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here Signature of U.S. person ▶ Date ▶ 1/29/19

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at *www.irs.gov/fw9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

AGENDA ITEM # XV-13

Center Joint Unified School District

Dept./Site:	**Instructional Services**	**AGENDA REQUEST FOR:**	
Date:	**May 3, 2019**	**Action Item**	
To:	**Board of Trustees**	**Information Item**	X
From:	**Mike Jordan** **Director of C&I/Special Education**	**# Attached Pages**	6

SUBJECT: Professional Service Agreement

CONSULTANT'S NAME: Eaton Interpreting Services, Inc.

SERVICES TO BE RENDERED: Provide American Sign Language services to deaf/hard hearing parents/guardians for the classroom, IEPs, meetings or other school related activities.

DATES OF SERVICE: July 1, 2019 – June 30, 2020.

PAYMENT PER DAY: $52.50 per hour; $62.50 evenings/weekends.

TOTAL AMT OF CONTRACT: As needed.

FUNDING SOURCE: 01-0000-0-5800-103-4760-1000-019-000

RECOMMENDATION: CJUSD Board of Trustees approves Professional Services Agreement with Eaton Interpreting Services, Inc.

CONSENT AGENDA

AGENDA ITEM # XV-13

Center Joint Unified School District
8408 Watt Avenue
Antelope, CA 95843

PROFESSIONAL SERVICES AGREEMENT

This agreement for professional services is entered into this 1st day of July, 2019, by and between the Center Joint Unified School District and the person(s) or firm described below, hereinafter described as CONTRACTOR. Persons performing services under this contract hold themselves out to be independent contractors, not employees of the DISTRICT, and hold(s) the DISTRICT harmless from claims under workers' compensation laws. CONTRACTOR further declares that he/she/it is/are in the business of providing the described service for any and all persons/organizations desiring such services, that such services are not provided exclusively for Center Joint Unified School District. CONTRACTOR also holds the DISTRICT harmless from claims arising from loss, damage, or injury while performing the stipulated services.

*Contractor Name: Eaton Interpreting Services, Inc.

Address: 8333 Olivine Ave, Citrus Heights, CA 95610

Phone: 916-721-3636 Taxpayer ID #: 20-0448077

*Full description of services to be provided:
Provide American Sign Language interpreting services to Deaf student and/or parents for classroom, IEP, SST, meetings, or other related school activities.

*Payment $54.00 per hour. **$64.00 for evenings and weekend services. CONTRACTOR will submit a signed invoice not more frequently than monthly, detailing services provided and charges. Payment will be made within forty-five days after receipt of invoice or service, whichever is later.

*Beginning Date of Service: 7/1/19 *Frequency of Service Dates: As needed
*Ending Date of Service: 6/30/20

Method of Payment and Tax Reporting: (check one)
☐ Variable Payroll- W-2 Generated (Requires completion of W-4 & I-9 in Personnel Dept.)
☒ Accounts Payable- 1099 Generated (Requires completion of W-9).

Total amount of this contract_____ Budget # 01-0000-0-5800-103-4760-1000-019-000

Reason service cannot be provided by a District employee:

Signature of CONTRACTOR*: Kim Eaton Date*: 4/23/19
Signature of District employee requesting service: [signature] Date: 4/29/19
Date Board of Trustees Approved (if over $500.00): _____ Date: _____
Personnel Approval (if cleared to start): _____ Date: _____
Signature of Accounting Supervisor: _____ Date: _____

***CONTRACT NOT VALID WITHOUT ALL DISTRICT SIGNATURES**

INDEPENDENT CONTRACTOR OR EMPLOYEE?
DISTRICT GUIDELINES

PART I	YES	NO
1. Has this category of worker already been classified an "employee" by the IRS? *Refer to page 1 for individuals listed in IRS Publication SWR 40 and others identified during the IRS compliance studies in San Diego County.*	☐	☒
2. Is the individual working as an employee prescribed by the Education Code? *Education Code sections 45100-45451/88000-88263 define what constitutes classified service and 44800-45060/87000-87333 define certificated service. The IRS predisposes an employer/employee relationship when state law mandates such a relationship.*	☐	☒
3. Is the individual already an employee of the district in another capacity?	☐	☒
4. Has the individual performed substantially the same services for the district as an employee in the past? *Is the individual retired, returning to substitute, or train, etc.?*	☐	☒
5. Are there currently employees of the district doing substantially the same services as will be required of this individual?	☐	☒
6. Does the district have the legal right to control the method of performance by this individual? *Consider whether the district has to train this individual or give instruction as to when, where, how, and in what order to work. Does the district require the individual to submit reports or perform the services at a district site? These factors would indicate the district maintains control sufficient for an employer/employee relationship. However, it is <u>not necessary</u> that the district exercise this right or have the expertise required to do so. In many cases this would not be practical nor advisable.*	☐	☒
7. Are the services, as being provided, an integral part of school operations? *Are the services being provided necessary to the operation of the school, program, project, etc.? This indicates the district has an interest in the method of performance, and implies the maintenance of legal control.*	☐	☒

If the answer to of the above questions is "YES",

STOP HERE

Do not complete the rest of the questions. The individual is the district employee and must be paid and reported accordingly.

If <u>all</u> of the above are "NO", continue...

PART II	YES	NO
8. Must the required service be performed by this individual? *Consider whether or not the individual may designate someone else to do the work without the district's knowledge or approval*	☐	☒
9. Does the district have a continuing relationship with this individual? *Is this a "one shot deal" or will the district continue to use this individual in the future? This could be on an infrequent or irregular basis but a continuous relationship exists.*	☐	☒
10. Can this relationship be terminated without the consent of <u>both</u> parties?	☐	☒

If the answer to questions 8, 9, or 10 is "YES", there is a good possibility that an employment relationship exists. Questions 8 & 9 are indicators of district control that, in conjunction with

other factors, imply an employment relationship. Go back to PART I and re-evaluate each question. If questions 1-7 are still all "NO", continue...

PART II - continued	YES	NO
11. Does the individual operate an independent trade or business that is available to the general public? *A determining factor in judging independence is the performance of services to the general public. In evaluating this criteria, school districts are considered to be separate entities. Keep in mind: if the district is utilizing this individual's services on a full-time basis, the individual is <u>not</u> available to the general public. NOTE: Possession of a business license or incorporation does <u>not</u> automatically satisfy this requirement. The determination <u>must</u> be made on the actual <u>relationship</u> between the district and the individual performing services.*	☒	☐
12. Does the individual have a substantial investment in his/her business, i.e. maintains a facility, equipment, etc.? *This is indicative of economic risk inherent in business enterprises. An independent contractor must be able to make a profit or sustain a loss.*	☒	☐

If <u>either</u> 11 or 12 are "NO", the individual is a district employee

STOP HERE

and process the individual through payroll.

If 11 and 12 are <u>both</u> "YES", continue

	YES	NO
13. Does the individual provide all materials and support services necessary for the performance of this service? *The district should not be providing office space, clerical, secretarial, or any other support for this individual such as materials, xeroxing, printing, office supplies, etc. Any necessary assistants would be hired by the individual.*	☒	☐
14. Is this paid by the job or on a commission?	☒	☐
15. Does the individual bear the cost of any travel and business expenses incurred to perform this service? *Generally, these types of expenses are paid by an employer; however, some contracts provide for payment of airfare, mileage, etc. for consultants.*	☒	☐

If 11 and 12 are "YES", 13 through 15 should also be "YES" and are items that should be written into the consultant contract. This individual is an independent contractor. A "YES" on questions 13 through 15 supports the district's conclusion and substantiates a "reasonable basis" for treatment as an independent contractor. While there are circumstances where the district might pay contractually provided expenses, these should be kept at a minimum to avoid giving the impression of an employment relationship.

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Eaton Interpreting Services, Inc.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☑ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions
8333 Olivine Ave.

Requester's name and address (optional)

6 City, state, and ZIP code
Citrus Heights, CA 95610

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
			-			-				

or

Employer identification number
2	0	-	0	4	4	8	0	7	7

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ Kim Eaton Date ▶ 4/1/19

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

Eaton Interpreting Services, Inc.
Kim Eaton, President, CI, CT, NAD IV
8333 Olivine Avenue
Citrus Heights, CA 95610

EATON INTERPRETING SERVICES, INC.

Phone: 916-721-3636
Fax: 916-273-3072
schedulers@eatoninterpreting.com
www.eatoninterpreting.com

AGREEMENT FOR INTERPRETING SERVICES

Eaton Interpreting Services, Inc. is a Certified Small Business that utilizes independent contractors to provide on-site and Video Remote (VRI) sign language interpreting services twenty-four hours a day/seven days a week. We have provided certified and professional sign language interpreters to the greater Sacramento area since 1994. All contracted interpreters adhere to a Code of Professional Conduct set forth by the National Registry of Interpreters for the Deaf, RID. As per Dept. of Education Code (Section 45125.1), all contracted interpreters have been fingerprinted through the CA Dept. of Justice automated Live Scan service for criminal history background checks and are in compliance with the CA Dept. of Education Code (Section 3051.16) related to qualification & certification requirements.

Requests for services may be scheduled by telephone, email, through our online scheduling system, or via our website 24/7. Daytime office hours are Monday through Friday 7:00 am – 6:00 pm

Services for sign language interpreters are billed at the rates below (per interpreter) with a two-hour minimum. After 2 hours, billing is in 15-min increments.

- K-12 Educational requests are billed at a rate of $54.00 per hour.
- Evening (6:00 pm – 10:00 pm), weekend, and holiday rates are $64.00 per hour.
- Requests between the hours of 10:00 pm and 7:00 am, rates increase by $30.00 per hour.
- **Team Interpreting** - For effective communication, requests longer than one hour's duration may require a team of two interpreters depending on the nature of the job. Eaton utilizes standard practices within the interpreting profession to determine if a second interpreter is needed. Eaton will inform you prior to confirming if a team is needed.
- **Cancellation Policy** - Cancellation of requests not received not received by 5:00 pm two business days prior (i.e. 36 hours prior to service date), ***excluding weekends and holidays***, are still billable for the time scheduled.
- **Billing** - Invoices are generated at the completion of the interpreting assignment(s) and payment is due within 45 days of postmarked date.

A Sacramento-based agency proudly serving our local community for 25 years

CMAS Approved Contractor

Professional Sign Language Interpreting Services
Serving Sacramento and Northern California
State of California ~ Certified Small Business

BBB ACCREDITED BUSINESS

AGENDA ITEM # XV-14

Center Joint Unified School District

Dept./Site:	**Instructional Services**	**AGENDA REQUEST FOR:**
Date:	**May 3, 2019**	**Action Item** X
To:	**Board of Trustees**	**Information Item**
From:	**Mike Jordan** MJ **Director of C&I/Special Education**	**# Attached Pages** 3

SUBJECT: Course based Independent Study program for 2018/2019

Attached is the course list offered to K-12 Independent studies students through Edgenuity. Students work 60 minutes per course, per day, five days a week. The students earn up to 5 credits per semester per course.

RECOMMENDATION: CJUSD Board of Trustees ratify the Course based independent studies program

CONSENT AGENDA

AGENDA ITEM # XV-14

California
COURSE LIST

Ask us about **UpSmart™**
Our award-winning, fully adaptive solution that prepares middle school students to succeed on state assessments.

ENGLISH LANGUAGE ARTS

- ☐ English Language Arts 6
- ☐ English Language Arts 7
- ☐ English Language Arts 8
- ☐ English Language Arts 9 *
- ☐ English Language Arts 9 Accelerated **
- ☐ English Language Arts 10 *
- ☐ English Language Arts 10 Honors **
- ☐ English Language Arts 11/American Lit **
- ☐ English Language Arts 11 Honors *
- ☐ English Language Arts 12/British Lit **
- ☐ English Language Arts 12 Honors **
- ☐ Expository Reading and Writing *
- ☐ Classic Novels and Author Studies**

SOCIAL STUDIES

- ☐ Modern World History **
- ☐ MS World History and Geography: Ancient Civilizations
- ☐ MS World History and Geography: Medieval and Early Modern Times
- ☐ MS United States History and Geography
- ☐ Principles of American Democracy***
- ☐ Principles of American Democracy Honors***
- ☐ U.S. History and Geography**
- ☐ U.S. History and Geography Honors**
- ☐ World History, Culture, and Geography**
- ☐ World History, Culture, and Geography Honors **

MATHEMATICS

- ☐ Math 6
- ☐ Math 7
- ☐ Math 8
- ☐ Grade 8 Algebra I
- ☐ Grade 8 Mathematics I
- ☐ Pre-Algebra
- ☐ Algebra I **
- ☐ Geometry **
- ☐ Algebra II **
- ☐ Pre-Calculus **
- ☐ Mathematics I **
- ☐ Mathematics II **
- ☐ Mathematics III **
- ☐ Mathematical Analysis Honors **
- ☐ Trigonometry***
- ☐ Concepts in Probability and Statistics***

SCIENCE

- ☐ MS Life Science
- ☐ MS Physical Science
- ☐ MS Earth Science
- ☐ Integrated Science 6
- ☐ Integrated Science 7
- ☐ Integrated Science 8
- ☐ Biology **
- ☐ Biology Honors **
- ☐ Chemistry **
- ☐ Chemistry Honors **
- ☐ Chemistry in the Earth System *
- ☐ Physics **
- ☐ Physics Honors **
- ☐ Physics in the Universe **
- ☐ The Living Earth *

WORLD LANGUAGES

Middle School

- ☐ Spanish 1
- ☐ Spanish 2
- ☐ French 1
- ☐ French 2
- ☐ German 1
- ☐ German 2
- ☐ Latin 1
- ☐ Latin 2
- ☐ Chinese 1
- ☐ Chinese 2

High School

- ☐ Spanish I **
- ☐ Spanish II **
- ☐ Spanish III **
- ☐ French I **
- ☐ French II **
- ☐ French III **
- ☐ German I **
- ☐ German II **
- ☐ Latin I **
- ☐ Latin II **
- ☐ Chinese I
- ☐ Chinese II

Ask us about Driver's Ed Online

In partnership with DriversEd.com, Edgenuity is now offering a DMV-licensed online driver's education course for students aged 14 to 17.

FOR MORE INFORMATION CONTACT US AT:
877.7CLICKS | solutions@edgenuity.com

Edgenuity®
where learning clicks

California

COURSE LIST, CONTINUED

COURSEWARE ELECTIVES

General Electives

- ☐ Art History I[16]
- ☐ Contemporary Health[4, 16]
- ☐ Earth and Space Science[16]
- ☐ Economics[3,17]
- ☐ Economics Honors[3,18]
- ☐ Foundations of Personal Wellness
- ☐ Intro to Communications & Speech I[3,16]
- ☐ Intro to Communications & Speech II[3,4]
- ☐ Lifetime Fitness[4]
- ☐ Literacy and Comprehension I[3,4]
- ☐ Literacy and Comprehension II[3,4]
- ☐ Linear Algebra[3,16]
- ☐ Online Learning & Digital Citizenship[4]
- ☐ Physical Science[16]
- ☐ Psychology[17]
- ☐ Sociology[3,16]
- ☐ Strategies for Academic Success[4]
- ☐ Visual Arts[17]
- ☐ World Regional Geography[3,16]

CTE Electives

- ☐ Career Explorations
- ☐ Career Planning & Development[4]

Arts, Media and Entertainment

- ☐ Digital Arts[3,16]
- ☐ Projects in Audio Engineering[3,4]
- ☐ Projects in Game Design[3,4]

Business and Finance

- ☐ Financial Math[3,16]
- ☐ Introduction to Business[3,17]
- ☐ Personal Finance[3,4]

Energy, Environment and Utilities

- ☐ Environmental Science[3,17]

Health, Science and Medical Technology

- ☐ Health Science Concepts[3,16]
- ☐ Health Science & Medical Technology[3,17]
- ☐ Medical Terminology[3,16]
- ☐ Nursing Assistant[3,17]
- ☐ Pharmacy Technician[3,17]

COURSEWARE ELECTIVES, CONTINUED

Information & Communication Technologies

- ☐ Computer Applications: Office® 2016
- ☐ Intro to Coding[4]
- ☐ Information & Communication Technology[3,16]
- ☐ Microsoft® Office® Specialist

Marketing, Sales and Services

- ☐ Entrepreneurship/Self-Employment[3,16]

TEST PREPARATION

- ☐ SAT®
- ☐ PSAT®
- ☐ ACT®
- ☐ ASVAB® (Math, Verbal, Science)
- ☐ GED®
- ☐ HiSET®
- ☐ TASC™
- ☐ COMPASS®
- ☐ ACCUPLACER®
- ☐ ACT WorkKeys®
- ☐ CHSPE Language
- ☐ CHSPE Mathematics
- ☐ CHSPE Reading

ADVANCED PLACEMENT®

- ☐ Calculus AB[3,17]
- ☐ English Language & Composition[3,17]
- ☐ English Literature & Composition[3,17]
- ☐ Environmental Science[3,17]
- ☐ French Language & Culture[3,17]
- ☐ Human Geography[3,17]
- ☐ Psychology[3,17]
- ☐ Spanish Language & Culture[3,17]
- ☐ U.S. Government & Politics[3,17]
- ☐ U.S. History[3,17]
- ☐ World History[3,17]

SUBSCRIPTION-BASED ELECTIVES

by Sophia® Dual Credit

These college-level courses are ACE® CREDIT® recommended for potential transfer to more than 2,000 colleges and universities. Every secondary institution sets its own policies for credit acceptance, contact colleges and universities to learn more about their policies for dual credit courses. These electives are priced separately by enrollment.

- ☐ Accounting[3,4]
- ☐ Approaches to Studying Religions[3,4]
- ☐ College Algebra[3,4]
- ☐ Conflict Resolution[3,4]
- ☐ Human Biology[3,4]
- ☐ Introduction to Art History[3,4]
- ☐ Introduction to Psychology[3,4]
- ☐ Introduction to Sociology[3,4]
- ☐ Introduction to Statistics[3,4]
- ☐ Macroeconomics[3,4]
- ☐ Microeconomics[3,4]
- ☐ Project Management[3,4]
- ☐ Visual Communications[3,4]

[3] One-semester course
[4] Supplemental course
[16] Not available via Instructional Services
[17] California Ag Approved
Science courses listed in the General Electives section can only be used for a graduation if districts supplement them with hands-on labs.

Notes

AP®: Advanced Placement®; AP® and the AP® logo are registered trademarks of the College Board.

ACT®, COMPASS®, and ACT WorkKeys® are registered trademarks of ACT, Inc.

ASVAB®: Armed Services Vocational Aptitude Battery® is a registered trademark of the United States Military Entrance Processing Command.

[illegible] is a registered trademark of [illegible]

ETS® is a registered trademark of Educational Testing Service (ETS).

ACE® is a registered trademark of CEB.

SUBSCRIPTION-BASED ELECTIVES

by eDynamic Learning

Edgenuity offers a suite of eDynamic Learning electives on a subscription basis, allowing students to pursue a large range of interests in language arts, creative arts, STEM, and CTE. These electives are priced separately by enrollment.

Middle School Electives

- ☐ Middle School 2D Studio Art 1A*
- ☐ Middle School 2D Studio Art 1B*
- ☐ Middle School Coding 1A*
- ☐ Middle School Coding 1B*
- ☐ Middle School Digital Art & Design 1A*
- ☐ Middle School Digital Art & Design 1B*
- ☐ Middle School Exploring Music 1A*
- ☐ Middle School Exploring Music 1B*
- ☐ Middle School Game Design 1A*
- ☐ Middle School Game Design 1B*
- ☐ Middle School Journalism 1A*
- ☐ Middle School Journalism 1B*
- ☐ Middle School Photography 1A*
- ☐ Middle School Photography 1B*

High School General Electives

- ☐ African American History*
- ☐ American Sign Language 1A*
- ☐ American Sign Language 1B*
- ☐ American Sign Language 2A*
- ☐ American Sign Language 2B*
- ☐ Anthropology I: Uncovering Human Mysteries*
- ☐ Anthropology II: More Human Mysteries Uncovered*
- ☐ Archaeology: Detectives of the Past*
- ☐ Astronomy: Exploring the Universe 1A*
- ☐ Astronomy: Exploring the Universe 1B*
- ☐ Creative Writing*
- ☐ Forensic Science I: Secrets of the Dead*
- ☐ Forensic Science II: More Secrets of the Dead*
- ☐ Gothic Literature: Monster Stories*
- ☐ Great Minds in Science: Ideas for a New Generation*
- ☐ History of the Holocaust*
- ☐ Marine Science 1A*
- ☐ Marine Science 1B*
- ☐ Mythology and Folklore: Legendary Tales*
- ☐ Peer Counseling*
- ☐ Philosophy: The Big Picture*

High School General Electives, continued

- ☐ Social Problems I: A World in Crisis*
- ☐ Social Problems II: Crisis, Conflicts, & Challenges*
- ☐ World Religions: Exploring Diversity*

Agriculture and Natural Resources

- ☐ Agriscience 1: Introduction to Agriscience*
- ☐ Agriscience 2A: Sustaining Human Life*
- ☐ Agriscience 2B: Sustaining Human Life*
- ☐ Forestry and Natural Resources*
- ☐ Principles of Agriculture, Food, & Natural Resources*
- ☐ Veterinary Science: The Care of Animals*

Arts, Media, and Entertainment

- ☐ Animation*
- ☐ Digital Photography 1A*
- ☐ Digital Photography 1B*
- ☐ Digital Photography*
- ☐ Journalism 1A*
- ☐ Journalism 1B*
- ☐ Music Appreciation*
- ☐ Public Speaking 1A*
- ☐ Public Speaking 1B*

Business and Finance

- ☐ International Business: Global Commerce in the 21st Century*

Education, Child Development, and Family Services

- ☐ Early Childhood Education 1A*
- ☐ Early Childhood Education 1B*
- ☐ Real World Parenting*

Energy, Environment, and Utilities

- ☐ Renewable Technologies 1A*
- ☐ Renewable Technologies 1B*

Engineering and Architecture

- ☐ Concepts of Engineering & Technology*

Fashion and Interior Design

- ☐ Cosmetology 1: Cutting Edge Styles*
- ☐ Cosmetology 2: The Business of Skin & Nails*
- ☐ Fashion and Interior Design*

Health Science and Medical Technology

- ☐ Biotechnology 1A*
- ☐ Biotechnology 1B*
- ☐ Nutrition and Wellness*

Hospitality, Tourism, and Recreation

- ☐ Culinary Arts 1A*
- ☐ Culinary Arts 1B*
- ☐ Hospitality and Tourism 1: Traveling the Globe*
- ☐ Hospitality and Tourism 2A: Hotel and Restaurant Management*
- ☐ Hospitality and Tourism 2B: Hotel and Restaurant Management*

Information and Communication Technologies

- ☐ Cybersecurity 1A*
- ☐ Cybersecurity 1B*
- ☐ Game Design 1A*
- ☐ Game Design 1B*
- ☐ Introduction to Social Media: Our Connected World*

Manufacturing & Product Development

- ☐ Introduction to Manufacturing: Product Design and Innovation*

Marketing, Sales, and Services

- ☐ Advertising and Sales Promotion*
- ☐ Sports and Entertainment Marketing*

Public Services

- ☐ Careers in Criminal Justice*
- ☐ Criminology: Inside the Criminal Mind*
- ☐ Introduction to Military Careers*
- ☐ Law and Order: Introduction to Legal Studies*
- ☐ National Security*
- ☐ Principles of Public Service: To Serve and Protect*

FOR MORE INFORMATION CONTACT US AT:

877.7CLICKS | solutions@edgenuity.com

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AGENDA ITEM # XV - 15

Center Unified School District

AGENDA REQUEST FOR:

Dept./Site: Educational Talent Search

Date: 6/24/2019 – 6/28/2019

To: CUSD Board of Trustees

From: Boun Moua, Program Advisor

Principal's Initials JF

Action Item XX

Information Item _____

 # Attached Pages (3)

CONSENT AGENDA

SUBJECT: ETS HBCU College Trip

Educational Talent Search will invite 9 Center High School students to travel to the east coast to tour historically black colleges and universities from June 24th to June 28th. Students will tour Morehouse, Spelman, Clark Atlanta University, North Carolina AT&T University, John C. Smith University and Howard University. Students will also visit museums and historical sites in Washington DC. This HBCU Tour will encourage our students to go to a university and also help them in choosing a college that is right for them. Students will be able to experience cultural insight, diversity in education and also be exposed to the nation's most historical landmarks. Students will be traveling by air from the Sacramento Airport to the east coast and back. While touring the colleges and historical sights students will be traveling by charter bus. Students will also be lodging in various hotels between each college tour. Educational Talent Search will cover all expenses including airfare and bus transportation, lodging, daily meals and admissions into museums.

Attached: Tentative agenda and deposit invoice.

RECOMMENDATION: Please approve the HBCU College Trip

XV-15

Invoice

Educational Student Tours
5014 Shenandoah Avenue
Los Angeles, CA 90056
(310) 215-9522

Bill To
Mallory Buckner c/o TRIO ETS Program American River College 4700 College Oak Drive Sacramento, CA 95841

Date	Invoice No.	P.O. Number	Terms	Project
04/13/18	1015		Due on receipt	

Item	Description	Quantity	Rate	Amount
Summer HBCU Tour Deposit	Summer HBCU Tour June 24-28 for 27 Students and 3 Chaperones $50 Initial deposit due by April 15, 2019	30	0.00 50.00	0.00 1,500.00

Subtotal	$1,500.00
Sales Tax (0.0%)	$0.00
Total	$1,500.00

American River College
Educational Talent Search Program
Black College *Tentative* Tour Itinerary

Monday, June 24

7:20 a.m. All American River ETS tour participants arrive at Sacramento International airport
9:20 a.m. Southwest Airlines flight 458 departs for San Diego, CA and arrives at 10:45 a.m.
12:05 a.m. Southwest Airlines flight 101 departs San Diego, CA for Atlanta, GA
7:30 p.m. Southwest Airlines flight 101 arrives in Atlanta
9:00 p.m. Dinner: TBD
10:30 p.m. Hotel check-in: TBD

Tuesday, June 25

7:00 a.m. Breakfast at the hotel
8:00 a.m. Depart to Martin Luther King, Jr. Center for photo opportunity
9:30 a.m. Depart to Clark-Atlanta University
10:00 a.m. Campus tour and orientation of Morehouse or Spelman
1:00 p.m. Lunch at Morehouse
2:30 p.m. Campus tour and orientation of Clark Atlanta University
4:30 p.m. Depart to Charlotte, North Carolina
6:30 p.m. Dinner
11:00 p.m. Hotel check-in: TBD (Charlotte, NC)

Wednesday, June 26

7:00 a.m. Breakfast at hotel
8:15 a.m. Depart to Johnson C. Smith University
9:00 a.m. Campus tour and orientation of Johnson C. Smith University
12:00 p.m. Lunch at Johnson C. Smith
1:00 p.m. Depart to North Carolina A&T
3:00 p.m. Campus tour and orientation of North Carolina A&T
5:30 p.m. Depart to Richmond, Virginia
9:00 p.m. Hotel check-in: TBD (Richmond, Virginia)

Thursday, June 27

7:00 a.m. Breakfast at hotel
8:00 a.m. Depart to Washington, DC
10:30 a.m. Tour National African American History and Culture Museum
1:00 p.m. Lunch
2:00 p.m. Campus tour and orientation of Howard University
5:30 p.m. Washington DC sightseeing tour
8:00 p.m. Dinner
10:00 p.m. Hotel check-in: TBD

Friday, June 28

7:00 a.m.	Breakfast
8:00 a.m.	Depart to Capitol Hill
9:30 a.m.	Capitol Building tour
12:00 p.m.	Lunch
1:00 p.m.	Frederick Douglass home
3:00 p.m.	Depart to Baltimore Washington airport
4:30 p.m.	Arrival at Baltimore Washington airport (dinner stipend)
6:30 p.m.	Southwest Airlines flight 1062 departs to Denver, CO and arrives at 8:35 p.m.
10:15 p.m.	Southwest Airlines flight 1934 departs Denver, CO
11:35 p.m.	Southwest Airlines flight arrives at Sacramento International Airport

AGENDA ITEM # XV-16

Center Joint Unified School District

		AGENDA REQUEST FOR:
Dept./Site:	Facilities & Operations Department	Action Item X
To:	Board of Trustees	Information Item
Date:	May 3, 2019	# Attached Pages 4
From:	Craig Deason, Assist. Supt.	
Assist. Supt. Initials:	CD	

SUBJECT:	PSA for Loy Mattison Enterprises
CONSULTANT'S NAME:	Loy Mattison
COMPANY NAME (if applicable):	Loy Mattison Enterprises
SERVICES TO BE RENDERED:	E-Rate Services
DATES OF SERVICE:	July 1, 2019 - June 30, 2020
PAYMENT PER HOUR:	$125.00
SERVICES RENDERED AS NEEDED	
FUNDING SOURCE:	01-0000-0-5800-106-0000-8110-007-000

RECOMMENDATION: That the CJUSD Board of Trustees approves the Professional Services Agreement as presented.

CONSENT AGENDA

AGENDA ITEM # XV-16

Center Joint Unified School District
8408 Watt Avenue
Antelope, CA 95843

PROFESSIONAL SERVICES AGREEMENT

This agreement for professional services is entered into this 2ND day of MAY, 2019, by and between the Center Joint Unified School District and the person(s) or firm described below, hereinafter described as CONTRACTOR. Persons performing services under this contract hold themselves out to be independent contractors, not employees of the DISTRICT, and hold(s) the DISTRICT harmless from claims under workers' compensation laws. CONTRACTOR further declares that he/she/it is/are in the business of providing the described service for any and all persons/organizations desiring such services, that such services are not provided exclusively for Center Joint Unified School District. CONTRACTOR also holds the DISTRICT harmless from claims arising from loss, damage, or injury while performing the stipulated services.

*Contractor Name: LOY MATTISON

Address: [redacted]

Phone: [redacted] Taxpayer ID #: [redacted]

*Full description of services to be provided:
ERATE SERVICES - FILE ANY AND ALL ERATE FORMS AND APPLICATIONS AND FOLLOW FOR CREDITS

*Payment $ 125.00 per HOUR. CONTRACTOR will submit a signed invoice not more frequently than monthly, detailing services provided and charges. Payment will be made within forty-five days after receipt of invoice or service, whichever is later.

*Beginning Date of Service: 7/1/2019 *Frequency of Service Dates: MONTHLY
*Ending Date of Service: 6/30/2020

Method of Payment and Tax Reporting: (check one)
____ Variable Payroll- W-2 Generated (Requires completion of W-4 & I-9 in Personnel Dept.)
X Accounts Payable- 1099 Generated (Requires completion of W-9).

Total amount of this contract $_____ Budget # _____

Reason service cannot be provided by a District employee:

Signature of CONTRACTOR*: [signature] Date*: 5/9/19
Signature of District employee requesting service: Craig Dorso Date: 5/9/19
Date Board of Trustees Approved (if over $500.00): _____ Date: _____
Personnel Approval (if cleared to start): _____ Date: _____
Signature of Accounting Supervisor: _____ Date: _____

***CONTRACT NOT VALID WITHOUT ALL DISTRICT SIGNATURES**

INDEPENDENT CONTRACTOR OR EMPLOYEE?
DISTRICT GUIDELINES

PART I	YES	NO
1. Has this category of worker already been classified an "employee" by the IRS? *Refer to page 1 for individuals listed in IRS Publication SWR 40 and others identified during the IRS compliance studies in San Diego County.*		X
2. Is the individual working as an employee prescribed by the Education Code? *Education Code sections 45100-45451/88000-88263 define what constitutes classified service and 44800-45060/87000-87333 define certificated service. The IRS predisposes an employer/employee relationship when state law mandates such a relationship.*		X
3. Is the individual already an employee of the district in another capacity?		X
4. Has the individual performed substantially the same services for the district as an employee in the past? *Is the individual retired, returning to substitute, or train, etc.?*		X
5. Are there currently employees of the district doing substantially the same services as will be required of this individual?		X
6. Does the district have the legal right to control the method of performance by this individual? *Consider whether the district has to train this individual or give instruction as to when, where, how, and in what order to work. Does the district require the individual to submit reports or perform the services at a district site? These factors would indicate the district maintains control sufficient for an employer/employee relationship. However, it is not necessary that the district exercise this right or have the expertise required to do so. In many cases this would not be practical nor advisable.*		X
7. Are the services, as being provided, an integral part of school operations? *Are the services being provided necessary to the operation of the school, program, project, etc.? This indicates the district has an interest in the method of performance, and implies the maintenance of legal control.*		X

If the answer to of the above questions is "YES",

STOP HERE

Do not complete the rest of the questions. The individual is the district employee and must be paid and reported accordingly.

If all of the above are "NO", continue...

PART II	YES	NO
8. Must the required service be performed by this individual? *Consider whether or not the individual may designate someone else to do the work without the district's knowledge or approval*		X
9. Does the district have a continuing relationship with this individual? *Is this a "one shot deal" or will the district continue to use this individual in the future? This could be on an infrequent or irregular basis but a continuous relationship exists.*		X
10. Can this relationship be terminated without the consent of both parties?		X

If the answer to questions 8, 9, or 10 is "YES", there is a good possibility that an employment relationship exists. Questions 8 & 9 are indicators of district control that, in conjunction with other factors, imply an employment relationship. Go back to PART I and re-evaluate each question. If questions 1-7 are still all "NO", continue...

PART II - continued	YES	NO
11. Does the individual operate an independent trade or business that is available to the general public? *A determining factor in judging independence is the performance of services to the general public. In evaluating this criteria, school districts are considered to be separate entities. Keep in mind: if the district is utilizing this individual's services on a full-time basis, the individual is not available to the general public. NOTE: Possession of a business license or incorporation does not automatically satisfy this requirement. The determination must be made on the actual relationship between the district and the individual performing services.*	X	
12. Does the individual have a substantial investment in his/her business, i.e. maintains a facility, equipment, etc.? *This is indicative of economic risk inherent in business enterprises. An independent contractor must be able to make a profit or sustain a loss.*	Y	

If either 11 or 12 are "NO", the individual is a district employee

STOP HERE

and process the individual through payroll.

If 11 and 12 are both "YES", continue

	YES	NO
13. Does the individual provide all materials and support services necessary for the performance of this service? *The district should not be providing office space, clerical, secretarial, or any other support for this individual such as materials, xeroxing, printing, office supplies, etc. Any necessary assistants would be hired by the individual.*	X	
14. Is this paid by the job or on a commission? JOB	X	
15. Does the individual bear the cost of any travel and business expenses incurred to perform this service? *Generally, these types of expenses are paid by an employer, however, some contracts provide for payment of airfare, mileage, etc. for consultants.*	X	

If 11 and 12 are "YES", 13 through 15 should also be "YES" and are items that should be written into the consultant contract. This individual is an independent contractor. A "YES" on questions 13 through 15 supports the district's conclusion and substantiates a "reasonable basis" for treatment as an independent contractor. While there are circumstances where the district might pay contractually provided expenses, these should be kept at a minimum to avoid giving the impression of an employment relationship.

Form **W-9**
(Rev. November 2017)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

Loy J Mattison

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☑ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

Requester's name and address (optional)

6 City, state, and ZIP code

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

or

Employer identification number

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ Loy J Mattison Date ▶ 5/2/19

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

AGENDA ITEM # XV-17

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site:	Facilities & Operations Department	
Date:	May 15, 2019	Action Item X
To:	Board of Trustees	Information Item ____
From:	Craig Deason, Asst. Superintendent	# Attached Pages 6
	Asst. Superintendent Initials: CD	

SUBJECT: Agreement between Center Joint Unified School District and BRCO Constructors, Inc.

The District is requesting approval from the Board to enter into an agreement with BRCO Constructors, Inc.

BRCO Constructors, Inc. shall perform and complete all work required in connection with Project #19-01: Center High School Field Replacement ADA Upgrade. The contract amount is FIFTY-TWO THOUSAND TWO HUNDRED AND NO/DOLLARS ($52,200.00).

RECOMMENDATION: That the Board of Trustees approves the agreement with BRCO Constructors, Inc.

CONSENT AGENDA

AGENDA ITEM # XV-17

AGREEMENT FORM

THIS AGREEMENT, entered into this 15th day of May, 2019 in the County of Sacramento of the State of California, by and between the **Center Joint Unified School District,** hereinafter called the "Owner" or the "CJUSD", and BRCO Constructors, Inc., hereinafter called the "Contractor".

WITNESSETH that the Owner and the Contractor for the consideration stated herein agree as follows:

ARTICLE I - SCOPE OF WORK: The Contractor shall furnish all labor, materials, equipment, tools, and utility and transportation services, and perform and complete all work required in connection with the Project No. 19-01: **Center High School Field Replacement ADA Upgrade** in strict accordance with the Contract Documents enumerated in Article 7 below. The Contractor shall be liable to the CJUSD for any damages arising as a result of a failure to comply with that obligation, and the Contractor shall not be excused with respect to any failure to so comply by an act or omission of the Architect, Engineer, Inspector, Division of the State Architect (DSA), or representative of any of them, unless such act or omission actually prevents the Contractor from fully complying with the Contract Documents and the Contractor protests, in accordance with the Contract Documents, that the act or omission is preventing the Contractor from fully complying with the Contract Documents. Such protest shall not be effective unless reduced to writing and filed with the CJUSD office within three (3) days of the date of occurrence of such act or omission preventing the Contractor from fully complying with the Contract Documents.

ARTICLE 2 - TIME OF COMPLETION: The Owner may give notice to proceed within Fourteen (14) days of the award of the bid by the Owner. Once the Contractor has received a notice to proceed, the Contractor shall reach Substantial Completion (See Article 1.1.46) of the Work within Forty Five (45) calendar days from receipt of the Notice to Proceed. This shall be called Contract Time. (See Article 8.1.1). It is expressly understood that time is of the essence.

Contractor has thoroughly studied the Project and has satisfied itself that the time period for this Project is adequate for the timely and proper completion of the Project within the Contract time.

In the event that the Owner desires to postpone giving the notice to proceed beyond this ninety (90) day period, it is expressly understood that with reasonable notice to the Contractor, giving the notice to proceed may be postponed by the Owner. It is further expressly understood by the Contractor, that the Contractor shall not be entitled to any claim of additional compensation as a result of the Owner's postponement of giving the notice to proceed.

If the Contractor believes that a postponement will cause hardship to it, the Contractor may terminate the Contract with written notice to the Owner within ten (10) days after receipt by the Contractor of the Owner's notice of postponement. It is further understood by the Contractor that in the event that the Contractor terminates the Contract as a result of postponement by the Owner, the Owner shall only be obligated to pay the Contractor for the work performed by the Contractor at the time of notification of postponement. Should the Contractor terminate the Contract as a result of a notice of postponement, the CJUSD shall have the authority to award the Contract to the next lowest responsible bidder.

ARTICLE 3 - LIQUIDATED DAMAGES: It being impracticable and infeasible to determine the amount of actual damage, it is agreed that the Contractor will pay the Owner the sum of **Five Hundred Dollars ($500) per calendar day** for each and every day of delay beyond the Contract Time set forth in Article 2 of this Agreement as liquidated damages and not as a penalty or forfeiture. In the event Liquidated Damages are not paid, the Contractor further agrees that the Owner may deduct such amount thereof from any money due or that may become due the Contractor under the Contract (See Article 9.6 and 2.2 of the General Conditions).

ARTICLE 4 - CONTRACT PRICE: The Owner shall pay to the Contractor as full consideration for the faithful performance of the Contract, subject to any additions or deductions as provided in the Contract Documents, the sum of FIFTY TWO THOUSAND TWO HUNDRED AND NO/DOLLARS ($52,200.00). This

award amount represents the sum of the Base Bid submitted by the Contractor in the amount of FORTY SEVEN THOUSAND TWO HUNDRED AND NO/DOLLARS ($47,200.00) plus FIVE THOUSAND AND NO/DOLLARS ($5,000.00) for an Owner discretionary allowance. Payment shall be made as set forth in the General Conditions.

Should any Change Order result in an increase in the Contract Price, the cost of such Change Order shall be agreed to in advance by the Contractor and the Owner, subject to the monetary limitations set forth in Public Contract Code Section 20118.4. In the event that the Contractor proceeds with a Change in work without an agreement between the Owner and Contractor regarding the cost of a Change Order, the Contractor waives any Claim of additional compensation for such additional work.

ARTICLE 5 - HOLD HARMLESS AGREEMENT: Contractor shall defend, indemnify and hold harmless Owner, Architect, Inspector, the State of California and their officers, employees, agents and independent contractors from all liabilities, claims, actions, liens, judgments, demands, damages, losses, costs or expenses of any kind arising from death, personal injury, property damage or other cause based or asserted upon any act, omission, or breach connected with or arising from the progress of Work or performance of service under this Agreement or the Contract Documents. As part of this indemnity, Contractor shall protect and defend, at its own expense, Owner, Architect, Construction Manager, Inspector, the State of California and their officers, employees, agents and independent contractors from any legal action including attorney's fees or other proceeding based upon such act, omission, breach or as otherwise required by this Article.

Furthermore, Contractor agrees to and does hereby defend, indemnify and hold harmless Owner, Architect, Construction Manager, Inspector, the State of California and their officers, employees, agents and independent contractors from every claim or demand made, and every liability, loss, damage, expense or attorney's fees of any nature whatsoever, which may be incurred by reason of:

(a) Liability for (1) death or bodily injury to persons; (2) damage or injury to, loss (including theft), or loss of use of, any property; (3) any failure or alleged failure to comply with any provision of law or the Contract Documents; or (4) any other loss, damage or expense, sustained by any person, firm or corporation or in connection with the Work called for in this Agreement or the Contract Documents, except for liability resulting from the sole or active negligence, or the willful misconduct of the Owner.

(b) Any bodily injury to or death of persons or damage to property caused by any act, omission or breach of Contractor or any person, firm or corporation employed by Contractor, either directly or by independent contract, including all damages or injury to or death of persons, loss (including theft) or loss of use of any property, sustained by any person, firm or corporation, including the Owner, arising out of or in any way connected with Work covered by this Agreement or the Contract Documents, whether said injury or damage occurs either on or off Owner property, but not for any loss, injury, death or damages caused by the sole or active negligence or willful misconduct of the Owner.

(c) Any dispute between Contractor and Contractor's subcontractors/supplies/ Sureties, including, but not limited to, any failure or alleged failure of the Contractor (or any person hired or employed directly or indirectly by the Contractor) to pay any Subcontractor or Materialman of any tier or any other person employed in connection with the Work and/or filing of any stop notice or mechanic's lien claims.

Contractor, at its own expense, cost, and risk, shall defend any and all claims, actions, suits, or other proceedings that may be brought or instituted against the Owner, its officers, agents or employees, on account of or founded upon any cause, damage, or injury identified herein Article 5 and shall pay or satisfy any judgment that may be rendered against the Owner, its officers, agents or employees in any action, suit or other proceedings as a result thereof.

The Contractor's and Subcontractors' obligation to defend, indemnify and hold harmless the Owner, Architect, Inspector, the State of California and their officers, employees, agents and independent contractors hereunder shall include, without limitation, any and all claims, damages, and costs for the following: (1) any damages or injury to or death of any person, and damage or injury to, loss (including theft), or loss of use of, any property; (2) breach of any warranty, express or implied; (3) failure of the Contractor or Subcontractors to comply with any applicable governmental law, rule, regulation, or other

requirement; (4) products installed in or used in connection with the Work; and (5) any claims of violation of the Americans with Disabilities Act ("ADA").

ARTICLE 6 - PROVISIONS REQUIRED BY LAW: Each and every provision of law and clause required to be inserted in this Contract shall be deemed to be inserted herein, and this Contract shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted or is not inserted correctly, then upon application of either party the Contract shall forthwith be physically amended to make such insertion or correction.

ARTICLE 7 - COMPONENT PARTS OF THE CONTRACT: The Contract entered into by this Agreement consists of the following Contract Documents, all of which are component parts of the Contract as if herein set out in full or attached hereto:

Contractor's Certificate Regarding Worker's Compensation
Agreement Form
Payment Bond
Performance Bond
Guarantee
Escrow Agreement for Security Deposit In Lieu of Retention
Workers' Compensation/Employers Liability Endorsement
Contractor's Certification Regarding Background Checks
General Liability Endorsement
Automobile Liability Endorsement
General Conditions
Special Conditions
General Requirements
Exhibits
Drawings/Plans
Requirements, Reports and/or Documents in the Project Manual or Other Documents Issued to Bidders

All of the above named Contract Documents are intended to be complementary. Work required by one of the above named Contract Documents and not by others shall be done as if required by all.

ARTICLE 8 - PREVAILING WAGES: Wage rates for this Project shall be in accordance with the general prevailing rate of holiday and overtime work in the locality in which the work is to be performed for each craft, classification, or type of work needed to execute the Contract as determined by the Director of the Department of Industrial Relations. Copies of schedules of rates so determined by the Director of the Department of Industrial Relations are on file at the administrative office of the Owner and are also available from the Director of the Department of Industrial Relations. Monitoring and enforcement of the prevailing wage laws and related requirements will be performed by the Labor Commissioner/ Department of Labor Standards Enforcement (DLSE).

The following are hereby referenced and made a part of this Agreement and Contractor stipulates to the provisions contained therein.

1. Chapter 1 of Part 7 of Division 2 of the Labor Code (Section 1720 et seq.)

2. California Code of Regulations, Title 8, Chapter 8, Subchapters 3 through 6 (Section 16000 et seq.)

ARTICLE 9 - RECORD AUDIT: In accordance with Government Code Section 8546.7(and Davis Bacon, if applicable) and Article 13.11 of the General Conditions, records of both the Owner and the Contractor shall be subject to examination and audit for a period of five (5) years after a Final Retention Payment or the Recording of a Notice of Completion, whichever occurs first.

ARTICLE 10 - CONTRACTOR'S LICENSE: The Contractor must possess throughout the Project a Class A Contractor's License, issued by the State of California, which must be current and in good standing.

IN WITNESS WHEREOF, this Agreement has been duly executed by the above named parties, on the day and year first above written.

Center Joint Unified School District	CONTRACTOR:
_____	Tod Burres
Typed or Printed Name	Typed or Printed Name
_____	Vice President
Title	Title
_____	_____
Signature	Signature
Dated: _____	Brian Roth
	Type or Printed Name
	President
	Title (Authorized Officers or Agents)
	_____
	Signature
	(CORPORATE SEAL)

BRCO
CONSTRUCTORS, INC.

To: Craig Deason, Assistant Superintendent, Facilities & Operations – Center Jt. USD
8408 Watt Ave. Antelope, CA 95843

Date: 5/3/2019

RE: ADA Modifications for 'Center HS Field Replacement' Project

BRCO Constructors, Inc. is pleased to offer our quote as follows for the referenced project:

SITE:

ITEM	DESCRIPTION		
1	Demo existing truncated domes (leave concrete curb on both sides)		
2	Demo concrete to nearest joint for new ADA ramp to begin at start of 'VAN' loading		
3	New truncated domes and ADA ramp		
4	Black out striping and re-stripe area for van accessible spot		
5	Relocate existing sign, new 'VAN' signage added, Wheel stops		
		BASE BID	$35,000

RESTROOMS:

ITEM	*DESCRIPTION*		
1	*Open a 3' x 3' opening in both restrooms for plumbing work*		
2	*Adjust/move toilet to be within Code*		
3	*Patch back Ceramic tile finish*		
		BASE BID	*$12,200*
	Owner Allowance for Unforeseen Conditions	Allowance	*$5,000*

SPECIAL CONDITIONS:

- Prevailing WAGE RATES
- Any item not specifically noted as included above is excluded.
- Proposal valid for thirty (30) days.
- Proposal based on site visit and 'Center HS Field Replacement' DSA Approved drawings by Verde Design.
- No specifications and/or soils report received.
- Proposal based on one move-in.
- Construction water & temp facilities to be provided at NO charge to BRCO.

EXCLUSIONS:

- **Any other work shown on referenced plans that is not specifically stated in scope above**
- **No work at closers (adjusting or new)**
- **Hard demolition of slab**
- **Any under slab plumbing**
- **Reframing to move toilet carrier**
- **Epoxy cove base repair**
- Erosion control or any winterization BMP's, monitoring, maintenance or record keeping.
- SWPPP and/or any dust/NOA control plan.
- Tree protection fencing or fencing of environmentally sensitive
- Inspection, permits, fees, compaction testing and pipe testing.
- Engineering
- Removal of hazardous, contaminated or buried materials.
- Import or export of grading material (i.e., project will balance onsite).
- Over excavation, removal, or processing of soil that is unsuitable for compaction.
- Lime treatment, cement and/or any non-expansive engineered fill.
- Dewatering and/or geotextile fabric in trenches.
- Removal, repair, relocation or adjustment of existing utilities.
- Irrigation and landscape installation or repairs.

Thank you for the opportunity to provide our quotation for this project.

Sincerely,

Tod Burres

Tod Burres
Estimator

AGENDA ITEM # XV-18

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept. /Site:	Business Department	
Date:	05/06/2019	Action Item
To:	Board of Trustees	Information Item
From:	Lisa Coronado	# Attached Page 1

SUBJECT:

APPROVAL OF CENTER JOINT UNIFIED SCHOOL DISTRICT PAYROLL ORDERS

The Governing board is asked to approve the attached payroll Orders for July 2018 through April 2019.

RECOMMENDATION: That the CJUSD Board of Trustees approve the District Payroll Orders for July 2018 through April 2019.

CONSENT AGENDA

AGENDA ITEM # XV-18

DISTRICT PAYROLL-SUMMARIZED FOR FISCAL YEAR ENDING JUNE 30,2019

		REGULAR	VARIABLE	SPECIAL	TOTAL PAYROLL	#OF TRANSACTIONS
JULY		$ 971,857.52	$ 58,990.72		$ 1,030,848.24	547
AUG		$ 2,710,666.05	$ 71,657.90		$ 2,782,323.95	785
SEPT		$ 2,713,509.71	$ 104,279.41		$ 2,817,789.12	830
OCT		$ 2,736,860.62	$ 125,687.88		$ 2,862,548.50	836
NOV		$ 2,715,421.92	$ 158,026.88		$ 2,873,448.80	835
DEC		$ 712,000.71			$ 712,000.71	309
	2-Jan	$ 2,013,403.24	$ 118,604.26		$ 2,132,007.50	533
JAN		$ 2,705,938.86	$ 79,142.13		$ 2,785,080.99	802
FEB		$ 2,709,784.63	$ 126,904.05		$ 2,836,688.68	829
MARCH		$ 2,691,797.36	$ 215,619.79		$ 2,907,417.15	910
APRIL		$ 2,687,228.50	$ 165,902.17		$ 2,853,130.67	889
MAY					$ -	
JUNE					$ -	
SPECIAL					$ -	
		$ 25,368,469.12	$ 1,224,815.19	$ -	$ 26,593,284.31	8105

AGENDA ITEM # XV-19

Center Joint Unified School District

		AGENDA REQUEST FOR:
Dept./Site:	Business Department	
Date:	April, 2019	Action Item
To:	Board of Trustees	Information Item
From:	Lisa Coronado	# Attached Pages 64

SUBJECT: Supplemental Agenda – Commercial Warrant Registers

April 3, 2019, $136,068.84, April 11, 2019, $348,659.07
April 18, 2019, $576,237.60, April 25, 2019, $192,631.06

The commercial warrant payments to vendor's total

$ 1,253,596.57

RECOMMENDATION: That the CJUSD Board of Trustees approve the Supplemental Agenda – Vendor Warrants as presented

CONSENT AGENDA

XV-19

Batch status: A All

From batch: 0054

To batch: 0054

Include Revolving Cash: Y

Include Address: N

Include Object Desc: N

Include Vendor TIN: N

Include Audit Date and Time in Sort: N

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type	FD	RESO	P	OBJE	SIT	GOAL	FUNC	RES	DEP	T9MPS	Liq Amt	Net Amount
015722/00	ACSA FOUNDATION FOR EDUC.ADMIN																
2312	PO-192251	04/03/2019	INV16132		1	01	4035	0	5800	103	0000	2110	019	100	NN F	1,800.00	1,800.00
			TOTAL PAYMENT AMOUNT														1,800.00 *
																	1,800.00
017475/00	ALESSIO, DIANA																
2317	PO-192267	04/03/2019	TRAVEL EXPENSE		1	01	0000	0	5200	110	0000	7200	004	000	NN F	514.32	514.32
			TOTAL PAYMENT AMOUNT														514.32 *
																	514.32
010669/00	ALHAMBRA & SIERRA SPRINGS																
1718	PO-191695	04/03/2019	802686118478244		1	01	0740	0	5600	601	1110	1000	017	120	NN P	5.99	5.99
1718	PO-191695	04/03/2019	802686118478244		2	01	0740	0	4300	601	1110	1000	017	120	NN P	18.95	18.95
			TOTAL PAYMENT AMOUNT														24.94 *
																	24.94
010564/00	APPLE COMPUTER																
1666	PO-191628	04/03/2019	6792722721		2	01	0000	0	4300	115	0000	7700	007	000	NN F	105.59	105.59
			TOTAL PAYMENT AMOUNT														105.59 *
																	105.59
020766/00	ASSET GENIE INC																
2125	PO-192124	04/03/2019	13800084		1	01	6300	0	4300	234	1110	1000	008	000	YN F	116.21	107.85
			TOTAL PAYMENT AMOUNT														107.85 *
			TOTAL USE TAX AMOUNT														8.36
																	107.85
017623/00	AVID CENTER - SI PAYMENT																
1835	PO-191794	04/02/2019	SUMMER INSTITUTE		1	01	4035	0	5200	472	1110	1000	014	103	NN F	4,125.00	4,125.00
			TOTAL PAYMENT AMOUNT														4,125.00 *
																	4,125.00
019504/00	B & H PHOTO-VIDEO																
1916	PO-191933	04/03/2019	155385276		1	01	0000	0	4300	371	1110	1000	012	000	YN P	2,507.75	2,507.75
1916	PO-191933	04/03/2019	155351277		1	01	0000	0	4300	371	1110	1000	012	000	YN P	241.11	241.11
1916	PO-191933	04/03/2019	155343085		1	01	0000	0	4300	371	1110	1000	012	000	YN F	403.10	176.39
2136	PO-192078	04/03/2019	1559241881		1	01	0000	0	4300	115	0000	7700	007	000	YN F	415.99	386.07
			TOTAL PAYMENT AMOUNT														3,311.32 *
			TOTAL USE TAX AMOUNT														256.63
																	3,311.32

Vendor/Addr / Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type	FD RESO P OBJE	ABA num / Account num SIT GOAL FUNC RES DEP T9MPS	Liq Amt	Net Amount
017561/00	BAIONI, KIM								
2346	PO-192294	04/03/2019	REIMB INCENTIVES		1	01-3010	0-4300-475-3200-1000-015-106 NN F	360.86	360.86
			TOTAL PAYMENT AMOUNT				360.86 *		360.86
022282/00	BRIGHT START THERAPIES								
751	PO-190849	04/02/2019	CUEH0315.19		1	01-6500	0-5800-102-5750-1180-019-000 NN P	600.00	600.00
751	PO-190849	04/02/2019	CUAH0315.19		1	01-6500	0-5800-102-5750-1180-019-000 NN P	675.00	675.00
			TOTAL PAYMENT AMOUNT				1,275.00 *		1,275.00
020155/00	BROWN, PETER								
2328	PO-192279	04/03/2019	REIMB CONSUMABLES		1	01-6300	0-4300-371-1110-1000-012-000 NN F	56.24	56.24
			TOTAL PAYMENT AMOUNT				56.24 *		56.24
016145/00	BURGESON, JENNY								
2311	PO-192266	04/03/2019	REIMB LIVE SCAN		1	01-0000	0-5800-110-0000-7200-004-000 NN F	99.00	99.00
			TOTAL PAYMENT AMOUNT				99.00 *		99.00
010340/00	CA DEPT OF JUSTICE								
15	PO-190010	04/03/2019	359609		1	01-0000	0-5800-110-0000-7200-004-000 NN P	288.00	288.00
			TOTAL PAYMENT AMOUNT				288.00 *		288.00
020605/00	CALIFORNIA SCHOOL EMPLOYEES								
1763	PO-191790	04/03/2019	23924		1	01-0000	0-5200-236-0000-2700-009-000 NN F	218.00	218.00
			TOTAL PAYMENT AMOUNT				218.00 *		218.00
020088/00	CAMARENA, MAURICIO								
2267	PO-192256	04/03/2019	REIMB COLLEGE FAIR FOOD		1	01-0000	0-4300-472-1110-1000-014-000 NN F	134.13	134.13
			TOTAL PAYMENT AMOUNT				134.13 *		134.13

Vendor/Addr / Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
016082/00	CARMAZZI GLOBAL SOLUTIONS							
2213	PO-192166	04/02/2019	25461		1 01-0000-0-5800-103-4760-1000-019-000 NN P		210.00	210.00
2213	PO-192166	04/02/2019	25462		1 01-0000-0-5800-103-4760-1000-019-000 NN P		210.00	210.00
					TOTAL PAYMENT AMOUNT 420.00 *			420.00
020305/00	CDW GOVERNMENT INC.							
2120	PO-192067	04/02/2019	RPS3666		1 01-0000-0-4300-472-0000-2700-014-000 NN F		66.65	63.62
2235	PO-192178	04/02/2019	RQP1245		1 01-3010-0-4300-238-1110-1000-010-109 NN F		595.42	550.78
2260	PO-192190	04/02/2019	RQP3597		1 01-0000-0-5800-115-0000-7700-007-000 NN F		429.08	429.08
					TOTAL PAYMENT AMOUNT 1,043.48 *			1,043.48
016261/00	CEBULA RN, GAIL							
989	PO-190977	04/03/2019	FEB MILEAGE		1 01-0740-0-5210-104-0000-3140-019-128 NN P		43.15	43.15
					TOTAL PAYMENT AMOUNT 43.15 *			43.15
018180/00	CITRUS HEIGHTS SAW & MOWER							
63	PO-190055	04/03/2019	465710		1 01-0000-0-4300-106-0000-8110-007-000 NN P		352.29	352.29
					TOTAL PAYMENT AMOUNT 352.29 *			352.29
016731/00	COMMITTEE FOR CHILDREN							
2214	PO-192159	04/03/2019	295173		1 01-0740-0-4300-601-1110-1000-017-120 YN F		900.79	836.00
					TOTAL PAYMENT AMOUNT 836.00 *			836.00
					TOTAL USE TAX AMOUNT 64.79			
021797/00	D3 SPORTS INC							
2286	PO-192264	04/03/2019	2570		1 01-0076-0-5800-472-1110-4200-014-805 NN F		60.23	60.23
					TOTAL PAYMENT AMOUNT 60.23 *			60.23
010808/00	DIALED ACTION AGENCY LLC							
2326	PO-192278	04/03/2019	3/26 ASSEMBLY		1 01-0000-0-5800-371-1110-1000-012-996 NN F		1,600.00	1,600.00
					TOTAL PAYMENT AMOUNT 1,600.00 *			1,600.00

Vendor/Addr Remit name / Req Reference Date Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
011613/00 DITTO PRINT & COPY					
1959 PO-191909 04/03/2019 5689		1 01-0000-0-5800-110-0000-7200-004-000 NN F		90.51	90.51
TOTAL PAYMENT AMOUNT		90.51 *			90.51
018844/00 ERRIN DUATO-WARREN					
2322 PO-192274 04/03/2019 TRAVEL EXPENSE		1 01-0000-0-5200-371-1110-1000-012-121 NN F		62.73	62.73
TOTAL PAYMENT AMOUNT		62.73 *			62.73
010592/00 EWING IRRIGATION PRODUCTS					
64 PO-190056 04/02/2019 7074024		1 01-0000-0-4300-106-0000-8110-007-000 NN F		26.29	186.29
TOTAL PAYMENT AMOUNT		186.29 *			186.29
017871/00 GABRIELA MARIN					
2331 PO-192281 04/03/2019 MARCH MILEAGE		1 01-5630-0-5800-601-1421-1000-017-120 NN F		36.41	36.41
TOTAL PAYMENT AMOUNT		36.41 *			36.41
017609/00 GUERGUY, CARLA					
2347 PO-192295 04/03/2019 REIMB DANCE EXPENSES		1 01-0740-0-4300-475-3200-1000-015-106 NN F		80.01	80.01
TOTAL PAYMENT AMOUNT		80.01 *			80.01
018790/00 HOBART, KOURTNEY					
2329 PO-192293 04/03/2019 MARCH MILEAGE		1 01-5630-0-5800-601-1421-1000-017-120 NN F		160.08	160.08
TOTAL PAYMENT AMOUNT		160.08 *			160.08
017002/00 HOME DEPOT CREDIT SERVICES					
468 PO-190456 04/02/2019 6035 3226 4903 3119		1 01-6387-0-4300-472-1110-1000-019-201 NN P		4,027.04	4,027.04
TOTAL PAYMENT AMOUNT		4,027.04 *			4,027.04
017472/00 INDUSTRIAL PLUMBING SUPPLY LLC					
59 PO-190051 04/03/2019 77209		1 01-8150-0-4300-106-0000-8110-007-000 NN P		939.97	939.97
TOTAL PAYMENT AMOUNT		939.97 *			939.97

Vendor/Addr Remit name / Req Reference Date Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
010728/00 JOHNSTONE SUPPLY OF SACRAMENTO					
54 PO-190046 04/03/2019 27-S2369973.001		1 01-8150-0-4300-106-0000-8110-007-000 NN P		54.66	54.66
54 PO-190046 04/03/2019 27-S2362906.001		1 01-8150-0-4300-106-0000-8110-007-000 NN P		151.45	151.45
	TOTAL PAYMENT AMOUNT	206.11 *			206.11
017069/00 JOSTENS					
2269 PO-192257 04/03/2019 22658386		1 01-0000-0-5800-472-1405-1000-014-000 NN F		25.86	25.86
	TOTAL PAYMENT AMOUNT	25.86 *			25.86
017899/00 LAWSON, BECKY					
2302 PO-192271 04/03/2019 MILEAGE		1 01-0000-0-5210-103-0000-2110-019-000 N F		39.44	39.44
	TOTAL PAYMENT AMOUNT	39.44 *			39.44
022346/00 LIVINGSTON, BARBARA					
2321 PO-192292 04/03/2019 TRAVEL EXPENSE		1 01-0000-0-5200-371-1110-1000-012-121 NN F		128.64	128.64
	TOTAL PAYMENT AMOUNT	128.64 *			128.64
020602/00 MCGRAW HILL SCHOOL EDUCATION					
2135 PO-192096 04/02/2019 107789497001		1 01-0037-0-4100-103-1110-1000-019-102 NN F		8,473.37	8,669.01
	TOTAL PAYMENT AMOUNT	8,669.01 *			8,669.01
019828/00 MIRANDA, RYAN					
2319 PO-192269 04/03/2019 RIMB BUS PASS		1 01-5630-0-5800-601-1421-1000-017-120 NN F		100.00	100.00
2335 PO-192284 04/03/2019 MILEAGE		1 01-0740-0-5210-601-1110-1000-017-120 NN F		47.15	47.15
	TOTAL PAYMENT AMOUNT	147.15 *			147.15
021692/00 MONOPRICE INC					
2228 PO-192164 04/03/2019 18776449		1 01-0740-0-4300-475-3200-1000-015-106 NN F		10.65	14.59
	TOTAL PAYMENT AMOUNT	14.59 *			14.59

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type	ABA num / Account num		Liq Amt	Net Amount
017576/00	OFFICE DEPOT								
2159	PO-192108	04/02/2019	290227494003		1	01-3010-0-4300-236-1110-1000-009-111	NN P	122.16	122.16
2159	PO-192108	04/02/2019	290227494002		1	01-3010-0-4300-236-1110-1000-009-111	NN P	47.39	47.39
2159	PO-192108	04/02/2019	290227494001		1	01-3010-0-4300-236-1110-1000-009-111	NN F	375.52	375.53
2162	PO-192110	04/02/2019	290229477001		1	01-6500-0-4300-238-5750-1110-010-000	NN P	55.38	55.38
2162	PO-192110	04/02/2019	290229476001		1	01-6500-0-4300-238-5750-1110-010-000	NN F	97.69	97.69
2220	PO-192162	04/02/2019	291610899001		1	01-0000-0-4300-236-1110-1000-009-000	NN F	151.69	151.69
2239	PO-192180	04/02/2019	292466617001		1	01-6500-0-4300-102-5001-2700-019-000	NN P	127.44	127.44
2239	PO-192180	04/02/2019	292466617003		1	01-6500-0-4300-102-5001-2700-019-000	NN P	5.38	5.38
2239	PO-192180	04/02/2019	292466618001		1	01-6500-0-4300-102-5001-2700-019-000	NN F	11.83	11.84
2178	PO-192183	04/02/2019	293603280001		1	01-0000-0-4300-472-1260-1000-014-000	NN F	100.97	100.97
2193	PO-192184	04/02/2019	293602109001		1	01-0000-0-4300-103-0000-2110-019-000	NN F	201.00	201.00
			TOTAL PAYMENT AMOUNT		1,296.47 *				1,296.47
014358/00	OPFER, JULIE								
2318	PO-192268	04/03/2019	REIMB FOOD-ASSEMBLY		1	01-3010-0-4300-240-0000-2700-011-103	NN F	322.83	322.83
			TOTAL PAYMENT AMOUNT		322.83 *				322.83
019749/00	PERRAULT, TRACI								
2323	PO-192275	04/03/2019	TRAVEL EXPENSE		1	01-0000-0-5200-371-1110-1000-012-121	NN F	53.32	53.32
			TOTAL PAYMENT AMOUNT		53.32 *				53.32
014069/00	PLATT ELECTRIC SUPPLY INC								
56	PO-190048	04/03/2019	U672849		1	01-8150-0-4300-106-0000-8110-007-000	NN P	220.22	220.22
2340	PO-192287	04/03/2019	U782167		1	01-0000-0-4300-111-0000-8200-007-939	NN F	466.73	466.73
			TOTAL PAYMENT AMOUNT		686.95 *				686.95
022525/00	POST-IT LLC								
26	PO-190020	04/03/2019	Center -JAN 2019		1	01-0000-0-5800-110-0000-7200-004-000	NN P	280.00	280.00
			TOTAL PAYMENT AMOUNT		280.00 *				280.00
018199/00	PRESTWICK HOUSE								
2067	PO-192018	04/02/2019	366707		1	01-6300-0-4300-472-1110-1000-014-000	YN F	2,615.71	2,427.57
			TOTAL PAYMENT AMOUNT		2,427.57 *				2,427.57
			TOTAL USE TAX AMOUNT		188.14				

Vendor/Addr / Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
015527/00	PROJECT LEAD THE WAY - SCHOOL							
2334	PO-192283	04/03/2019	169958		1 01-4035-0-5200-371-1110-1000-012-103 NN F		1,950.00	1,950.00
			TOTAL PAYMENT AMOUNT		1,950.00 *			1,950.00
014347/00	RIDGE, ANGELA							
2324	PO-192276	04/03/2019	TRAVEL EXPENSE		1 01-0000-0-5200-371-1110-1000-012-121 NN F		103.50	103.50
			TOTAL PAYMENT AMOUNT		103.50 *			103.50
014063/00	ROGERS, DELAVON							
2330	PO-192280	04/03/2019	MARCH MILEAGE		1 01-5630-0-5800-601-1421-1000-017-120 NN F		70.69	70.69
			TOTAL PAYMENT AMOUNT		70.69 *			70.69
019000/00	ROHM, BRANDON							
2314	PO-192252	04/03/2019	REIMB CAP		1 01-0740-0-4300-112-0000-3600-007-302 NN F		29.00	29.00
			TOTAL PAYMENT AMOUNT		29.00 *			29.00
010942/00	SAC STATE C/O TURFGRASS IPM							
2233	PO-192235	04/03/2019	3 REGISTRATIONS		1 01-4035-0-5200-472-1110-1000-014-103 NN F		972.00	972.00
2233	PO-192235	04/03/2019	3 REGISTRATIONS		2 01-0000-0-5200-472-1110-1000-014-000 NN F		1,428.00	1,428.00
			TOTAL PAYMENT AMOUNT		2,400.00 *			2,400.00
016436/00	SACRAMENTO CO OFFICE OF EDUC							
2032	PO-191976	04/03/2019	192074		1 01-4035-0-5200-238-1110-1000-010-103 NN F		450.00	450.00
			TOTAL PAYMENT AMOUNT		450.00 *			450.00
014870/00	SACRAMENTO COUNTY OFFICE OF							
1872	PO-191832	04/03/2019	192070		1 01-4035-0-5200-236-1110-1000-009-103 NN F		750.00	750.00
			TOTAL PAYMENT AMOUNT		750.00 *			750.00

Vendor/Addr / Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
015769/00	SACRAMENTO COUNTY OFFICE OF ED							
1776	PO-191725	04/03/2019	192065		1 01-4035-0-5200-234-1110-1000-008-103 NN F		450.00	450.00
			TOTAL PAYMENT AMOUNT		450.00 *			450.00
020981/00	SAVE MART SUPERMARKETS							
554	PO-190539	04/03/2019	2581585		1 01-6500-0-4300-472-5750-1110-014-000 NN F		6.25	28.35
			TOTAL PAYMENT AMOUNT		28.35 *			28.35
014080/00	SCHOOL HEALTH CORPORATION							
1973	PO-191952	04/02/2019	3569747-00		1 01-6500-0-4300-102-5770-1191-019-000 NN P		216.02	216.02
1973	PO-191952	04/02/2019	3569747-01		1 01-6500-0-4300-102-5770-1191-019-000 NN F		15.04	15.03
			TOTAL PAYMENT AMOUNT		231.05 *			231.05
019756/00	SCHOOL SPECIALTY							
2109	PO-192071	04/02/2019	208122574228		1 01-6500-0-4400-102-5001-2700-019-000 NN F		4,302.24	4,302.24
			TOTAL PAYMENT AMOUNT		4,302.24 *			4,302.24
020983/00	SIERRA PACIFIC TURF SUPPLY							
67	PO-190059	04/03/2019	0546851-IN		1 01-0000-0-4300-106-0000-8110-007-000 NN P		699.80	699.80
			TOTAL PAYMENT AMOUNT		699.80 *			699.80
015183/00	SIGNS NOW							
2077	PO-192025	04/03/2019	94614		1 01-0076-0-5800-371-1110-4200-012-000 NN F		96.98	96.98
			TOTAL PAYMENT AMOUNT		96.98 *			96.98
020252/00	STAPLES BUSINESS ADVANTAGE							
1825	PO-191803	04/03/2019	172748054-000-001		1 01-6520-0-4400-472-5770-1110-014-207 NN F		923.47	923.47
1825	PO-191803	04/03/2019	172813151-0-1		2 01-6520-0-5800-472-5770-1110-014-207 NN F		21.64	21.64
2100	PO-192088	04/03/2019	173426054-0-3		1 01-0000-0-4300-472-1260-1000-014-000 NN P		18.65	18.65
2100	PO-192088	04/03/2019	173426054-0-1		1 01-0000-0-4300-472-1260-1000-014-000 NN F		161.93	164.30
2176	PO-192182	04/03/2019	173595518-0-1		1 01-0000-0-4300-472-1260-1000-014-000 NN F		381.09	373.55
2247	PO-192186	04/03/2019	173595658-0-1		1 01-0000-0-4300-103-4760-1000-019-116 NN F		183.03	183.03
2299	PO-192228	04/03/2019	1736918554-0-1		1 01-0740-0-4300-601-1110-1000-017-120 NN F		202.19	202.19
2299	PO-192228	04/03/2019	173691854-0-1		2 01-5630-0-4300-601-1421-1000-017-120 NN F		838.66	838.66

Vendor/Addr Remit name / Req Reference Date Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
020252 (CONTINUED)					
2280 PO-192244 04/03/2019 173694511-0-1		1 01-0000-0-4300-472-1355-1000-014-000 NN F		183.03	183.03
TOTAL PAYMENT AMOUNT		2,908.52 *			2,908.52
010519/00 TIM'S MUSIC					
2270 PO-192258 04/02/2019 M339103		1 01-0000-0-5600-472-1520-1000-014-000 NN F		154.31	154.31
TOTAL PAYMENT AMOUNT		154.31 *			154.31
018015/00 TOMPKINS, SHELLEY					
2336 PO-192285 04/03/2019 MILEAGE		1 01-0740-0-5210-601-1110-1000-017-120 NN F		24.53	24.53
TOTAL PAYMENT AMOUNT		24.53 *			24.53
022179/00 US HEALTHWORKS					
23 PO-190017 04/03/2019 3477215-CA		1 01-0000-0-5800-110-0000-7200-004-000 NN P		64.00	64.00
TOTAL PAYMENT AMOUNT		64.00 *			64.00
016235/00 VITALE, TRACEY					
2343 PO-192288 04/03/2019 REIMB SUPPLIES		1 01-0000-0-4300-236-1110-1000-009-000 NN F		46.54	46.54
TOTAL PAYMENT AMOUNT		46.54 *			46.54
010552/00 WAXIE SANITARY SUPPLY					
73 PO-190068 04/03/2019 78140162		1 01-0000-0-9320-000-0000-0000-000-000 NN P		62.97	62.97
TOTAL PAYMENT AMOUNT		62.97 *			62.97
022288/00 WILDMAN, SARAH					
2320 PO-192273 04/03/2019 REIMB REGISTRATION		1 01-3010-0-5200-371-1110-1000-012-000 NN F		258.00	258.00
TOTAL PAYMENT AMOUNT		258.00 *			258.00
015041/00 YRIGOLLEN, JENNY					
2242 PO-192289 04/03/2019 REIMB BATTERY CHARGER AND BATT		1 01-0000-0-4300-238-0000-2700-010-000 NN F		119.73	119.73
TOTAL PAYMENT AMOUNT		119.73 *			119.73

Vendor/Addr Remit name / Req Reference Date Description	Tax ID num Deposit type	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
TOTAL FUND PAYMENT			51,856.59 **		51,856.59
TOTAL USE TAX AMOUNT			517.92		

Vendor/Addr / Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
021669/00	BAIONI, RON							
2223	PO-192255	04/03/2019	MILEAGE		1 11-6391-0-5210-600-4130-1000-015-000 NN F		17.40	17.40
			TOTAL PAYMENT AMOUNT		17.40 *			17.40
010254/00	PEARSON EDUCATION							
2121	PO-192068	04/03/2019	7026633609		1 11-3905-0-4200-600-4130-1000-015-000 NN F		843.18	870.25
			TOTAL PAYMENT AMOUNT		870.25 *			870.25
018015/00	TOMPKINS, SHELLEY							
2258	PO-192239	04/03/2019	REIMB ADAPTER		1 11-6391-0-4300-600-4130-1000-015-000 NN F		7.53	7.53
			TOTAL PAYMENT AMOUNT		7.53 *			7.53
			TOTAL FUND PAYMENT		895.18 **			895.18

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / ABA num / Account num		Liq Amt	Net Amount
011602/00	DANIELSEN CO., THE							
80	PO-190070	04/03/2019	192645		2 13-5310-0-4300-108-0000-3700-007-000	N P	8.00	8.00
80	PO-190070	04/03/2019	192645		1 13-5310-0-4700-108-0000-3700-007-000	N P	1,512.95	1,512.95
			TOTAL PAYMENT AMOUNT		1,520.95 *			1,520.95
021080/00	GOLD STAR FOODS INC							
79	PO-190069	04/02/2019	2692812		1 13-5310-0-4700-108-0000-3700-007-000	NN P	96.25	96.25
79	PO-190069	04/02/2019	1319531		1 13-5310-0-4700-108-0000-3700-007-000	NN M	-235.20	-235.20
79	PO-190069	04/02/2019	2674993		1 13-5310-0-4700-108-0000-3700-007-000	NN P	1,337.12	1,337.12
79	PO-190069	04/02/2019	2675930		1 13-5310-0-4700-108-0000-3700-007-000	NN P	435.60	435.60
79	PO-190069	04/02/2019	2683542		1 13-5310-0-4700-108-0000-3700-007-000	NN P	856.92	856.92
79	PO-190069	04/02/2019	2692424		1 13-5310-0-4700-108-0000-3700-007-000	NN P	4,786.37	4,786.37
79	PO-190069	04/02/2019	2692428		1 13-5310-0-4700-108-0000-3700-007-000	NN P	315.49	315.49
79	PO-190069	04/02/2019	2696030		1 13-5310-0-4700-108-0000-3700-007-000	NN P	234.27	234.27
79	PO-190069	04/02/2019	2701077		1 13-5310-0-4700-108-0000-3700-007-000	NN P	5,328.69	5,328.69
79	PO-190069	04/02/2019	2701188		1 13-5310-0-4700-108-0000-3700-007-000	NN P	1,338.78	1,338.78
79	PO-190069	04/02/2019	2701341		1 13-5310-0-4700-108-0000-3700-007-000	NN P	534.04	534.04
79	PO-190069	04/02/2019	2708940		1 13-5310-0-4700-108-0000-3700-007-000	NN P	2,644.78	2,644.78
79	PO-190069	04/03/2019	2683537		1 13-5310-0-4700-108-0000-3700-007-000	NN P	4,441.94	4,441.94
			TOTAL PAYMENT AMOUNT		22,115.05 *			22,115.05
016279/00	P&R PAPER SUPPLY							
119	PO-190088	04/03/2019	30243624-01		1 13-5310-0-4300-108-0000-3700-007-000	NN P	229.78	229.78
			TOTAL PAYMENT AMOUNT		229.78 *			229.78
019993/00	PROPACIFIC FRESH							
121	PO-190089	04/02/2019	61883		1 13-5310-0-4700-108-0000-3700-007-000	NN P	1,350.21	1,350.21
121	PO-190089	04/02/2019	61188		1 13-5310-0-4700-108-0000-3700-007-000	NN P	2,329.31	2,329.31
121	PO-190089	04/02/2019	61169		1 13-5310-0-4700-108-0000-3700-007-000	NN P	2,149.96	2,149.96
121	PO-190089	04/02/2019	60507		1 13-5310-0-4700-108-0000-3700-007-000	NN P	2,642.76	2,642.76
121	PO-190089	04/02/2019	62230		1 13-5310-0-4700-108-0000-3700-007-000	NN P	3,909.46	3,909.46
121	PO-190089	04/02/2019	60270		1 13-5310-0-4700-108-0000-3700-007-000	NN P	7,919.61	7,919.61
			TOTAL PAYMENT AMOUNT		20,301.31 *			20,301.31
021194/00	PRUDENTIAL OVERALL SUPPLY INC							
148	PO-190139	04/03/2019	180332993		1 13-5310-0-5800-108-0000-3700-007-000	NN P	77.75	77.75
			TOTAL PAYMENT AMOUNT		77.75 *			77.75

Vendor/Addr Req	Remit name Reference	Date	Description	Tax ID num	Deposit type / Account num	Liq Amt	Net Amount
011422/00	SYSCO OF SAN FRANCISCO						
81	PO-190071	04/03/2019	231209820		1 13-5310-0-4700-108-0000-3700-007-000 NN P	1,421.23	1,421.23
81	PO-190071	04/03/2019	231209820		2 13-5310-0-4300-108-0000-3700-007-000 NN P	140.91	140.91
				TOTAL PAYMENT AMOUNT	1,562.14 *		1,562.14
				TOTAL FUND PAYMENT	45,806.98 **		45,806.98

Vendor/Addr Remit name / Req Reference Date Description	Tax ID num Deposit type	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
017735/00 BILL LITCHFIELD CONSTRUCTION					
542 PO-190533 04/03/2019 190533	3	21-0000-0-6243-106-0000-8500-007-620	NN F	37,010.09	37,010.09
TOTAL PAYMENT AMOUNT		37,010.09 *			37,010.09
017213/00 DIVISION OF STATE ARCHITECT					
2349 PO-192296 04/03/2019 PV-1114	1	21-0000-0-6201-106-0000-8500-007-610	NN F	500.00	500.00
TOTAL PAYMENT AMOUNT		500.00 *			500.00
TOTAL FUND PAYMENT		37,510.09 **			37,510.09
TOTAL BATCH PAYMENT		136,068.84 ***		0.00	136,068.84
TOTAL USE TAX AMOUNT		517.92			
TOTAL DISTRICT PAYMENT		136,068.84 ****		0.00	136,068.84
TOTAL USE TAX AMOUNT		517.92			
TOTAL FOR ALL DISTRICTS:		136,068.84 ****		0.00	136,068.84
TOTAL USE TAX AMOUNT		517.92			

Number of checks to be printed: 74, not counting voids due to stub overflows.

Batch status: A All

From batch: 0055

To batch: 0055

Include Revolving Cash: Y

Include Address: N

Include Object Desc: N

Include Vendor TIN: Y

Include Audit Date and Time in Sort: N

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
010002/00	ALDAR ACADEMY							
750	PO-190848	04/11/2019	MARCH 2019		2 01-6500-0-5800-102-5750-1180-019-000 NN P		6,307.92	6,307.92
			TOTAL PAYMENT AMOUNT		6,307.92 *			6,307.92
010669/00	ALHAMBRA & SIERRA SPRINGS							
38	PO-190033	04/11/2019	27045104780794		1 01-0000-0-4300-110-0000-7200-004-000 NN P		28.93	28.93
38	PO-190033	04/11/2019	27045104780794		3 01-0000-0-5600-110-0000-7200-004-000 NN P		7.50	7.50
314	PO-190305	04/11/2019	27053384782453		2 01-8150-0-5600-106-0000-8110-007-000 NN P		30.00	30.00
314	PO-190305	04/11/2019	27053384782453		1 01-8150-0-4300-106-0000-8110-007-000 NN P		34.92	34.92
326	PO-190316	04/11/2019	27045224780818		1 01-0000-0-4300-105-0000-7200-005-000 NN P		22.94	22.94
326	PO-190316	04/11/2019	27045224780818		2 01-0000-0-5600-105-0000-7200-005-000 NN P		6.99	6.99
431	PO-190406	04/11/2019	27050334781839		1 01-0740-0-4300-475-3200-2700-015-106 NN F		13.38	22.94
431	PO-190406	04/11/2019	27050334781839		2 01-0740-0-5600-475-3200-2700-015-106 NN P		7.99	7.99
1461	PO-191426	04/11/2019	27047404781257		2 01-0740-0-4300-112-0000-3600-007-302 NN P		87.94	87.94
1461	PO-191426	04/11/2019	27047404781257		1 01-0740-0-5600-112-0000-3600-007-302 NN P		7.99	7.99
			TOTAL PAYMENT AMOUNT		258.14 *			258.14
011617/00	AMADOR STAGE LINES							
2377	PO-192320	04/05/2019	83489		1 01-0740-0-5865-112-0000-3600-007-302 NN F		1,121.44	1,121.44
			TOTAL PAYMENT AMOUNT		1,121.44 *			1,121.44
015699/00	ANIXTER INC							
1692	PO-191642	04/11/2019	22K309890		1 01-8150-0-4300-106-0000-8110-007-000 NN P		56.45	56.45
2418	PO-192362	04/11/2019	22K310091		1 01-8150-0-4300-106-0000-8110-007-000 NN F		6,168.58	6,168.58
			TOTAL PAYMENT AMOUNT		6,225.03 *			6,225.03
016075/00	ANWAR, SHAHNAZ							
2424	PO-192373	04/11/2019	mileage		1 01-3010-0-5200-371-1110-1000-012-000 NN F		11.95	11.95
			TOTAL PAYMENT AMOUNT		11.95 *			11.95
010564/00	APPLE COMPUTER							
2211	PO-192158	04/11/2019	AA09996036		1 01-6500-0-4300-102-5750-1110-019-000 NN F		2,617.38	2,617.38
			TOTAL PAYMENT AMOUNT		2,617.38 *			2,617.38

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
021604/00	ATLAS DISPOSAL INDUSTRIES							
9	PO-190006	04/11/2019	1031		1 01-0000-0-5525-106-0000-8110-007-000 NN P		230.13	230.13
9	PO-190006	04/11/2019	149397		1 01-0000-0-5525-106-0000-8110-007-000 NN P		567.96	567.96
9	PO-190006	04/11/2019	149398		1 01-0000-0-5525-106-0000-8110-007-000 NN P		1,714.54	1,714.54
9	PO-190006	04/11/2019	149399		1 01-0000-0-5525-106-0000-8110-007-000 NN P		733.43	733.43
9	PO-190006	04/11/2019	149400		1 01-0000-0-5525-106-0000-8110-007-000 NN P		307.08	307.08
9	PO-190006	04/11/2019	149401		1 01-0000-0-5525-106-0000-8110-007-000 NN P		266.28	266.28
9	PO-190006	04/11/2019	149402		1 01-0000-0-5525-106-0000-8110-007-000 NN P		524.84	524.84
9	PO-190006	04/11/2019	149403		1 01-0000-0-5525-106-0000-8110-007-000 NN P		473.59	473.59
9	PO-190006	04/11/2019	149404		1 01-0000-0-5525-106-0000-8110-007-000 NN P		86.92	86.92
9	PO-190006	04/11/2019	189672		1 01-0000-0-5525-106-0000-8110-007-000 NN P		315.59	315.59
9	PO-190006	04/11/2019	1032		1 01-0000-0-5525-106-0000-8110-007-000 NN P		245.86	245.86
				TOTAL PAYMENT AMOUNT	5,466.22 *			5,466.22
019504/00	B & H PHOTO-VIDEO							
1912	PO-192056	04/11/2019	156248327		1 01-0000-0-4300-238-0000-2700-010-000 YN F		789.05	732.30
2308	PO-192291	04/11/2019	156517333		1 01-0000-0-4300-238-0000-2700-010-000 YN F		34.65	32.16
				TOTAL PAYMENT AMOUNT	764.46 *			764.46
				TOTAL USE TAX AMOUNT	59.24			
019624/00	B & H VIDEO							
2116	PO-192089	04/11/2019	156157286		1 01-6500-0-4300-472-5750-1110-014-000 YN F		120.90	112.20
				TOTAL PAYMENT AMOUNT	112.20 *			112.20
				TOTAL USE TAX AMOUNT	8.70			
017561/00	BAIONI, KIM							
2422	PO-192366	04/11/2019	REIMB NOVELS		1 01-6300-0-4200-475-3200-1000-015-106 NN F		1,494.00	1,494.00
				TOTAL PAYMENT AMOUNT	1,494.00 *			1,494.00
015623/00	BARRIGA, MARIA I. PEREZ							
1152	PO-191129	04/11/2019	MARCH MILEAGE		1 01-6500-0-5800-102-5750-1180-019-000 NN P		233.16	233.16
				TOTAL PAYMENT AMOUNT	233.16 *			233.16

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
014789/00	BISHO, VERNON							
2395	PO-192344	04/11/2019	TRAVEL EXPENSE		1 01-7220-0-5200-472-1110-1000-014-209 NN F		21.85	21.85
			TOTAL PAYMENT AMOUNT		21.85 *			21.85
022347/00	BLAISDELLS BUSINESS PRODUCTS [redacted]							
1649	PO-191615	04/08/2019	IN-0811660		1 01-6300-0-4300-475-3200-1000-015-106 NN F		18.73	18.73
1649	PO-191615	04/11/2019	IN-0811660		2 01-0740-0-4300-475-3200-2700-015-106 NN F		56.20	52.36
1832	PO-191786	04/11/2019	1320001-0		1 01-0000-0-4300-472-0000-2700-014-000 NN F		1,296.71	1,296.71
1915	PO-191879	04/11/2019	1324265-0		1 01-0000-0-4300-472-0000-2700-014-000 NN F		650.20	652.68
2066	PO-192017	04/11/2019	1331222-0		1 01-0000-0-4300-472-1355-1000-014-000 NN F		219.13	219.13
2103	PO-192052	04/11/2019	1332883-0		1 01-0000-0-4300-110-0000-7200-004-000 NN P		75.55	75.55
2103	PO-192052	04/11/2019	1332883-1		1 01-0000-0-4300-110-0000-7200-004-000 NN F		9.46	9.46
2142	PO-192081	04/11/2019	1332890-0		1 01-0000-0-4300-110-0000-7200-004-000 NN F		56.55	56.55
2172	PO-192114	04/11/2019	1334760-0		1 01-0000-0-4300-110-0000-7200-004-000 NN F		71.17	71.17
2243	PO-192185	04/11/2019	1337803-0		1 01-0000-0-4300-472-1355-1000-014-000 NN F		77.53	77.53
2293	PO-192225	04/11/2019	1339099		1 01-0740-0-4300-475-3200-1000-015-106 NN F		51.67	51.67
2294	PO-192226	04/11/2019	1339093-0		1 01-3010-0-4300-475-3200-1000-015-106 NN P		57.02	57.02
2294	PO-192226	04/11/2019	1339093-1		1 01-3010-0-4300-475-3200-1000-015-106 NN F		21.65	15.99
2272	PO-192241	04/11/2019	1339705-0		1 01-0000-0-4300-472-1500-1000-014-000 NN P		814.74	814.74
2272	PO-192241	04/11/2019	1339705-1		1 01-0000-0-4300-472-1500-1000-014-000 NN F		55.08	55.08
			TOTAL PAYMENT AMOUNT		3,524.37 *			3,524.37
016216/00	BORASI, CHRIS							
2427	PO-192376	04/11/2019	REIMB-FOOD,SUPPLIES		1 01-3010-0-4300-371-1110-1000-012-108 NN F		334.57	334.57
			TOTAL PAYMENT AMOUNT		334.57 *			334.57
010991/00	BURKE, CHRISTINA							
2423	PO-192372	04/11/2019	MARCH MILEAGE		1 01-5630-0-5800-601-1421-1000-017-120 NN F		83.39	83.39
			TOTAL PAYMENT AMOUNT		83.39 *			83.39
013988/00	BUTTES/CENTER STATE PIPE &							
1593	PO-191565	04/11/2019	S010678386.001		1 01-8150-0-4300-106-0000-8110-007-000 NN P		527.66	527.66
			TOTAL PAYMENT AMOUNT		527.66 *			527.66

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
014823/00	CALIFORNIA SWIM SHOP			[redacted]				
2007	PO-191989	04/11/2019	1129		1 01-0076-0-5800-472-1110-4200-014-813 NN F		363.25	363.25
			TOTAL PAYMENT AMOUNT		363.25 *			363.25
021036/00	CCHAT CENTER							
752	PO-190850	04/11/2019	1-19CenterM		3 01-6500-0-5800-102-5750-1180-019-000 NN P		903.68	903.68
			TOTAL PAYMENT AMOUNT		903.68 *			903.68
020305/00	CDW GOVERNMENT INC.							
2215	PO-192167	04/11/2019	RQM9625		1 01-0000-0-5800-103-0000-2110-019-000 NN F		74.65	74.65
2304	PO-192231	04/11/2019	RSD1338		1 01-0000-0-4400-115-0000-7700-007-000 NN F		568.19	568.19
			TOTAL PAYMENT AMOUNT		642.84 *			642.84
016261/00	CEBULA RN, GAIL							
989	PO-190977	04/11/2019	March mileage		1 01-0740-0-5210-104-0000-3140-019-128 NN F		30.84	62.52
			TOTAL PAYMENT AMOUNT		62.52 *			62.52
010407/00	CENTER UNIFIED REVOLVING FUND			[redacted]				
2383	PO-192324	04/08/2019	4250		1 01-0000-0-4300-101-0000-7150-002-000 NN F		25.00	25.00
2383	PO-192324	04/08/2019	4250		2 01-0000-0-4300-120-0000-7110-000-000 NN F		75.00	75.00
			TOTAL PAYMENT AMOUNT		100.00 *			100.00
015768/00	CHAMBERLAIN, JOE MATTHEW							
2401	PO-192350	04/11/2019	TRAVEL EXPENSE		1 01-7220-0-5200-472-1110-1000-014-209 NN F		21.85	21.85
			TOTAL PAYMENT AMOUNT		21.85 *			21.85
019910/00	CHANEY, AMY							
2397	PO-192346	04/11/2019	TRAVEL EXPENSE		1 01-7220-0-5200-472-1110-1000-014-209 NN F		30.56	30.56
			TOTAL PAYMENT AMOUNT		30.56 *			30.56

Vendor/Addr Req	Remit name Reference	Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
013928/00	CINTAS LOCATION 622							
168	PO-190153	04/11/2019	4019443112		1 01-0000-0-5800-111-0000-8200-007-000 NN P		27.86	27.86
168	PO-190153	04/11/2019	4019443165		1 01-0000-0-5800-111-0000-8200-007-000 NN P		65.17	65.17
168	PO-190153	04/11/2019	4019443179		1 01-0000-0-5800-111-0000-8200-007-000 NN P		64.22	64.22
168	PO-190153	04/11/2019	4019443190		1 01-0000-0-5800-111-0000-8200-007-000 NN P		24.46	24.46
168	PO-190153	04/11/2019	4019443194		1 01-0000-0-5800-111-0000-8200-007-000 NN P		5.83	5.83
168	PO-190153	04/11/2019	4019443208		1 01-0000-0-5800-111-0000-8200-007-000 NN P		11.20	11.20
168	PO-190153	04/11/2019	4019443224		1 01-0000-0-5800-111-0000-8200-007-000 NN P		9.79	9.79
168	PO-190153	04/11/2019	4019443309		1 01-0000-0-5800-111-0000-8200-007-000 NN P		9.79	9.79
					TOTAL PAYMENT AMOUNT 218.32 *			218.32
020537/00	CLARK, JENNIE							
2429	PO-192387	04/11/2019	MILEAGE		1 01-4035-0-5200-238-1110-1000-010-103 NN F		55.68	55.68
					TOTAL PAYMENT AMOUNT 55.68 *			55.68
016849/00	CLASSIC AWARDS & PROMOTIONS		[redacted]					
2173	PO-192193	04/11/2019	83077		1 01-7220-0-5800-472-1110-1000-014-209 NN F		2,020.69	2,020.69
					TOTAL PAYMENT AMOUNT 2,020.69 *			2,020.69
021573/00	CLEMENTS, KRISTEN							
2396	PO-192345	04/11/2019	MILEAGE		1 01-7220-0-5200-472-1110-1000-014-209 NN F		18.56	18.56
					TOTAL PAYMENT AMOUNT 18.56 *			18.56
016731/00	COMMITTEE FOR CHILDREN							
2222	PO-192168	04/11/2019	295195		1 01-0740-0-4300-601-1110-1000-017-120 YN F		450.40	418.00
					TOTAL PAYMENT AMOUNT 418.00 *			418.00
					TOTAL USE TAX AMOUNT 32.40			
020779/00	COWAN, ANNE							
2402	PO-192351	04/09/2019	MILEAGE		1 01-7220-0-5200-472-1110-1000-014-209 NN F		18.56	18.56
					TOTAL PAYMENT AMOUNT 18.56 *			18.56

Vendor/Addr Req	Remit name Reference	Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
018951/00	DELL							
2184	PO-192120	04/11/2019	10306673570		1 01-5630-0-4400-601-1421-1000-017-120 NN F		589.06	582.00
					TOTAL PAYMENT AMOUNT 582.00 *			582.00
017763/00	DUDE SOLUTIONS INC			[redacted]				
2410	PO-192354	04/11/2019	INV-42679		1 01-8150-0-5800-106-0000-8110-007-000 NN F		8,565.73	8,565.73
					TOTAL PAYMENT AMOUNT 8,565.73 *			8,565.73
021794/00	EAGLE SOFTWARE							
1980	PO-191927	04/11/2019	ACAD-000058		1 01-0000-0-5200-115-0000-7700-007-000 NN F		399.00	399.00
					TOTAL PAYMENT AMOUNT 399.00 *			399.00
010336/00	ECOTECH PEST MANAGEMENT INC			[redacted]				
16	PO-190011	04/11/2019	24601		1 01-0000-0-5500-106-0000-8110-007-000 NN P		712.00	712.00
					TOTAL PAYMENT AMOUNT 712.00 *			712.00
015567/00	FERGUSON, JERALD							
2363	PO-192312	04/05/2019	REIMB AMAZON		1 01-0000-0-4200-472-0000-2700-014-000 NN F		140.85	140.85
					TOTAL PAYMENT AMOUNT 140.85 *			140.85
018618/00	FOLLETT SCHOOL SOLUTIONS INC			[redacted]				
1963	PO-191910	04/08/2019	429541		1 01-0409-0-4200-240-0000-2420-011-000 NN F		498.88	498.88
1963	PO-191910	04/11/2019	429541 A,F		2 01-6300-0-4200-240-1110-1000-011-000 NN F		726.15	713.01
					TOTAL PAYMENT AMOUNT 1,211.89 *			1,211.89
016197/00	GALES-DAVIDSON, ELIZABETH							
2372	PO-192384	04/11/2019	MILEAGE		1 01-4035-0-5200-238-1110-1000-010-103 NN F		34.97	34.97
					TOTAL PAYMENT AMOUNT 34.97 *			34.97

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
017681/00	GEARY PACIFIC SUPPLY							
57	PO-190049	04/11/2019	3970902		1 01-8150-0-4400-106-0000-8110-007-000 NN P		15.94	15.94
			TOTAL PAYMENT AMOUNT		15.94 *			15.94
011618/00	GRAY STEP SOFTWARE INC							
2384	PO-192370	04/11/2019	3846		1 01-0000-0-5800-371-0000-2700-012-000 NN F		799.00	799.00
			TOTAL PAYMENT AMOUNT		799.00 *			799.00
018192/00	GREEN, KERI							
2403	PO-192385	04/11/2019	STUDENT FLIGHTS		1 01-0000-0-5800-472-1110-1000-014-000 NN F		1,738.53	1,738.53
			TOTAL PAYMENT AMOUNT		1,738.53 *			1,738.53
011601/00	GRIMES, PAMELA			[redacted]				
866	PO-190859	04/11/2019	MARCH 2019		1 01-0740-0-5210-104-0000-3140-019-128 NN P		17.69	17.69
866	PO-190859	04/11/2019	MARCH		1 01-0740-0-5210-104-0000-3140-019-128 NN P		11.66	11.66
			TOTAL PAYMENT AMOUNT		29.35 *			29.35
018990/00	INTERSTATE BATTERIES							
1507	PO-191476	04/11/2019	130016483		1 01-0740-0-4300-112-0000-3600-007-302 NN P		47.28	47.28
			TOTAL PAYMENT AMOUNT		47.28 *			47.28
021789/00	JABBERGYM INC			[redacted]				
785	PO-190853	04/10/2019	10978		1 01-6500-0-5800-102-5750-1180-019-000 NN P		30,730.50	30,730.50
			TOTAL PAYMENT AMOUNT		30,730.50 *			30,730.50
018343/00	JBEILY, TAMI							
2391	PO-192337	04/11/2019	REIMB DESK		1 01-0000-0-4300-103-0000-2110-019-000 NN F		277.30	277.30
			TOTAL PAYMENT AMOUNT		277.30 *			277.30

Vendor/Addr / Req	Reference	Date	Description	Tax ID num / Deposit type	ABA num / Account num		Liq Amt	Net Amount
010728/00	JOHNSTONE SUPPLY OF SACRAMENTO							
54	PO-190046	04/11/2019	27-S2370806.001	1	01-8150-0-4300-106-0000-8110-007-000	NN P	22.84	22.84
			TOTAL PAYMENT AMOUNT		22.84 *			22.84
014500/00	JOPE, BRINA							
2399	PO-192348	04/11/2019	TRAVEL EXPENSE	1	01-7220-0-5200-472-1110-1000-014-209	NN F	30.29	30.29
			TOTAL PAYMENT AMOUNT		30.29 *			30.29
010609/00	KELLY MOORE PAINT COMPANY INC							
541	PO-190525	04/11/2019	203-00000311889	1	01-8150-0-4300-106-0000-8110-007-000	NN F	455.23	455.23
2416	PO-192360	04/11/2019	203-00000311889	1	01-8150-0-4300-106-0000-8110-007-000	NN P	505.29	505.29
			TOTAL PAYMENT AMOUNT		960.52 *			960.52
020606/00	KLATT, BEN							
2364	PO-192313	04/05/2019	REIMB SUPPLIES	1	01-0000-0-4300-472-1110-1000-014-996	NN F	129.54	129.54
2365	PO-192314	04/11/2019	REIMB SUPPLIES	1	01-6300-0-4300-472-1110-1000-014-000	NN F	55.68	55.68
			TOTAL PAYMENT AMOUNT		185.22 *			185.22
022406/00	MAXIM HEALTHCARE SERVICES INC	[redacted]						
786	PO-190854	04/11/2019	6423330262	2	01-6500-0-5800-102-5750-1180-019-000	NN P	1,380.00	1,380.00
786	PO-190854	04/11/2019	6437240262	2	01-6500-0-5800-102-5750-1180-019-000	NN P	1,288.00	1,288.00
2122	PO-192075	04/11/2019	6423330262	1	01-0740-0-5800-104-0000-3140-019-128	NN P	1,617.50	1,617.50
2122	PO-192075	04/11/2019	6437240262	1	01-0740-0-5800-104-0000-3140-019-128	NN P	3,219.80	3,219.80
			TOTAL PAYMENT AMOUNT		7,505.30 *			7,505.30
019087/00	MCCARTY, MELADEE	[redacted]						
647	PO-190623	04/11/2019	March 2019	3	01-6500-0-5800-102-5750-1180-019-000	NY P	400.00	400.00
			TOTAL PAYMENT AMOUNT		400.00 *			400.00
017160/00	MCINNES, ROBERT							
2398	PO-192347	04/11/2019	TRAVEL EXPENSE	1	01-7220-0-5200-472-1110-1000-014-209	NN F	41.29	41.29
			TOTAL PAYMENT AMOUNT		41.29 *			41.29

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
016087/00	MICHAEL'S TRANSPORTATION SERV.							
362	PO-190346	04/11/2019	108966		1 01-0740-0-5800-112-0000-3600-007-302 NN P		2,025.00	2,025.00
362	PO-190346	04/11/2019	109077		1 01-0740-0-5800-112-0000-3600-007-302 NN P		2,025.00	2,025.00
			TOTAL PAYMENT AMOUNT		4,050.00 *			4,050.00
019059/00	MILLENNIUM TERMITE & PEST							
12	PO-190009	04/11/2019	TR-71099		1 01-0000-0-5500-106-0000-8110-007-000 NN P		91.00	91.00
12	PO-190009	04/11/2019	TR-72628		1 01-0000-0-5500-106-0000-8110-007-000 NN P		57.00	57.00
12	PO-190009	04/11/2019	TR-72628		1 01-0000-0-5500-106-0000-8110-007-000 NN P		59.00	59.00
			TOTAL PAYMENT AMOUNT		207.00 *			207.00
019828/00	MIRANDA, RYAN							
2426	PO-192375	04/11/2019	PARKING		1 01-0740-0-5200-601-1110-1000-017-120 NN F		25.50	25.50
			TOTAL PAYMENT AMOUNT		25.50 *			25.50
018419/00	NCPS			[redacted]				
788	PO-190855	04/11/2019	NCPS3896		1 01-6500-0-5800-102-5750-1180-019-000 NN P		2,573.12	2,573.12
			TOTAL PAYMENT AMOUNT		2,573.12 *			2,573.12
021173/00	NORTH STATE TIRE CO. INC			[redacted]				
2417	PO-192361	04/11/2019	96434		1 01-0740-0-4300-112-0000-3600-007-302 NN F		255.16	236.81
			TOTAL PAYMENT AMOUNT		236.81 *			236.81
015787/00	O'REILLY AUTO PARTS							
114	PO-190084	04/11/2019	1333147		1 01-0740-0-4300-112-0000-3600-007-302 NN P		936.43	936.43
			TOTAL PAYMENT AMOUNT		936.43 *			936.43
019700/00	PITNEY BOWES GLOBAL FINANCIAL			[redacted]				
2421	PO-192365	04/11/2019	3103041865		1 01-0000-0-5800-105-0000-7200-005-000 NN F		1,130.31	1,130.31
			TOTAL PAYMENT AMOUNT		1,130.31 *			1,130.31

Vendor/Addr Remit name / Req Reference Date Description	Tax ID num Deposit type	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
014544/00 PLACER COUNTY CLERK					
2420 PO-192364 04/11/2019 PCELEC560008	1	01-0000-0-5850-120-0000-7110-000-000	N F	250.00	250.00
TOTAL PAYMENT AMOUNT	250.00 *				250.00
017377/00 PLACER COUNTY OFFICE OF EDUC.					
1664 PO-191626 04/11/2019 AR19-01395	1	01-0036-0-5200-238-1110-1000-010-113	NN F	100.00	100.00
TOTAL PAYMENT AMOUNT	100.00 *				100.00
014069/00 PLATT ELECTRIC SUPPLY INC [redacted]					
56 PO-190048 04/11/2019 U802640	1	01-8150-0-4300-106-0000-8110-007-000	NN P	28.58	28.58
56 PO-190048 04/11/2019 U782561	1	01-8150-0-4300-106-0000-8110-007-000	NN P	220.22	220.22
56 PO-190048 04/11/2019 U831529	1	01-8150-0-4300-106-0000-8110-007-000	NN P	309.51	309.51
2375 PO-192319 04/05/2019 Z419079	1	01-0000-0-4300-111-0000-8200-007-939	NN F	731.35	731.35
2411 PO-192355 04/11/2019 U831391	1	01-0000-0-4300-111-0000-8200-007-939	NN F	1,090.97	1,090.97
TOTAL PAYMENT AMOUNT	2,380.63 *				2,380.63
021401/00 PRACTI-CAL INC [redacted]					
2115 PO-192064 04/11/2019 342760	1	01-5640-0-4400-102-0000-2700-019-000	NN P	318.75	318.75
2115 PO-192064 04/11/2019 342808	1	01-5640-0-4400-102-0000-2700-019-000	NN P	88.07	88.07
TOTAL PAYMENT AMOUNT	406.82 *				406.82
021194/00 PRUDENTIAL OVERALL SUPPLY INC					
115 PO-190085 04/11/2019 180333565	1	01-0740-0-5800-112-0000-3600-007-302	NN P	59.21	59.21
115 PO-190085 04/11/2019 180334137	1	01-0740-0-5800-112-0000-3600-007-302	NN P	59.21	59.21
TOTAL PAYMENT AMOUNT	118.42 *				118.42
017056/00 ProComputing Corporation [redacted]					
2327 PO-192270 04/11/2019 85835	1	01-0370-0-4300-115-1110-1000-007-000	YN F	1,497.73	1,390.00
TOTAL PAYMENT AMOUNT	1,390.00 *				1,390.00
TOTAL USE TAX AMOUNT	107.72				

Vendor/Addr Remit name / Req Reference Date Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
019691/00 RAINBOW RESOURCE CENTER					
2251 PO-192203 04/11/2019 2639051		1	01-6500-0-4300-102-5770-1191-019-000 YN F	34.23	31.77
2254 PO-192205 04/11/2019 2639052		1	01-6300-0-4300-102-1110-1000-019-000 YN F	63.60	58.55
TOTAL PAYMENT AMOUNT		90.32 *			90.32
TOTAL USE TAX AMOUNT		7.00			
011238/00 RELIABLE TIRE					
2387 PO-192326 04/11/2019 174181		1	01-0740-0-4300-112-0000-3600-007-302 NN F	107.46	107.46
TOTAL PAYMENT AMOUNT		107.46 *			107.46
010627/00 RIVERVIEW INTERNATIONAL TRUCKS					
262 PO-190249 04/11/2019 993180		1	01-0740-0-4300-112-0000-3600-007-302 NN P	43.08	43.08
TOTAL PAYMENT AMOUNT		43.08 *			43.08
018970/00 RUA & SON MECHANICAL INC [redacted]					
2393 PO-192338 04/11/2019 302951		1	01-8150-0-4300-106-9585-8110-007-000 NN F	70.04	70.04
2393 PO-192338 04/11/2019 302951		2	01-8150-0-5800-106-9585-8110-007-000 NN F	380.00	380.00
TOTAL PAYMENT AMOUNT		450.04 *			450.04
022398/00 SACRAMENTO COUNTY OFFICE OF ED					
2471 PO-192383 04/11/2019 192150		1	01-4035-0-5800-103-0000-2700-019-000 NN F	1,800.00	1,800.00
TOTAL PAYMENT AMOUNT		1,800.00 *			1,800.00
010266/00 SACRAMENTO COUNTY UTILITIES					
25 PO-190019 04/11/2019 50000918485		1	01-0000-0-5520-106-0000-8110-007-000 N P	3,429.40	3,429.40
25 PO-190019 04/11/2019 50000918556		1	01-0000-0-5520-106-0000-8110-007-000 N P	113.70	113.70
25 PO-190019 04/11/2019 50000918556		1	01-0000-0-5520-106-0000-8110-007-000 N P	671.99	671.99
TOTAL PAYMENT AMOUNT		4,215.09 *			4,215.09
020695/00 SCHOOL OUTFITTERS					
2203 PO-192142 04/11/2019 INV13091273		1	01-0370-0-4300-115-1110-1000-007-000 NN F	698.60	698.60
TOTAL PAYMENT AMOUNT		698.60 *			698.60

Vendor/Addr Req	Remit name Reference	Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
014786/00	SCHOOL SPECIALTY INC			[redacted]				
2264	PO-192209	04/11/2019	208122627545		1 01-6300-0-4300-475-3200-1000-015-106 NN F		128.96	129.36
2291	PO-192223	04/11/2019	208122627820		1 01-0740-0-4300-475-3200-1000-015-106 NN F		50.02	50.02
			TOTAL PAYMENT AMOUNT		179.38 *			179.38
020811/00	SHRED-IT USA LLC							
17	PO-190012	04/11/2019	8126948777		1 01-0000-0-5800-106-0000-7200-007-000 NN P		85.60	85.60
140	PO-190132	04/11/2019	8126870082		1 01-0000-0-5800-472-0000-2700-014-000 NN P		39.57	39.57
328	PO-190317	04/11/2019	8126949395		1 01-0000-0-5800-371-0000-2700-012-000 NN P		39.57	39.57
			TOTAL PAYMENT AMOUNT		164.74 *			164.74
019683/00	SIERRA FOOTHILLS ACADEMY			[redacted]				
791	PO-190858	04/11/2019	MAR-19		1 01-6500-0-5800-102-5750-1180-019-000 NN P		3,999.42	3,999.42
791	PO-190858	04/11/2019	SP-RSY-32019-3		1 01-6500-0-5800-102-5750-1180-019-000 NN P		221.00	221.00
			TOTAL PAYMENT AMOUNT		4,220.42 *			4,220.42
020983/00	SIERRA PACIFIC TURF SUPPLY							
67	PO-190059	04/11/2019	0547265		1 01-0000-0-4300-106-0000-8110-007-000 NN P		59.27	59.27
			TOTAL PAYMENT AMOUNT		59.27 *			59.27
010263/00	SMUD							
27	PO-190021	04/11/2019	7000000347		1 01-0000-0-5510-106-0000-8110-007-000 NN P		45,405.70	45,405.70
			TOTAL PAYMENT AMOUNT		45,405.70 *			45,405.70
014988/00	SPORE, PATRICIA							
2348	PO-192308	04/11/2019	REIMB BOOKS-BALL		1 01-3010-0-4300-238-1110-1000-010-109 NN F		879.49	879.49
			TOTAL PAYMENT AMOUNT		879.49 *			879.49
018967/00	SPRINT CUSTOMER SERVICE							
29	PO-190023	04/11/2019	811116315-209		1 01-0000-0-5930-106-0000-8110-007-000 NN P		249.98	249.98
137	PO-190129	04/11/2019	811116315-209		1 01-6500-0-5930-102-5060-2110-019-000 NN P		46.28	46.28
138	PO-190130	04/11/2019	811116315-209		1 01-6387-0-5930-472-1110-1000-014-000 NN P		46.28	46.28
139	PO-190131	04/11/2019	811116315-209		1 01-0000-0-5930-472-0000-2700-014-000 NN P		0.46	0.46
188	PO-190175	04/11/2019	811116315-209		1 01-0000-0-5930-101-0000-7150-002-000 NN P		56.28	56.28

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
018967 (CONTINUED)								
623	PO-190578	04/11/2019	811116315-209		1 01-0740-0-5930-104-0000-3140-019-128 NN P		7.46	7.46
2149	PO-192083	04/11/2019	811116315-209		1 01-0000-0-5930-115-0000-7700-007-000 NN P		136.02	136.02
			TOTAL PAYMENT AMOUNT		542.76 *			542.76
010137/00	STATE BOARD OF EQUALIZATION							
1005	PO-190984	04/08/2019	57-415168		1 01-0740-0-5800-112-0000-3600-007-302 NN P		42.59	42.59
			TOTAL PAYMENT AMOUNT		42.59 *			42.59
018066/00	SUPER DUPER INC.							
2253	PO-192204	04/11/2019	2425356A		1 01-6300-0-4300-102-1110-1000-019-000 YN F		258.22	239.65
			TOTAL PAYMENT AMOUNT		239.65 *			239.65
			TOTAL USE TAX AMOUNT		18.57			
020465/00	SUPPORTED LIFE INSTITUTE		[redacted]					
793	PO-190945	04/11/2019	MARCH 2019		1 01-6500-0-5800-102-5750-1180-019-000 NN P		159.00	159.00
			TOTAL PAYMENT AMOUNT		159.00 *			159.00
014972/00	TACKETT-OLIVER, MELISSA							
2361	PO-192311	04/11/2019	REIMB TITLE1 BOOKS		1 01-3010-0-4300-238-1110-1000-010-109 NN F		253.50	253.50
			TOTAL PAYMENT AMOUNT		253.50 *			253.50
011554/00	TRACTOR SUPPLY CO							
161	PO-190148	04/08/2019	6035301203476674		1 01-0000-0-4300-106-0000-8110-007-000 NN P		212.95	212.95
			TOTAL PAYMENT AMOUNT		212.95 *			212.95
014125/00	TROTTER, DUSTY							
2332	PO-192321	04/11/2019	MILEAGE-MARCH		1 01-5630-0-5800-601-1421-1000-017-120 NN F		58.96	58.96
			TOTAL PAYMENT AMOUNT		58.96 *			58.96

Vendor/Addr Remit name / Req Reference Date Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
010139/00 TROXELL COMMUNICATIONS INC					
1850 PO-191796 04/11/2019 169510		1 01-0370-0-4400-115-1110-1000-007-000 NN F		119,107.74	119,107.74
2050 PO-192001 04/11/2019 170312		2 01-0370-0-4400-115-1110-1000-007-000 NN F		10,430.19	10,430.20
		TOTAL PAYMENT AMOUNT 129,537.94 *			129,537.94
016370/00 TWIN RIVERS UNIFIED SCH DIST					
491 PO-190472 04/11/2019 191782		1 01-0000-0-5800-105-0000-8300-005-000 NN P		11,833.33	11,833.33
		TOTAL PAYMENT AMOUNT 11,833.33 *			11,833.33
021143/00 US AIR CONDITIONING					
1439 PO-191406 04/11/2019 3507184		1 01-8150-0-4300-106-0000-8110-007-000 NN P		139.65	139.65
		TOTAL PAYMENT AMOUNT 139.65 *			139.65
016235/00 VITALE, TRACEY					
2373 PO-192317 04/11/2019 REIMB SUPPLIES		1 01-3010-0-4300-236-1110-1000-009-111 NN F		38.87	38.87
		TOTAL PAYMENT AMOUNT 38.87 *			38.87
010552/00 WAXIE SANITARY SUPPLY	[redacted]				
73 PO-190068 04/11/2019 78046625		1 01-0000-0-9320-000-0000-0000-000-000 NN P		1,155.01	1,155.01
73 PO-190068 04/11/2019 78182300		1 01-0000-0-9320-000-0000-0000-000-000 NN P		2,242.45	2,242.45
73 PO-190068 04/11/2019 78182298		1 01-0000-0-9320-000-0000-0000-000-000 NN P		784.38	784.38
73 PO-190068 04/11/2019 78183902		1 01-0000-0-9320-000-0000-0000-000-000 NN P		48.98	48.98
		TOTAL PAYMENT AMOUNT 4,230.82 *			4,230.82
016439/00 WEAVER, SANDRA					
2404 PO-192386 04/11/2019 STUDENT FLIGHT		1 01-0000-0-5800-472-1110-1000-014-000 NN F		579.51	579.51
		TOTAL PAYMENT AMOUNT 579.51 *			579.51
019497/00 WOODS, HEATHER					
2400 PO-192349 04/11/2019 TRAVEL EXPENSE		1 01-7220-0-5200-472-1110-1000-014-209 NN F		22.00	22.00
		TOTAL PAYMENT AMOUNT 22.00 *			22.00

Vendor/Addr Req	Remit name Reference	Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
011017/00	WeVIDEO INC			[redacted]				
2078	PO-192121	04/11/2019	7150		1 01-0000-0-5800-371-1110-1000-012-000 NN F		120.00	120.00
					TOTAL PAYMENT AMOUNT	120.00 *		120.00
					TOTAL FUND PAYMENT	308,538.21 **		308,538.21
					TOTAL USE TAX AMOUNT	233.63		

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
018015/00	TOMPKINS, SHELLEY							
2337	PO-192305	04/11/2019	MILEAGE		1 11-6391-0-5210-600-4130-1000-015-000 NN F		26.22	26.22
2345	PO-192307	04/11/2019	REIMB KEYS		1 11-6391-0-4300-600-4130-1000-015-000 NN P		17.74	17.74
			TOTAL PAYMENT AMOUNT		43.96 *			43.96
			TOTAL FUND PAYMENT		43.96 **			43.96

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
020098/00	BIG TRAY			[redacted]				
149	PO-190140	04/11/2019	816907		1 13-5310-0-4400-108-0000-3700-007-000 NN P		119.15	119.15
			TOTAL PAYMENT AMOUNT		119.15 *			119.15
011205/00	CULTURE SHOCK YOGURT							
146	PO-190137	04/11/2019	7960		1 13-5310-0-4700-108-0000-3700-007-000 NN P		130.00	130.00
146	PO-190137	04/11/2019	7979		1 13-5310-0-4700-108-0000-3700-007-000 NN P		105.00	105.00
146	PO-190137	04/11/2019	8046		1 13-5310-0-4700-108-0000-3700-007-000 NN P		150.00	150.00
			TOTAL PAYMENT AMOUNT		385.00 *			385.00
022586/00	D&P Creamery							
142	PO-190134	04/11/2019	50135		1 13-5310-0-4700-108-0000-3700-007-000 NN P		1,699.84	1,699.84
142	PO-190134	04/11/2019	50130		1 13-5310-0-4700-108-0000-3700-007-000 NN P		1,210.89	1,210.89
142	PO-190134	04/11/2019	50120		1 13-5310-0-4700-108-0000-3700-007-000 NN P		2,156.90	2,156.90
142	PO-190134	04/11/2019	50125		1 13-5310-0-4700-108-0000-3700-007-000 NN P		2,149.28	2,149.28
142	PO-190134	04/11/2019	50110		1 13-5310-0-4700-108-0000-3700-007-000 NN P		2,091.87	2,091.87
142	PO-190134	04/11/2019	50105		1 13-5310-0-4700-108-0000-3700-007-000 NN P		2,551.07	2,551.07
			TOTAL PAYMENT AMOUNT		11,859.85 *			11,859.85
011602/00	DANIELSEN CO., THE							
80	PO-190070	04/11/2019	193310		1 13-5310-0-4700-108-0000-3700-007-000 N P		749.54	749.54
80	PO-190070	04/11/2019	193310		2 13-5310-0-4300-108-0000-3700-007-000 N P		8.00	8.00
80	PO-190070	04/11/2019	193956		1 13-5310-0-4700-108-0000-3700-007-000 N P		1,716.84	1,716.84
80	PO-190070	04/11/2019	193956		2 13-5310-0-4300-108-0000-3700-007-000 N P		8.00	8.00
			TOTAL PAYMENT AMOUNT		2,482.38 *			2,482.38
017051/00	DAVIS, LAURA							
2344	PO-192306	04/05/2019	REIMB SUPPLIES		1 13-5310-0-4300-108-0000-3700-007-000 NN F		42.98	42.98
2344	PO-192306	04/05/2019	REIMB FRUIT		2 13-5310-0-4700-108-0000-3700-007-000 NN F		69.40	69.40
			TOTAL PAYMENT AMOUNT		112.38 *			112.38
016779/00	EISCHENS, DEBORAH							
2357	PO-192309	04/11/2019	MILEAGE		1 13-5310-0-5800-108-0000-3700-007-000 NN F		9.51	9.51
			TOTAL PAYMENT AMOUNT		9.51 *			9.51

FUND : 13 CAFETERIA FUND

Vendor/Addr / Req	Remit name / Reference	Date	Description	Tax ID num / Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
016670/00	FATCAT BAKERY				[redacted]		
117	PO-190086	04/11/2019	160485	1 13-5310-0-4700-108-0000-3700-007-000 NN P		2,150.00	2,150.00
117	PO-190086	04/11/2019	160542	1 13-5310-0-4700-108-0000-3700-007-000 NN P		2,150.00	2,150.00
			TOTAL PAYMENT AMOUNT	4,300.00 *			4,300.00
014098/00	JEW, JEANNENE						
2407	PO-192371	04/11/2019	REIMB GLUTIN FREE FOOD	1 13-5310-0-4700-108-0000-3700-007-000 NN F		55.54	55.54
			TOTAL PAYMENT AMOUNT	55.54 *			55.54
016279/00	P&R PAPER SUPPLY						
119	PO-190088	04/11/2019	30246179-00	1 13-5310-0-4300-108-0000-3700-007-000 NN P		1,386.58	1,386.58
			TOTAL PAYMENT AMOUNT	1,386.58 *			1,386.58
021194/00	PRUDENTIAL OVERALL SUPPLY INC						
148	PO-190139	04/11/2019	180333564	1 13-5310-0-5800-108-0000-3700-007-000 NN P		77.75	77.75
148	PO-190139	04/11/2019	180334136	1 13-5310-0-5800-108-0000-3700-007-000 NN P		77.75	77.75
			TOTAL PAYMENT AMOUNT	155.50 *			155.50
017334/00	SEVEN UP BOTTLING CO. OF S.F.						
147	PO-190138	04/11/2019	3591706607	1 13-5310-0-4700-108-0000-3700-007-000 NN P		465.60	465.60
			TOTAL PAYMENT AMOUNT	465.60 *			465.60
016043/00	SHELTONS UNLIMITED MECHANICAL				[redacted]		
150	PO-190141	04/11/2019	19-APRIL PM	1 13-5310-0-5600-108-0000-3700-007-000 NN P		2,040.00	2,040.00
			TOTAL PAYMENT AMOUNT	2,040.00 *			2,040.00
018967/00	SPRINT CUSTOMER SERVICE						
160	PO-190160	04/11/2019	811116315-209	1 13-5310-0-5930-108-0000-3700-007-000 NN F		6.45	8.42
			TOTAL PAYMENT AMOUNT	8.42 *			8.42

Vendor/Addr Req	Remit name Reference	Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
018033/00	SWETT, MICHELLE							
157	PO-190158	04/11/2019	MARCH MILEAGE		1 13-5310-0-5210-108-0000-3700-007-000 NN P		43.62	43.62
			TOTAL PAYMENT AMOUNT		43.62 *			43.62
011422/00	SYSCO OF SAN FRANCISCO							
81	PO-190071	04/11/2019	231221690		1 13-5310-0-4700-108-0000-3700-007-000 NN P		1,805.73	1,805.73
81	PO-190071	04/11/2019	231221690		2 13-5310-0-4300-108-0000-3700-007-000 NN P		221.89	221.89
81	PO-190071	04/11/2019	231231426		1 13-5310-0-4700-108-0000-3700-007-000 NN P		1,762.02	1,762.02
81	PO-190071	04/11/2019	231221691		1 13-5310-0-4700-108-0000-3700-007-000 NN P		340.48	340.48
			TOTAL PAYMENT AMOUNT		4,130.12 *			4,130.12
			TOTAL FUND PAYMENT		27,553.65 **			27,553.65

Vendor/Addr Remit name / Req Reference Date Description	Tax ID num Deposit type	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	Liq Amt	Net Amount
015226/00 ATI ARCHITECTS & ENGINEERS	[redacted]			
569 PO-190570 04/11/2019 1501192	2	21-0000-0-6215-106-0000-8500-007-611 NN P	4,435.33	4,435.33
570 PO-190571 04/11/2019 1501193	2	21-0000-0-6215-106-0000-8500-007-612 NN P	5,047.66	5,047.66
570 PO-190571 04/11/2019 1501294	2	21-0000-0-6215-106-0000-8500-007-612 NN P	3,040.26	3,040.26
TOTAL PAYMENT AMOUNT	12,523.25 *			12,523.25
TOTAL FUND PAYMENT	12,523.25 **			12,523.25
TOTAL BATCH PAYMENT	348,659.07 ***		0.00	348,659.07
TOTAL USE TAX AMOUNT	233.63			
TOTAL DISTRICT PAYMENT	348,659.07 ****		0.00	348,659.07
TOTAL USE TAX AMOUNT	233.63			
TOTAL FOR ALL DISTRICTS:	348,659.07 ****		0.00	348,659.07
TOTAL USE TAX AMOUNT	233.63			

Number of checks to be printed: 108, not counting voids due to stub overflows.

Batch status: A All

From batch: 0058

To batch: 0058

Include Revolving Cash: Y

Include Address: N

Include Object Desc: N

Include Vendor TIN: Y

Include Audit Date and Time in Sort: N

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / Account num	Liq Amt	Net Amount
019210/00	ANDREWS, JULIE						
2477	PO-192439	04/17/2019	reimb donuts		1 01-3010-0-4300-371-1110-1000-012-205 NN F	20.97	20.97
					TOTAL PAYMENT AMOUNT 20.97 *		20.97
020766/00	ASSET GENIE INC			[redacted]			
2062	PO-192041	04/18/2019	1382126		1 01-0000-0-4300-472-1110-1000-014-000 NN F	150.63	139.80
					TOTAL PAYMENT AMOUNT 139.80 *		139.80
011481/00	AT&T						
20	PO-190015	04/18/2019	12863832		1 01-0000-0-5930-106-0000-8110-007-000 NN P	7,166.35	7,166.35
					TOTAL PAYMENT AMOUNT 7,166.35 *		7,166.35
019504/00	B & H PHOTO-VIDEO						
1940	PO-191888	04/19/2019	155021621		1 01-0000-0-4400-238-1110-1000-010-000 YN F	967.58	797.99
1940	PO-191888	04/18/2019	155021621		2 01-0036-0-4400-238-1110-1000-010-113 YN F	967.59	797.99
					TOTAL PAYMENT AMOUNT 1,595.98 *		1,595.98
					TOTAL USE TAX AMOUNT 123.68		
015718/00	BASIC PACIFIC						
	PV-190087	04/18/2019	APRIL 30,2019		01-0000-0-9552-000-0000-0000-000-000 NN		4,802.89
					TOTAL PAYMENT AMOUNT 4,802.89 *		4,802.89
022222/00	BEENTJES, TONIA						
1111	PO-191168	04/18/2019	MAR-APR		1 01-6500-0-5210-102-5770-1130-019-000 NN P	11.60	11.60
					TOTAL PAYMENT AMOUNT 11.60 *		11.60
022282/00	BRIGHT START THERAPIES						
751	PO-190849	04/18/2019	CUAH0331.19		1 01-6500-0-5800-102-5750-1180-019-000 NN P	540.00	540.00
751	PO-190849	04/18/2019	CUEH0331.19		1 01-6500-0-5800-102-5750-1180-019-000 NN P	450.00	450.00
					TOTAL PAYMENT AMOUNT 990.00 *		990.00

Vendor/Addr Remit name / Req Reference Date Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
020155/00 BROWN, PETER					
2469 PO-192404 04/18/2019 MILEAGE		1 01-0036-0-5800-371-1110-1000-012-113 NN F		92.91	92.91
TOTAL PAYMENT AMOUNT		92.91 *			92.91
013988/00 BUTTES/CENTER STATE PIPE &					
1593 PO-191565 04/18/2019 S010692596.001		1 01-8150-0-4300-106-0000-8110-007-000 NN P		220.78	220.78
TOTAL PAYMENT AMOUNT		220.78 *			220.78
016082/00 CARMAZZI GLOBAL SOLUTIONS [redacted]					
2213 PO-192166 04/18/2019 25702		1 01-0000-0-5800-103-4760-1000-019-000 NN P		210.00	210.00
2213 PO-192166 04/18/2019 25838		1 01-0000-0-5800-103-4760-1000-019-000 NN P		210.00	210.00
TOTAL PAYMENT AMOUNT		420.00 *			420.00
014033/00 CHIDLAW, DIANE					
2468 PO-192423 04/18/2019 REIMB MATH PURCHASE		1 01-3010-0-4300-236-1110-1000-009-111 NN F		490.48	490.48
TOTAL PAYMENT AMOUNT		490.48 *			490.48
016731/00 COMMITTEE FOR CHILDREN					
2352 PO-192322 04/18/2019 2000171		1 01-6300-0-4300-234-1110-1000-008-000 YN F		1,801.58	1,672.00
TOTAL PAYMENT AMOUNT		1,672.00 *			1,672.00
TOTAL USE TAX AMOUNT		129.58			
015191/00 CONIDARIS, CYNTHIA					
772 PO-190753 04/18/2019 MARCH MILEAGE		1 01-6500-0-5210-102-5060-2110-019-000 NN F		52.65	52.65
2112 PO-192122 04/18/2019 MARCH MILEAGE		1 01-6500-0-5210-102-5060-2110-019-000 NN F		570.91	74.71
TOTAL PAYMENT AMOUNT		127.36 *			127.36
017374/00 CPRS CPSI					
2158 PO-192107 04/18/2019 2019 CPRS CONF- 138348		1 01-0000-0-5200-106-0000-8110-007-000 NN F		272.00	272.00
TOTAL PAYMENT AMOUNT		272.00 *			272.00

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
010625/00	CULLIGAN WATER OF SACRAMENTO			[redacted]				
668	PO-190656	04/18/2019	518		1 01-0740-0-5600-112-0000-3600-007-302 NN P		42.50	42.50
			TOTAL PAYMENT AMOUNT		42.50 *			42.50
011166/00	DAILY JOURNAL CORPORATION			[redacted]				
2467	PO-192403	04/18/2019	#A3237621		1 01-0000-0-5800-106-0000-8200-007-000 NN F		154.80	154.80
			TOTAL PAYMENT AMOUNT		154.80 *			154.80
014521/00	DUNCAN, TINA							
	PV-190088	04/18/2019	reimbursement		01-0000-0-4300-103-0000-2110-019-000 NN			91.19
			TOTAL PAYMENT AMOUNT		91.19 *			91.19
018277/00	EASTER SEAL SOCIETY OF CA. INC							
756	PO-190851	04/18/2019	MAR-19		1 01-6500-0-5800-102-5750-1180-019-000 NN P		2,070.00	2,070.00
756	PO-190851	04/18/2019	MAR-19		1 01-6500-0-5800-102-5750-1180-019-000 NN P		1,837.50	1,837.50
			TOTAL PAYMENT AMOUNT		3,907.50 *			3,907.50
017005/00	FERGUSON ENTERPRISES INC #686							
2487	PO-192427	04/18/2019	6610894		1 01-8150-0-4300-106-0000-8110-007-000 NN P		58.45	58.45
2487	PO-192427	04/18/2019	6608122		1 01-8150-0-4300-106-0000-8110-007-000 NN P		225.06	225.06
			TOTAL PAYMENT AMOUNT		283.51 *			283.51
017618/00	GOPHER SPORT							
2166	PO-192129	04/18/2019	9578023		1 01-0000-0-4300-371-1110-1000-012-000 NN F		2,241.74	2,231.34
			TOTAL PAYMENT AMOUNT		2,231.34 *			2,231.34
015040/00	GRIMES, DAVID							
2465	PO-192421	04/18/2019	REIMB BANNER		1 01-0000-0-5800-110-0000-7200-004-000 NN F		356.32	356.32
			TOTAL PAYMENT AMOUNT		356.32 *			356.32

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
017609/00	GUERGUY, CARLA							
2478	PO-192424	04/18/2019	REIMB GIFT CARDS		1 01-0740-0-4300-475-3200-1000-015-106 NN F		25.00	25.00
2479	PO-192425	04/18/2019	REIMB V-STOLES		1 01-0740-0-4300-475-3200-1000-015-106 NN F		190.00	190.00
			TOTAL PAYMENT AMOUNT		215.00 *			215.00
010830/00	HOLT OF CALIFORNIA							
2496	PO-192433	04/18/2019	SW050289348		1 01-8150-0-5800-106-0000-8110-007-000 NN F		276.40	276.40
			TOTAL PAYMENT AMOUNT		276.40 *			276.40
017002/00	HOME DEPOT CREDIT SERVICES							
53	PO-190045	04/18/2019	6035322503880209		1 01-8150-0-4300-106-0000-8110-007-000 NN F		7,950.59	1,086.75
670	PO-190657	04/18/2019	6035322503880209		1 01-0000-0-4300-106-0000-8110-007-000 NN F		3,000.00	88.61
			TOTAL PAYMENT AMOUNT		1,175.36 *			1,175.36
016541/00	JANELLE PUBLICATIONS							
2250	PO-192202	04/18/2019	4354		1 01-6500-0-4300-102-5770-1191-019-000 Y F		797.35	740.00
			TOTAL PAYMENT AMOUNT		740.00 *			740.00
			TOTAL USE TAX AMOUNT		57.35			
018343/00	JBEILY, TAMI							
2503	PO-192445	04/18/2019	mileage		1 01-0000-0-5210-103-0000-2110-019-000 NN F		19.60	19.60
			TOTAL PAYMENT AMOUNT		19.60 *			19.60
010728/00	JOHNSTONE SUPPLY OF SACRAMENTO							
54	PO-190046	04/18/2019	27-S2372401.001		1 01-8150-0-4300-106-0000-8110-007-000 NN P		167.92	167.92
			TOTAL PAYMENT AMOUNT		167.92 *			167.92
010355/00	KAISER FOUNDATION HEALTH PLAN							
	PV-190083	04/18/2019	MAY 2019		01-0000-0-9552-000-0000-0000-000-000 NN			144,400.44
			TOTAL PAYMENT AMOUNT		144,400.44 *			144,400.44

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
010212/00	LAKESHORE LEARNING MATERIALS			[redacted]				
2342	PO-192300	04/18/2019	1984460419		1 01-6300-0-4300-102-1110-1000-019-000 NN F		144.79	144.79
			TOTAL PAYMENT AMOUNT		144.79 *			144.79
014909/00	LANE, DOROTHY							
170	PO-190164	04/18/2019	2038		1 01-0740-0-5800-112-0000-3600-007-302 NN P		13.78	13.78
			TOTAL PAYMENT AMOUNT		13.78 *			13.78
018818/00	LAURA BIRGE			[redacted]				
712	PO-190699	04/18/2019	#9		1 01-3010-0-5800-236-1110-1000-009-114 NY P		350.00	350.00
			TOTAL PAYMENT AMOUNT		350.00 *			350.00
018907/00	LOBBESTAEL, KEVIN							
2438	PO-192415	04/18/2019	REIMB SUPPLIES		1 01-0000-0-4300-472-1600-1000-014-000 NN F		39.70	39.70
			TOTAL PAYMENT AMOUNT		39.70 *			39.70
017726/00	LOS ANGELES FREIGHTLINER							
143	PO-190135	04/18/2019	XA410012230:01		1 01-0740-0-4300-112-0000-3600-007-302 NN P		148.95	148.95
143	PO-190135	04/18/2019	XA410012417:01		1 01-0740-0-4300-112-0000-3600-007-302 NN P		138.93	138.93
143	PO-190135	04/18/2019	XA410012369:01		1 01-0740-0-4300-112-0000-3600-007-302 NN P		515.30	515.30
			TOTAL PAYMENT AMOUNT		803.18 *			803.18
022406/00	MAXIM HEALTHCARE SERVICES INC			[redacted]				
786	PO-190854	04/18/2019	6453330262		2 01-6500-0-5800-102-5750-1180-019-000 NN P		783.20	783.20
2122	PO-192075	04/18/2019	6453330262		1 01-0740-0-5800-104-0000-3140-019-128 NN P		3,071.80	3,071.80
			TOTAL PAYMENT AMOUNT		3,855.00 *			3,855.00
022590/00	MICHAEL JONES							
169	PO-190163	04/18/2019	TRIP 1908		1 01-0740-0-5800-112-0000-3600-007-302 NN P		8.51	8.51
			TOTAL PAYMENT AMOUNT		8.51 *			8.51

Vendor/Addr Req	Remit name Reference	Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
016087/00	MICHAEL'S TRANSPORTATION SERV.							
362	PO-190346	04/18/2019	109288		1 01-0740-0-5800-112-0000-3600-007-302 NN F		2,317.50	2,025.00
			TOTAL PAYMENT AMOUNT		2,025.00 *			2,025.00
017248/00	MONSTER TECHNOLOGY LLC			[redacted]				
2076	PO-192024	04/18/2019	IJH-3567		1 01-0000-0-4300-234-1110-1000-008-000 NY F		200.42	200.42
			TOTAL PAYMENT AMOUNT		200.42 *			200.42
019916/00	NCS PEARSON INC							
1975	PO-191954	04/18/2019	12017655		1 01-6500-0-5800-102-5001-3120-019-000 YN F		2,424.38	2,250.00
			TOTAL PAYMENT AMOUNT		2,250.00 *			2,250.00
			TOTAL USE TAX AMOUNT		174.38			
017576/00	OFFICE DEPOT							
2282	PO-192217	04/18/2019	294858219001		1 01-0000-0-4300-105-0000-7200-005-000 NN F		326.90	355.94
2297	PO-192227	04/18/2019	294859608001		1 01-0000-0-4300-236-1110-1000-009-000 NN F		123.32	123.32
2305	PO-192232	04/18/2019	294858905001		1 01-0740-0-4300-475-3200-1000-015-106 NN F		32.96	32.96
2285	PO-192246	04/15/2019	295434710001		1 01-6500-0-4300-472-5750-1110-014-000 NN P		27.89	27.89
2285	PO-192246	04/18/2019	295434711001		1 01-6500-0-4300-472-5750-1110-014-000 NN P		8.60	8.60
2285	PO-192246	04/18/2019	295434708001		1 01-6500-0-4300-472-5750-1110-014-000 NN P		416.15	416.15
2285	PO-192246	04/18/2019	295434707001		1 01-6500-0-4300-472-5750-1110-014-000 NN F		94.06	70.03
2313	PO-192272	04/18/2019	297644977001		1 01-0000-0-4300-238-1110-1000-010-000 NN P		40.83	40.83
2313	PO-192272	04/18/2019	297644978001		1 01-0000-0-4300-238-1110-1000-010-000 NN F		16.76	16.77
2341	PO-192299	04/18/2019	297945952001		1 01-6500-0-4300-102-5001-2700-019-000 NN F		102.11	102.11
2350	PO-192301	04/18/2019	297944855002		1 01-0000-0-4300-238-1110-1000-010-000 NN P		13.06	13.06
2350	PO-192301	04/18/2019	297944855001		1 01-0000-0-4300-238-1110-1000-010-000 NN F		50.48	50.48
			TOTAL PAYMENT AMOUNT		1,258.14 *			1,258.14
011345/00	PLACER LEARNING CENTER							
790	PO-190857	04/18/2019	MAR 2019		1 01-6500-0-5800-102-5750-1180-019-000 NN P		13,302.46	13,302.46
			TOTAL PAYMENT AMOUNT		13,302.46 *			13,302.46
021401/00	PRACTI-CAL INC			[redacted]				
2115	PO-192064	04/18/2019	342852		1 01-5640-0-4400-102-0000-2700-019-000 NN P		149.85	149.85
			TOTAL PAYMENT AMOUNT		149.85 *			149.85

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type	ABA num / Account num FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	Liq Amt	Net Amount
017736/00	PRICE, KAREN							
2431	PO-192396	04/18/2019	REIMB T-SHIRTS			1 01-6500-0-5800-371-5750-1110-012-000 NN F	75.42	75.42
			TOTAL PAYMENT AMOUNT			75.42 *		75.42
017822/00	PRO-ED INC							
2255	PO-192206	04/18/2019	2768012			1 01-6300-0-4300-102-1110-1000-019-000 YN F	320.02	297.00
			TOTAL PAYMENT AMOUNT			297.00 *		297.00
			TOTAL USE TAX AMOUNT			23.02		
019349/00	RANDY PETERS CATERING			[redacted]				
2234	PO-192393	04/15/2019	23537			1 01-7338-0-5800-472-1110-1000-014-000 NN F	4,080.00	4,080.00
2234	PO-192393	04/15/2019	23537			2 01-0000-0-5800-472-1110-1000-014-000 NN F	1,078.37	1,078.37
			TOTAL PAYMENT AMOUNT			5,158.37 *		5,158.37
010627/00	RIVERVIEW INTERNATIONAL TRUCKS							
262	PO-190249	04/18/2019	993983			1 01-0740-0-4300-112-0000-3600-007-302 NN P	92.92	92.92
			TOTAL PAYMENT AMOUNT			92.92 *		92.92
010266/00	SACRAMENTO COUNTY UTILITIES							
25	PO-190019	04/18/2019	50000185866			1 01-0000-0-5520-106-0000-8110-007-000 N P	845.08	845.08
			TOTAL PAYMENT AMOUNT			845.08 *		845.08
017234/00	SCHIRO, BONNIE							
2436	PO-192414	04/15/2019	IPAD COVERS			1 01-0000-0-4300-472-1355-1000-014-000 N F	41.97	41.97
			TOTAL PAYMENT AMOUNT			41.97 *		41.97
018297/00	SCHOOL SERVICES OF CALIFORNIA			[redacted]				
1736	PO-191688	04/18/2019	W103564			1 01-0000-0-5200-105-0000-7200-005-000 NN F	500.00	500.00
			TOTAL PAYMENT AMOUNT			500.00 *		500.00

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
014786/00	SCHOOL SPECIALTY INC			[redacted]				
2351	PO-192297	04/18/2019	308103280648		1 01-0036-0-4300-236-1110-1000-009-113 NN F		438.28	438.34
			TOTAL PAYMENT AMOUNT		438.34 *			438.34
011500/00	SCHOOLS INSURANCE AUTHORITY							
	PV-190079	04/17/2019	APRIL 2019		01-0000-0-9552-000-0000-0000-000-000 NN			54,776.75
			TOTAL PAYMENT AMOUNT		54,776.75 *			54,776.75
016043/00	SHELTONS UNLIMITED MECHANICAL			[redacted]				
2482	PO-192426	04/18/2019	19-23041		2 01-8150-0-5800-106-0000-8110-007-000 NN F		180.00	180.00
2482	PO-192426	04/18/2019	19-23041		1 01-8150-0-4300-106-0000-8110-007-000 NN F		105.60	105.60
			TOTAL PAYMENT AMOUNT		285.60 *			285.60
017265/00	SIERRA SCHOOL AT EASTERN			[redacted]				
1037	PO-191025	04/18/2019	INV77521		1 01-6500-0-5800-102-5750-1180-019-000 NN P		7,355.82	7,355.82
			TOTAL PAYMENT AMOUNT		7,355.82 *			7,355.82
017769/00	SPINELLI ELEMENTARY							
2447	PO-192401	04/15/2019	STUDENT 45222		1 01-5630-0-5800-601-1421-1000-017-120 NN P		15.00	15.00
2447	PO-192401	04/15/2019	STUDENT 45223		1 01-5630-0-5800-601-1421-1000-017-120 NN P		15.00	15.00
2447	PO-192401	04/15/2019	STUDENT 46522		1 01-5630-0-5800-601-1421-1000-017-120 NN P		15.00	15.00
2447	PO-192401	04/15/2019	STUDENT 46395		1 01-5630-0-5800-601-1421-1000-017-120 NN P		15.00	15.00
2447	PO-192401	04/15/2019	STUDENT 45232		1 01-5630-0-5800-601-1421-1000-017-120 NN F		15.00	15.00
			TOTAL PAYMENT AMOUNT		75.00 *			75.00
014558/00	SPURR							
30	PO-190024	04/18/2019	98359		1 01-0000-0-5515-106-0000-8110-007-000 NN F		28,158.28	9,655.13
			TOTAL PAYMENT AMOUNT		9,655.13 *			9,655.13
020252/00	STAPLES BUSINESS ADVANTAGE			[redacted]				
2353	PO-192323	04/18/2019	173909802-0-1		1 01-0000-0-4300-234-1110-1000-008-000 NN F		648.95	648.74
			TOTAL PAYMENT AMOUNT		648.74 *			648.74

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
016354/00	SUPERIOR VISION SERVICES INC							
	PV-190084	04/18/2019	MAY 2019		01-0000-0-9552-000-0000-0000-000-000 NN			7,583.92
			TOTAL PAYMENT AMOUNT		7,583.92 *			7,583.92
019383/00	SUTTER HEALTH PLUS							
	PV-190082	04/18/2019	MAY 2019		01-0000-0-9552-000-0000-0000-000-000 NN			55,350.21
			TOTAL PAYMENT AMOUNT		55,350.21 *			55,350.21
021841/00	TOGO'S/BASKIN-ROBBINS							
2497	PO-192434	04/18/2019	CHECK 25943		1 01-0000-0-4300-472-1110-1000-014-000 NN F		645.50	645.50
			TOTAL PAYMENT AMOUNT		645.50 *			645.50
010139/00	TROXELL COMMUNICATIONS INC							
2333	PO-192282	04/18/2019	170902		1 01-0000-0-5800-371-1110-1000-012-000 YN F		1,530.00	1,530.00
			TOTAL PAYMENT AMOUNT		1,530.00 *			1,530.00
			TOTAL USE TAX AMOUNT		118.58			
010170/00	TSA CONSULTING GROUP INC							
	PV-190080	04/17/2019	MAY		01-0000-0-9552-000-0000-0000-000-000 NN			64.00
			TOTAL PAYMENT AMOUNT		64.00 *			64.00
011088/00	VERDE DESIGN INC			[redacted]				
1290	PO-191261	04/18/2019	4-1816000		1 01-9181-0-6215-106-0000-8500-007-621 NN P		4,763.19	4,763.19
			TOTAL PAYMENT AMOUNT		4,763.19 *			4,763.19
010552/00	WAXIE SANITARY SUPPLY			[redacted]				
73	PO-190068	04/18/2019	78201687		1 01-0000-0-9320-000-0000-0000-000-000 NN P		3,189.25	3,189.25
73	PO-190068	04/18/2019	78201694		1 01-0000-0-9320-000-0000-0000-000-000 NN P		2,509.34	2,509.34
			TOTAL PAYMENT AMOUNT		5,698.59 *			5,698.59

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type	FD	RESO	P	OBJE	SIT	GOAL	FUNC	RES	DEP	T9MPS	ABA num / Account num	Liq Amt	Net Amount
022221/00	WESTERN HEALTH ADVANTAGE																	
	PV-190085	04/18/2019	MAY 2019			01	0000	0	9552	000	0000	0000	000	000	NN			5,590.77
			TOTAL PAYMENT AMOUNT															5,590.77 *
022221/02	WESTERN HEALTH ADVANTAGE																	
	PV-190086	04/18/2019	MAY 2019			01	0000	0	9552	000	0000	0000	000	000	NN			77,167.12
			TOTAL PAYMENT AMOUNT															77,167.12 *
022348/00	WILSON, SHERRY																	
761	PO-190743	04/16/2019	TRIP 2038		1	01	0740	0	5800	112	0000	3600	007	302	NN	P	15.00	15.00
			TOTAL PAYMENT AMOUNT															15.00 *
017313/00	XEROX																	
8	PO-190002	04/18/2019	096542414		1	01	3010	0	5600	240	1110	1000	011	000	NN	P	29.20	29.20
183	PO-190171	04/18/2019	239906083		1	01	0000	0	5800	116	0000	7200	007	992	NN	P	36,283.77	36,283.77
185	PO-190172	04/18/2019	230117656		1	01	0000	0	5800	116	0000	7200	007	992	NN	P	2,893.16	2,893.16
179	PO-190198	04/18/2019	238007253		1	01	0000	0	4300	116	0000	8200	007	992	NN	P	7,917.49	7,917.49
			TOTAL PAYMENT AMOUNT															47,123.62 *
			TOTAL FUND PAYMENT															482,263.89 **
			TOTAL USE TAX AMOUNT															626.59

FUND : 11 ADULT EDUCATION FUND

Vendor/Addr Req	Remit name Reference	Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
020252/00	STAPLES BUSINESS ADVANTAGE			[redacted]				
2295	PO-192247	04/18/2019	173694625-2-1		1 11-6391-0-4300-600-4130-1000-015-000 NN P		11.06	11.06
2295	PO-192247	04/18/2019	173694625-2-1		1 11-6391-0-4300-600-4130-1000-015-000 NN M		-11.06	-11.06
2295	PO-192247	04/18/2019	173694625-0		1 11-6391-0-4300-600-4130-1000-015-000 NN F		39.27	39.27
2295	PO-192247	04/18/2019	173694625-0		2 11-3905-0-4300-600-4130-1000-015-000 NN F		53.49	53.49
2295	PO-192247	04/18/2019	173694625-0		3 11-3913-0-4300-600-4130-1000-015-000 NN F		41.26	41.26
				TOTAL PAYMENT AMOUNT	134.02 *			134.02
				TOTAL FUND PAYMENT	134.02 **			134.02

FUND : 12 CHILD DEVELOPMEN FUND

Vendor/Addr / Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
018143/00	CHILD DEVELOPMENT CENTERS							
932	PO-190894	04/15/2019	5030-MAR19		1 12-5025-0-5800-100-8500-1000-005-000 NN P		21,113.74	21,113.74
932	PO-190894	04/15/2019	5030-MAR19		2 12-6105-0-5800-100-8500-1000-005-000 NN P		37,535.55	37,535.55
				TOTAL PAYMENT AMOUNT		58,649.29 *		58,649.29
				TOTAL FUND PAYMENT		58,649.29 **		58,649.29

Vendor/Addr Req Reference	Remit name / Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
018670/00	PALMER HAMILTON LLC		[redacted]				
1495	PO-191468	04/18/2019 117052		1 14-0024-0-4400-106-9120-8110-007-000 NN P		15,606.96	15,606.96
		TOTAL PAYMENT AMOUNT		15,606.96 *			15,606.96
		TOTAL FUND PAYMENT		15,606.96 **			15,606.96

Vendor/Addr Remit name / Req Reference Date Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
019750/00 CAPITAL PROGRAM MGMT INC [redacted]					
47 PO-190156 04/18/2019 #33		2 21-0000-0-5800-106-9175-8100-007-000 NN P		16,651.75	16,651.75
TOTAL PAYMENT AMOUNT		16,651.75 *			16,651.75
017213/00 DIVISION OF STATE ARCHITECT					
PV-190081 04/18/2019 02-116405		21-0000-0-6201-106-0000-8500-007-620 NN			2,931.69
TOTAL PAYMENT AMOUNT		2,931.69 *			2,931.69
TOTAL FUND PAYMENT		19,583.44 **			19,583.44
TOTAL BATCH PAYMENT		576,237.60 ***	0.00		576,237.60
TOTAL USE TAX AMOUNT		626.59			
TOTAL DISTRICT PAYMENT		576,237.60 ****	0.00		576,237.60
TOTAL USE TAX AMOUNT		626.59			
TOTAL FOR ALL DISTRICTS:		576,237.60 ****	0.00		576,237.60
TOTAL USE TAX AMOUNT		626.59			

Number of checks to be printed: 71, not counting voids due to stub overflows.

Batch status: A All
From batch: 0059
To batch: 0059
Include Revolving Cash: Y
Include Address: N
Include Object Desc: N
Include Vendor TIN: N
Include Audit Date and Time in Sort: N

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
019486/00	4IMPRINT INC							
1795	PO-191773	04/25/2019	7100729		1 01-0000-0-5800-106-0000-7200-007-000 NN F		368.86	349.77
1795	PO-191773	04/25/2019	7100729		2 01-0000-0-5800-105-0000-7200-005-000 NN F		92.88	88.38
			TOTAL PAYMENT AMOUNT		438.15 *			438.15
017475/00	ALESSIO, DIANA							
2520	PO-192460	04/25/2019	REIMB FINGERPRINT COST		1 01-0000-0-5800-110-0000-7200-004-000 NN F		99.00	99.00
			TOTAL PAYMENT AMOUNT		99.00 *			99.00
010669/00	ALHAMBRA & SIERRA SPRINGS							
1493	PO-191478	04/25/2019	14871405041919		1 01-0000-0-5600-103-0000-7200-019-000 NN P		20.97	20.97
1493	PO-191478	04/25/2019	14871405041919		2 01-0000-0-4300-103-0000-7200-019-000 NN P		105.35	105.35
			TOTAL PAYMENT AMOUNT		126.32 *			126.32
016224/00	AMY ROENSPIE BCBA							
2525	PO-192465	04/25/2019	REIMB ONLINE TRAINING		1 01-6500-0-5800-102-5001-2700-019-000 NN F		140.00	140.00
			TOTAL PAYMENT AMOUNT		140.00 *			140.00
010564/00	APPLE COMPUTER							
2083	PO-192030	04/25/2019	AA07786306		1 01-6387-0-4300-472-1110-1000-019-201 NN F		4,765.04	4,765.04
2083	PO-192030	04/25/2019	AA08043144,13103877		2 01-6387-0-4400-472-1110-1000-019-201 NN F		64,261.77	64,245.97
2221	PO-192163	04/25/2019	AA10245464		1 01-0000-0-4300-238-1110-1000-010-000 NN F		521.51	521.51
2354	PO-192298	04/25/2019	AA12071258		1 01-0000-0-4400-115-0000-7700-007-000 NN F		575.00	575.00
2442	PO-192381	04/25/2019	AA13391061		1 01-0000-0-4300-238-1110-1000-010-000 NN F		481.64	481.64
			TOTAL PAYMENT AMOUNT		70,589.16 *			70,589.16
017623/00	AVID CENTER - SI PAYMENT							
2378	PO-192368	04/25/2019	00038705		1 01-3010-0-5200-371-1110-1000-012-205 NN F		2,475.00	2,475.00
			TOTAL PAYMENT AMOUNT		2,475.00 *			2,475.00
019504/00	B & H PHOTO-VIDEO							
2315	PO-192253	04/25/2019	156485726,156478320		1 01-0370-0-4300-115-1110-1000-007-000 YN F		4,362.88	4,000.00
2315	PO-192253	04/25/2019	156458421,157072054		2 01-0370-0-4400-115-1110-1000-007-000 YN F		2,824.30	2,664.24
2360	PO-192341	04/24/2019	156794993		1 01-3010-0-4300-238-1110-1000-010-109 NN P		655.73	655.73

Vendor/Addr Req	Remit name Reference	Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
019504 (CONTINUED)								
2360	PO-192341	04/25/2019	156820439		1 01-3010-0-4300-238-1110-1000-010-109 NN F		147.27	89.51
2409	PO-192353	04/25/2019	157055225		1 01-0370-0-4300-115-1110-1000-007-000 YN F		231.53	214.88
2475	PO-192408	04/25/2019	156975308		1 01-0000-0-4300-115-0000-7700-007-000 YN F		68.66	63.72
				TOTAL PAYMENT AMOUNT	7,688.08 *			7,688.08
				TOTAL USE TAX AMOUNT	538.07			
019624/00	B & H VIDEO							
2276	PO-192242	04/25/2019	156425013		1 01-0000-0-4300-472-1260-1000-014-000 NN F		144.35	133.97
2266	PO-192327	04/25/2019	156782704		1 01-0000-0-4300-472-1500-1000-014-000 YN F		396.80	368.26
				TOTAL PAYMENT AMOUNT	502.23 *			502.23
				TOTAL USE TAX AMOUNT	28.54			
010442/00	BAR HEIN							
62	PO-190054	04/25/2019	571957		1 01-0000-0-4300-106-0000-8110-007-000 N P		95.38	95.38
				TOTAL PAYMENT AMOUNT	95.38 *			95.38
022597/00	BSN SPORTS							
2143	PO-192098	04/25/2019	300830198		1 01-0076-0-5800-472-1110-4200-014-000 NN F		808.37	808.36
				TOTAL PAYMENT AMOUNT	808.36 *			808.36
010150/00	BURKETTS OFFICE SUPPLIES							
2452	PO-192388	04/25/2019	1395548-0		1 01-6500-0-4300-472-5770-1110-014-000 NN F		120.71	120.71
2473	PO-192406	04/25/2019	1394751-0		1 01-0000-0-4300-101-0000-7150-002-000 NN F		64.47	64.47
2473	PO-192406	04/25/2019	1394751-0		2 01-0000-0-4300-120-0000-7110-000-000 NN F		8.68	8.68
				TOTAL PAYMENT AMOUNT	193.86 *			193.86
020489/00	CALIFORNIA ASSOCIATION FOR							
1193	PO-191173	04/25/2019	57TH-112018-0085-0095		1 01-0000-0-5200-103-1110-1000-019-000 NN P		345.00	345.00
1193	PO-191173	04/25/2019	57TH-112018-0085-0095		1 01-0000-0-5200-103-1110-1000-019-000 NN F		345.00	345.00
				TOTAL PAYMENT AMOUNT	690.00 *			690.00

Vendor/Addr Req	Remit name Reference	Date	Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
018769/00	CALIFORNIA FBLA							
2523	PO-192463	04/25/2019	SLC-19-HY-330		1 01-6387-0-5800-472-1110-1000-019-201 NN F		4,480.00	4,480.00
			TOTAL PAYMENT AMOUNT		4,480.00 *			4,480.00
015021/00	CANNON SPORTS INC.							
1902	PO-191877	04/25/2019	147880		1 01-0076-0-4300-472-1110-4200-014-814 NN P		263.99	263.99
1902	PO-191877	04/25/2019	145851		1 01-0076-0-4300-472-1110-4200-014-814 NN F		351.26	332.95
			TOTAL PAYMENT AMOUNT		596.94 *			596.94
020305/00	CDW GOVERNMENT INC.							
1880	PO-191848	04/25/2019	RSH2649		1 01-6387-0-4300-472-1110-1000-019-000 NN F		424.55	424.55
2278	PO-192262	04/25/2019	RTC7005		1 01-0000-0-4300-472-0000-2700-014-000 NN F		154.77	154.77
2279	PO-192263	04/25/2019	RTF9590		1 01-0000-0-4300-472-0000-2700-014-000 NN F		39.20	39.20
			TOTAL PAYMENT AMOUNT		618.52 *			618.52
021464/00	CMI EDUCATION INSTITUTE INC							
2376	PO-192331	04/25/2019	211813		1 01-6512-0-5200-102-5001-3110-019-122 NN F		399.99	399.99
			TOTAL PAYMENT AMOUNT		399.99 *			399.99
021813/00	CONSOLIDATED COMMUNICATIONS							
31	PO-190025	04/25/2019	916-773-4131/0		1 01-0000-0-5930-106-0000-8110-007-000 NN P		1,413.77	1,413.77
			TOTAL PAYMENT AMOUNT		1,413.77 *			1,413.77
010336/00	ECOTECH PEST MANAGEMENT INC							
16	PO-190011	04/25/2019	24954		1 01-0000-0-5500-106-0000-8110-007-000 NN P		2,500.00	2,500.00
			TOTAL PAYMENT AMOUNT		2,500.00 *			2,500.00
019662/00	FARREL, JASON							
2532	PO-192473	04/25/2019	REIMB SUPPLIES		1 01-3010-0-4300-236-1110-1000-009-111 NN F		839.42	839.42
			TOTAL PAYMENT AMOUNT		839.42 *			839.42

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
016159/00	GARLAND, LESLI								
2515	PO-192456	04/25/2019	MARCH MILEAGE			1 01-6500-0-5210-102-5770-1191-019-000 NN P		15.31	15.31
			TOTAL PAYMENT AMOUNT			15.31 *			15.31
017681/00	GEARY PACIFIC SUPPLY								
57	PO-190049	04/25/2019	3970898			1 01-8150-0-4400-106-0000-8110-007-000 NN P		1,599.95	1,599.95
			TOTAL PAYMENT AMOUNT			1,599.95 *			1,599.95
020514/00	GLASS WEST INC								
1595	PO-191566	04/25/2019	40891			1 01-8150-0-4300-106-0000-8110-007-000 NN F		3,109.89	253.06
			TOTAL PAYMENT AMOUNT			253.06 *			253.06
010191/00	GRAINGER								
2058	PO-192006	04/25/2019	9141130568			1 01-8150-0-4300-106-0000-8110-007-000 NN P		69.30	69.30
			TOTAL PAYMENT AMOUNT			69.30 *			69.30
018192/00	GREEN, KERI								
2518	PO-192459	04/25/2019	TRAVEL EXPENSE			1 01-6500-0-5200-102-5750-1110-019-000 NN F		579.51	579.51
			TOTAL PAYMENT AMOUNT			579.51 *			579.51
017609/00	GUERGUY, CARLA								
2480	PO-192466	04/25/2019	REIMB CANDY			1 01-0740-0-4300-475-3200-1000-015-106 NN F		20.99	20.99
			TOTAL PAYMENT AMOUNT			20.99 *			20.99
010602/00	HI-LINE ELECTRICAL & MECH								
1095	PO-191072	04/25/2019	10694950			1 01-0740-0-4300-112-0000-3600-007-302 NN P		307.19	307.19
			TOTAL PAYMENT AMOUNT			307.19 *			307.19
019754/00	HITECHTRONIC INC								
2531	PO-192469	04/23/2019	006920g-0			1 01-8150-0-5800-106-0000-8110-007-000 NN P		170.00	170.00
2531	PO-192469	04/25/2019	006930g-1			1 01-8150-0-5800-106-0000-8110-007-000 NN P		170.00	170.00
2531	PO-192469	04/25/2019	006940g-2			1 01-8150-0-5800-106-0000-8110-007-000 NN P		170.00	170.00

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
019754	(CONTINUED)							
2531	PO-192469	04/25/2019	006950g-3		1 01-8150-0-5800-106-0000-8110-007-000 NN P		170.00	170.00
2531	PO-192469	04/25/2019	006960g-4		1 01-8150-0-5800-106-0000-8110-007-000 NN F		170.00	170.00
			TOTAL PAYMENT AMOUNT		850.00 *			850.00
011341/00	HUNT & SONS INC							
306	PO-190298	04/25/2019	33550		1 01-0740-0-4340-112-0000-3600-007-302 NN F		14,873.20	14,873.20
2544	PO-192480	04/25/2019	33550		1 01-0740-0-4340-112-0000-3600-007-302 NN F		8,894.07	8,894.07
			TOTAL PAYMENT AMOUNT		23,767.27 *			23,767.27
019657/00	JENNINGS, KIRA							
2528	PO-192468	04/25/2019	reimb-snacks &lunch		1 01-3010-0-4300-238-1110-1000-010-109 NN F		176.15	176.15
			TOTAL PAYMENT AMOUNT		176.15 *			176.15
015299/00	JUNIOR LIBRARY GUILD							
2240	PO-192181	04/25/2019	459722		1 01-0409-0-4200-472-0000-2420-014-000 NN F		201.62	189.02
			TOTAL PAYMENT AMOUNT		189.02 *			189.02
015684/00	KODABLE							
2470	PO-192405	04/25/2019	INV-1272		1 01-3010-0-5800-236-1110-1000-009-114 NN F		2,000.00	2,000.00
			TOTAL PAYMENT AMOUNT		2,000.00 *			2,000.00
017899/00	LAWSON, BECKY							
2511	PO-192454	04/25/2019	MILEAGE		1 01-0000-0-5210-103-0000-2110-019-000 N F		38.28	38.28
			TOTAL PAYMENT AMOUNT		38.28 *			38.28
022230/00	MANAGED HEALTH NETWORK							
2	PO-190004	04/25/2019	PRM-038241		1 01-0000-0-3401-100-1110-1000-000-000 NN P		983.06	983.06
			TOTAL PAYMENT AMOUNT		983.06 *			983.06

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
016087/00	MICHAEL'S TRANSPORTATION SERV.							
2542	PO-192478	04/25/2019	107882		1 01-0740-0-5800-112-0000-3600-007-302 NN P		3,240.00	3,240.00
2542	PO-192478	04/25/2019	108215		1 01-0740-0-5800-112-0000-3600-007-302 NN P		3,240.00	3,240.00
2542	PO-192478	04/25/2019	109383		1 01-0740-0-5800-112-0000-3600-007-302 NN F		2,025.00	2,025.00
			TOTAL PAYMENT AMOUNT		8,505.00 *			8,505.00
019828/00	MIRANDA, RYAN							
2534	PO-192474	04/25/2019	REIMB		1 01-9315-0-4300-601-1110-1000-017-120 NN F		7.96	7.96
2534	PO-192474	04/25/2019	REIMB BACKPACKS		2 01-5630-0-4300-601-1421-1000-017-120 NN F		987.35	987.35
2535	PO-192475	04/25/2019	TRAVEL EXPENSE		1 01-0740-0-5200-601-1110-1000-017-120 NN F		150.85	150.85
			TOTAL PAYMENT AMOUNT		1,146.16 *			1,146.16
019149/00	MPS							
1709	PO-191733	04/25/2019	80154743		1 01-0037-0-4100-103-1110-1000-019-000 NN P		11,339.23	11,339.23
1709	PO-191733	04/25/2019	8281354X		1 01-0037-0-4100-103-1110-1000-019-000 NN F		3,243.71	1,202.72
			TOTAL PAYMENT AMOUNT		12,541.95 *			12,541.95
017576/00	OFFICE DEPOT							
2298	PO-192249	04/25/2019	295425572001		1 01-0000-0-4300-472-0000-2700-014-000 NN P		17.39	17.39
2298	PO-192249	04/25/2019	295425571001		1 01-0000-0-4300-472-0000-2700-014-000 NN F		134.37	134.36
2298	PO-192249	04/25/2019	295425573001		2 01-0000-0-5800-472-0000-2700-014-000 NN F		21.32	21.32
			TOTAL PAYMENT AMOUNT		173.07 *			173.07
021401/00	PRACTI-CAL INC							
2115	PO-192064	04/25/2019	342895		1 01-5640-0-4400-102-0000-2700-019-000 NN P		300.42	300.42
			TOTAL PAYMENT AMOUNT		300.42 *			300.42
021194/00	PRUDENTIAL OVERALL SUPPLY INC							
115	PO-190085	04/25/2019	180334705		1 01-0740-0-5800-112-0000-3600-007-302 NN P		59.21	59.21
			TOTAL PAYMENT AMOUNT		59.21 *			59.21

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FUND : 01 GENERAL FUND

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
015628/00	RAMIREZ, SOLEDAD							
2449	PO-192470	04/25/2019	REIMB AMAZON PURCHASE		1 01-0000-0-4200-472-1385-1000-014-000 NN F		535.43	535.43
			TOTAL PAYMENT AMOUNT		535.43 *			535.43
020981/00	SAVE MART SUPERMARKETS							
1118	PO-191107	04/25/2019	2581586		2 01-6500-0-4300-472-5750-1110-014-000 NN P		17.91	17.91
			TOTAL PAYMENT AMOUNT		17.91 *			17.91
020695/00	SCHOOL OUTFITTERS							
2139	PO-192079	04/25/2019	INV13106824		1 01-3010-0-4300-236-1110-1000-009-111 NN F		332.97	332.97
			TOTAL PAYMENT AMOUNT		332.97 *			332.97
014786/00	SCHOOL SPECIALTY INC							
2289	PO-192221	04/25/2019	208122627688		1 01-6500-0-4300-602-5730-1110-015-000 NN F		54.60	54.60
2413	PO-192357	04/25/2019	208122716066		1 01-6300-0-4300-475-3200-1000-015-106 NN F		51.08	51.08
2415	PO-192359	04/25/2019	208122715552		1 01-3010-0-4300-236-1110-1000-009-111 NN F		144.45	144.45
			TOTAL PAYMENT AMOUNT		250.13 *			250.13
021452/00	SLAY, JENNIFER							
2512	PO-192455	04/25/2019	TRAVEL EXPENSE		1 01-0740-0-5200-103-1110-1000-019-205 NN F		629.89	629.89
			TOTAL PAYMENT AMOUNT		629.89 *			629.89
020242/00	SONLIGHT COMMUNICATIONS							
2232	PO-192171	04/25/2019	SL-504		1 01-0370-0-5800-115-1110-1000-007-000 NN F		3,300.00	3,300.00
			TOTAL PAYMENT AMOUNT		3,300.00 *			3,300.00
020252/00	STAPLES BUSINESS ADVANTAGE							
2500	PO-192443	04/25/2019	174272897-0-1		1 01-6512-0-4300-102-5001-3110-019-122 NN F		82.81	81.72
			TOTAL PAYMENT AMOUNT		81.72 *			81.72

Vendor/Addr Req	Remit name / Reference	Date	Description	Tax ID num / Deposit type	FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
020371/00	SUMNER, SHERYL							
2510	PO-192453	04/25/2019	MILEAGE-MARCH-APRIL		1 01-0000-0-5210-103-1110-1004-019-000 NN F		20.18	20.18
			TOTAL PAYMENT AMOUNT		20.18 *			20.18
017946/00	TALMAGE, HILARI							
2516	PO-192457	04/25/2019	REIMB PURCHASE		1 01-6500-0-4300-102-5750-1110-019-000 NN F		25.88	25.88
			TOTAL PAYMENT AMOUNT		25.88 *			25.88
018666/00	TURNING TECHNOLOGIES LLC							
2271	PO-192259	04/25/2019	376077-IN		1 01-0000-0-5800-472-1500-1000-014-000 NY F		665.90	665.90
			TOTAL PAYMENT AMOUNT		665.90 *			665.90
010902/00	U.S. BANK							
2310	PO-192265	04/25/2019	4866914555510632		1 01-0000-0-5800-110-0000-7200-004-000 NN F		425.00	425.00
2355	PO-192302	04/25/2019	4866914555510632		1 01-0000-0-4300-103-0000-2420-019-000 NN F		71.14	71.14
2356	PO-192303	04/25/2019	4866914555510632		1 01-0000-0-4300-103-0000-2110-019-000 NN F		148.06	148.06
2359	PO-192304	04/23/2019	4866914555510632		1 01-0000-0-4300-103-0000-2110-019-000 NN P		75.04	75.04
2359	PO-192304	04/25/2019	4866914555510632		1 01-0000-0-4300-103-0000-2110-019-000 NN F		142.79	142.79
2390	PO-192336	04/25/2019	4866914555510632		1 01-0000-0-9330-472-1110-1000-014-856 NN F		975.00	975.00
2522	PO-192462	04/25/2019	4866914555510632		1 01-5630-0-5200-601-1421-1000-017-120 NN F		203.71	203.71
			TOTAL PAYMENT AMOUNT		2,040.74 *			2,040.74
010127/00	UNITED PARCEL SERVICE							
245	PO-190234	04/25/2019	00000YW013169		1 01-8150-0-5920-106-0000-8110-007-000 NN F		147.21	202.60
			TOTAL PAYMENT AMOUNT		202.60 *			202.60
016439/00	WEAVER, SANDRA							
2524	PO-192464	04/25/2019	TRAVEL EXPENSE		1 01-6500-0-5800-102-5750-1110-019-000 NN F		579.51	579.51
2524	PO-192464	04/25/2019	TRAVEL EXPESE		2 01-6500-0-5200-102-5750-1110-019-000 NN F		579.51	579.51
			TOTAL PAYMENT AMOUNT		1,159.02 *			1,159.02

Vendor/Addr Remit name / Req Reference Date Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
020026/00 WORTHINGTON DIRECT					
2165 PO-192173 04/25/2019 INV333568CEN134		1 01-3010-0-4300-238-1110-1000-010-109 NN F		905.04	905.03
		TOTAL PAYMENT AMOUNT	905.03 *		905.03
019030/00 WRITING COMPANY					
2283 PO-192245 04/25/2019 SI144273		1 01-0000-0-4200-472-1355-1000-014-000 NN F		68.31	68.67
		TOTAL PAYMENT AMOUNT	68.67 *		68.67
		TOTAL FUND PAYMENT	158,505.15 **		158,505.15
		TOTAL USE TAX AMOUNT	566.61		

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FUND : 11 ADULT EDUCATION FUND

Vendor/Addr / Req	Remit name / Reference	Date	Description	Tax ID num	Deposit type / FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num / Account num	Liq Amt	Net Amount
020305/00	CDW GOVERNMENT INC.							
2325	PO-192277	04/25/2019	RWP8216		1 11-3905-0-4300-600-4130-1000-015-000 NN F		457.56	455.57
			TOTAL PAYMENT AMOUNT		455.57 *			455.57
			TOTAL FUND PAYMENT		455.57 **			455.57

Vendor/Addr Req	Remit name Reference	Date	Description	Tax ID num	Deposit type / Account num	Liq Amt	Net Amount
011602/00	DANIELSEN CO., THE						
80	PO-190070	04/25/2019	195164		2 13-5310-0-4300-108-0000-3700-007-000 N P	747.22	747.22
80	PO-190070	04/25/2019	195164		1 13-5310-0-4700-108-0000-3700-007-000 N P	2,396.08	2,396.08
			TOTAL PAYMENT AMOUNT		3,143.30 *		3,143.30
022364/00	HEARTLAND						
152	PO-190143	04/25/2019	3101000		1 13-5310-0-5300-108-0000-3700-007-000 NN P	795.15	795.15
152	PO-190143	04/25/2019	3100000		1 13-5310-0-5300-108-0000-3700-007-000 NN F	3,209.70	818.10
			TOTAL PAYMENT AMOUNT		1,613.25 *		1,613.25
016279/00	P&R PAPER SUPPLY						
119	PO-190088	04/25/2019	30246179-01		1 13-5310-0-4300-108-0000-3700-007-000 NN P	229.78	229.78
119	PO-190088	04/25/2019	30251299-00		1 13-5310-0-4300-108-0000-3700-007-000 NN P	3,521.32	3,521.32
			TOTAL PAYMENT AMOUNT		3,751.10 *		3,751.10
021194/00	PRUDENTIAL OVERALL SUPPLY INC						
148	PO-190139	04/25/2019	180334704		1 13-5310-0-5800-108-0000-3700-007-000 NN P	77.75	77.75
			TOTAL PAYMENT AMOUNT		77.75 *		77.75
018374/00	SULLIVAN, MICHELLE						
2455	PO-192471	04/25/2019	REFUND		1 13-5310-0-8634-000-0000-0000-000-000 NN F	500.00	500.00
			TOTAL PAYMENT AMOUNT		500.00 *		500.00
011422/00	SYSCO OF SAN FRANCISCO						
81	PO-190071	04/25/2019	231249817		1 13-5310-0-4700-108-0000-3700-007-000 NN P	1,955.11	1,955.11
81	PO-190071	04/25/2019	231249817		2 13-5310-0-4300-108-0000-3700-007-000 NN P	466.32	466.32
			TOTAL PAYMENT AMOUNT		2,421.43 *		2,421.43
			TOTAL FUND PAYMENT		11,506.83 **		11,506.83

BATCH: 0059 04-25-19 << Open >>
FUND : 21 BUILDING FUND

Vendor/Addr Remit name / Req Reference Date Description	Tax ID num	Deposit type FD RESO P OBJE SIT GOAL FUNC RES DEP T9MPS	ABA num Account num	Liq Amt	Net Amount
019627/00 NACHT & LEWIS ARCHITECTS					
609 PO-190573 04/25/2019 00010		2 21-0000-0-6215-106-0000-8500-007-610 NN P		22,163.51	22,163.51
TOTAL PAYMENT AMOUNT		22,163.51 *			22,163.51
TOTAL FUND PAYMENT		22,163.51 **			22,163.51
TOTAL BATCH PAYMENT		192,631.06 ***	0.00		192,631.06
TOTAL USE TAX AMOUNT		566.61			
TOTAL DISTRICT PAYMENT		192,631.06 ****	0.00		192,631.06
TOTAL USE TAX AMOUNT		566.61			
TOTAL FOR ALL DISTRICTS:		192,631.06 ****	0.00		192,631.06
TOTAL USE TAX AMOUNT		566.61			

Number of checks to be printed: 62, not counting voids due to stub overflows.

AGENDA ITEM # XVI- A

Center Joint Unified School District

AGENDA REQUEST FOR:

Dept./Site: Curriculum & Instruction

Date: May 3, 2019 — **Action Item** X

To: Board of Trustees — **Information Item**

From: Michael Jordan, Director of Curriculum and Instruction — **# Attached Pages**

Administrator's Initials: MDS

SUBJECT: **Instructional Materials Adoption Grades 6-7-8**
Next Generation Science Standards Textbooks

The Science Department at Wilson C. Riles Middle School (grades 7-8) and the piloting 6th grade teachers at all 4 elementary schools (Dudley, Spinelli, North Country and Oak Hill) reached an agreement in recommending the textbooks and online curriculum *Amplify Science* published by Amplify.

With the adoption of these materials, we will have completed our adoption cycle for Next Generation Science Standards materials for the grade band 6th-8th grades.

Recommendation: CJUSD School Board adopt the science materials/curriculum *Amplify* piloted by 6th-8th grade teachers/classrooms during the district adoption process in the Spring of 2019.

AGENDA ITEM # XVI- A

AGENDA ITEM # XVI- B

Center Joint Unified School District

		AGENDA REQUEST FOR:
Dept./Site:	**Maintenance & Operations**	**Action Item** X
To:	**Board of Trustees**	**Information Item** _____
Date:	**May 15, 2019**	**# Attached Pages** 7
From:	**Craig Deason, Asst. Superintendent**	
Principal/Administrator Initials:	_____	

SUBJECT: Resolution #24/2018-19: Resolution of Intent to Dedicate Real Property to the County of Placer for Street Improvements

This Resolution of Intent is the first step to dedicate property for road widening on PFE Road in front of our proposed elementary school site located next to Riles MS.

RECOMMENDATION: The CJUSD Board of Trustees Resolution #24/2018-19: Resolution of Intent to Dedicate Real Property to the County of Placer for Street Improvements.

AGENDA ITEM: XVI B

CENTER JOINT UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 24/2018-19

RESOLUTION OF INTENTION TO DEDICATE REAL PROPERTY TO THE COUNTY OF PLACER FOR STREET IMPROVEMENTS

WHEREAS, Center Joint Unified School District ("District") is the owner of certain real property located in Roseville, California, commonly known as Wilson C. Riles Middle School and more particularly described as Placer County Assessor's Parcel No. 2007-0047953 ("District's Property"); and

WHEREAS, the County of Placer ("Placer") has requested that the District dedicate a portion of District's Property located along the northwest quarter of section 18 township 10 north, range 6 east, M.D.M, more particularly described as a strip of land 45 feet in wide ("Dedication Property") for the purpose of highway road widening. A legal description and a map depicting the location of the Dedication is attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, pursuant to Education Code section 17556, the governing board of a school district may convey, for certain purposes, including street improvements, any real property belonging to the school district upon such terms and conditions as the parties thereto may agree; and

WHEREAS, the District desires to convey the Dedication Property to Placer County for street widening improvements pursuant to the terms and conditions set forth in the Dedication Agreement attached hereto as Exhibit "B" and incorporated herein; and

WHEREAS, the District and community will benefit from the conveyance of the Dedication Property in that the improvements that will be made by Placer County will enhance the safety of the District's students and the community at large by widening the street; and

WHEREAS, pursuant to Education Code section 17557, the District's governing board must, prior to making the dedication, adopt a resolution declaring its intention to dedicate such property in a regular open meeting by two-thirds (2/3) vote of all of its members; and

WHEREAS, pursuant to Education Code section 17557, the District's governing board must fix a time at its regular place of meeting for a public hearing upon the question of conveying the Dedication Property; and

WHEREAS, pursuant to Education Code section 17558, the District is required to post copies of this Resolution, signed by the board, in three (3) public places within the School District's boundaries not less than ten (10) days before the public hearing, and publish notice once, not less than five (5) days before the public hearing in a newspaper of general circulation published in the district, if there is one, or, if there is no such newspaper published in the district, then in a newspaper published in the county which has a general circulation in the district.

NOW, THEREFORE, THE BOARD DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the above recitals are all true and correct.

Section 2. That the District's governing board ("Board") declares its intent to convey the Dedication Property identified in Exhibit "A" hereto.

Section 3. That the Board establishes June 12, 2019, for a public hearing on the question of the District's intent to convey the Dedication Property to Placer County.

Section 4. The District staff shall post this resolution in three (3) public places within the District's boundaries and publish notice of the adoption of this resolution in compliance with Education Code section 17558.

ADOPTED, SIGNED AND APPROVED this 15th day of May, 2019.

Jeremy Hunt
President of the Governing Board for the
Center Joint Unified School District

I, Donald E. Wilson, Clerk of the Governing Board of the Center Joint Unified School District, do hereby certify that the foregoing Resolution was adopted by the Governing of said District at a meeting of said Board held on the 15th day of May 2019, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Donald E. Wilson
Clerk of the Governing Board of the
Center Joint Unified School District

EXHIBIT "A"
LEGAL DESCRIPTION
HIGHWAY EASEMENT

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF PLACER, STATE OF CALIFORNIA, BEING A PORTION OF THAT CERTAIN PARCEL AS DESCRIBED IN GRANT DEED FILED AS DOCUMENT NUMBER 2007-0047953, OFFICIAL RECORDS OF PLACER COUNTY, ALSO BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 10 NORTH, RANGE 6 EAST, M.D.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND 45 FEET IN WIDE, THE NORTH LINE OF WHICH BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 18, THENCE ALONG THE NORTH LINE OF SAID SECTION 18, NORTH 89°27'26" EAST 1123.50 FEET MORE OR LESS, TO THE NORTHEAST CORNER OF SAID PARCEL AND THE **POINT OF TERMINATION.**

CONTAINING A TOTAL AREA OF 1.160 ACRES, MORE OR LESS.

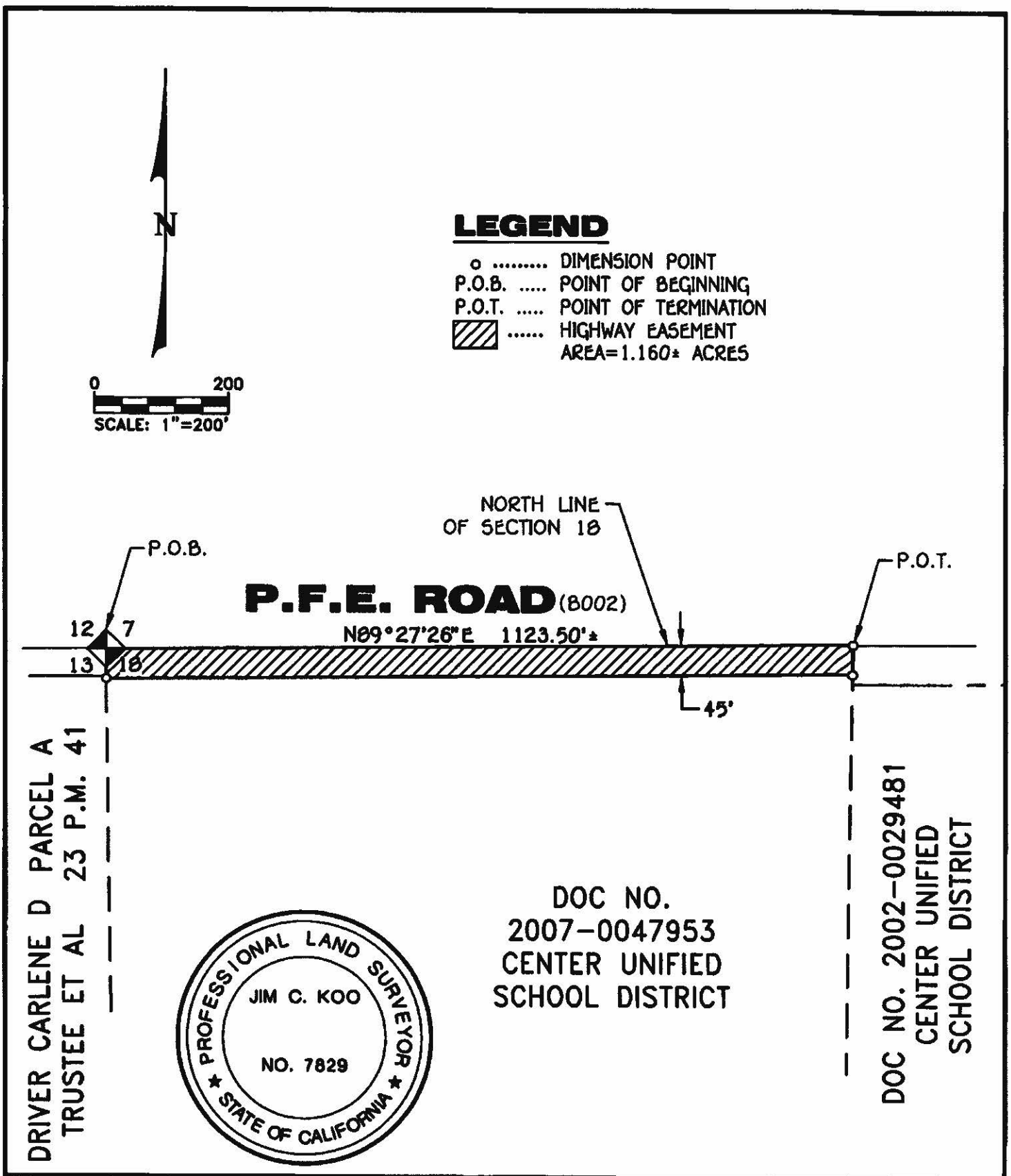
THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE MONUMENTED SOUTH LINE OF SOUTHWEST 1/4 OF SECTION 7, AS SHOWN ON THAT CERTAIN PARCEL MAP FILED IN BOOK 29 OF PARCEL MAPS, PAGE 75, PLACER COUNTY RECORDS, SHOWN THEREON TO BE SOUTH 89°27'26" WEST.

THE ATTACHED PLAT ENTITLED "EXHIBIT B" ARE MADE A PART OF THIS LEGAL DESCRIPTION.

END OF DESCRIPTION

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION PURSUANT TO THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

PREPARED BY: JIM C. KOO, P.L.S. 7829
DATE: SEPTEMBER 24, 2018



BURRELL CONSULTING GROUP, INC.
1001 Enterprise Way, Suite 100
Roseville, CA 95678 (916) 783-8898

EXHIBIT "B"

A PORTION OF
PARCEL A, 23 P.M. 41
HIGHWAY EASEMENT

COUNTY OF PLACER CALIFORNIA

DRAWN BY:	CHECKED BY:
NSL	JCK

DATE:09/24/2018

SHEET 1 OF 1

JOB NO. 1916-03-1242

Parcel Map Check Report

Client:

Prepared by:
Nick Lynn
Burrell Consulting Group
1001 Enterprise Way, Suite 100

Date: 9/26/2018 2:28:29 PM

Parcel Name: HWY EASEMENT - 1
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:2,031,587.83' East:6,749,912.14'

Segment# 1: Line
Course: S89° 27' 26"W Length: 1,122.23'
North: 2,031,577.20' East: 6,748,789.96'

Segment# 2: Line
Course: N0° 42' 45"W Length: 45.00'
North: 2,031,622.20' East: 6,748,789.40'

Segment# 3: Line
Course: N89° 27' 26"E Length: 1,123.41'
North: 2,031,632.84' East: 6,749,912.76'

Segment# 4: Line
Course: S0° 48' 00"W Length: 45.01'
North: 2,031,587.83' East: 6,749,912.13'

Perimeter: 2,335.65' Area: 50,527Sq.Ft.
Error Closure: 0.01 Course: N75° 30' 33"W
Error North : 0.002 East: -0.008

Precision 1: 233,565.00

Project Name:
GLENN WILLOW SPECIFIC PLAN

Recording requested by and Return to:
CDRA - Engineering and Surveying Department
3091 County Center Drive
Auburn, CA 95603-2614
Phone: 530.745.3110
Attention:

THIS SPACE IS RESERVED
FOR THE RECORDER'S USE

Exempt from Recording Fees – Govt Code 27383

COUNTY OF PLACER

OFFER OF DEDICATION

HIGHWAY EASEMENT

For the receipt of one dollar ($1.00) or other good and valuable consideration,

CENTER UNIFIED SCHOOL DISTRICT, a California Public School District

the undersigned GRANTOR(S), hereby irrevocably offers for dedication to the County of Placer, State of California, an easement for road purposes and incidentals thereto, including the utility rights over, on, under and across all that real property situated in the County of Placer, State of California, bounded and described as follows:

(Any and all interest in the property conveyed by grantor to the County of Placer pursuant to this instrument runs with the land and is binding on the heirs, assigns and successors of the grantor.)

(See Attached Exhibits "A" & "B")

Dated this ____ Day of _____, 20____ ,

GRANTOR(S)-CENTER UNIFIED SCHOOL DISTRICT, a California Public School District

_____
Sign name

_____
Trustee / Beneficiary

_____
Print name and title

_____
Recording Reference Number

_____
Sign name

_____
Print name and title

See following page for Acknowledgement

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Placer }

On _____ before me,

_____(name, title),

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under the PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

_____
Signature

CAPACITY CLAIMED BY SIGNER

☐ INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES

☐ CORPORATE OFFICER(S)

_____
TITLE(S)

_____
COMPANY

☐ PARTNER(S)

_____
PARTNERSHIP

☐ ATTORNEY-IN-FACT

_____
PRINCIPAL(S)

☐ TRUSTEE(S)

_____
TRUST

☐ OTHER

_____
TITLE(S)

_____
ENTITY(IES) REPRESENTATIVE

CONSENT TO RECORDATION:

The County of Placer hereby consents to the recordation of the Offer of Dedication attached hereto. The County does not accept said offer at this time, but reserves the right to do so in the future, pursuant to authority conferred by Ordinance 5152-B.

_____ _____
DATE SIGN NAME

_____
PRINT NAME AND TITLE

ACCEPTANCE (1): BY AUTHORIZED AGENT:

This is to certify that the interest in real property conveyed by the deed or grant deed dated_____, 20_____, from _____

To the County of Placer, a government agency, is hereby accepted by the undersigned agent on behalf of the Board of Supervisors of the County of Placer pursuant to authority conferred by Ordinance 5152-B adopted on January 15, 2002, and the Grantee consents to the recordation thereof by it's duly authorized agent.

_____ _____
DATE SIGN NAME

_____
PRINT NAME AND TITLE

AGENDA ITEM # XVI-C

Center Joint Unified School District

		AGENDA REQUEST FOR:
Dept./Site:	**Superintendent's Office**	**Action Item** X
To:	**Board of Trustees**	**Information Item** _____
Date:	**May 15, 2019**	**# Attached Pages** _____
From:	**Scott A. Loehr, Superintendent**	
Principal/Administrator Initials:	_____	

SUBJECT: First Reading: Board Policies/Regulations/Exhibits

Replace	BP/E	0420.41	Charter School Oversight
Replace	BP/AR	1312.3	Uniform Complaint Procedures
Replace	AR/E	1312.4	Williams Uniform Complaint Procedures
Replace	AR	1340	Access to District Records
Replace	BP/AR	3100	Budget
Replace	BP/AR	3260	Fees and Charges
Replace	BP/AR	3515.4	Recovery for Property Loss or Damage
Replace	BP/AR	4030	Nondiscrimination in Employment
Replace	AR	4161.1/4361.1	Personal Illness/Injury Leave
Replace	AR	4261.1	Personal Illness/Injury Leave
Replace	BP/AR	5117	Interdistrict Attendance
Replace	AR	5125.2	Withholding Grades, Diploma and Transcripts
Replace	BP	5127	Graduation Ceremonies and Activities
Replace	E	5145.6	Parental Notifications
Replace	AR	5148	Child Care and Development
Replace	BB/E	9323.2	Actions by the Board

RECOMMENDATION: CJUSD Board of Trustees approve the first reading of presented policies/regulations/exhibits.

AGENDA ITEM # _____

CSBA Sample
Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans BP 0420.41(a)

CHARTER SCHOOL OVERSIGHT

Note: The following **optional** policy may be revised to reflect district practice. The Governing Board is obligated to monitor the performance of any charter school it authorizes in order to ensure the school's compliance with legal requirements and progress toward meeting measurable outcomes specified in the charter. Information about the school's performance is necessary when determining whether to grant a renewal of the charter or whether a revocation of the charter is warranted; see BP 0420.42 - Charter School Renewal and BP 0420.43 - Charter School Revocation. In addition, pursuant to Education Code 47604, if the district complies with all oversight responsibilities required by law, it will not be liable for the debts or obligations of any charter school that operates as or is operated by a nonprofit public benefit corporation pursuant to Corporations Code 5110-6910.

Pursuant to Education Code 47605, if the State Board of Education (SBE) approves a petition upon appeal after the Board and County Board of Education have denied the petition, the SBE may, by mutual agreement, designate its supervisorial and oversight responsibilities to the Board or to any local educational agency in the county in which the charter school is located.

The Governing Board recognizes its ongoing responsibility to oversee that any charter school **authorized by** the Board ~~has authorized~~ is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

(cf. 0420.4 - Charter School Authorization)
(cf. 0500 - Accountability)

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the Board. (Education Code 47604.32)

Note: Education Code 47604.32 requires the district to visit each charter school at least once every year. CSBA's publication Charter Schools: A Guide for Governance Teams recommends more frequent visits, perhaps two or three times during the school year, in order to monitor school operations more closely and develop relationships with the staff at the charter school.

The ~~Board and~~ Superintendent or designee ~~may inspect or observe any part of the charter school at any time. The Superintendent or designee~~ shall visit each charter school at least annually **and** may inspect or observe any part of the charter school at any time. (Education Code 47604.32, 47607)

Note: The following **optional** paragraph may be revised to reflect district practice. Pursuant to Education Code 47604, if a charter school operates as or is operated by a nonprofit public benefit corporation, the Board is entitled to a single representative on the board of directors of the nonprofit public benefit corporation. CSBA's publication Charter Schools: A Guide for Governance Teams recommends that the district consult with legal counsel and consider any potential conflict of interest that may arise from having an individual Board member vote as a member of the charter board of directors on issues on which the Board will need to provide oversight. CSBA's guide suggests that an alternative approach may be for the district to designate its charter school contact, appointed pursuant to Education Code 47604.32, to attend meetings of the charter school board.

CHARTER SCHOOL OVERSIGHT (continued)

The Superintendent or designee shall attend meetings of the charter school ~~board~~ **governing body** whenever possible and shall periodically meet with a representative of the charter school.

Waivers

Note: A charter school is not authorized to submit general waiver requests to the SBE on its own behalf. Rather, the district must submit the waiver request for the charter school. A general waiver request form is available on the California Department of Education's (CDE) web site. Exceptions for which the charter school may directly apply for a waiver include a waiver of the federal Strengthening Career and Technical Education for the 21st Century Act and a specific waiver of instructional time penalties.

If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall submit such a waiver request to the SBE on behalf of the charter school.

(cf. 1431 - Waivers)

Provision of District Services

Note: The following **optional** section may be revised to reflect district practice. A charter school may elect to receive its funding directly from the County Superintendent of Schools pursuant to Education Code 47651 and be directly responsible for the provision of payroll, human resources, maintenance and operations, legal services, and other administrative operations. Alternatively, a charter school may receive its funding through the district that granted its charter~~, as is the case with most "dependent" charter schools~~. CSBA's publication Charter Schools: A Guide for Governance Teams recommends one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school, including any services that will be provided by the district; see BP 0420.4 - Charter School Authorization.

The charter school may purchase administrative or other services from the district or any other source. (Education Code 47613)

Whenever the district agrees to provide administrative or support services, the district and charter school shall develop a memorandum of understanding which clarifies the financial and operational agreements between the district and charter school.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The district may charge the charter school for the actual costs of the reporting services, but shall not require the charter school to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

CHARTER SCHOOL OVERSIGHT (continued)

Material Revisions to Charter

Material revisions to a charter may only be made with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If an approved charter school proposes to establish or move operations to one or more additional sites, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision of the approved charter.

Monitoring Charter School Performance

Note: The district has a responsibility to oversee that the charter school complies with all applicable legal requirements. Violation of any law may subject the school to revocation pursuant to Education Code 47607. See the accompanying Exhibit for a list of legal requirements pertaining to the operation of charter schools.

The Superintendent or designee shall monitor the charter school to determine whether it complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.

Note: Education Code 47605 requires that measurable student outcomes for "all groups of students served by the charter school" be included in the school's charter petition and that these outcomes be aligned with the state priorities for the local control and accountability plan (LCAP) as stated in Education Code 52060; see AR 0420.4 - Charter School Authorization. Pursuant to Education Code 47607, "all groups of students served by the charter school" means all numerically significant subgroups of students served by the charter school, as defined in Education Code 52052. **Pursuant to** Education Code 52052, ~~defines a~~ numerically significant subgroups **include** ~~as a subgroup with at least 30 students (or at least 15 foster youth or homeless students) in the school, including~~ ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, **when the subgroup consists of at least 30 students (or 15 foster youth or homeless students).** ~~For schools with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval by the SBE.~~

Education Code 47605 requires that the charter petition include methods for measuring the charter school's progress toward achieving student outcomes. Although the measures of the school's progress may vary, Education Code 47605 requires that charter schools conduct any statewide assessments applicable to other public schools. ~~In addition, Education Code 47604.32 and 47604.33, as amended by SB 828 (Ch. 29, Statutes of 2016), require the district to ensure that the charter school submits an annual update of its LCAP as required by Education Code 47606.5. Education Code 47606.5 requires that the charter school's LCAP include a review~~

CHARTER SCHOOL OVERSIGHT (continued)

~~of progress toward its goals, an assessment of the effectiveness of the specific actions described in the charter toward achieving the goals, and a description of changes in the specific actions that the charter school will make as a result of the review and assessment.~~ **In addition, charter schools are included in the California School Dashboard, which reports the status of school performance on multiple state and local indicators and is intended to assist schools and districts in identifying strengths and areas in need of improvement in each priority area addressed by the LCAP. Charter schools that serve high-risk students may qualify for the state's Dashboard Alternative School Status (DASS) program, which uses modified methods of measurement for accountability indicators when appropriate.**

The Board shall monitor ~~each~~ **the** charter school to determine whether it is achieving~~, both schoolwide and for all groups of students served by the school,~~ the measurable student outcomes set forth in the charter**, both schoolwide and for each numerically significant student subgroup served by the school, as defined in Education Code 52052**. This determination shall be based on the measures specified in the approved charter **petition and any applicable memorandum of understanding,** and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP)**, as reported in the California School Dashboard.**

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, annual update of the **charter** school's LCAP, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

Note: Education Code 47613 authorizes the district to charge the charter school, within specified limits, for the costs of supervisorial oversight of the school. Education Code 47613 provides that the costs of supervisorial oversight include, but are not limited to, costs incurred for technical assistance or intervention pursuant to Education Code 47607.3; see the section "Technical Assistance/Intervention" below. CSBA's publication Charter Schools: A Guide for Governance Teams suggests that supervisorial oversight activities also might include site visits, reviews of performance data and financial reports, and legal auditing. The actual provision of administrative or support services would not be considered supervisorial oversight for purposes of charging supervisorial oversight costs to the charter school. Those services may be purchased separately by the charter school.

The district may charge up to one percent of a charter school's revenue for the actual costs of supervisorial oversight of the school. However, if the district is able to provide substantially rent-free facilities to the charter school, the district may charge up to three percent of the charter school's revenue for actual costs of supervisorial oversight or, if the facility is provided under Education Code 47614, the pro-rata share facilities costs calculated pursuant to 5 CCR 11969.7. If the district charges the pro-rata share, it may also charge one percent of the charter school's revenue in oversight fees. (Education Code 47613)

(cf. 7160 - Charter School Facilities)

CHARTER SCHOOL OVERSIGHT (continued)

Technical Assistance/Intervention

If, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more **numerically significant** student subgroups ~~identified in Education Code 52052~~, or for all of the student subgroups if the school has fewer than three **subgroups**, in regard to one or more state or school priorities identified in the charter, the district: (Education Code 47607.3)

1. Shall provide technical assistance to the charter school ~~using an evaluation rubric adopted by the SBE pursuant to Education Code 52064.5~~ **based on the California School Dashboard**

2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074

~~Note: As amended by the Every Student Succeeds Act (P.L. 114-95), 20 USC 6311 provides for a new system of school support and improvement for Title I schools beginning in the 2017-18 school year. Until then, charter schools that have been identified for program improvement (PI) for failure to make "adequate yearly progress" for two or more consecutive years must continue to implement their improvement plans. However, because of the repeal of 20 USC 6316 by P.L. 114-95, schools in the second year of PI or beyond are no longer required to arrange for supplemental educational services from an approved service provider. Instead, the CDE has elected to require the provision of alternative supports, defined and administered by the school, to eligible students beginning with the 2016-17 school year; see the CDE's Every Student Succeeds Act 2016-17 School Year Transition Plan (April 2016).~~

~~If a charter school receiving federal Title I funding has been identified for program improvement, it shall implement improvement strategies in accordance with its existing school improvement plan.~~

~~*(cf. 0520.2 - Title I Program Improvement Schools)*~~

Note: Education Code 47607 requires the Board to consider specified criteria of academic performance when determining whether to deny a petition for charter renewal or to revoke a charter, with achievement of all student subgroups served by the charter school being the most important factor; see BP 0420.42 - Charter School Renewal and BP 0420.43 - Charter School Revocation. In addition, Education Code 47607.3 requires the Board to consider revocation of a charter whenever it finds that the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence or continues to demonstrate persistent or acute inadequate performance.

In accordance with law, the Board may deny a charter school's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regard to the academic achievement of all numerically significant subgroups of students served by the charter school.

(cf. 0420.42 - Charter School Renewal)

CHARTER SCHOOL OVERSIGHT (continued)

(cf. 0420.43 - Charter School Revocation)

Complaints

Note: Pursuant to Education Code 52075, charter schools are required to establish policies and procedures for addressing complaints of noncompliance with Education Code 47606.5 (annual update of school goals, actions, and related expenditures) or 47607.3 (technical assistance or intervention based on the school's failure to improve student outcomes). See AR 1312.3 - Uniform Complaint Procedures for applicable procedures.

Each charter school shall establish and maintain policies and procedures to enable any person to file a complaint, in accordance with the uniform complaint procedures as specified in 5 CCR 4600-~~46874~~**4670**, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

School Closure

Note: The following **optional** section may be revised to reflect district practice. Pursuant to Education Code 47605, procedures to be followed in the event a charter school ceases operation for any reason must be specified in the charter; see AR 0420.4 - Charter School Authorization. 5 CCR 11962 lists components that must be included in these procedures, including (1) designation of a responsible entity to conduct closure-related activities; (2) notifications to specified persons and entities; (3) provision of information about students' grade level, course completion, and district of residence; (4) transfer and maintenance of student and personnel records; (5) completion of an independent final audit; and (6) disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed.

Depending on the terms of the charter, these duties may be performed by the charter school, the district, or another specified entity. However, Education Code 47604.32 specifies that it is the responsibility of the district to notify the CDE when a charter school ceases operation for any reason. The CDE's web site also recommends that, in addition to the notifications required by 5 CCR 11962, either the district or the charter school should announce the closure to any school districts that may be responsible for providing education services to the former students of the charter school.

The CDE's web site recommends that charter school closures occur at the end of a school year if it is feasible to maintain a legally compliant program until then.

CHARTER SCHOOL OVERSIGHT (continued)

In the event that the Board revokes or denies renewal of a charter or the **charter** school ceases operation for any reason, the Superintendent or designee shall, when applicable in accordance with the charter and/or a memorandum of understanding, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, if renewal of the charter is denied, the charter is revoked, or the charter school will cease operation for any reason.

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

Legal Reference:

EDUCATION CODE
215 Suicide prevention policy
215.5 Suicide prevention hotline contact information on student identification cards
220 Nondiscrimination
221.61 Posting of Title IX information on web site
221.9 Sex equity in competitive athletics
222 Lactation accommodations for students
222.5 Pregnant and parenting students, notification of rights
234.4 Mandated policy on bullying prevention
234.7 Student protections relating to immigration and citizenship status
17070.10-17079.30 Leroy F. Greene School Facilities Act
17280-17317 Field Act
17365-17374 Field Act, fitness for occupancy
32282 Comprehensive safety plan
32283.5 Online training on bullying prevention
33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act
35179.4-35179.6 Interscholastic athletic programs, safety
35183.1 Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
35330 Field trips and excursions; student fees
38080-38086 School meals
39831.3 Transportation safety plan
39843 Disciplinary action against bus driver; report to Department of Motor Vehicles
41024 Report of expenditure of state facility funds
42100 Annual statement of receipts and expenditures
44030.5 Reporting change in employment status due to alleged misconduct
44237 Criminal record summary
44691 Information on detection of child abuse

Legal Reference continued: (see next page)

CHARTER SCHOOL OVERSIGHT (continued)

Legal Reference: (continued)

EDUCATION CODE (continued)
44830.1 Certificated employees, conviction of a violent or serious felony
45122.1 Classified employees, conviction of a violent or serious felony
45125.1 Fingerprinting; employees of contracting entity
46015 Accommodations for pregnant and parenting students; parental leave
47600-47616.7 Charter Schools Act of 1992
47634.2 Nonclassroom-based instruction
47640-47647 Special education funding for charter schools
47651 Apportionment of funds, charter schools
48000 Minimum age of admission for kindergarten; transitional kindergarten
48010-48011 Minimum age of admission (first grade)
48206.3-48208 Students with temporary disabilities; individual instruction
48850-48859 Educational placement of foster youth and homeless students
48907 Students' exercise of free expression; rules and regulations
48950 Student speech and other communication
49005-49006.4 Seclusion and restraint
49011 Student fees
49014 Public School Fair Debt Collection Act
49061 Student records
49073.2 Privacy of student and parent/guardian personal information
49076.7 Student records; data privacy; Social Security numbers
*49110 Authority **to** ~~of~~ issue work permits*
49381 Human trafficking prevention
49414 Epinephrine auto-injectors
49414.3 Administration of opioid antagonist
49428 Notification of mental health services
49430-49434 The Pupil Nutrition, Health, and Achievement Act of 2001, especially:
49431.9 Advertisement of non-nutritious foods
49475 Health and safety, concussions and head injuries
49557.5 Child Hunger Prevention and Fair Treatment Act of 2017
49564 Meals for needy students
51224.7 Mathematics placement policy
51225.1-51225.2 Exemption from local graduation requirements; acceptance of coursework
51225.6 Instruction in cardiopulmonary resuscitation
51513 Diploma of graduation, without passage of high school exit examination
51745-51749.~~3~~ 6 Independent study
51930-51939 California Healthy Youth Act
52052 Accountability; numerically significant student subgroups
52060-52077 Local control and accountability plans
52075 Uniform complaint procedures
56026 Special education
56145-56146 Special education services in charter schools
60600-60649 Assessment of academic achievement
64000 Categorical programs included in consolidated application
64001 School plan for student achievement, consolidated application programs
65000-65001 School site councils
69432.9-69432.92 Cal Grant program; notification of grade point average and high school graduation

Legal Reference continued: (see next page)

CHARTER SCHOOL OVERSIGHT (continued)

Legal Reference: (continued)

CORPORATIONS CODE
5110-6910 Nonprofit public benefit corporations
GOVERNMENT CODE
1090-1099 Prohibitions applicable to specified officers
3540-3549.3 Educational Employment Relations Act
6250-6270 California Public Records Act
54950-54963 Ralph M. Brown Act
81000-91014 Political Reform Act of 1974
HEALTH AND SAFETY CODE
104420 Tobacco Use Prevention Education grant program
104559 Tobacco-free schools
LABOR CODE
1198.5 Personnel records related to performance and grievance
PENAL CODE
667.5 Definition of violent felony
1192.7 Definition of serious felony
VEHICLE CODE
28160 Child safety alert system
CALIFORNIA CONSTITUTION
Article 9, Section 5 Common school system
Article 16, Section 8.5 Public finance; school accountability report card
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures
11700.1-11705 Independent study
11960-11969 Charter schools
CODE OF REGULATIONS, TITLE 24
101 et seq. California Building Standards Code
UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972; discrimination based on sex
6311 State plan
7221-7221j Charter schools
UNITED STATES CODE, TITLE 42
11431-11435 McKinney-Vento Homeless Assistance Act
CODE OF FEDERAL REGULATIONS, TITLE 34
200.1-200.78 Accountability
COURT DECISIONS
Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986
ATTORNEY GENERAL OPINIONS
Opinion No. 11-201 (2018)
89 Ops.Cal.Atty.Gen. 166 (2006)
80 Ops.Cal.Atty.Gen. 52 (1997)
78 Ops.Cal.Atty.Gen. 297 (1995)
CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS
Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763

Management Resources: (see next page)

CHARTER SCHOOL OVERSIGHT (continued)

Management Resources:

CSBA PUBLICATIONS

Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018

Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017

Charter Schools: A Guide for Governance Teams, rev. 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

~~*Model Youth Suicide Prevention Policy, May 2017*~~

~~*Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016*~~

California School Accounting Manual

Sample Copy of a Memorandum of Understanding

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory ~~*12-02, April 24, 2013*~~***17-01, July 28, 2017***

Special Education and Charter Schools: Questions and Answers, September 10, 2002

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Charter Schools Program: Title V, Part B of the ESEA, ~~*April 2011*~~***January 2014***

WEB SITES

CSBA: http://www.csba.org

California Charter Schools Association: http://www.calcharters.org

California Department of Education, Charter Schools: http://www.cde.ca.gov/sp/cs

National Association of Charter School Authorizers: http://www.qualitycharters.org

U.S. Department of Education: http://www.ed.gov

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Center Unified SD

Board Policy

Charter School Oversight

BP 0420.41

Philosophy, Goals, Objectives and Comprehensive Plans

The Governing Board recognizes its ongoing responsibility to oversee that any charter school the Board has authorized is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

(cf. 0420.4 - Charter School Authorization)
(cf. 0500 - Accountability)

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the Board. (Education Code 47604.32)

The Board and Superintendent or designee may inspect or observe any part of the charter school at any time. The Superintendent or designee shall visit each charter school at least annually. (Education Code 47604.32, 47607)

The Superintendent or designee shall attend meetings of the charter school board whenever possible and shall periodically meet with a representative of the charter school.

Waivers

If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall submit such a waiver request to the SBE on behalf of the charter school.

(cf. 1431 - Waivers)

Provision of District Services

The charter school may purchase administrative or other services from the district or any other source. (Education Code 47613)

Whenever the district agrees to provide administrative or support services, the district and charter school shall develop a memorandum of understanding which clarifies the financial and operational agreements between the district and charter school.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The district may charge the charter school for the actual costs of the reporting services, but shall not require the charter school to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Material Revisions to Charter

Material revisions to a charter may only be made with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If an approved charter school proposes to establish or move operations to one or more additional sites, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision of the approved charter.

Monitoring Charter School Performance

The Superintendent or designee shall monitor the charter school to determine whether it complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.

The Board shall monitor each charter school to determine whether it is achieving, both schoolwide and for all groups of students served by the school, the measurable student outcomes set forth in the charter. This determination shall be based on the measures specified in the approved charter and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP).

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, annual update of the school's LCAP, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

The district may charge up to one percent of a charter school's revenue for the actual costs of supervisorial oversight of the school. However, if the district is able to provide

substantially rent-free facilities to the charter school, the district may charge up to three percent of the charter school's revenue for actual costs of supervisorial oversight or, if the facility is provided under Education Code 47614, the pro-rata share facilities costs calculated pursuant to 5 CCR 11969.7. If the district charges the pro-rata share, it may also charge one percent of the charter school's revenue in oversight fees. (Education Code 47613)

(cf. 7160 - Charter School Facilities)

Technical Assistance/Intervention

If, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more student subgroups identified in Education Code 52052, or for all of the student subgroups if the school has fewer than three, in regard to one or more state or school priorities identified in the charter, the district: (Education Code 47607.3)

1. Shall provide technical assistance to the charter school using an evaluation rubric adopted by the SBE pursuant to Education Code 52064.5

2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074

If a charter school receiving federal Title I funding has been identified for program improvement, it shall implement improvement strategies in accordance with its existing school improvement plan.

(cf. 0520.2 - Title I Program Improvement Schools)

In accordance with law, the Board may deny a charter school's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regard to the academic achievement of all numerically significant subgroups of students served by the charter school.

(cf. 0420.42 - Charter School Renewal)
(cf. 0420.43 - Charter School Revocation)

Complaints

Each charter school shall establish and maintain policies and procedures to enable any person to file a complaint, in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4687, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

School Closure

In the event that the Board revokes or denies renewal of a charter or the school ceases operation for any reason, the Superintendent or designee shall, when applicable in accordance with the charter and/or a memorandum of understanding, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, if renewal of the charter is denied, the charter is revoked, or the charter school will cease operation for any reason.

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

Legal Reference:
EDUCATION CODE
215 Suicide prevention policy
220 Nondiscrimination
221.9 Sex equity in competitive athletics
222 Lactation accommodations for students
17280-17317 Field Act
17365-17374 Field Act, fitness for occupancy
35330 Field trips and excursions; student fees
38080-38086 School meals
39831.3 Transportation safety plan
39843 Disciplinary action against bus driver; report to Department of Motor Vehicles
42100 Annual statement of receipts and expenditures
44030.5 Reporting change in employment status due to alleged misconduct
44237 Criminal record summary
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44830.1 Certificated employees, conviction of a violent or serious felony
45122.1 Classified employees, conviction of a violent or serious felony
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47634.2 Nonclassroom-based instruction
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51224.7 Mathematics placement policy
51225.6 Instruction in cardiopulmonary resuscitation
51745-51749.3 Independent study
52051.5-52052 Academic performance index, applicability to charter schools
52060-52077 Local control and accountability plans
52075 Uniform complaint procedures
56026 Special education
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60600-60649 Assessment of academic achievement
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104559 Tobacco-free schools
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1198.5 Personnel records related to performance and grievance
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Article 9, Section 5 Common school system
Article 16, Section 8.5 Public finance; school accountability report card
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4600-4687 Uniform complaint procedures
11700.1-11705 Independent study
11960-11969 Charter schools
15497.5 Local control and accountability plan template
CODE OF REGULATIONS, TITLE 24
101 et seq. California Building Standards Code
UNITED STATES CODE, TITLE 20

6311 State plan
7221-7221j Charter schools
UNITED STATES CODE, TITLE 42
11431-11435 McKinney-Vento Homeless Assistance Act
CODE OF FEDERAL REGULATIONS, TITLE 34
200.1-200.78 Accountability
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Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986
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78 Ops.Cal.Atty.Gen. 297 (1995)
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California Department of Education, Charter Schools: http://www.cde.ca.gov/sp/cs
National Association of Charter School Authorizers: http://www.qualitycharters.org
U.S. Department of Education: http://www.ed.gov

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: September 20, 2017Antelope, California

CSBA Sample
Exhibit

Philosophy, Goals, Objectives, and Comprehensive Plans E 0420.41(a)

CHARTER SCHOOL OVERSIGHT

REQUIREMENTS FOR CHARTER SCHOOLS

Note: Pursuant to Education Code 47610, charter schools are exempt from Education Code provisions governing school districts unless otherwise specified in law. **However, charter schools, like other public schools, are subject to the state and federal constitutions, applicable federal laws, state laws that apply to governmental agencies in general, and state laws that are expressly applicable to charter schools.** The following Exhibit lists some, but not necessarily all, legal requirements that apply to charter schools and may be used by districts to monitor a charter school's compliance with law. Violation of any law may subject the charter school to revocation pursuant to Education Code 47607; see BP 0420.43 - Charter School Revocation.

A c~~C~~harter schools shall be subject to the terms of ~~their~~ **its** charters~~,~~**;** any memorandum of understanding **between the school and the district Governing Board** ~~with their chartering authority,~~**;** the state and federal constitutions~~,~~**;** applicable federal laws,**;** ~~and~~ state laws that apply to governmental agencies in general~~;~~**;** ~~such as the Brown Act requirements in Government Code 54950-54963 and the conflict of interest laws in Government Code 1090-1099 and 87100-91014~~ and other legal requirements that are expressly applicable to charter schools, including, but not limited to, requirements that each charter school **or the entity managing the charter school**:

Governance

Note: Pursuant to Education Code 47604.1, as added by SB 126 (Ch. 3, Statutes of 2019), charter schools are subject to the Ralph M. Brown Act, the California Public Records Act, the Political Reform Act of 1974, and conflict of interest laws, as provided in item #1 below. Although Education Code 47604.1 is not effective until January 1, 2020, a 2018 Attorney General opinion also concluded that, under current law, those statutes govern all local agencies including charter schools.

1. **Comply with the Ralph M. Brown Act (Government Code 54950-54963), California Public Records Act (Government Code 6250-6270), conflict of interest laws (Government Code 1090-1099), and Political Reform Act (Government Code 81000-91014), including the adoption of a conflict of interest code pursuant to Government Code 87300 (Education Code 47604.1)**

2. **Except as otherwise authorized by Government Code 54954, hold the meetings of its governing body within the physical boundaries of the county in which the charter school is located or, if a nonclassroom-based charter school that does not have a facility or operates one or more resource centers, hold governing body meetings within the physical boundaries of the county in which the greatest number of students enrolled in the charter school reside. In addition, a two-way teleconference location shall be established at the school site and/or resource center, as applicable. (Education Code 47604.1)**

CHARTER SCHOOL OVERSIGHT (continued)

Operations

3. Not be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (Education Code 47604)

~~1.~~**4.** Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)

Admission/Enrollment

5. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)

6. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)

Note: Education Code 56145 requires charter schools to serve students with disabilities in the same manner as other public schools. Pursuant to Education Code 47646, districts must ensure that each charter school that is deemed to be a public school of the district, and is not its own local educational agency (LEA) for special education purposes, receives an equitable share of special education funding and services for students with disabilities who are enrolled in the charter school.

If a charter school is operating as a public school of the district for purposes of special education, the district retains responsibility and must determine how to ensure that students with disabilities receive a free appropriate public education (FAPE). However, as indicated in the California Office of Administrative Hearings ruling in Student v. Horizon Instructional Systems Charter School, a charter school operating as its own LEA for purposes of special education, including a charter school offering an independent study program, is the entity responsible for providing FAPE.

7. Serve students with disabilities in the same manner as such students are served in other district schools (Education Code 47646, 56145)

8. Admit all students who wish to attend the **charter** school, according to the following criteria and procedures:

   a. Admission to the charter school shall not be determined according to the student's or parent/guardian's place of residence within the state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within ~~the~~ **that** school's former attendance area. (Education Code 47605)

CHARTER SCHOOL OVERSIGHT (continued)

If a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admission preference for students who are currently enrolled in ~~the~~ **that** public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, with preference extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. (Education Code 47605)

c. Other admission preferences may be permitted by the ~~Governing~~ Board of the district on an individual school basis consistent with law. (Education Code 47605)

9. Immediately enroll a homeless student, except where such enrollment would conflict with Education Code 47605(d) (Education Code 48850; 42 USC 11431-11435)

10. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)

11. Allow a student who is enrolled in the charter school but receiving individual instruction at home or a hospital due to a temporary disability to return to the charter school when well enough to do so, provided the student returns during the school year in which the individual instruction was initiated (Education Code 48207.3)

Nondiscrimination

~~2.~~**12.** Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)

~~30.~~**13.** Adopt policy that is consistent with the model policy developed by the California Attorney General addressing the **charter** school's response to immigration enforcement, notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, prohibit the collection of information or documents regarding the immigration status of students or their family members, and fulfill other requirements of Education Code 234.7

CHARTER SCHOOL OVERSIGHT (continued)

~~45.~~**14.** Post specified information related to the prohibition against discrimination under Title IX of the Education Amendments of 1972 in a prominent and conspicuous location on the school web site or on the web site of the charter operator (Education Code 221.61)

~~25.~~**15.** If the **charter** school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9)

~~37.~~**16.** Provide **specified accommodations to pregnant and parenting students, including, but not limited to, the provision of parental leave and** reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. **The charter school shall notify pregnant and parenting students and parents/guardians of the rights and options available to pregnant and parenting students.** (Education Code 222, **222.5, 46015)**

~~46.~~**17.** If a direct-funded charter school, adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600)

Tuition and Fees

~~3.~~**18.** Not charge tuition (Education Code 47605)

Note: Education Code 47605 specifically prohibits a charter school from charging tuition, but does not mention fees or other charges. As clarified in the California Department of Education's (CDE) advisory Pupil Fees, Deposits, and Other Charges, because charter schools are subject to the California Constitution, the free school guarantee of the California Constitution, Article 9, Section 5, applies to charter schools. Charter schools may only charge fees which are explicitly authorized by law for charter schools. For example, charter schools may charge fees for meals and field trips pursuant to Education Code 35330, 38082, and 38084 because those provisions apply to charter schools, but charter schools may not necessarily charge other fees authorized by law for school districts.

~~4.~~**19.** Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools

20. Not bill, nor take any negative action against, a student or former student for a debt owed to the charter school. The school shall provide an itemized invoice for

CHARTER SCHOOL OVERSIGHT (continued)

any amount owed by the parent/guardian on behalf of a student or former student before pursuing payment of the debt and shall provide a receipt to the parent/guardian for each payment made to the school. (Education Code 49014)

School Plans

21. **Adopt a local control and accountability plan (LCAP) and update the plan by** ~~By~~ July 1 **each year,** ~~an update of the school's goals and the actions to achieve those goals as identified in the charter, developed using the local control and accountability plan~~ **in consultation with specified stakeholders and using the** template adopted by the State Board of Education **(SBE)**. To the extent practicable, data shall be reported in a manner consistent with how information is reported on ~~a school accountability report card~~ **the California School Dashboard. As part of the LCAP adoption and annual update to the LCAP, the governing body of the charter school shall separately adopt a local control funding formula budget overview for parents/guardians, based on the template developed by the SBE, which includes specified information relating to the school's budget.** (Education Code 47604.33, 47606.5, 52064, **52064.1**)

22. **If the charter school applies for federal and/or state categorical program funding through the state's consolidated application, establish a school site council to develop and annually review a school plan for student achievement, unless the school chooses to use its LCAP for this purpose (Education Code 64000-64001, 65000-65001)**

23. **Develop a comprehensive safety plan in accordance with Education Code 32282 and review and update the plan by March 1 each year (Education Code 47605)**

~~35.~~**24.** Develop a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, **youth bus,** or child care motor vehicle and procedures ~~and standards~~ for designating an adult chaperone, other than the driver, to accompany students on a school activity bus. **In addition, ensure that each school bus, student activity bus, youth bus, or child care motor vehicle is equipped with a child safety alert system that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting, unless the student activity bus is exempted by law.** (Education Code 39831.3; **Vehicle Code 28160**)

Curriculum and Instruction

Note: Education Code 47612.5 specifies, by grade level, the minimum number of instructional minutes that must be offered each fiscal year. Any charter school that fails to meet this requirement will have its state apportionment reduced in proportion to the percentage of instructional minutes that the school fails to offer. Education Code 47612.5 and 47612.6 provide that neither the State Board of Education nor the Superintendent of Public Instruction may waive the required number of instructional minutes but may waive the fiscal penalties under specified conditions.

CHARTER SCHOOL OVERSIGHT (continued)

~~22.~~**25.** Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 47612.5)

~~11.~~**26.** If the **charter** school offers a kindergarten program, ~~: (Education Code 48000) a. O~~ **also o**ffer a transitional kindergarten ~~(TK)~~ program to students whose fifth birthday is from September 2 through December 2 (Education Code 48000)

~~b. Ensure that any credentialed teacher first assigned to teach a TK class after July 1, 2015 meets the qualifications specified in Education Code 48000 by August 1, 2020~~

~~19.~~**27.** If the **charter** school serves students in grade 9, adopt a fair, objective, and transparent mathematics placement policy with specified components (Education Code 51224.7)

28. If the charter school serves students in any of grades 7-12, provide comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education at least once in junior high or middle school and once in high school, beginning in the 2019-2020 school year (Education Code 51931, 51934)

29. If the charter school serves students in any of grades 6-12, identify and implement methods of informing parents/guardians of human trafficking prevention resources by January 1, 2020 (Education Code 49381)

Note: Education Code 47612.5 provides that charter schools offering independent study are subject to Education Code 51745-51749.~~36~~. Education Code 51745 requires that no course included among the courses required for graduation may be offered solely through independent study. However, pursuant to 5 CCR 11705, a charter school offering grades 9-12 shall be deemed to be an "alternative school" for purposes of independent study and thus, according to the CDE, would comply with this provision because students in such alternative schools are enrolled voluntarily and, if they wished, could attend any other district high school in which the courses were offered via classroom instruction.

~~23.~~**30.** If the **charter** school provides independent study, meet the requirements of Education Code 51745-51749.~~36~~, except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)

~~20.~~**31.** Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605)

High School Graduation

32. Exempt a foster youth, homeless student, former juvenile court school student, child of a military family, or migrant student who transfers between schools

CHARTER SCHOOL OVERSIGHT (continued)

after the second year of high school, or a student participating in a newcomer program for newly immigrant students in grades 11-12, from any graduation requirements established by the charter school that exceed state requirements, unless the school determines that the student is reasonably able to complete the requirements by the end of the fourth year of high school (Education Code 51225.1, 51225.2)

~~21.~~**33.** Grant a high school diploma to any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination (Education Code 51413)

34. Allow a student to wear traditional tribal regalia or recognized objects of religious or cultural significance as an adornment at school graduation ceremonies, unless the charter school determines that an item is likely to cause a substantial disruption of, or material interference with, the ceremony (Education Code 35183.1)

Student Expression

Note: Education Code 48907 requires charter schools to establish a written "publications code" related to students' rights to freedom of speech and of the press. These written rules and regulations must include reasonable provisions for the time, place, and manner in which free expression may take place within the charter school's jurisdiction.

~~29.~~**35.** Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950)

Staffing

~~12.~~**36.** Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) equivalent to that which a teacher in other public schools would be required to hold (Education Code 47605)

~~14.~~**37.** Not hire any person who has been convicted of a violent or serious felony except as otherwise provided by law, and, if the **charter** school contracts with an entity for specified services, verify that any employee of that entity who will have contact with students has had a criminal background check (Education Code 44830.1, 45122.1, 45125.1)

CHARTER SCHOOL OVERSIGHT (continued)

~~15.~~**38.** Report to the CTC any change in a certificated employee's employment status (dismissal, nonreelection, resignation, suspension, unpaid administrative leave for more than 10 days, retirement, or other decision not to employ or reemploy) as a result of an allegation of misconduct or while an allegation of misconduct is pending (Education Code 44030.5)

~~16.~~**39.** Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)

~~17.~~**40.** Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

Parent/Guardian Involvement

~~27.~~**41.** On a regular basis, consult with parents/guardians and teachers regarding the **charter** school's educational programs (Education Code 47605)

~~28.~~**42.** Notify parents/guardians of applicant students and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school (Education Code 47605)

Nutrition

43. Beginning with the 2019-2020 school year, provide each eligible student with one nutritionally adequate free or reduced-price meal during each school day, except as provided for a charter school that offers nonclassroom-based instruction (Education Code 47613.5)

~~40.~~**44.** If the **charter** school participates in the National School Lunch and/or Breakfast program, not promote any food or beverage during the school day that does not comply with state nutritional standards pursuant to Education Code 49430-49434, and not participate in a corporate incentive program that offers free or discounted non-nutritious foods or beverages as rewards for students who reach certain academic goals (Education Code 49431.9)

~~41.~~**45.** If the **charter** school participates in the National School Lunch and/or Breakfast program, notify parents/guardians within 10 days of their child's meal account reaching a negative balance; ensure that a student with unpaid school meal fees is not shamed, treated differently, or served a meal that differs from other students; and prohibit student discipline from resulting in the denial or delay of a nutritionally adequate meal (Education Code 49557.5)

CHARTER SCHOOL OVERSIGHT (continued)

~~42.~~**46.** If the **charter** school participates in the National School Lunch and/or Breakfast program and is a very high poverty school, as defined, apply to the California Department of Education (CDE) to provide lunch and/or breakfast free of charge to all students under a federal universal service provision (Education Code 49564)

Student Health

~~18.~~**47.** If the **charter** school serves students in grades 7-12, adopt a policy on suicide prevention, intervention, and postvention with specified components**, review the policy at least every five years, and, if the school issues student identification cards, print the telephone number of the National Suicide Prevention Lifeline on those cards** (Education Code 215**, 215.5**)

48. Notify students and parents/guardians at least twice during the school year on how to initiate access to available student mental health services on campus or in the community (Education Code 49428)

~~13.~~**49.** Provide annual training on child abuse and neglect reporting requirements to employees and persons working on the **charter** school's behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691)

~~Note: Education Code 33479.1, 33479.3, and 49475 require charter schools that elect to conduct athletic activities to provide student athletes and their parents/guardians with information on the nature and warning signs of concussions/head injuries and sudden cardiac arrest. Such information is available on the web site of the California Interscholastic Federation.~~

~~26.~~**50.** If the **charter** school offers an athletic program, annually provide information sheets about concussions/head injuries and sudden cardiac arrest to athletes and their parents/guardians, which must be signed and returned to the school before the athlete initiates practice or competition. In the event that an athlete is suspected of sustaining a concussion or head injury, passes out, or faints during or immediately after participation in an athletic activity, ~~he/she~~ **the student** shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until ~~he/she~~ **the student** is evaluated by a licensed health care provider and receives written clearance to do so. (Education Code 33479-33479.5, 49475)

51. If the charter school offers an interscholastic athletic program, develop and post a written emergency action plan that describes procedures to be followed in the event of sudden cardiac arrest and other medical emergencies, acquire at least one automated external defibrillator (AED) for the school, and make the AED available at on-campus athletic activities or events (Education Code 35179.4, 35179.6)

CHARTER SCHOOL OVERSIGHT (continued)

~~38.~~**52.** ~~Ensure the availability and proper use of~~ **Provide school nurses or other voluntary, trained personnel with** emergency epinephrine auto-injectors **of the type required pursuant to Education Code 49414** ~~by:~~ (Education Code 49414)

~~a. Providing school nurses or other voluntary, trained personnel with at least one regular and one junior device for elementary schools and, for secondary schools, one regular device if there are no students who require a junior device~~

~~b. Distributing a notice at least once per school year to all staff requesting volunteers and describing the training that volunteers will receive~~

~~c. Providing defense and indemnification to volunteers for any and all civil liability from such administration~~

~~39.~~**53.** If the **charter** school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, comply with the requirements of Education Code 49414.3, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist

Student Conduct/Discipline

54. Adopt a policy on bullying and cyberbullying prevention by December 31, 2019, and annually make CDE's online training module on bullying prevention available to school site certificated employees and other employees who have regular interaction with students (Education Code 234.4, 32283.5)

55. Prohibit seclusion and behavioral restraint of students as a means of discipline, and only use such methods to control student behavior that poses a clear and present danger of serious physical harm to a student or others that cannot be immediately prevented by a less restrictive response (Education Code 49005-49006.4)

Student and Parent/Guardian Records

~~31.~~**56.** Not collect or solicit social security numbers or the last four digits of social security numbers from students or their parents/guardians unless otherwise required to do so by state or federal law (Education Code 49076.7)

57. Upon written request, not include the directory information of a student or the personal information of a parent/guardian, as defined, in the minutes of a meeting of the governing body (Education Code 49073.2)

CHARTER SCHOOL OVERSIGHT (continued)

~~33.~~**58.** If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)

~~34.~~**59.** If the **charter** school serves high school students, submit to the Student Aid Commission, for use in the Cal Grant program, the grade point average (GPA) of all students in grade 12 and verification of high school graduation or its equivalent for students who graduated in the prior academic year. However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)

Facilities

~~36.~~**60.** Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)

a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.

b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.

Finance

~~43.~~**61.** Promptly respond to all reasonable inquiries from the district, the county office of education, or the **Superintendent of Public Instruction** (SPI), including, but not limited to, inquiries regarding the **charter** school's financial records (Education Code 47604.3)

~~32.~~**62.** Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)

~~24.~~**63.** Identify and report to the ~~Superintendent of Public Instruction (~~SPI~~)~~ any portion of ~~its~~ **the charter school's** average daily attendance that is generated through

CHARTER SCHOOL OVERSIGHT (continued)

nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)

~~44.~~64. Annually prepare and submit financial reports to the district ~~Governing~~ Board and the County Superintendent of Schools in accordance with the following reporting cycle:

a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)

~~b. By July 1, an update of the school's goals and the actions to achieve those goals as identified in the charter, developed using the local control and accountability plan template adopted by the State Board of Education. This report shall include a review of the progress toward the goals, an assessment of the effectiveness of the specific actions toward achieving the goals, a description of changes the school will make to the specific actions as a result of the review and assessment, and a listing and description of expenditures for the fiscal year implementing the specific actions. (Education Code 47604.33, 47606.5, 52064)~~

~~When conducting this review, the governing body of the school may consider qualitative information including, but not limited to, findings that result from any school quality reviews conducted pursuant to Education Code 52052 or any other reviews. To the extent practicable, data shall be reported in a manner consistent with how information is reported on a school accountability report card. The update shall be developed in consultation with teachers, principals, administrators, other school personnel, parents/guardians and students. (Education Code 47606.5)~~

~~c.~~b. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)

~~d.~~c. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)

~~e.~~d. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)

CHARTER SCHOOL OVERSIGHT (continued)

~~f.~~**e.** By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the State Controller and **CDE** ~~the California Department of Education~~. (Education Code 47605)

65. If the charter school receives state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30), annually report a detailed list of all expenditures of state funds and of the school's matching funds for completed projects, and submit an audit of completed facilities projects within one year of project completion (Education Code 41024)

Accountability

~~47.~~**66.** Annually adopt a school accountability report card (Education Code 47612; California Constitution, Article 16, Section 8.5)

~~Note: Districts should consult with legal counsel regarding the applicability of any state law other than the Education Code to charter schools.~~

~~In addition, charter schools shall comply with the state and federal constitutions, applicable federal laws, and state laws that apply to governmental agencies in general, such as the Brown Act requirements in Government Code 54950-54963 and the conflict of interest laws in Government Code 1090-1099 and 87100-91014.~~

Policy Reference UPDATE Service
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Center Unified SD

Exhibit

Charter School Oversight

E 0420.41

Philosophy, Goals, Objectives and Comprehensive Plans

Requirements for Charter Schools

Charter schools shall be subject to the terms of their charters, any memorandum of understanding with their chartering authority, and other legal requirements that are expressly applicable to charter schools, including, but not limited to, requirements that each charter school:

1. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)

2. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)

3. Not charge tuition (Education Code 47605)

4. Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools

5. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)

6. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)

7. Serve students with disabilities in the same manner as such students are served in other district schools (Education Code 47646, 56145)

8. Admit all students who wish to attend the school, according to the following criteria and procedures:

a. Admission to the charter school shall not be determined according to the student's or parent/guardian's place of residence within the state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within the school's former attendance area. (Education Code 47605)

If a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admission preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, with preference extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. (Education Code 47605)

c. Other admission preferences may be permitted by the Governing Board of the district on an individual school basis consistent with law. (Education Code 47605)

9. Immediately enroll a homeless student, except where such enrollment would conflict with Education Code 47605(d) (Education Code 48850; 42 USC 11431-11435)

10. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)

11. If the school offers a kindergarten program: (Education Code 48000)

a. Offer a transitional kindergarten (TK) program to students whose fifth birthday is from September 2 through December 2

b. Ensure that any credentialed teacher first assigned to teach a TK class after July 1, 2015 meets the qualifications specified in Education Code 48000 by August 1, 2020

12. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) equivalent to that which a teacher in other public schools would be required to hold (Education Code 47605)

13. Provide annual training on child abuse and neglect reporting requirements to employees and persons working on the school's behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691)

14. Not hire any person who has been convicted of a violent or serious felony except as otherwise provided by law, and, if the school contracts with an entity for specified services, verify that any employee of that entity who will have contact with students has had a criminal background check (Education Code 44830.1, 45122.1, 45125.1)

15. Report to the CTC any change in a certificated employee's employment status (dismissal, nonreelection, resignation, suspension, unpaid administrative leave for more

than 10 days, retirement, or other decision not to employ or reemploy) as a result of an allegation of misconduct or while an allegation of misconduct is pending (Education Code 44030.5)

16. Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)

17. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

18. If the school serves students in grades 7-12, adopt a policy on suicide prevention, intervention, and postvention with specified components (Education Code 215)

19. If the school serves students in grade 9, adopt a fair, objective, and transparent mathematics placement policy with specified components (Education Code 51224.7)

20. Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605)

21. Grant a high school diploma to any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination (Education Code 51413)

22. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 47612.5)

23. If the school provides independent study, meet the requirements of Education Code 51745-51749.3, except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)

24. Identify and report to the Superintendent of Public Instruction (SPI) any portion of its average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)

25. If the school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9)

26. If the school offers an athletic program, annually provide information sheets about concussions/head injuries and sudden cardiac arrest to athletes and their parents/guardians, which must be signed and returned to the school before the athlete initiates practice or competition. In the event that an athlete is suspected of sustaining a

concussion or head injury, passes out, or faints during or immediately after participation in an athletic activity, he/she shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider and receives written clearance to do so. (Education Code 33479-33479.5, 49475)

27. On a regular basis, consult with parents/guardians and teachers regarding the school's educational programs (Education Code 47605)

28. Notify parents/guardians of applicant students and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school (Education Code 47605)

29. Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950)

30. Adopt policy that is consistent with the model policy developed by the California Attorney General addressing the school's response to immigration enforcement, notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, prohibit the collection of information or documents regarding the immigration status of students or their family members, and fulfill other requirements of Education Code 234.7

31. Not collect or solicit social security numbers or the last four digits of social security numbers from students or their parents/guardians unless otherwise required to do so by state or federal law (Education Code 49076.7)

32. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)

33. If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)

34. If the school serves high school students, submit to the Student Aid Commission, for use in the Cal Grant program, the grade point average (GPA) of all students in grade 12 and verification of high school graduation or its equivalent for students who graduated in the prior academic year. However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)

35. Develop a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, or child care motor vehicle and procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus (Education Code 39831.3)

36. Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)

a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.

b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.

37. Provide reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding (Education Code 222)

38. Ensure the availability and proper use of emergency epinephrine auto-injectors by: (Education Code 49414)

a. Providing school nurses or other voluntary, trained personnel with at least one regular and one junior device for elementary schools and, for secondary schools, one regular device if there are no students who require a junior device

b. Distributing a notice at least once per school year to all staff requesting volunteers and describing the training that volunteers will receive

c. Providing defense and indemnification to volunteers for any and all civil liability from such administration

39. If the school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, comply with the requirements of Education Code 49414.3, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist

40. If the school participates in the National School Lunch and/or Breakfast program, not promote any food or beverage during the school day that does not comply with state nutritional standards pursuant to Education Code 49430-49434, and not participate in a corporate incentive program that offers free or discounted non-nutritious foods or beverages as rewards for students who reach certain academic goals (Education Code 49431.9)

41. If the school participates in the National School Lunch and/or Breakfast program, notify parents/guardians within 10 days of their child's meal account reaching a negative balance; ensure that a student with unpaid school meal fees is not shamed, treated differently, or served a meal that differs from other students; and prohibit student discipline from resulting in the denial or delay of a nutritionally adequate meal (Education Code 49557.5)

42. If the school participates in the National School Lunch and/or Breakfast program and is a very high poverty school, as defined, apply to the California Department of Education (CDE) to provide lunch and/or breakfast free of charge to all students under a federal universal service provision (Education Code 49564)

43. Promptly respond to all reasonable inquiries from the district, the county office of education, or the SPI, including, but not limited to, inquiries regarding the school's financial records (Education Code 47604.3)

44. Annually prepare and submit financial reports to the district Governing Board and the County Superintendent of Schools in accordance with the following reporting cycle:

a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)

b. By July 1, an update of the school's goals and the actions to achieve those goals as identified in the charter, developed using the local control and accountability plan template adopted by the State Board of Education. This report shall include a review of the progress toward the goals, an assessment of the effectiveness of the specific actions toward achieving the goals, a description of changes the school will make to the specific actions as a result of the review and assessment, and a listing and description of expenditures for the fiscal year implementing the specific actions. (Education Code 47604.33, 47606.5, 52064)

When conducting this review, the governing body of the school may consider qualitative information including, but not limited to, findings that result from any school quality reviews conducted pursuant to Education Code 52052 or any other reviews. To the extent practicable, data shall be reported in a manner consistent with how information is reported on a school accountability report card. The update shall be developed in consultation with teachers, principals, administrators, other school personnel, parents/guardians and students. (Education Code 47606.5)

c. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)

d. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)

e. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)

f. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the State Controller and the California Department of Education. (Education Code 47605)

45. Post specified information related to the prohibition against discrimination under Title IX of the Education Amendments of 1972 in a prominent and conspicuous location on the school web site or on the web site of the charter operator (Education Code 221.61)

46. If a direct-funded charter school, adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600)

47. Annually adopt a school accountability report card (Education Code 47612; California Constitution, Article 16, Section 8.5)

In addition, charter schools shall comply with the state and federal constitutions, applicable federal laws, and state laws that apply to governmental agencies in general, such as the Brown Act requirements in Government Code 54950-54963 and the conflict of interest laws in Government Code 1090-1099 and 87100-91014.

CSBA Sample
Board Policy

Community Relations BP 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: To address prohibited discrimination and violations of state and federal laws governing educational programs, 5 CCR 4621 **mandates** districts to adopt uniform complaint procedures (UCP) consistent with the state's complaint procedures specified in 5 CCR 4600-4670. **See the section "Complaints Subject to UCP" below for a list of programs and activities subject to these procedures pursuant to state law.** ~~Pursuant to 5 CCR 4610, the a district's UCP must meet specified requirements for investigating and resolving complaints alleging (1) noncompliance with state and federal laws and regulations governing educational programs; (2) noncompliance with state law prohibiting the charging of student fees; and (3) unlawful discrimination (such as discriminatory harassment, intimidation, and bullying). Although some bullying incidents may not fall within the provisions of 5 CCR 4610, BP 5131.2 - Bullying strongly recommends that districts use the UCP to investigate all bullying incidents, regardless of whether there is an allegation of discriminatory bullying, to ensure consistent implementation by district staff. It is not always easy or possible for staff to know prior to an investigation whether a student was bullied because of his/her actual or perceived membership in a legally protected class. After investigation, bullying incidents found to involve unlawful discrimination would then be resolved using the UCP. Districts that are concerned about the capacity of a single district compliance officer to handle a possible increase in the number of UCP complaints, or that prefer to handle certain incidents at the school site level whenever possible, may designate multiple compliance officers in accordance with the accompanying administrative regulation.~~

~~Education Code 52075 **mandates** districts to adopt policies and procedures implementing the use of UCP to investigate and resolve complaints alleging noncompliance with requirements related to the local control and accountability plan. For plan requirements, see BP/AR 0460 - Local Control and Accountability Plan. In addition, state law authorizes the use of the UCP to resolve complaints of noncompliance with laws related to accommodations for lactating students; educational rights of foster youth, homeless students, former juvenile court school students, and children of military families;, assignment of students to courses without educational content; and physical education instructional minutes, as specified in items #3 and #6-9 below. Finally, a district should adopt policies and procedures implementing the use of the UCP to investigate and resolve complaints alleging retaliation in response to a complaint.~~

The California Department of Education (CDE) monitors district programs and operations for compliance with these requirements through its Federal Program Monitoring (FPM) process. The FPM consists of a review of (1) written district policies and procedures for required statements, including prohibition of discrimination (such as discriminatory harassment, intimidation, and bullying) against students pursuant to Education Code 234.1; and (2) records of required activities, such as annual notification provided to students, parents/guardians, employees, and other school community members.

The U.S. Department of Education's Office for Civil Rights (OCR) enforces **federal anti-discrimination laws, including** Title II of the Americans with Disabilities Act (~~20~~ **42** USC 12101-12213), Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000e-17), Title IX of the Education Amendments Act of 1972 (20 USC 1681-1688), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Age Discrimination Act of 1975 (42 USC 6101-6107). OCR has issued guidance describing federal requirements for discrimination complaint procedures. OCR requires such **complaint** procedures to be "prompt and equitable." ~~The factors~~ OCR ~~examines to~~ evaluates a district's procedures ~~are based on factors~~ specified in the accompanying administrative regulation, including whether ~~and how~~ the procedures (1) provide notice ~~of the procedures~~ to the district's students, parents/guardians, and employees; (2) ensure adequate, reliable, and

UNIFORM COMPLAINT PROCEDURES (continued)

impartial investigation of complaints; (3) contain reasonably prompt timeframes for major stages of the complaint process; (4) provide notice to the complainant of the resolution of the complaint; and (5) provide an assurance that action will be taken to prevent recurrence of any discrimination found and to correct its effects.

The following policy and accompanying administrative regulation reflect all components required by law and ~~are consistent with CDE's Sample UCP Board Policies and Procedures and~~ the FPM instrument. Additional details provided herein may help ~~school~~ districts ~~and county offices of education~~ during a compliance check by CDE or in the event that a CDE or OCR investigation occurs.

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to ~~the~~ UCP

Note: The FPM process includes a review of a district's policies and procedures to determine whether all district programs and activities that are subject to the UCP, as listed in the FPM instrument, are addressed. **Items #1-12 list all programs and activities identified in the FPM instrument. The district may revise the following items to reflect the programs it offers and the grade levels it serves.**

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

~~Note: The FPM process includes a review of a district's policies and procedures to determine whether all district programs and activities that are subject to the UCP, as listed in the FPM instrument, are addressed. Item #1 lists all programs identified on the FPM instrument and should be revised to reflect the programs offered by the district. If the district does not list all such programs in its policy, it is required to comment in the FPM which programs and activities are not in operation.~~

1. Any complaint alleging district violation of applicable state or federal laws or regulations governing **any program subject to the UCP which is offered by the district, including** adult education programs~~,~~**;** After School Education and Safety programs~~,~~**;** agricultural ~~vocational~~ **career technical** education~~,~~**;** American Indian education centers and early childhood education program assessments~~,~~**;** bilingual education~~,~~**; California ~~p~~Peer ~~a~~Assistance and ~~r~~Review programs for teachers~~,~~**; state** career technical and technical education**, career technical,** and **technical** training programs~~,~~**; federal career technical education;** child care and development programs~~,~~**;** child nutrition programs~~,~~**;** compensatory education~~,~~**;** consolidated categorical aid programs~~,~~**;** Economic Impact Aid~~,~~**;** ~~English learner programs, federal education programs in Title I-VII,~~ **the federal Every Student Succeeds Act;** migrant education~~,~~**;** Regional Occupational Centers and Programs~~,~~**;** school safety plans~~,~~**;**

UNIFORM COMPLAINT PROCEDURES (continued)

special education programs~~,~~; **California** State Preschool Programs~~,~~; Tobacco-Use Prevention Education programs~~,~~; and any other district-implemented **state categorical** program ~~which is listed in~~ **that is not funded through the local control funding formula pursuant to** Education Code 64000~~(a)~~

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5131.62 - Tobacco)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6200 - Adult Education)

~~Note: As amended by AB 699 (Ch. 493, Statutes of 2017), Education Code 200, 220, and 234.1 expressly include immigration status as a prohibited basis for discrimination in district programs and activities. See BP 0410 - Nondiscrimination in District Programs and Activities.~~

2. Any complaint**, by a student, employee, or other person participating in a district program or activity,** alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) ~~against any student, employee, or other person participating~~ in district programs and activities, including ~~, but not limited to,~~ **in** those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on ~~his/her~~ **the person's** association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 5146 - Married/Pregnant/Parenting Students)

Note: Education Code 46015, as added by AB 2289 (Ch. 942, Statutes of 2018), authorizes the use of UCP for complaints alleging the district's noncompliance with requirements related to the provision of parental leave to a pregnant or parenting student or other accommodations to which pregnant and parenting students are entitled pursuant to Education Code 46015.

4. Any complaint alleging district noncompliance with requirements to provide a pregnant or parenting student the accommodations specified in Education Code 46015, including those related to the provision of parental leave, right of return to the school of previous enrollment or to an alternative education program, if desired, and possible enrollment in school for a fifth year of instruction to enable the student to complete state and Board-imposed graduation requirements (Education Code 46015)

~~4.~~ **5.** Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)
(cf. 3320 - Claims and Actions Against the District)

Note: Pursuant to Education Code 52075, any complaint alleging noncompliance with the requirements of Education Code 52060-52077 may be filed in accordance with the district's UCP. Pursuant to Education Code 52064.1, as added by AB 1808 (Ch. 32, Statutes of 2018), by July 1, 2019 districts are required to develop a local control funding formula budget overview for parents/guardians in conjunction with the LCAP.

~~5.~~ **6.** Any complaint alleging district noncompliance with ~~legal~~ **applicable** requirements **of Education Code 52060-52077** related to the implementation of the local control and accountability plan**, including the development of a local control funding formula budget overview for parents/guardians** (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)

Note: Education Code 64001, as amended by AB 716 (Ch. 471, Statutes of 2018), provides for the use of UCP for complaints alleging noncompliance with requirements to develop a school plan for student achievement pursuant to Education Code 64001 and to establish a school site council pursuant to Education Code 65000-65001.

7. Any complaint alleging noncompliance with requirements related to the development of a school plan for student achievement or the establishment of a school site council, as required for the consolidated application for specified

UNIFORM COMPLAINT PROCEDURES (continued)

federal and/or state categorical funding (Education Code 64000-64001, 65000-65001)

(cf. 0420 - School Plans/Site Councils)

~~6.~~**8.** Any complaint, by or on behalf of ~~any~~ student who is a foster youth **as defined in Education Code 51225.2**, alleging district noncompliance with any ~~legal~~ requirement applicable to the student regarding placement decisions~~,~~**;** the responsibilities of the district's educational liaison to the student~~,~~**;** the award of credit for coursework satisfactorily completed in another school, ~~or~~ district, **or country;** school **or records** transfer~~,~~**;** or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173.1 - Education for Foster Youth)

Note: Items #~~7 8~~ **9-11** are for use by districts that maintain high schools.

~~As amended by AB 365 (Ch. 739, Statutes of 2017),~~**AB 2121 (Ch. 581, Statutes of 2018) amended** Education Code 51225.1 and 51225.2 **to add authorization to use the district's** ~~authorize the use of the~~ UCP for any complaint alleging the district's noncompliance with specified educational rights of ~~children of military families~~ **migrant students and of students enrolled in a newcomer program (i.e., a program designed to meet the academic and transitional needs of newly arrived immigrant students that has as a primary objective the development of English language proficiency). Also see AR 6175 - Migrant Education Program.**

~~7.~~**9.** Any complaint, by or on behalf of a **student who transfers into the district after the second year of high school and is a** homeless ~~student~~ **child or youth** as defined in 42 USC 11434a, a former juvenile court school student **currently enrolled in the district**, ~~or~~ a child of a military family as defined in Education Code 49701**, or a migrant student as defined in Education Code 54441,** ~~who transfers into the district after his/her second year of high school,~~ **or by or on behalf of an immigrant student participating in a newcomer program as defined in Education Code 51225.2 in the third or fourth year of high school,** alleging district noncompliance with any requirement applicable to the student regarding ~~the award of credit for coursework satisfactorily completed in another school or district or~~ the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1~~,~~ ~~51225.2~~)

(cf. 6173 - Education for Homeless Children)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)

10. Any complaint, by or on behalf of a student who is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student, a child of a

UNIFORM COMPLAINT PROCEDURES (continued)

military family as defined in Education Code 49701, a migrant child as defined in Education Code 54441, or a newly arrived immigrant student who is participating in a newcomer program as defined in Education Code 51225.2, alleging district noncompliance with requirements for the award of credit for coursework satisfactorily completed in another school, district, or country (Education Code 51225.2)

~~8.~~**11.** Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

(cf. 6152 - Class Assignment)

Note: Item #12 is for use by districts that maintain elementary schools.

~~9.~~**12.** Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

Note: 5 CCR 4621 **mandates** that district policy ensure that complainants are protected from retaliation as specified in item ~~#10~~ **13** below.

~~10.~~**13.** Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

Note: Pursuant to 5 CCR 4610, a district may, at its discretion, use the UCP to investigate and resolve other complaints.

~~11.~~**14.** Any other complaint as specified in a district policy

Note: 5 CCR 4631 authorizes the district to utilize alternative dispute resolution (ADR) methods, including mediation, to resolve complaints before initiating a formal investigation. However, the district should ensure that any ADR it uses, particularly "in-person ADR," is appropriate for the particular situation. For example, in some instances (e.g., sexual assault), face-to-face mediation should not be used, even if all parties voluntarily agree, given the risk that a student might feel pressured to "voluntarily" agree to it. The following **optional** paragraph provides for a neutral mediator and should be revised to reflect district practice.

UNIFORM COMPLAINT PROCEDURES (continued)

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

Note: The following paragraph is **mandated** pursuant to 5 CCR 4621. Appropriate disclosure will vary in each case depending on the facts and circumstances.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if ~~he/she is~~ different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

When an allegation that is not subject to ~~the~~ UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and ~~related~~ requirements **related to UCP**, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Note: It is important to maintain records of all UCP complaints and the investigations of those complaints. If the district is investigated by OCR or CDE, these are important documents in demonstrating that the district has complied with federal law, state law, and its own policies and regulations.

The Superintendent or designee shall maintain ~~records of all UCP complaints and the investigations of those complaints in accordance with applicable law and district policy.~~ a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

(cf. 3580 - District Records)

UNIFORM COMPLAINT PROCEDURES (continued)

Non-UCP Complaints

Note: 5 CCR 4611 details complaint issues that are not subject to ~~the~~ UCP. Such issues include, but are not limited to, allegations of child abuse, health and safety complaints regarding a child development program, allegations of fraud, and employment discrimination complaints.

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services~~, the County~~ Protective Services Division~~,~~ and the appropriate law enforcement agency.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Note: Complaints of employment discrimination are not subject to the UCP. Instead, pursuant to 2 CCR 11023, the district must establish an impartial and prompt process for addressing such complaints. In addition, 5 CCR 4611 requires that employment discrimination complaints be referred to the Department of Fair Employment and Housing (DFEH). See AR 4030 - Nondiscrimination in Employment for applicable complaint procedures.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment**, including the right to file the complaint with the California Department of Fair Employment and Housing**.

Note: Education Code 35186 requires the district to use ~~the~~ UCP, with modifications, to investigate and resolve complaints related to the issues stated in the following paragraph (i.e., "Williams complaints"). Because Education Code 35186 sets forth different timelines for investigation and resolution of these kinds of complaints than the timelines specified in law for other uniform complaints, CDE has created a separate uniform complaint process for the Williams complaints. See AR 1312.4 - Williams Uniform Complaint Procedures for the separate procedure.

In addition, Education Code 8235.5, as added by AB 1808, authorizes the use of Williams uniform complaint procedures to address any complaints alleging violations of health and safety requirements applicable to California State Preschool Programs (Education Code 8235-8239.1) that are exempt from licensing pursuant to Health and Safety Code 1596.792.

UNIFORM COMPLAINT PROCEDURES (continued)

Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, ~~or~~ teacher vacancies and misassignments**, or health and safety violations in any license-exempt California State Preschool Program** shall be investigated and resolved in accordance with the procedures in AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code **8235.5,** 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination
~~222 Reasonable accommodations; lactating students~~
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32280-32289 School safety plan, uniform complaint procedures
33380-33384 California Indian Education Centers
35186 Williams uniform complaint procedures
44500-44508 California Peer Assistance and Review Program for Teachers
46015 Parental leave for students
48853-48853.5 Foster youth
48985 Notices in language other than English
*49010-~~49013~~ **49014** Student fees*
*49060-49079 Student records**, especially:***
*49069.5 ~~**Rights of parents**~~ **Records of foster youth***
49490-49590 Child nutrition programs
49701 Interstate Compact on Educational Opportunity for Military Children
51210 Courses of study grades 1-6
51223 Physical education, elementary schools
*51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, ~~and~~ military-connected students**, migrant students, and newly arrived immigrant students**; course credits; graduation requirements*
51226-51226.1 Career technical education
51228.1-51228.3 Course periods without educational content
52060-52077 Local control and accountability plan, especially:
52075 Complaint for lack of compliance with local control and accountability plan requirements
52160-52178 Bilingual education programs
52300-52462 Career technical education
52500-52616.24 Adult schools
54000-54029 Economic Impact Aid
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56865 Special education programs
59000-59300 Special schools and centers

Legal Reference continued: (see next page)

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference: (continued)

EDUCATION CODE (continued)
64000-64001 Consolidated application process; ***school plan for student achievement***
65000-65001 School site councils
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act
HEALTH AND SAFETY CODE
1596.792 California Child Day Care Act; general provisions and definitions
1596.7925 California Child Day Care Act; health and safety regulations
104420 Tobacco-Use Prevention Education
PENAL CODE
422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege
CODE OF REGULATIONS, TITLE 2
11023 Harassment and discrimination prevention and correction
CODE OF REGULATIONS, TITLE 5
3080 ~~*Application of section*~~ ***Applicability of uniform complaint procedures to complaints regarding students with disabilities***
4600-~~*46874670*~~***4670*** *Uniform complaint procedures*
4680-4687 Williams uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX of the Education Amendments of 1972
6301-6576 Title I ~~*basic programs*~~ ***Improving the Academic Achievement of the Disadvantaged***
6801-7014 Title III language instruction for limited English proficient and immigrant students
~~*7101-7184 Safe and Drug-Free Schools and Communities Act*~~
~~*7201-7283g Title V promoting informed parental choice and innovative programs*~~
~~*7301-7372 Title V rural and low-income school programs*~~
~~*12101-12213 Title II equal opportunity for individuals with disabilities*~~
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
12101-12213 Title II equal opportunity for individuals with disabilities
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy Act
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Notification of nondiscrimination on the basis of age

Management Resources: (see next page)

UNIFORM COMPLAINT PROCEDURES (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Sample UCP Board Policies and Procedures
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter, September 22, 2017
Dear Colleague Letter: Title IX Coordinators, April 2015
*Dear Colleague Letter: **Responding to** Bullying of Students with Disabilities, ~~August 2013~~ **October 2014***
Dear Colleague Letter: Harassment and Bullying, October 2010
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
*Family Policy Compliance Office: ~~http://familypolicy.ed.gov~~**https://www2.ed.gov/policy/gen/guid/fpco***
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/ocr
U.S. Department of Justice: http://www.justice.gov

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Center Unified SD

Board Policy

Uniform Complaint Procedures

BP 1312.3
Community Relations

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to the UCP

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, After School Education and Safety programs, agricultural vocational education, American Indian education centers and early childhood education program assessments, bilingual education, peer assistance and review programs for teachers, career technical and technical education and training programs, child care and development programs, child nutrition programs, compensatory education, consolidated categorical aid programs, Economic Impact Aid, English learner programs, federal education programs in Title I-VII, migrant education, Regional Occupational Centers and Programs, school safety plans, special education programs, State Preschool Programs, Tobacco-Use Prevention Education programs, and any other district-implemented program which is listed in Education Code 64000(a)

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5131.62 - Tobacco)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)

(cf. 6200 - Adult Education)

2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

(cf. 5146 - Married/Pregnant/Parenting Students)

4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)
(cf. 3320 - Claims and Actions Against the District)

5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

6. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173.1 - Education for Foster Youth)

7. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, a former juvenile court school student, or a child of a military family as defined in Education Code 49701 who transfers into the district after his/her second year of high school, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)

(cf. 6173 - Education for Homeless Children)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)

8. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

(cf. 6152 - Class Assignment)

9. Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

10. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

11. Any other complaint as specified in a district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the

identity of the complainant, and/or the subject of the complaint if he/she is different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints in accordance with applicable law and district policy.

(cf. 3580 - District Records)

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment.

Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with the procedures in AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
222 Reasonable accommodations; lactating students
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32280-32289 School safety plan, uniform complaint procedures
33380-33384 California Indian Education Centers
35186 Williams uniform complaint procedures
44500-44508 California Peer Assistance and Review Program for Teachers
48853-48853.5 Foster youth
48985 Notices in language other than English
49010-49013 Student fees
49060-49079 Student records
49069.5 Rights of parents
49490-49590 Child nutrition programs
49701 Interstate Compact on Educational Opportunity for Military Children
51210 Courses of study grades 1-6
51223 Physical education, elementary schools
51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, and military-connected students; course credits; graduation requirements
51226-51226.1 Career technical education
51228.1-51228.3 Course periods without educational content
52060-52077 Local control and accountability plan, especially:
52075 Complaint for lack of compliance with local control and accountability plan requirements
52160-52178 Bilingual education programs
52300-52462 Career technical education
52500-52616.24 Adult schools
54000-54029 Economic Impact Aid
54400-54425 Compensatory education programs

54440-54445 Migrant education
54460-54529 Compensatory education programs
56000- 56865 Special education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act
HEALTH AND SAFETY CODE
104420 Tobacco-Use Prevention Education
PENAL CODE
422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege
CODE OF REGULATIONS, TITLE 2
11023 Harassment and discrimination prevention and correction
CODE OF REGULATIONS, TITLE 5
3080 Application of section
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX of the Education Amendments of 1972
6301-6576 Title I basic programs
6801-7014 Title III language instruction for limited English proficient and immigrant students
7101-7184 Safe and Drug-Free Schools and Communities Act
7201-7283g Title V promoting informed parental choice and innovative programs
7301-7372 Title V rural and low-income school programs
12101-12213 Title II equal opportunity for individuals with disabilities
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy Act
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
CODE OF FEDERAL REGULATIONS, TITLE 34
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Notification of nondiscrimination on the basis of age

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Sample UCP Board Policies and Procedures
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Title IX Coordinators, April 2015
Dear Colleague Letter: Bullying of Students with Disabilities, August 2013
Dear Colleague Letter: Harassment and Bullying, October 2010
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
Family Policy Compliance Office: http://familypolicy.ed.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/ocr
U.S. Department of Justice: http://www.justice.gov

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: June 13, 2018 Antelope, California

CSBA Sample
Administrative Regulation

Community Relations AR 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: 5 CCR 4621 **mandates** that the district's uniform complaint procedures (UCP) be consistent with the procedures of 5 CCR 4600-~~4687~~ **4670**. Additionally, Education Code 52075 **mandates** districts to adopt policies and procedures implementing the use of ~~the~~ UCP to investigate and resolve complaints alleging noncompliance with requirements related to the local control and accountability plan (LCAP).

Furthermore, a number of federal civil rights statutes and their implementing regulations mandate districts to adopt policies and procedures for the prompt and equitable resolution of complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). For example, all districts are **mandated** pursuant to 28 CFR 35.107 to adopt policy and procedures to address discrimination on the basis of disability, while districts that receive federal financial assistance are **mandated** pursuant to 34 CFR 106.8 and 34 CFR 110.25 to adopt such policies and procedures to address discrimination on the basis of sex and age. Some of the factors considered by the U.S. Department of Education's Office for Civil Rights (OCR) when determining whether a district's procedures are "prompt and equitable" are addressed throughout the following administrative regulation.

Apart from these mandates, state law authorizes the use of the UCP to resolve complaints of noncompliance with laws related to **the development of a school plan for student achievement and the establishment of school site councils;** accommodations for ~~lactating~~ **pregnant and parenting** students; prohibition against the charging of student fees; educational rights of foster youth, homeless students, former juvenile court school students, ~~and~~ children of military families**, migrant students, and students participating in a newcomer program for newly arrived immigrants**; assignment of students to courses without educational content; and physical education instructional minutes**. See the section "Complaints Subject to UCP",** ~~as specified~~ in the accompanying Board policy.

Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 4030 - Nondiscrimination in Employment)

Compliance Officers

Note: 5 CCR 4621 **mandates** the district to identify in its policies and procedures the person(s), position(s), or unit(s) responsible for ensuring compliance with applicable state and federal laws and regulations governing educational programs, including the receiving and investigating of complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and retaliation. During its Federal Program Monitoring (FPM) process, California Department of Education (CDE) staff will check to ensure that the district's procedures list the specific title(s) of the employee(s) responsible for receiving and investigating complaints. Districts should identify the specific title(s) of the compliance officer(s) in the space provided below. If a district identifies multiple compliance officers, it is recommended that one be designated the "lead compliance officer."

UNIFORM COMPLAINT PROCEDURES (continued)

The district designates the individual(s), **position(s), or unit(s)** identified below as ~~the employee(s)~~ responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), **position(s), or unit(s)** also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment ~~as the~~ responsible ~~employee(s) to handle~~ **for handling** complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The ~~individual(s)~~ **compliance officer(s)** shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

Director of Student Services
8408 Watt Avenue
Antelope, CA 95843
(916) 338-6413

Note: The following paragraph is for use by districts that have designated more than one compliance officer.

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which ~~he/she~~ **the compliance officer** has a bias or conflict of interest that would prohibit ~~him/her from fairly investigating or resolving~~ **the fair investigation or resolution of** the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

Note: 5 CCR 4621 **mandates** that the district's policy provide that employees responsible for compliance and/or for investigating and resolving complaints are knowledgeable about the laws and programs at issue in the complaints they are assigned. OCR requires that the compliance officer(s) involved in implementing discrimination complaint procedures be knowledgeable about the procedures and be able to explain them to parents/guardians and students. They must also have training or experience in handling discrimination

UNIFORM COMPLAINT PROCEDURES (continued)

complaints, including appropriate investigative techniques and understanding of the applicable legal standards.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)
(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

Note: ~~5 CCR 4622 requires the district to include specified information in its annual UCP notice to students, parents/guardians, employees, and others. Education Code 51225.1-51225.2, as amended by AB 365 (Ch. 739, Statutes of 2017), require that the notice include information about specified educational rights of children of military families who transfer into the district after their second year of high school. Districts that do not maintain high schools may revise the following paragraph to delete notification related to the rights of homeless students, former juvenile court school students, and children of military families.~~

During the FPM process, CDE staff will check to ensure that the district's policy contains a statement ensuring annual dissemination of notice of the district's UCP to the persons specified below. ~~A sample of the annual notice is available through the CDE web site. In addition, 28 CFR 35.107, 34 CFR 106.8, and 34 CFR 110.25 require the district to publish its complaint procedures covering unlawful discrimination.~~

In addition, the ~~The~~ Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district

UNIFORM COMPLAINT PROCEDURES (continued)

advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. ~~The notification shall include information regarding the prohibition of discrimination, harassment, intimidation, and bullying; unlawful student fees; local control and accountability plan (LCAP) requirements; and requirements related to the educational rights of foster youth, homeless students, former juvenile court school students, and children of military families. (Education Code 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51225.1, 51225.2, 52075;~~ (5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)
~~(cf. 0460 - Local Control and Accountability Plan)~~
(cf. 1220 - Citizen Advisory Committees)
~~(cf. 3260 - Fees and Charges)~~
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)
~~(cf. 6173 - Education for Homeless Children)~~
~~(cf. 6173.1 - Education for Foster Youth)~~
~~(cf. 6173.2 - Education of Children of Military Families)~~
~~(cf. 6173.3 - Education for Juvenile Court School Students)~~

Note: 5 CCR 4622 requires the district to include specified information in its annual UCP notice to students, parents/guardians, employees, and others. During the FPM process, CDE staff will check the notice to ensure that it contains ~~a summary of the complaint procedures as specified in items #1-4 below~~ **the components specified below**.

A sample of the annual notice is available through the CDE web site. **It is the district's responsibility to update the notice as necessary to reflect new law.**

~~The notice shall:~~

~~1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints~~

~~2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable~~

~~3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).~~

~~4. Include statements that:~~

~~a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.~~

UNIFORM COMPLAINT PROCEDURES (continued)

b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.

c. A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.

d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.

e. If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation confirms that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.

f. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

Note: Education Code 52075 requires that information regarding LCAP requirements be included in the district's annual UCP notification. See BP/AR 0460 - Local Control and Accountability Plan for details of the LCAP and specific requirements for its adoption and implementation.

g. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.

Note: Pursuant to Education Code 48853, 48853.5, and 49069.5, as well as 51225.1-51225.2 as amended by AB 365 (Ch. 739, Statutes of 2017), the UCP notice must include information regarding certain educational

UNIFORM COMPLAINT PROCEDURES (continued)

rights of foster youth, homeless students, former juvenile court school students, and children of military families, as provided in items #4h and i below. Pursuant to Education Code 48853.5, CDE is required to develop a standardized notice of the rights of foster youth in consultation with the California Foster Youth Education Task Force, and to make it available for dissemination by posting it on its Internet Web site.

h. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.

i. A foster youth, homeless student, former juvenile court school student, or child of a military family who transfers into a district high school or between district high schools as applicable, shall be notified of the district's responsibility to:

(1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed

(2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency

(3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1

j. The complainant has a right to appeal the district's decision to CDE by filing a written appeal within 15 calendar days of receiving the district's decision.

Note: Pursuant to federal law, including 34 CFR 106.8, the district is required to establish "prompt and equitable" procedures for investigating and resolving complaints alleging unlawful discrimination. The following statement reflects OCR's interpretation of such provisions as requiring fairness and equity not just for a complainant but for a respondent as well.

In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with CDE in the same manner as the complainant, if he/she is dissatisfied with the district's decision.

UNIFORM COMPLAINT PROCEDURES (continued)

~~k. The appeal to CDE must include a copy of the complaint filed with the district and a copy of the district's decision.~~

~~Note: CDE staff will review the notice during the FPM process to ensure that the public is made aware of the district's obligation to provide copies of the UCP free of charge pursuant to 5 CCR 4622.~~

~~l. Copies of the district's UCP are available free of charge.~~

The notice shall include:

1. **A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group and all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy**

2. **A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint**

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3260 - Fees and Charges)

3. **A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities**

4. **A statement that a complaint regarding student fees must be filed no later than one year from the date the alleged violation occurred**

5. **A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process**

(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)
(cf. 6175 - Migrant Education Program)

UNIFORM COMPLAINT PROCEDURES (continued)

6. **Identification of the responsible staff member(s), position(s), or unit(s) designated to receive complaints**

7. **A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant**

8. **A statement that the complainant has a right to appeal the district's decision to CDE by filing a written appeal, including a copy of the original complaint and the district's decision, within 15 days of receiving the district's decision**

9. **A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable**

10. **A statement that copies of the district's UCP are available free of charge**

Note: The following paragraph may be modified to reflect district practice. Pursuant to Education Code 221.61, districts are required to post information related to Title IX on their web sites, including specified information about complaint procedures under Title IX. See AR 5145.3 - Nondiscrimination/Harassment. A district that does not maintain a web site may comply by posting the information on the web site of its county office of education. A comprehensive list of rights based on the provisions of the federal regulations implementing Title IX can be found in Education Code 221.8. In addition, in its April 2015 Dear Colleague Letter: Title IX Coordinators, OCR recommends that districts use web posting and social media to disseminate their nondiscrimination notices, policies, and procedures and communicate current compliance officer(s)' contact information to students, parents/guardians, and employees.

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)

Note: Both federal and state laws contain requirements for translation of certain information and documents. Title VI of the Civil Rights Act of 1964 requires ~~school~~ districts to ensure meaningful access to their programs and activities by persons with limited English proficiency. OCR has interpreted this to require that, whenever information is provided to parents/guardians, districts must notify limited-English-proficient (LEP) parents/guardians in a language other than English in order to be adequate. OCR enforces this requirement consistent with the Department of Justice's 2002 Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. Under the Guidance, a recipient of federal funds has an obligation to provide language assistance to LEP individuals based on balancing four factors: (1) the number or proportion of LEP

UNIFORM COMPLAINT PROCEDURES (continued)

individuals likely to encounter the program, (2) the frequency with which LEP individuals come in contact with the program, (3) the nature and importance of the services provided by the program, and (4) the resources available to the recipient. State law is more specific than federal law: Education Code 48985 requires translation of certain information and documents if 15 percent or more of students enrolled in the school speak a single primary language other than English.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

~~**District Responsibilities**~~

~~Note: 5 CCR 4631 requires that UCP complaints be investigated and completely resolved within 60 calendar days of the receipt of the complaint. Pursuant to 5 CCR 4640, when a UCP complaint is erroneously sent to CDE without first being filed with the district, the 60-day period specified in 5 CCR 4631 begins when the district receives the complaint.~~

~~All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)~~

~~Note: The following paragraph reflects a recommendation by OCR to ensure equity in the resolution process of a complaint alleging unlawful discrimination and may be modified to reflect district practice.~~

~~For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.~~

~~The compliance officer shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.~~

~~All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)~~

UNIFORM COMPLAINT PROCEDURES (continued)

~~All complainants shall be protected from retaliation.~~

Filing of Complaints

Note: Complaints filed under UCP may be filed directly with a compliance officer or with any site administrator not designated as a compliance officer. For example, acts of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may initially be reported to a principal. See AR 5145.3 - Nondiscrimination/Harassment and AR 5145.7 - Sexual Harassment. If a site administrator not designated as a compliance officer receives a UCP complaint, ~~he/she~~ **the site administrator** must notify a compliance officer. A district may also establish a site-level process for receiving informal reports about incidents for which a UCP complaint may be filed and notifying students and parents/guardians of their right to file a UCP complaint. Any site-level process established by a district should be in writing and distributed in the same manner as the grievance procedures listed herein with an explanation of how it interacts with the UCP complaint process.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist ~~him/her~~ in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to ~~the~~ UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)

Note: Education Code 49013 **mandates** districts to adopt procedures that allow for anonymous complaints to be filed when a district allegedly violates the prohibition against the charging of student fees. Pursuant to Education Code 52075, anonymous complaints are permitted with regard to the LCAP, as long as evidence, or information leading to evidence, to support the allegation of noncompliance is provided in the complaint.

2. Any complaint alleging noncompliance with law regarding the prohibition against ~~requiring students to pay~~ student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)

UNIFORM COMPLAINT PROCEDURES (continued)

3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by ~~a~~ persons who alleges that ~~he/she~~ **they have** personally suffered ~~the~~ unlawful discrimination or ~~by a person~~ who believes that an individual or any specific class of individuals has been subjected to ~~it~~ **unlawful discrimination**. The complaint shall be initiated no later than six months from the date ~~when~~ **that** the alleged unlawful discrimination occurred, or six months from the date ~~when~~ **that** the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

Note: OCR's Revised Sexual Harassment Guidance indicates that if a complainant in a sexual harassment case requests that ~~his/her~~ **the complainant's** name or that of the victim not be revealed to the alleged perpetrator or asks that the complaint not be pursued, the district should first inform the complainant that honoring the request may limit its ability to respond and pursue disciplinary action against the alleged perpetrator. The OCR publication acknowledges that situations may exist in which a district cannot honor a student's request for confidentiality, but cautions that, in all instances, the district must still continue to ensure that it provides a safe and nondiscriminatory environment for all students. Districts should consult legal counsel before honoring a confidentiality request to withhold the victim's name from the alleged perpetrator, especially in the case of alleged sexual assault. These guiding principles would also apply to harassment on the basis of race, gender, disability, or other protected characteristic.

5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when ~~he/she is~~ not the complainant, requests confidentiality, the compliance officer shall inform ~~him/her~~ **the complainant or victim** that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

Note: The following section should be used only by those districts that have decided to establish procedures for attempting to resolve complaints through alternative dispute resolution procedures such as mediation; see the accompanying Board policy. **The following section may be modified to specify the alternative dispute resolution method and timelines used within the district.**

UNIFORM COMPLAINT PROCEDURES (continued)

Within three business days after ~~the compliance officer receives~~ **receiving** the complaint, ~~he/she~~ **the compliance officer** may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with ~~his/her~~ **an** investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Note: 5 CCR 4631, which requires the district to provide the complainant with the opportunity to present relevant information, does not provide any timeline. Thus, **the timeline specified below may be modified to reflect district practice**.

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or ~~his/her~~ **the complainant's** representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or ~~his/her~~ representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

Note: In ~~his/her~~ **the** investigation, the compliance officer should consider all relevant circumstances, such as how the misconduct affected one or more students' education; the type, frequency, and duration of the misconduct; the identity, age, and sex of the individuals involved in and impacted by the conduct and the relationship between them; the number of persons engaged in the conduct and at whom the conduct was directed; the size of the school, location of the incidents, and context in which they occurred; and other incidents at the school involving different individuals.

UNIFORM COMPLAINT PROCEDURES (continued)

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. ~~He/she~~ **The compliance officer** shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

Note: 5 CCR 4631 allows the district to dismiss a complaint when the complainant refuses to provide the investigator with relevant documents or otherwise obstructs the investigation. 5 CCR 4631 also provides that, if the district refuses to provide the investigator with access to records or other documents, the investigator may issue a finding in favor of the complainant. During the FPM process, CDE staff will check to ensure that both of these statements regarding the provision of access to information are included in the district's policy or procedures, as specified below.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

~~Note: In determining the truth of any allegation, the district should apply the correct standard of proof to the situation. For example, with allegations of unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) or retaliation, OCR uses the "preponderance of the evidence" (more likely than not) standard. Any standard of proof that is more rigorous than required by law could subject a district to liability.~~

UNIFORM COMPLAINT PROCEDURES (continued)

~~The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.~~

~~Report of Findings~~ Timeline for Final Decision

Note: Pursuant to 5 CCR 4631, the district's written decision must be sent to the complainant within 60 calendar days of receiving the complaint. Option 1 below is for districts that do not allow complainants to appeal the compliance officer's decision to the Governing Board. Option 2 is for districts that allow appeals to the Board, and it requires the compliance officer's decision within 30 calendar days so that the Board's decision can still be given within the 60-day time limit.

Pursuant to 5 CCR 4631, only a complainant has the right to receive a written report and to file ~~his/her~~ a complaint with the Board if dissatisfied with the compliance officer's decision. However, OCR has recommended that the same rights be extended to a respondent to a complaint alleging unlawful discrimination to ensure the process is equitable for all involved. Furthermore, OCR recommends notifying the respondent in such a complaint whenever the complainant approves an extension of the timeline. Options 1 and 2 reflect these recommendations and may be modified to reflect district practice.

Pursuant to 5 CCR 4640, when a UCP complaint is erroneously sent to CDE without first being filed with the district, the 60-day period specified in 5 CCR 4631 begins when the district receives the complaint.

OPTION 1:

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant~~, and respondent if there is one,~~ a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent the district's final written decision at the same time it is provided to the complainant.

~~OPTION 2:~~

~~Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, he/she **the complainant** may, within five business days, file his/her **the** complaint in writing with the Board.~~

UNIFORM COMPLAINT PROCEDURES (continued)

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. When required by law, the matter shall be considered in closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

In resolving **For** any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent **shall be informed of any extension of the timeline agreed to by the complainant,** also shall be sent the district's **final written** decision, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Final Written Decision

The district's decision on how it will resolve the complaint shall be in writing and shall be sent to the complainant and respondent. (5 CCR 4631)

Note: The Family Educational Rights and Privacy Act (FERPA) (20 USC 1232g; 34 CFR 99.1-99.67) protects student privacy, including student records containing details of the actions taken in response to a UCP complaint. However, pursuant to 20 USC 1221, FERPA may not "be construed to affect the applicability of Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Title V of the Rehabilitation Act of 1973, the Age Discrimination Act, or other statutes prohibiting discrimination, to any applicable program." In February 2015, the Family Policy Compliance Office (FPCO), the federal agency which administers FERPA, released a letter concluding that FERPA permits a district to disclose to a student who was subjected to unlawful discrimination certain information about the sanctions imposed upon the offender when the sanctions directly relate to that student. Thus, if properly remedying the impact of discrimination would require disclosing to the alleged victim certain information on how the district disciplined the alleged student offender (e.g., an order that the alleged offender stay away from the alleged victim), FPCO interprets FERPA as allowing the district to disclose that information.

Given the potential liability from improperly disclosing such information, districts are advised to consult with legal counsel when presented with a situation where a victim of unlawful discrimination requests information about sanctions imposed upon the offender.

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as

UNIFORM COMPLAINT PROCEDURES (continued)

~~discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.~~

~~Note: Education Code 48985 requires that reports sent to parents/guardians be written in their primary language when 15 percent or more of a school's enrolled students speak a single primary language other than English. During the FPM process, CDE staff will check to ensure compliance with this requirement. Based on Title VI of the Civil Rights Act of 1964, OCR requires districts to ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.~~

~~If the complaint involves a limited English proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.~~

Note: 5 CCR 4631 and guidance provided by OCR specify components that should be part of the district's decision. Inclusion of these items will help protect the district's position in case of an appeal to CDE, a complaint submitted to OCR, or if litigation is filed.

For all complaints, the **district's final written** decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:

   a. Statements made by any witnesses

   b. The relative credibility of the individuals involved

   c. How the complaining individual reacted to the incident

   d. Any documentary or other evidence relating to the alleged conduct

   e. Past instances of similar conduct by any alleged offenders

   f. Past false allegations made by the complainant

2. The conclusion(s) of law

3. Disposition of the complaint

4. Rationale for such disposition

UNIFORM COMPLAINT PROCEDURES (continued)

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

a. The manner in which the misconduct affected one or more students' education

b. The type, frequency, and duration of the misconduct

c. The relationship between the alleged victim(s) and offender(s)

d. The number of persons engaged in the conduct and at whom the conduct was directed

e. The size of the school, location of the incidents, and context in which they occurred

f. Other incidents at the school involving different individuals

5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

a. The corrective actions imposed on the respondent

b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.

c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence

6. Notice of the complainant's and respondent's right to appeal the district's decision to CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

UNIFORM COMPLAINT PROCEDURES (continued)

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

Note: The Family Educational Rights and Privacy Act (FERPA) (20 USC 1232g; 34 CFR 99.1-99.67) protects student privacy, including student records containing details of the actions taken in response to a UCP complaint. However, pursuant to 20 USC 1221, FERPA may not "be construed to affect the applicability of Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Title V of the Rehabilitation Act of 1973, the Age Discrimination Act, or other statutes prohibiting discrimination, to any applicable program." In February 2015, the Family Policy Compliance Office (FPCO), the federal agency which administers FERPA, released a letter concluding that FERPA permits a district to disclose to a student who was subjected to unlawful discrimination certain information about the sanctions imposed upon the offender when the sanctions directly relate to that student. Thus, if properly remedying the impact of discrimination would require disclosing to the alleged victim certain information on how the district disciplined the alleged student offender (e.g., an order that the alleged offender stay away from the alleged victim), FPCO interprets FERPA as allowing the district to disclose that information.

Given the potential liability from improperly disclosing such information, districts are advised to consult with legal counsel when presented with a situation where a victim of unlawful discrimination requests information about sanctions imposed upon the offender.

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

Note: Education Code 48985 requires that reports sent to parents/guardians be written in their primary language when 15 percent or more of a school's enrolled students speak a single primary language other than English. During the FPM process, CDE staff will check to ensure compliance with this requirement. Based on Title VI of the Civil Rights Act of 1964, OCR requires districts to ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved ~~attends~~ **is enrolled in** a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language **pursuant to Education Code 48985**. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

Note: During the FPM process, CDE staff will expect to see a statement detailing a complainant's right to pursue civil law remedies (i.e., action in a court of law) in addition to or in conjunction with the right to pursue administrative remedies from CDE.

UNIFORM COMPLAINT PROCEDURES (continued)

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. ~~He/she~~ **The complainant** may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3)

2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)

3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

Note: The following section may be revised to reflect district practice.

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

(cf. 5137 - Positive School Climate)

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling

(cf. 6164.2 - Guidance/Counseling Services)

2. Academic support

3. Health services

4. Assignment of an escort to allow the victim to move safely about campus

UNIFORM COMPLAINT PROCEDURES (continued)

5. Information regarding available resources and how to report similar incidents or retaliation

6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim

7. Restorative justice

8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

~~9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint~~

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law

2. Parent/guardian conference

3. Education regarding the impact of the conduct on others

4. Positive behavior support

5. Referral to a student success team

(cf. 6164.5 - Student Success Teams)

6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law

(cf. 6145 - Extracurricular and Cocurricular Activities)

7. Disciplinary action, such as suspension or expulsion, as permitted by law

(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

Note: Generally, when a complaint is found to have merit, an appropriate remedy is provided to the complainant or other affected person. However, in certain instances, the law may require a remedy to be provided to all affected persons, not just the complainant or subject of the complaint. For example, pursuant to Education Code 49013 and 5 CCR 4600, if the district, or CDE on appeal, finds merit in the complaint alleging noncompliance with the law regarding student fees and charges, the district is required to provide a remedy to all affected students and parents/guardians, as specified below. The same requirement applies to allegations of noncompliance with the LCAP requirements, pursuant to Education Code 52075, and to noncompliance with required instructional minutes for elementary students' physical education, pursuant to Education Code 51223. Districts that do not maintain elementary schools should delete reference to physical education ~~from the following paragraph~~ **below**.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if ~~If~~ a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Note: 5 CCR 4632-4633 provide that ~~any~~ complainants may appeal **to CDE if they disagree with** the district's decision **on any matter within the scope of the UCP** ~~to CDE~~, as provided below. ~~Pursuant to Education Code 49013, the district is mandated to adopt procedures that include the right to appeal to CDE, in accordance with 5 CCR 4632, when a complainant is dissatisfied with the district's decision on his/her complaint alleging noncompliance with the law that prohibits districts from requiring students to pay fees, deposits, or charges for their participation in educational activities. Such procedures are also mandated by Education Code 52075 with regard to complaints alleging noncompliance with requirements related to the LCAP.~~

UNIFORM COMPLAINT PROCEDURES (continued)

~~Authority to appeal the district's decision is also available to a complainant who alleges noncompliance with laws regarding (1) the provision of reasonable accommodation to a lactating student; (2) the educational rights of foster youth, homeless students, former juvenile court school students, and children of military families; (3) the assignment of a high school student to a course without educational content; and (4) the required instructional minutes for elementary students' physical education, as specified in items #3 and #6-9 of the accompanying Board policy.~~

Any complainant who is dissatisfied with the district's final written decision ~~of~~ **on** a complaint regarding any specified federal or state educational program subject to ~~the~~ UCP may file an appeal in writing with CDE within 15 calendar days of receiving the district's decision. (~~Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075;~~ 5 CCR 4632)

The complainant ~~or respondent~~ shall specify the basis for the appeal of the decision and how the facts of the district's decision are incorrect and/or the law has been misapplied. The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's decision in that complaint. (5 CCR 4632)

Note: Although not required pursuant to 5 CCR 4631-4633, OCR recommends that the right to appeal the district's decision to CDE be extended to the respondent to an allegation of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) to ensure fairness for all parties involved. The following paragraphs reflect OCR's recommendation.

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, ~~he/she~~ **the respondent**, in the same manner as the complainant, may file an appeal with CDE.

Upon notification by CDE that the ~~complainant or respondent has appealed the~~ district's decision **has been appealed**, the Superintendent or designee shall forward the following documents to CDE: (5 CCR 4633)

1. A copy of the original complaint

2. A copy of the written decision

3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision

4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator

5. A report of any action taken to resolve the complaint

UNIFORM COMPLAINT PROCEDURES (continued)

6. A copy of the district's ~~uniform complaint procedures~~ **UCP**

7. Other relevant information requested by CDE

Note: CDE may directly intervene in a complaint without waiting for action by the district when certain conditions exist, including the following: (1) the complaint alleges failure to comply with the UCP, including failure to follow the required timelines and failure to implement the final written decision; (2) the complainant requires anonymity due to the possibility of retaliation and would suffer immediate and irreparable harm if a complaint was filed and the complainant was named; (3) the complainant ~~alleges that he/she~~ would suffer immediate and irreparable harm as a result of an application of a districtwide policy that is in conflict with state or federal law and that filing a complaint would be futile; (4) the complainant alleges failure to comply with the due process procedures established pursuant to special education law and regulation to implement a due process hearing order; (5) the complainant alleges facts that indicate that one or more students may be in immediate physical danger or that the health, safety, or welfare of one or more students is threatened; or (6) the complainant alleges failure to follow a student's individualized education program.

Policy Reference UPDATE Service
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Center Unified SD

Administrative Regulation

Uniform Complaint Procedures

AR 1312.3
Community Relations

Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 4030 - Nondiscrimination in Employment)

Compliance Officers

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee(s) to handle complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The individual(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

Director of Student Services
8408 Watt Avenue
Antelope, CA 95843
(916) 338-6413

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how

the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures.

Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)
(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. The notification shall include information regarding the prohibition of discrimination, harassment, intimidation, and bullying; unlawful student fees; local control and accountability plan (LCAP) requirements; and requirements related to the educational rights of foster youth, homeless students, former juvenile court school students, and children of military families. (Education Code 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51225.1, 51225.2, 52075; 5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 1220 - Citizen Advisory Committees)

(cf. 3260 - Fees and Charges)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints

2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable

3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).

4. Include statements that:

a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.

b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.

c. A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.

d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.

e. If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation confirms that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.

f. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

g. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.

h. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.

i. A foster youth, homeless student, former juvenile court school student, or child of a military family who transfers into a district high school or between district high schools as applicable shall be notified of the district's responsibility to:

(1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed

(2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency

(3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1

j. The complainant has a right to appeal the district's decision to CDE by filing a written appeal within 15 calendar days of receiving the district's decision.

In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with CDE in the same manner as the complainant, if he/she is dissatisfied with the district's decision.

k. The appeal to CDE must include a copy of the complaint filed with the district and a copy of the district's decision.

l. Copies of the district's UCP are available free of charge.

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

District Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.

The compliance officer shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

All complainants shall be protected from retaliation.

Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to the UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)

2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)

3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when he/she is not the complainant, requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary

action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the

course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Report of Findings

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant, and respondent if there is one, a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

In resolving any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent also shall be sent the district's decision and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Final Written Decision

The district's decision on how it will resolve the complaint shall be in writing and shall be sent to the complainant and respondent. (5 CCR 4631)

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:

a. Statements made by any witnesses

b. The relative credibility of the individuals involved

c. How the complaining individual reacted to the incident

d. Any documentary or other evidence relating to the alleged conduct

e. Past instances of similar conduct by any alleged offenders

f. Past false allegations made by the complainant

2. The conclusion(s) of law

3. Disposition of the complaint

4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of

the following:

a. The manner in which the misconduct affected one or more students' education

b. The type, frequency, and duration of the misconduct

c. The relationship between the alleged victim(s) and offender(s)

d. The number of persons engaged in the conduct and at whom the conduct was directed

e. The size of the school, location of the incidents, and context in which they occurred

f. Other incidents at the school involving different individuals

5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

a. The corrective actions imposed on the respondent

b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.

c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence

6. Notice of the complainant's and respondent's right to appeal the district's decision to CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with CDE. (Education Code

262.3)

2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)

3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling

2. Academic support

3. Health services

4. Assignment of an escort to allow the victim to move safely about campus

5. Information regarding available resources and how to report similar incidents or retaliation

6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim

7. Restorative justice

8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation or unlawful discrimination (such as discriminatory

harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law

2. Parent/guardian conference

3. Education regarding the impact of the conduct on others

4. Positive behavior support

5. Referral to a student success team

6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law

7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision of a complaint regarding any specified federal or state educational program subject to the UCP may file an appeal in writing with CDE within 15 calendar days of receiving the district's decision. (Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, he/she, in the same manner as the complainant, may file an appeal with CDE.

The complainant or respondent shall specify the basis for the appeal of the decision and how the facts of the district's decision are incorrect and/or the law has been misapplied. The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's decision in that complaint. (5 CCR 4632)

Upon notification by CDE that the complainant or respondent has appealed the district's decision, the Superintendent or designee shall forward the following documents to CDE: (5 CCR 4633)

1. A copy of the original complaint

2. A copy of the written decision

3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision

4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator

5. A report of any action taken to resolve the complaint

6. A copy of the district's uniform complaint procedures

7. Other relevant information requested by CDE

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: June 13, 2018 Antelope, California

CSBA Sample
Administrative Regulation

Community Relations AR 1312.4(a)

WILLIAMS UNIFORM COMPLAINT PROCEDURES

Note: Education Code 35186 **mandates** that districts establish policies and procedures to address complaints regarding insufficiency of textbooks and instructional materials, teacher vacancy or misassignment, and emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff. ~~These procedures are no longer required for complaints of deficiencies related to the provision of intensive instruction and services to students who have not passed one or both parts of the high school exit examination after the completion of grade 12 since that categorical program was eliminated pursuant to AB 97 (Ch. 47, Statutes of 2013).~~ **When such a complaint is filed with the district, the district is required to investigate and resolve the complaint in accordance with the Williams uniform complaint procedures established pursuant to 5 CCR 4680-4687. In addition, pursuant to Education Code 8235.5, as added by AB 1808 (Ch. 32, Statutes of 2018), California State Preschool Programs (CSPP) (Education Code 8235-8239.1) that are exempt from licensing pursuant to Health and Safety Code 1596.792 must utilize district complaint procedures, with modifications as necessary, to resolve allegations of noncompliance with applicable health and safety requirements. The Legislative Counsel's Digest of AB 1808 clarifies that the Williams uniform complaint procedures are the applicable procedures.**

~~Education Code 35186 requires that districts post notices concerning these complaint procedures in each classroom. 5 CCR 4680-4687 further delineate legal requirements for the complaint form and notice. See the accompanying exhibits for a sample notices and complaint forms.~~

It is recommended that districts use these procedures only for complaints ~~regarding insufficiency of textbooks and instructional materials, teacher vacancy or misassignment, and emergency or urgent facilities conditions~~ **specified in law and this administrative regulation**. See BP/AR 1312.3 - Uniform Complaint Procedures for a discussion of the types of complaints subject to the ~~The~~ uniform complaint procedures ~~specified in~~ **established pursuant to** 5 CCR 4600-4670. ~~should be used, as required, for a complaint alleging (1) failure to comply with state and federal laws governing educational programs; (2) unlawful discrimination, harassment, intimidation, or bullying; (3) violation of the prohibition against requiring students to pay fees, deposits, or other charges unless authorized by law; (4) noncompliance with legal requirements pertaining to the local control and accountability plan; (5) retaliation against a complainant or other participant in the complaint process or anyone who has otherwise acted to uncover or report alleged wrongdoing in the district; or (6) any other complaint as specified in a district policy; see BP/AR 1312.3 - Uniform Complaint Procedures.~~ For procedures related to complaints about employees, see BP/AR 1312.1 - Complaints Concerning District Employees. For complaints concerning the district's adoption and selection of specific instructional materials, see BP/AR 1312.2 - Complaints Concerning Instructional Materials. For complaints regarding the district's nutrition program, see BP 3555 - Nutrition Program Compliance.

Types of Complaints

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following: ~~(Education Code 35186; 5 CCR 4680-4683)~~

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

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

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

b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.

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

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

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

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

a. A semester begins and a teacher vacancy exists.

b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.

(cf. 4112.22 - Staff Teaching English Learners)

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

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

Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester. (5 CCR 4600)

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

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

(cf. 4112.2 - Certification)
(cf. 4113 - Assignment)

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

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

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

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

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

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

Note: The following optional paragraph is for use by districts that maintain any of grades 6-12. Education Code 35292.6 requires a school that serves any of grades 6-12 and meets a 40 percent student poverty threshold, as defined in 20 USC 6314, to stock at least 50 percent of the school's

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

restrooms with feminine hygiene products for use in connection with the menstrual cycle, and to not charge students for such products. See AR 3517 - Facilities Inspection. Although Education Code 35292.6 does not require a complaint process, it is recommended that the Williams uniform complaint procedures be used to address any allegation of noncompliance with Education Code 35292.6 in order to ensure consistency in the procedures that districts use to address allegations of noncompliance with all restroom maintenance requirements.

~~**In any district school serving any of grades 6-12 in which 40 percent or more of the students in the school or school attendance area are from low-income families, as defined in 20 USC 6314, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to stock, at all times, at least half of the restrooms in the school with feminine hygiene products and to not charge students for the use of such products.**~~

(cf. 3514 - Environmental Safety)
(cf. 3517 - Facilities Inspection)

Note: Item #4 is for use by districts that operate one or more CSPP programs which are exempt from licensure by Health and Safety Code 1596.792 and are subject to the health and safety requirements of Health and Safety Code 1596.7925, as added by AB 1808. Pursuant to Health and Safety Code 1596.7925, the California Department of Education (CDE) must adopt regulations by July 1, 2019, that contain the program requirements specified below.

~~**4. Complaints regarding the noncompliance of a license-exempt California State Preschool Program (CSPP) with health and safety standards specified in Health and Safety Code 1596.7925 and related state regulations, including any complaint alleging that: (Education Code 8235.5; Health and Safety Code 1596.7925)**~~

~~**a. The preschool does not have outdoor shade that is safe and in good repair.**~~

~~**b. Drinking water is not accessible and/or readily available throughout the day.**~~

~~**c. The preschool does not provide safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children.**~~

~~**d. Restroom facilities are not available only for preschoolers and kindergartners.**~~

~~**e. The preschool program does not provide visual supervision of children at all times.**~~

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

~~f. Indoor or outdoor space is not properly contained or fenced or does not provide sufficient space for the number of children using the space at any given time.~~

~~g. Playground equipment is not safe, in good repair, or age appropriate.~~

Forms and Notices

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

Note: Education Code **8235.5 and** 35186 requires that the district's complaint form contain the elements stated in the following paragraph. In addition, Education Code **8235.5 and** 35186 requires that a notice be posted in each classroom in each school in the district, as specified below. See the accompanying exhibits for a sample forms and classroom notices.

The Superintendent or designee shall ensure that the district's complaint form **specifies the location for filing a complaint and** contains a space to indicate whether the complainant desires a response to ~~his/her~~ **the** complaint ~~and specifies the location for filing a complaint~~. A complainant may add as much text to explain the complaint as **desired** ~~he/she wishes~~. (Education Code **8235.5,** 35186; 5 CCR 4680)

Note: The following paragraph may be revised to reflect the grade levels offered by the district.

The Superintendent or designee shall ~~ensure that a notice is posted~~ **post** in each **K-12** classroom in each school **a notice** containing the components specified in Education Code 35186. **In each license-exempt CSPP classroom, a notice containing the components specified in Education Code 8235.5 shall be posted.** (Education Code **8235.5,** 35186)

Filing of Complaint

Note: Education Code **8235.5 and** 35186 requires that complaints be investigated and resolved within the timelines specified below. During the Federal Program Monitoring (FPM) process, ~~California Department of Education (~~CDE~~)~~ staff will expect to see statements regarding the filing of the complaint, the investigation, timelines, and the complainant's right to appeal to the Governing Board and to appeal facilities complaints to ~~the~~ CDE, as detailed in the following section and the section "Investigation and Response" below.

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee**, or the preschool administrator or designee as appropriate,** at the school in which the complaint arises. ~~The principal or designee shall forward a~~ **A** complaint about problems beyond ~~his/her~~ **the** authority **of the principal or**

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

preschool administrator shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (Education Code **8235.5,** 35186; 5 CCR 4680)

Investigation and Response

The principal/**preschool administrator** or **a** designee **of the Superintendent** shall make all reasonable efforts to investigate any problem within ~~his/her~~ **their** authority. (Education Code **8235.5,** 35186; 5 CCR 4685)

Investigation of a complaint regarding preschool health or safety issues shall begin within 10 calendar days of receipt of the complaint. (Education Code 8235.5)

~~He/she~~ **The principal/preschool administrator or Superintendent's designee** shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code **8235.5,** 35186; 5 CCR 4685)

~~Complaints may be filed anonymously.~~ If the complainant has indicated on the complaint form ~~that he/she would like~~ **a desire to receive** a response to the complaint, the principal/**preschool administrator** or **Superintendent's** designee shall report the resolution of the complaint to ~~him/her~~ **the complainant** ~~at the mailing address indicated on the complaint form~~ within 45 working days of the initial filing of the complaint. ~~At the same time, the principal or designee shall report the~~ **If the principal/preschool administrator makes this report, the** ~~same~~ information **shall be reported at the same time** to the Superintendent or designee. (Education Code **8235.5,** 35186; 5 CCR 4680, 4685)

Note: Education Code 48985 specifies that, when 15 percent or more of the students enrolled in a particular school speak a single primary language other than English, all notices, reports, statements, or records sent to the parents/guardians of such students be written in English and in the primary language. Education Code **8235.5 and** 35186 requires that, when Education Code 48985 is applicable, any response requested by the complainant must be written in English and in the primary language in which the complaint was filed.

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code **8235.5,** 35186)

If a complainant is not satisfied with the resolution of a complaint, ~~he/she~~ **the complainant** has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code **8235.5,** 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a **or #4** in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

principal/**preschool administrator** or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code **8235.5,** 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Education Code **8235.5,** 35186; 5 CCR 4686)

(cf. 1340 - Access to District Records)

Reports

Note: During the FPM process, CDE staff will expect to see the following statement.

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled public Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code **8235.5,** 35186; 5 CCR 4686)

~~**Forms and Notices**~~

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

~~Note: Education Code 35186 requires that the district's complaint form contain the elements stated in the following paragraph. In addition, Education Code 35186 requires that a notice be posted in each classroom in each school in the district, as specified below. See the accompanying exhibits for a sample form and classroom notice.~~

~~The Superintendent or designee shall ensure that the district's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. (Education Code 35186; 5 CCR 4680)~~

~~The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code 35186. (Education Code 35186)~~

Legal Reference: (see next page)

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference:

EDUCATION CODE
234.1 Prohibition of discrimination, harassment, intimidation, and bullying
1240 County superintendent of schools, duties
8235-8239.1 California State Preschool Programs, especially:
8235.5 California State Preschool Program, complaints regarding health and safety issues
17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account
33126 School accountability report card
35186 Williams uniform complaint procedures
*35292.5-**35292.6** Restrooms, maintenance and cleanliness*
48985 Notice to parents in language other than English
60119 Hearing on sufficiency of instructional materials
HEALTH AND SAFETY CODE
1596.792 California Child Day Care Act; general provisions and definitions
1596.7925 California Child Day Care Act; health and safety regulations
CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures
4680-4687 Williams uniform complaint procedures
UNITED STATES CODE, TITLE 20
6314 Title I schoolwide program

Management Resources:

WEB SITES
CSBA: http://www.csba.org
California County Superintendents Educational Services Association: http://www.ccsesa.org
California Department of Education, Williams case: http://www.cde.ca.gov/eo/ce/wc
State Allocation Board, Office of Public School Construction: http://www.opsc.dgs.ca.gov

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Center Unified SD

Administrative Regulation

Williams Uniform Complaint Procedures

AR 1312.4
Community Relations

Types of Complaints

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following: (Education Code 35186; 5 CCR 4680-4683)

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that:

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

b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.

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

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

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that:

a. A semester begins and a teacher vacancy exists.

b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.

(cf. 4112.22 - Staff Teaching English Language Learners)

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

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

Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester. (5 CCR 4600)

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

(cf. 4112.2 - Certification)
(cf. 4113 - Assignment)

3. Complaints regarding the condition of school facilities, including any complaint alleging that:

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

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

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

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

Open restroom means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply

when the temporary closing of the restroom is necessary for student safety or to make repairs. (Education Code 35292.5)

(cf. 3514 - Environmental Safety)
(cf. 3517 - Facilities Inspection)

Filing of Complaint

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

Investigation and Response

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her at the mailing address indicated on the complaint form within 45 working days of the initial filing of the complaint. At the same time, the principal or designee shall report the same information to the Superintendent or designee. (Education Code 35186; 5 CCR 4680, 4685)

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

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

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

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

(cf. 1340 - Access to District Records)

Reports

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

Forms and Notices

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

The Superintendent or designee shall ensure that the district's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code 35186. (Education Code 35186)

Legal Reference:
EDUCATION CODE
234.1 Prohibition of discrimination, harassment, intimidation, and bullying
1240 County superintendent of schools, duties
17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account
33126 School accountability report card
35186 Williams uniform complaint procedures
35292.5 Restrooms, maintenance and cleanliness
48985 Notice to parents in language other than English
60119 Hearing on sufficiency of instructional materials
CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures
4680-4687 Williams uniform complaint procedures

Management Resources:
WEB SITES
CSBA: http://www.csba.org
California County Superintendents Educational Services Association:

http://www.ccsesa.org
California Department of Education, Williams case: http://www.cde.ca.gov/eo/ce/wc
State Allocation Board, Office of Public School Construction:
http://www.opsc.dgs.ca.gov

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: November 19, 2014 Antelope, California

CSBA Sample
Exhibit

Community Relations E(1) 1312.4(a)

WILLIAMS UNIFORM COMPLAINT PROCEDURES

Note: Education Code 35186 requires that the following notice be posted in each **K-12** classroom in each school in the district. During the Federal Program Monitoring process, California Department of Education (CDE) staff will check to ensure that a notice is placed in each classroom in each school and that the notice contains all the information described below.

NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS: K-12 COMPLAINT RIGHTS

Parents/Guardians, Students, and Teachers:

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

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

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

3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

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

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

Note: Education Code 35186 requires that the notice inform parents/guardians of the location to obtain a complaint form and provides that posting a notice downloadable from the CDE's web site will satisfy this requirement. The law does not require that complaint form be placed in any specific location. The following paragraph lists locations where complaint forms may be available and should be modified to reflect district practice, including adding the school and district web site addresses.

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

4. **If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the district's Williams uniform complaint procedures as required by law.** A complaint form may be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a copy of the California Department of Education complaint form from the following web site: http://www.cde.ca.gov/re/cp/uc. However, a complaint need not be filed using either the district's complaint form or the complaint form from the California Department of Education.

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Center Unified SD

Exhibit

Williams Uniform Complaint Procedures

E 1312.4
Community Relations

Exhibit 1

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

Parents/Guardians, Students, and Teachers:

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

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

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

3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

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

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

4. A complaint form may be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a copy of the California Department of Education complaint form from the following web site: http://www.cde.ca.gov/re/cp/uc. However, a complaint need not be filed using either the district's complaint form or the complaint form from the California Department of Education.

ExhibitCENTER UNIFIED SCHOOL DISTRICT
version: November 19, 2014 Antelope, California

CSBA Sample
Exhibit

Community Relations E(2) 1312.4(a)

WILLIAMS UNIFORM COMPLAINT PROCEDURES

~~**COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES**~~

Note: Education Code 35186 creates a **the Williams uniform complaint** procedures for the filing of complaints concerning deficiencies in textbooks or instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, or teacher vacancy or misassignment. The following form contains elements required by Education Code 35186 and 5 CCR 4681-4683. During the Federal Program Monitoring process, California Department of Education staff will check to ensure that the complaint form includes all of the elements specified below. ~~This form is no longer applicable to complaints regarding deficiencies in intensive instruction and services to students who have not passed all parts of the high school exit examination by the end of grade 12 since that categorical program was eliminated by AB 97 (Ch. 47, Statutes of 2013).~~

K-12 COMPLAINT FORM:
WILLIAMS UNIFORM COMPLAINT PROCEDURES

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

Response requested? ❑ Yes ❑ No

Contact information: (if response is requested)
Name: _____
Address: _____
Phone number: Day: _____ Evening: _____
E-mail address, if any: _____

Date problem was observed: _____

Location of the problem that is the subject of this complaint:
School name/address: _____
Course title/grade level and teacher name: _____
Room number/name of room/location of facility: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or district for the appropriate district complaint procedure.

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

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

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)

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

- ☐ A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.

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

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

2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)

- ☐ A semester begins and a teacher vacancy exists. A *teacher vacancy* is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

- ☐ A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.

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

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

- ☐ A condition exists that poses an emergency or urgent threat to the health or safety of students or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the district.

☐ A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers.

Note: The following optional item is for districts that choose to use the William uniform complaint procedures to address complaints alleging noncompliance with requirements to stock restrooms at certain schools with feminine hygiene products pursuant to Education Code 35292.6; see the accompanying administrative regulation.

☐ **For a school that serves students in any of grades 6-12 with 40 percent of more of its students from low-income families, as defined, the school has not stocked at least half of its restrooms with feminine products at all times and made those products available to students at no cost.**

☐ The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when temporary closing of the restroom is necessary for student safety or to make repairs.

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

Note: Education Code 35186 requires that complaints be filed with the principal or designee and that the complaint form specify the location for filing the complaint. Districts should specify the name and/or location in the spaces below.

Please file this complaint at the following location:

(principal or ~~title of~~ designee ~~of the Superintendent~~)

(address)

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

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

_____ _____

(Signature) (Date)

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Exhibit 2

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES

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

Response requested? __ Yes __ No

Contact information: (if response is requested)

Name:

Address:

Phone number: Day: Evening:

E-mail address, if any:

Date problem was observed:

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

School name/address:

Course title/grade level and teacher name:

Room number/name of room/location of facility:

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or district for the appropriate district complaint procedure.

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

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)

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

___ A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.

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

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

2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)

___ A semester begins and a teacher vacancy exists. A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

___ A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.

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

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

___ A condition exists that poses an emergency or urgent threat to the health or safety of students or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the district.

___ A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers.

___ The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when temporary closing of the restroom is necessary for student safety or to make repairs.

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

_____

_____

_____

_____

_____

Please file this complaint at the following location:

_____

(principal or title of designee of the Superintendent)

_____

(address)

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

_____ _____

(Signature) (Date)

ExhibitCENTER UNIFIED SCHOOL DISTRICT
version: November 19, 2014 Antelope, California

CSBA Sample
Administrative Regulation

Community Relations AR 1340(a)

ACCESS TO DISTRICT RECORDS

Note: Article 1, Section 3 of the California Constitution grants any person the right to access information concerning meetings and writings of state and local government bodies, officials, and agencies as long as the constitutional rights of privacy and due process are protected. Courts broadly interpret rules or laws granting access and narrowly interpret those denying access; thus, the burden is on the district to demonstrate the need for restricting access to public records.

The following **optional** administrative regulation lists those records defined as public and, in contrast, those defined as confidential to which there is no public access. It is not intended to provide an all-inclusive list of records that may be defined as either public or confidential.

Definitions

Note: Pursuant to Government Code 6252, a "public record" includes any writing that relates to district business as defined below.

Emails and other electronic communications related in a substantive manner to district business are considered public records. Furthermore, in City of San Jose v. Superior Court, the California Supreme Court held that using a personal account or personal device to send or receive communications regarding public business does not categorically exclude those records from disclosure upon request under the California Public Records Act (CPRA) (Government Code 6250-6270). The court noted that public agencies are required to disclose all applicable records that can be located "with reasonable effort," including those records contained on a public employee's or official's personal device or account. Such searches need not be extraordinary or intrusive. For further information, see CSBA's Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications. Also see the accompanying Board policy, AR 3580 - District Records, and BB 9012 - Board Member Electronic Communications.

Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. (Government Code 6252)

(cf. 3580 - District Records)
(cf. 9012 - Board Member Electronic Communications)

Writing means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

Member of the public means any person, except a member, agent, officer, or employee of the district or a federal, state, or other local agency acting within the scope of ~~his/her~~ **such** membership, agency, office, or employment. (Government Code 6252)

ACCESS TO DISTRICT RECORDS (continued)

Public Records

Note: While not specifically enumerated in Government Code 6252, items #1-~~15~~ **14** below are items which fall within the definition of "public records."

Public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved district budgets and annual audits (Education Code 41020, 42103)

(cf. 3100 - Budget)
(cf. 3460 - Financial Reports and Accountability)

2. Statistical compilations

3. Reports and memoranda

4. Notices and bulletins

5. Minutes of public meetings (Education Code 35145)

(cf. 9324 - Minutes and Recordings)

6. Meeting agendas (Government Code 54957.5)

(cf. 9322 - Agenda/Meeting Materials)

7. Official communications between the district and other government agencies

Note: District and school plans (e.g., local control and accountability plan, school plan for student achievement, comprehensive safety plan) must generally be accessible to the public. However, pursuant to Education Code 32281, the Governing Board may choose to prohibit disclosure of those portions of the comprehensive safety plan that include tactical responses to criminal incidents. See BP 0450 - Comprehensive Safety Plan.

8. ~~School-based program plans (Education Code 52850)~~ **District and school plans, and the information and data relevant to the development and evaluation of such plans, unless otherwise prohibited by law**

(cf. 0400 - Comprehensive Plans)
(cf. 0420 - School Plans/Site Councils)

~~9. Information and data relevant to the evaluation and modification of district plans~~

ACCESS TO DISTRICT RECORDS (continued)

(cf. 0440 - District Technology Plan)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3543 - Transportation Safety and Emergencies)
(cf. 7110 - Facilities Master Plan)

~~10.~~ **9.** Initial proposals of exclusive employee representatives and of the district (Government Code 3547)

(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)

Note: Although Government Code 6254 exempts from disclosure those records pertaining to pending litigation, the Attorney General opined in 71 Ops.Cal.Atty.Gen. 235 (1988) that records predating the filing of the lawsuit are subject to disclosure. In Fairley v. Superior Court, a California Court of Appeal concurred and held that documents were exempted only if they were prepared for use in litigation. (See item #2 in the section "Confidential Records" below.) The following item reflects the opinion of the court and the Attorney General. The ~~Governing~~ Board should consult legal counsel if it believes that any document related to litigation should not be disclosed.

~~11.~~ **10.** Records pertaining to claims and litigation against the district which have been adjudicated or settled (Government Code 6254, 6254.25)

(cf. 3320 - Claims and Actions Against the District)

~~12.~~ **11.** Statements of economic interests required by the Conflict of Interest Code (Government Code 81008)

(cf. 9270 - Conflict of Interest)

Note: Generally, the names and salaries of public employees are subject to disclosure under the ~~Public Records Act~~ **CPRA**. In Sacramento County Employees Retirement System v. Superior Court, a California Court of Appeal held that the names and corresponding pension benefits of members of a county retirement system are subject to disclosure and are not considered "individual records of members" protected by Government Code 31532. However, in International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, the California Supreme Court recognized that, in some instances, the salaries of certain employees might be exempt from disclosure, depending on the facts and circumstances. **The Board should consult legal counsel if it believes that any document related to the names and salaries of public employees should not be disclosed.** ~~Additionally, in Sacramento County Employees Retirement System v. Superior Court, a California Court of Appeal held that the names and corresponding pension benefits of members of a county retirement system are subject to disclosure and are not considered "individual records of members" protected by Government Code 31532.~~

~~13.~~ **12.** Documents containing names, salaries, and pension benefits of district employees

~~14.~~ **13.** Employment contracts and settlement agreements (Government Code 53262)

ACCESS TO DISTRICT RECORDS (continued)

(cf. 2121 - Superintendent's Contract)
(cf. 4117.5/4217.5/4317.5 - Termination Agreements)
(cf. 4141/4241 - Collective Bargaining Agreement)

~~15.~~ **14.** Instructional materials including, but not limited to, textbooks (Education Code 49091.10)

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Access to public records of the district shall be granted to Governing Board members on the same basis as any other member of the public. When Board members are authorized to access public records in the administration of their duties, the Superintendent or designee shall not discriminate among any of the Board members as to which record, or portion of the record, will be made available, or when it will be made available. (Government Code 6252.5, 6252.7)

Note: Government Code 6254.29 specifies that the CPRA does not require a district to disclose an employee's social security number and states the Legislature's intent that districts redact social security numbers from any records being disclosed to the public. In addition, Government Code 6254.3~~, as amended by AB 2843 (Ch. 830, Statutes of 2016),~~ prohibits disclosure of an employee's personal cell phone number and birth date.

When disclosing to a member of the public any record that contains personal information, including, but not limited to, an employee's home address, home telephone number, social security number, personal cell phone number, or birth date, the Superintendent or designee shall ensure that such personal information is redacted from that record. (Government Code 6254.29, 6254.3)

Confidential Public Records

Note: Pursuant to Government Code 8310.3, districts are prohibited from collecting or disclosing to federal government authorities any personal information regarding an individual's religious beliefs, practices, or affiliation for the purpose of compiling a list, registry, or database of individuals based on religious affiliation, national origin, or ethnicity.

In addition, Education Code 234.7 prohibits the collection of information or documents regarding the citizenship or immigration status of students or their family members. If the district becomes aware of the citizenship or immigration status of any student, it is prohibited from disclosing that information to U.S. Immigration and Customs Enforcement (ICE), as such disclosure is not among the limited exceptions specified in law for which student records may be released without parental consent or a lawful judicial order. An ICE "administrative warrant" is not a court order that would allow a district to disclose student records without parent/guardian consent. See BP/AR 5125 - Student Records, BP/AR 5145.13 - Response to Immigration Enforcement, and the Office of the Attorney General's publication Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues.

ACCESS TO DISTRICT RECORDS (continued)

Unless otherwise authorized or required by law, information regarding an individual's citizenship or immigration status or religious beliefs, practices, or affiliation shall not be disclosed to federal government authorities. (Education Code 234.7; Government Code 8310.3)

(cf. 5145.13 - Response to Immigration Enforcement)

Records to which the members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, **and** interagency or intradistrict memoranda that are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

2. Records specifically generated in connection with or prepared for use in litigation to which the district is a party or to respond to claims made against the district pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law (Government Code 6254, 6254.25)

3. Personnel records, medical records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

(cf. 4112.5/4212.5/4312.5) - Criminal Record Check)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)

The home addresses, home telephone numbers, personal cell phone numbers, or birth date of employees may only be disclosed as follows: (Government Code 6254.3)

a. To an agent or a family member of the employee

b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties

c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, except that the home address and any telephone number for an employee who performs law enforcement-related functions, or the birth date of any employee, shall not be disclosed

ACCESS TO DISTRICT RECORDS (continued)

Upon written request of any employee, the district shall not disclose the employee's home address, home telephone number, personal cell phone number, or birth date, and the district shall remove this information from any mailing list of the district except a list used exclusively to contact the employee.

(cf. 4140/4240/4340 - Bargaining Units)

d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents

(cf. 4154/4254/4354 - Health and Welfare Benefits)

4. Student records, except directory information and other records to the extent permitted under the law, when disclosure is authorized by law

(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 5125.3 - Challenging Student Records)

5. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)

(cf. 6162.51 - State Academic Achievement Tests)

6. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the district relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)

7. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in **an** unfair competitive disadvantage to the person supplying the information (Government Code 6254)

8. Library circulation and patron use records of a borrower or patron including, but not limited to, ~~his/her~~ name, address, telephone number, email address, borrowing information, or use of library information resources, except when disclosure is to **a** persons acting within the scope of ~~his/her~~ **their** duties in the administration of the library, to ~~a~~ persons authorized in writing by the individual to whom the records pertain, or by court order (Government Code 6254, 6267)

(cf. 6163.1 - Library Media Centers)

ACCESS TO DISTRICT RECORDS (continued)

Note: The following exemption protects attorney-client privileged communications and attorney work product, as well as other work product prepared for use in pending litigation or claims. Pursuant to the Rules of Professional Conduct of the State Bar of California, when an attorney has been hired to represent the district as a whole, this privilege may only be waived by the Board.

In Los Angeles County Board of Supervisors v. Superior Court, the California Supreme Court held that invoices for the services of district counsel, or portions of those invoices, may be privileged and therefore exempt from disclosure. The Board should consult with legal counsel to determine what records to disclose in response to a CPRA request for such invoices.

9. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)

(cf. 9124 - Attorney)

10. Documents prepared by or for the district to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code 6254)

~~*(cf. 0450 - Comprehensive Safety Plan)*~~

11. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school district (Government Code 6253.5)

(cf. 9223 - Filling Vacancies)

12. Minutes of Board meetings held in closed session (Government Code 54957.2)

(cf. 9321 - Closed Session Purposes and Agendas)

13. Computer software developed by the district (Government Code 6254.9)

14. Information security records, the disclosure of which would reveal vulnerabilities to, or otherwise increase potential for an attack on, the district's information technology system (Government Code 6254.19)

15. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)

(cf. 5141.6 - School Health Services)

ACCESS TO DISTRICT RECORDS (continued)

16. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes

Note: Item #17 below reflects an exemption often referred to as the "catch-all" or "public interest" exemption pursuant to Government Code 6255. This exemption allows a district to withhold a record based on analysis of the specific facts of the situation and in light of the competing public interests. This exemption also includes the "deliberative process privilege" which is designed to protect a district's decision-making process in order to encourage candid discussions within the district. Legal counsel should be consulted to determine whether a request for a record falls under this exemption.

17. Any other records for which the district can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

Inspection of Records and Requests for Copies

Note: Court decisions have held that a public record request may be made orally, by phone, or in writing, including by email, fax, or hand delivery. The district may ask, but not require, that the person put an oral request in writing.

Any person may request a copy or inspection of any district record that is open to the public and not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request to inspect or copy a district record, the Superintendent or designee shall determine whether the request seeks release of a disclosable public record in the district's possession. The Superintendent or designee shall promptly inform the person making the request of ~~his/her~~ **the** determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request

2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request

3. The need for consultation, which shall be conducted with all practicable speed, with

ACCESS TO DISTRICT RECORDS (continued)

another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the district (e.g., two different school sites) with substantial interest in the request

4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 6253)

Public records shall be open to inspection at all times during district office hours. Any reasonably segregable portion of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Government Code 6253)

Note: Government Code 6253 states that copies of records must be provided "promptly." The term "promptly" is not defined in law, but Government Code 6253 also states that a district may not delay or obstruct the copying of records. Thus, if the records are held in a manner that allows for prompt disclosure, the records generally should not be withheld because of the 10-day response period or the 14-day extension detailed above.

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

Note: The following **optional** paragraph is for use by districts that charge for copies. See the accompanying Board policy.

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Superintendent or designee.

~~Note: Pursuant to Government Code 6253, as amended by AB 2853 (Ch. 275, Statutes of 2016), in addition to having public records available for inspection during office hours, the district may, in response to a public records request, post public records on its web site and refer the requesting member of the public to the location on the web site where the public record is posted, as provided below.~~

In addition to maintaining public records for public inspection during district office hours, the district may comply with public records requests by posting any public record on the district's web site and, in response to a public records request, directing the member of the public to the location on the web site where the record can be found. However, if the member of the public is unable to access or reproduce the record from the web site, the district shall promptly provide an exact copy of the public record upon payment of duplication fees, if applicable, unless it is impracticable to provide an exact copy. (Government Code 6253)

ACCESS TO DISTRICT RECORDS (continued)

If any person requests that a public record be provided in an electronic format, the district shall make that record available in any electronic format in which it holds the information. The district shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the district to create copies for its own use or for use by other agencies. (Government Code 6253.9)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.

2. The request would require data compilation, extraction, or programming to produce the record.

Assistance in Identifying Requested Records

Note: Government Code 6253.1 requires the district to assist a person requesting to inspect or obtain a copy of a public record as specified below. This assistance is not required if the district grants the request and the records are made available or if the request is denied on the grounds that the records are confidential.

If the Superintendent or designee denies a request for disclosable records, ~~he/she shall assist~~ the requester **shall be assisted** in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

   If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist

3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

ACCESS TO DISTRICT RECORDS (continued)

Provisions of the Public Records Act shall not be construed so as to delay or obstruct the inspection or copying of public records. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)

Policy Reference UPDATE Service
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Center Unified SD

Administrative Regulation

Access To District Records

AR 1340
Community Relations

Definitions

Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. (Government Code 6252)

(cf. 3580 - District Records)
(cf. 9012 - Board Member Electronic Communications)

Writing means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

Member of the public means any person, except a member, agent, officer, or employee of the district or a federal, state, or other local agency acting within the scope of his/her membership, agency, office, or employment. (Government Code 6252)

Public Records

Public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved district budgets and annual audits (Education Code 41020, 42103)

(cf. 3100 - Budget)
(cf. 3460 - Financial Reports and Accountability)

2. Statistical compilations

3. Reports and memoranda

4. Notices and bulletins

5. Minutes of public meetings (Education Code 35145)

(cf. 9324 - Minutes and Recordings)

6. Meeting agendas (Government Code 54957.5)

(cf. 9322 - Agenda/Meeting Materials)

7. Official communications between the district and other government agencies

8. School-based program plans (Education Code 52850)

(cf. 0420 - School Plans/Site Councils)

9. Information and data relevant to the evaluation and modification of district plans

(cf. 0440 - District Technology Plan)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)

10. Initial proposals of exclusive employee representatives and of the district (Government Code 3547)

(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)

11. Records pertaining to claims and litigation against the district which have been adjudicated or settled (Government Code 6254, 6254.25)

(cf. 3320 - Claims and Actions Against the District)

12. Statements of economic interests required by the Conflict of Interest Code (Government Code 81008)

(cf. 9270 - Conflict of Interest)

13. Documents containing names, salaries, and pension benefits of district employees

14. Employment contracts and settlement agreements (Government Code 53262)

(cf. 2121 - Superintendent's Contract)
(cf. 4117.5/4217.5/4317.5 - Termination Agreements)
(cf. 4141/4241 - Collective Bargaining Agreement)

15. Instructional materials including, but not limited to, textbooks (Education Code 49091.10)

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Access to public records of the district shall be granted to Governing Board members on the same basis as any other member of the public. When Board members are authorized to access public records in the administration of their duties, the Superintendent or designee shall not discriminate among any of the Board members as to which record, or portion of the record, will be made available, or when it will be made available. (Government Code 6252.5, 6252.7)

When disclosing to a member of the public any record that contains personal information, including, but not limited to, an employee's home address, home telephone number, social security number, personal cell phone number, or birth date, the Superintendent or designee shall ensure that such personal information is redacted from that record. (Government Code 6254.29, 6254.3)

Confidential Public Records

Records to which the members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, interagency or intradistrict memoranda that are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

2. Records specifically generated in connection with or prepared for use in litigation to which the district is a party or to respond to claims made against the district pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law (Government Code 6254, 6254.25)

3. Personnel records, medical records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

(cf. 4112.5/4212.5/4312.5) - Criminal Record Check)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)

The home addresses, home telephone numbers, personal cell phone numbers, or birth date of employees may only be disclosed as follows: (Government Code 6254.3)

a. To an agent or a family member of the employee

b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties

c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, except that the home address and any telephone number for an employee who performs law enforcement-related functions, or the birth date of any employee, shall not be disclosed

Upon written request of any employee, the district shall not disclose the employee's home address, home telephone number, personal cell phone number, or birth date, and the district shall remove this information from any mailing list of the district except a list used exclusively to contact the employee.

(cf. 4140/4240/4340 - Bargaining Units)

d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents

(cf. 4154/4254/4354 - Health and Welfare Benefits)

4. Student records, except directory information and other records to the extent permitted under the law, when disclosure is authorized by law

(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 5125.3 - Challenging Student Records)

5. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)

(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6162.52 - High School Exit Examination)

6. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the district relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)

7. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying the information

(Government Code 6254)

8. Library circulation and patron use records of a borrower or patron including, but not limited to, his/her name, address, telephone number, email address, borrowing information, or use of library information resources, except when disclosure is to a person acting within the scope of his/her duties in the administration of the library, to a person authorized in writing by the individual to whom the records pertain, or by court order (Government Code 6254, 6267)

(cf. 6163.1 - Library Media Centers)

9. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)

(cf. 9124 - Attorney)

10. Documents prepared by or for the district to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code 6254)

(cf. 0450 - Comprehensive Safety Plan)

11. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school district (Government Code 6253.5)

(cf. 9223 - Filling Vacancies)

12. Minutes of Board meetings held in closed session (Government Code 54957.2)

(cf. 9321 - Closed Session Purposes and Agendas)

13. Computer software developed by the district (Government Code 6254.9)

14. Information security records, the disclosure of which would reveal vulnerabilities to, or otherwise increase potential for an attack on, the district's information technology system (Government Code 6254.19)

15. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)

(cf. 5141.6 - School Health Services)

16. Any other records listed as exempt from public disclosure in the California Public

Records Act or other statutes

17. Any other records for which the district can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

Inspection of Records and Requests for Copies

Any person may request a copy or inspection of any district record that is open to the public and not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request to inspect or copy a district record, the Superintendent or designee shall determine whether the request seeks release of a disclosable public record in the district's possession. The Superintendent or designee shall promptly inform the person making the request of his/her determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request

2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request

3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the district (e.g., two different school sites) with substantial interest in the request

4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 6253)

Public records shall be open to inspection at all times during district office hours. Any reasonably segregable portion of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Government Code 6253)

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Superintendent or designee.

In addition to maintaining public records for public inspection during district office hours, the district may comply with public records requests by posting any public record on the district's web site and, in response to a public records request, directing the member of the public to the location on the web site where the record can be found. However, if the member of the public is unable to access or reproduce the record from the web site, the district shall promptly provide an exact copy of the public record upon payment of duplication fees, if applicable, unless it is impracticable to provide an exact copy. (Government Code 6253)

If any person requests that a public record be provided in an electronic format, the district shall make that record available in any electronic format in which it holds the information. The district shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the district to create copies for its own use or for use by other agencies. (Government Code 6253.9)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.

2. The request would require data compilation, extraction, or programming to produce the record.

Assistance in Identifying Requested Records

If the Superintendent or designee denies a request for disclosable records, he/she shall assist the requester in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

If, after making a reasonable effort to elicit additional clarifying information from the

requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist

3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the Public Records Act shall not be construed so as to delay or obstruct the inspection or copying of public records. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)

Regulation approved: September 20, 2017 CENTER UNIFIED SCHOOL DISTRICT Antelope, California

CSBA Sample
Board Policy

Business and Noninstructional Operations BP 3100(a)

BUDGET

The Governing Board recognizes its critical responsibility for adopting a sound budget each fiscal year which is aligned with **and reflects** the district's vision, goals, priorities, local control and accountability plan (LCAP), and other comprehensive plans. The district budget shall guide decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the district.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 3300 - Expenditures and Purchases)
(cf. 3460 - Financial Reports and Accountability)
(cf. 9000 - Role of the Board)

The district budget shall show a complete plan and itemized statement of all proposed expenditures and all estimated revenues for the following fiscal year, together with a comparison of revenues and expenditures for the current fiscal year. The budget shall also include the appropriations limit and the total annual appropriations subject to limitation as determined pursuant to Government Code 7900-7914. (Education Code 42122)

Budget Development and Adoption Process

In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified district needs and goals and on realistic projections of available funds.

The Superintendent or designee shall oversee the preparation of a proposed district budget for approval by the Board and shall involve appropriate staff in the development of budget projections.

Note: Education Code 42103 and 42127 require the district to hold a public hearing prior to adoption of the budget.~~; see the accompanying administrative regulation for requirements pertaining to the public hearing.~~ A public hearing on the district's local control and accountability plan (LCAP) must occur at the same meeting **as the public hearing on the proposed budget.**~~;~~ **s**See **the accompanying administrative regulation and** BP 0460 - Local Control and Accountability Plan **for requirements pertaining to the public hearing.**

Pursuant to Education Code 52064.1, as added by AB 1808 (Ch. 32, Statutes of 2018), districts are required, by July 1, 2019, to develop a local control funding formula (LCFF) budget overview for parents/guardians with specified information, based on a template created by the Superintendent of Public Instruction (SPI). The budget overview must be developed in conjunction with, and attached as a cover to, the LCAP and annual update to the LCAP. The adoption, review, approval, and posting of the budget overview are subject to the same requirements as for the LCAP, including the requirement for a public hearing.

BUDGET (continued)

The Board shall hold a public hearing on the proposed budget in accordance with Education Code 42103 and 42127. **The hearing shall occur at the same meeting as the public hearing on the district's LCAP and the local control funding formula (LCFF) budget overview for parents/guardians. (Education Code 42103, 42127, 52062, 52064.1)**

(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)
(cf. 9323 - Meeting Conduct)

The Board shall adopt the district budget **at a public meeting held after the date of the public hearing but** on or before July 1 of each year. The Board shall adopt the budget following its adoption of the LCAP, or annual update to the LCAP, **and the LCFF budget overview for parents/guardians.** The budget shall include the expenditures necessary to implement the LCAP or the annual update to the LCAP. (Education Code 42127**, 52062**)

~~At a public meeting scheduled on a date after the public hearing on the budget, the Board shall, following its adoption of the LCAP or an annual update to the LCAP, adopt the budget. The budget shall include the expenditures necessary to implement the LCAP or the annual update to the LCAP. (Education Code 42127, 52062)~~

Note: Pursuant to Education Code 42126, the district budget must be in a format prescribed by the ~~Superintendent of Public Instruction (~~SPI~~)~~. The SPI has established a requirement that districts use the Standardized Account Code Structure (SACS). SACS ensures that districts meet state and federal reporting guidelines and comply with generally accepted accounting principles prescribed by the Governmental Accounting Standards Board (GASB). The California Department of Education's (CDE) California School Accounting Manual provides guidance regarding coding of revenues and expenditures.

~~At its discretion, the district may use a different format for communicating the budget to the Board, staff, and public but, according to the CDE, the budget that the Board formally adopts must be in the SACS format.~~

The budget that is **presented at the public hearing as well as the budget** formally adopted by the Board shall adhere to the state's Standardized Account Code Structure as prescribed by the Superintendent of Public Instruction **(SPI)**. (Education Code 42126, 42127)

The Superintendent or designee may supplement this format with additional information as necessary to effectively communicate the budget to the Board, staff, and public.

Note: Education Code 42127 requires the district to file the adopted budget with the County Superintendent of Schools as described below. If the district fails to submit a budget by July 1, the County Superintendent will, at district expense, develop a budget by September 15 and transmit that budget to the Board.

No later than five days after the Board adopts the district budget or by July 1, whichever occurs first, the Board shall file the adopted district budget with the County Superintendent of Schools ~~the adopted district budget and supporting data~~. The budget and supporting data shall be maintained and made available for public review. (Education Code 42127)

BUDGET (continued)

(cf. 1340 - Access to District Records)

Note: Pursuant to Education Code 42127, on or before September 15, the County Superintendent must approve, conditionally approve, or disapprove the district's adopted budget. Education Code 42127 requires that this determination be based on a consideration of whether the district's adopted budget complies with state standards and criteria, will allow the district to meet its current and ~~future~~ **multiyear** financial obligations, includes the expenditures necessary to implement the LCAP or annual update to the LCAP, satisfies all conditions established by the County Superintendent in the case of a conditionally approved budget, ~~will enable the district to satisfy its multiyear financial commitments, includes the expenditures necessary to implement the LCAP or the annual update to the LCAP, and, when applicable,~~ **and** complies with the requirements pertaining to ending fund balances that exceed the state minimum recommended reserve.

Education Code 42127 also requires the County Superintendent to consider other studies, reports, evaluations, or audits that may indicate that the district is in fiscal distress; see the Fiscal Crisis and Management Assistance Team's Fiscal Oversight Guide and BP 3460 - Financial Reports and Accountability.

If the County Superintendent disapproves or conditionally approves the district's budget, the Board shall review and respond to ~~his/her~~ **the County Superintendent's** recommendations at a **regular** public meeting on or before October 8. The response shall include any revisions to the adopted budget and any other proposed actions to be taken as a result of those recommendations. (Education Code 42127)

Budget Advisory Committee

Note: The following **optional** section is for use by districts that choose to establish a budget advisory committee to provide input during the budget development process. The committee may be appointed by the Superintendent or designee (Option 1), by the Board (Option 2), or may be a Board subcommittee composed exclusively of Board members (Option 3). Committees established by Board action are subject to the Brown Act; see BP/AR 1220 - Citizen Advisory Committees. Districts should delete or modify the following options as appropriate. See the accompanying administrative regulation for optional language regarding the committee's composition and duties.

This committee is different from the budget review committee that is required ~~in the event that~~ **pursuant to Education Code 42127 and 42127.1 if** the County Superintendent disapproves the district's budget; see the accompanying administrative regulation.

OPTION 1: The Superintendent or designee may appoint a budget advisory committee composed of staff, Board representatives, and/or members of the community.

~~**OPTION 2:** The Board may appoint a budget advisory committee composed of staff, Board representatives, and/or members of the community.~~

~~**OPTION 3:** The Board may establish a budget subcommittee composed exclusively of Board members.~~

Note: The following paragraph is for use by districts that selected either Option 1, 2, or 3 above.

BUDGET (continued)

The committee shall submit recommendations during the budget development process and its duties shall be assigned each year based on district needs. All recommendations of the committee shall be advisory only and shall not be binding on the Board.

(cf. 1220 - Citizen Advisory Committees)
(cf. 2230 - Representative and Deliberative Groups)
(cf. 3350 - Travel Expenses)
(cf. 9130 - Board Committees)
(cf. 9140 - Board Representatives)

Budget Criteria and Standards

The ~~Superintendent or designee shall develop a~~ district budget **shall be developed** in accordance with state criteria and standards specified in 5 CCR 15440-15450 as they relate to projections of average daily attendance (ADA), enrollment, ratio of ADA to enrollment, ~~local control funding formula~~ **LCFF** revenue, salaries and benefits, other revenues and expenditures, facilities maintenance, deficit spending, ~~unrestricted general~~ fund balance, and reserves. In addition, ~~he/she~~ **the Superintendent or designee** shall provide the supplemental information specified in 5 CCR 15451 which addresses the methodology and budget assumptions used, contingent liabilities, use of one-time revenues for ongoing expenditures, use of ongoing revenues for one-time expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, status of collective bargaining agreements, the LCAP, and LCAP expenditures. (Education Code 33128, ~~33128.3,~~ 33129, 42127.01; 5 CCR 15440-15451)

Note: The following paragraph is for use by districts that receive supplemental and concentration funding within the ~~local control funding formula~~ (LCFF) based on the number and concentration of "unduplicated students" (i.e., students who are eligible for free or reduced-price meals, English learners, and foster youth) pursuant to Education Code 42238.02 and 42238.03. 5 CCR 15496 addresses the method of determining the percentage by which services for unduplicated students must be increased or improved above services provided to all students in the fiscal year. Pursuant to 5 CCR 15496, the district's LCAP must include evidence demonstrating how LCFF funding apportioned on the basis of unduplicated students is used to support such students; see AR 0460 - Local Control and Accountability Plan.

The district budget shall provide for increas~~ing~~**ed** or improv~~ing~~**ed** services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students in accordance with 5 CCR 15496. *Unduplicated students* are students who are eligible for free or reduced-price meals, English learners, and/or foster youth. (Education Code 42238.07; 5 CCR 15496)

(cf. 3553 - Free and Reduced Price Meals)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Learners)

BUDGET (continued)

The Board may establish other budget assumptions or parameters which may take into consideration the stability of funding sources, legal requirements and constraints on the use of funds, anticipated increases and/or decreases in the cost of services and supplies, program requirements, and any other factors necessary to ensure that the budget is a realistic plan for district revenues and expenditures.

(cf. 2210 - Administrative Discretion Regarding Board Policy)
(cf. 3110 - Transfer of Funds)

Fund Balance

Note: The following section should be revised to reflect district practice. ~~Governmental Accounting Standards Board (~~GASB~~)~~ Statement 54 addresses the way fund balances (i.e., the gross differences between assets and liabilities reflected on the balance sheet) in governmental funds are reported in external financial reports. Fund balances must be classified as nonspendable, restricted, committed, assigned, and unassigned in accordance with GASB 54 definitions; also see AR 3460 - Financial Reports and Accountability. Pursuant to GASB 54, the Board has sole authority to specify purposes of funds classified as "committed" and also must express, or delegate the authority to express, intended purposes of resources that result in the "assigned" fund balance. The Board may modify the following section to reflect its fund balance policy or may adopt a formal resolution containing the required components.

The district shall classify fund balances in compliance with Governmental Accounting Standards Board (GASB) Statement 54, as follows:

1. *Nonspendable fund balance* includes amounts that are not expected to be converted to cash, such as resources that are not in a spendable form (e.g., inventories and prepaids) or that are legally or contractually required to be maintained intact.

2. *Restricted fund balance* includes amounts constrained to specific purposes by their providers or by law.

Note: For purposes of the committed fund balance, GASB 54 requires that the Board commit funds no later than the end of the reporting period. In New Requirements for Reporting Fund Balance in Governmental Funds, the CDE clarifies that for districts the end of the reporting period is June 30.

3. *Committed fund balance* includes amounts constrained to specific purposes by the Board.

   For this purpose, all commitments of funds shall be approved by a majority vote of the Board. The constraints shall be imposed no later than the end of the reporting period (June 30), although the actual amounts may be determined subsequent to that date but prior to the issuance of the financial statements.

4. *Assigned fund balance* includes amounts which are intended for a specific purpose but do not meet the criteria to be classified as restricted or committed.

BUDGET (continued)

The Board delegates authority to assign funds to the assigned fund balance to the Superintendent and authorizes the assignment of such funds to be made any time prior to the issuance of the financial statements. The Superintendent ~~may~~ **shall have discretion to** further delegate the authority to assign funds ~~at his/her discretion~~.

5. *Unassigned fund balance* includes amounts that are available for any purpose.

When multiple types of funds are available for an expenditure, the district shall first utilize funds from the restricted fund balance as appropriate, then from the committed fund balance, then from the assigned fund balance, and lastly from the unassigned fund balance.

Note: Although not required by GASB 54, the Government Finance Officers Association (GFOA) recommends that public agencies adopt a minimum fund balance policy that establishes an appropriate level of unrestricted fund balance that will be maintained in the general fund. The GFOA's Best Practice: ~~Appropriate Level of Unrestricted Fund Balance in the General Fund~~ **Fund Balance Guidelines for the General Fund** describes a variety of factors that should be considered when developing a minimum fund balance policy, such as the predictability of its revenue and volatility of its expenditures, perceived exposure to significant one-time outlays, potential drain upon the general fund from other funds as well as the availability of resources in other funds, **potential impact on bond ratings and the corresponding increased cost of borrowed funds,** ~~liquidity of resources,~~ and portion of unrestricted fund balance already committed or assigned for a specific purpose.

The Board intends to maintain a minimum assigned and unassigned fund balance in an amount the Board deems sufficient to maintain fiscal solvency and stability and to protect the district against unforeseen circumstances.

Note: The GFOA recommends that the minimum fund policy address both the circumstances under which the unrestricted fund balance can be spent down and the procedure for replenishing deficiencies. The district may revise the following **optional** paragraph to specify the rate at which the district will attempt to recover the fund balance (e.g., the Board shall develop a plan to recover the fund balance at a rate of at least one percent each year).

If the assigned and unassigned fund balance falls below the level set by the Board due to an emergency situation, unexpected expenditures, or revenue shortfalls, the Board shall develop a plan to recover the fund balance which may include dedicating new unrestricted revenues, reducing expenditures, and/or increasing revenues or pursuing other funding sources.

Reserve Balance

Note: 5 CCR 15450 establishes a minimum local reserve balance for economic uncertainties based on the district's average daily attendance (ADA). The minimum reserve balance is the greater of five percent or $55,000 for districts with 0-300 ADA; the greater of four percent or $55,000 for districts with 301-1,000 ADA; three percent for districts with 1,001-30,000 ADA; two percent for districts with 30,001-400,000 ADA; and one percent for districts with over 400,000 ADA. The following paragraph may be revised to reflect the minimum reserve applicable to the district's ADA.

BUDGET (continued)

~~Education Code 42127.01 establishes, under certain conditions, a maximum amount of local reserve balance for economic uncertainties. Pursuant to Education Code 42127.01, as amended by SB 751 (Ch. 674, Statutes of 2017), if the amount of monies in the state Public School System Stabilization Account is three percent or more of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district's combined assigned or unassigned ending general fund balance must not exceed 10 percent of those funds in the immediately following fiscal year. Basic aid districts, as defined in Education Code 42238.02, and districts with 2,500 or less ADA are exempted from this requirement and may delete the following paragraph. Other districts may also be exempted from this requirement by the County Superintendent for up to two consecutive fiscal years within a three-year period upon providing documentation of extraordinary fiscal circumstances (e.g., multiyear infrastructure or technology projects) that substantiate the need for a reserve in excess of the limit specified in Education Code 42127.01.~~

The district budget shall include a minimum reserve balance for economic uncertainties that is consistent with the percentage or amount specified in 5 CCR 15450.

Note: Education Code 42127.01 establishes, under certain conditions, a maximum amount of local reserve balance for economic uncertainties. Pursuant to Education Code 42127.01, ~~as amended by SB 751 (Ch. 674, Statutes of 2017),~~ if the amount of monies in the state Public School System Stabilization Account is three percent or more of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district's combined assigned or unassigned ending general fund balance must not exceed 10 percent of those funds in the immediately following fiscal year.

Basic aid districts, as described ~~fined~~ in Education Code 42238.02, and districts with 2,500 or less ADA are exempted from this requirement and may delete the following paragraph. Other districts may also be exempted from this requirement by the County Superintendent for up to two consecutive fiscal years within a three-year period upon providing documentation of extraordinary fiscal circumstances (e.g., multiyear infrastructure or technology projects) that substantiate the need for a reserve in excess of the limit specified in Education Code 42127.01.

In any year ~~that~~ **following the fiscal year in which** the district is notified by the ~~Superintendent of Public Instruction~~ **SPI** that the amount of monies in the state Public School System Stabilization Account equals or exceeds three percent of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district budget shall not contain a combined assigned or unassigned ending general fund balance that is in excess of 10 percent of these funds**, unless the requirement is waived in accordance with Education Code 42127.01**. (Education Code ~~41202,~~ 42127.01)

Long-Term Financial Obligations

The district's current-year budget and multiyear projections shall include adequate provisions for addressing the district's long-term financial obligations, including, but not limited to, long-term obligations resulting from collective bargaining agreements, financing of facilities projects, unfunded or future liability for retiree benefits, and accrued workers' compensation claims.

(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

BUDGET (continued)

(cf. 7210 - Facilities Financing)
(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

Note: The following paragraph is optional. Government Code 21710-21716, as added by SB 1413 (Ch. 665, Statutes of 2018), establish the California Employers' Pension Prefunding Trust Program and related Trust Fund, allowing districts that provide a defined benefit pension plan to their employees to prefund required pension contributions to the California Public Employees' Retirement System (CalPERS). Districts may elect to participate in the Prefunding Trust Program for the purpose of investing payments toward their required CalPERS pension contributions.

The Board may approve a plan for meeting the district's long-term obligations to fund contributions to the California Public Employees' Retirement System (CalPERS) which, to the extent possible, minimizes significant increases in annual general fund expenditures towards pension obligations. The plan may include prefunding required pension contributions through the California Employers' Pension Prefunding Trust Program pursuant to Government Code 21710-21716.

Note: The following two **optional** paragraphs are for use by districts that provide "other postemployment benefits" (OPEBs) (i.e., medical, dental, vision, hearing, life insurance, long-term care, long-term disability, and other nonpension benefits to retired employees or Board members) and should be revised to reflect district practice; see BP/AR 4154/4254/4354 - Health and Welfare Benefits and BB 9250 - Remuneration, Reimbursement and Other Benefits. CSBA recommends that districts adopt a specific funding strategy for addressing their OPEB obligations. The district may pay the premiums as they fall due ("pay-as-you-go"), but in such a case the district would then accrue a deficit with respect to future retirees which can be expected to grow as a result of an increasing retiree population and increases in benefit costs. Therefore, it is recommended that the district prefund the debt to the extent possible using a method and level to be determined by the Board. For example, the district may contribute a set amount or percentage of the actuarially determined "annual required contributions" to an irrevocable trust or designated fund each year.

GASB Statement 75 requires districts that do not provide OPEB through a trust to report the total unfunded liability (i.e., OPEBs that are not prefunded) in the district's financial statements; see AR 3460 - Financial Reports and Accountability.

CSBA's OPEB Solutions Program provides access to **a trusted source of analysis** ~~qualified actuaries and consultants~~ and a GASB 75-compliant trust to prefund future obligations. See CSBA's web site for further information.

The Board shall approve a plan for meeting the district's long-term obligations to fund nonpension, other postemployment benefits (OPEBs). This plan shall include a specific funding strategy and the method that will be used to finance the district's annual fiscal obligations for such benefits in a manner that continually reduces the deficit to the district to the extent possible. The Board reserves the authority to review and amend the funding strategy as necessary to ensure that it continues to serve the best interests of the district and maintains flexibility to adjust for changing budgetary considerations.

~~When the~~ **The** Superintendent or designee **shall annually** presents a report to the Board on the estimated accrued but unfunded cost of OPEBs.~~, the Board shall disclose, as~~ **As** a

BUDGET (continued)

separate agenda item at the same meeting, **the Board shall disclose** whether or not it will reserve a sufficient amount of money in its budget to fund the present value of the benefits of existing retirees and/or the future cost of employees who are eligible for benefits in the current fiscal year. (Education Code 42140)

Note: The following **optional** paragraph is for use by districts that are self-insured for workers' compensation claims, either individually or as part of a joint powers agency. See AR 3460 - Financial Reports and Accountability for provisions related to reporting the estimated accrued but unfunded cost of workers' compensation claims based on an actuarial report.

~~When the~~ **The** Superintendent or designee **shall annually** presents a report to the Board on the estimated accrued but unfunded cost of workers' compensation claims~~, the Board shall disclose, as~~ **and the actuarial reports upon which the estimated costs are based. As** a separate agenda item at the same meeting, **the Board shall disclose** whether ~~or not~~ it will reserve in the budget sufficient amounts to fund the present value of accrued but unfunded workers' compensation claims or if it is otherwise decreasing the amount in its workers' compensation reserve fund. The Board shall annually certify to the County Superintendent the amount, if any, that it has decided to reserve in the budget for these costs. The Board shall submit to the County Superintendent any budget revisions that may be necessary to account for this budget reserve. (Education Code 42141)

Budget Amendments

Note: The following section is **optional** and should be revised to reflect district practice.

No later than 45 days after the Governor signs the annual Budget Act, the Superintendent or designee shall make available for public review any revisions in budgeted revenues and expenditures which occur as a result of the funding made available by that Budget Act. (Education Code 42127)

Whenever revenues and expenditures change significantly throughout the year, the Superintendent or designee shall recommend budget amendments to ensure accurate projections of the district's net ending balance. When final figures for the prior-year budget are available, this information shall be used as soon as possible to update the current-year budget's beginning balance and projected revenues and expenditures.

In addition, budget amendments shall be submitted for Board approval as necessary when collective bargaining agreements are accepted, district income declines, increased revenues or unanticipated savings are made available to the district, program proposals are significantly different from those approved during budget adoption, interfund transfers are needed to meet actual program expenditures, and/or other significant changes occur that impact budget projections.

BUDGET (continued)

Legal Reference:

EDUCATION CODE
1240 Duties of county superintendent of schools
33127-33131 Standards and criteria for local budgets and expenditures
41202 Determination of minimum level of education funding
42103 Public hearing on proposed budget; requirements for content of proposed budget
42122-42129 Budget requirements
42130-42134 Financial certifications
*42140-~~42141~~ **42142** Disclosure of fiscal obligations*
42238-42251 Apportionments to districts, especially:
42238.01-42238.07 Local control funding formula
42602 Use of unbudgeted funds
42610 Appropriation of excess funds and limitation thereon
45253 Annual budget of personnel commission
45254 First year budget of personnel commission
52060-52077 Local control and accountability plan
GOVERNMENT CODE
7900-7914 Appropriations limit
21710-21716 California Employer's Pension Prefunding Trust Program
CODE OF REGULATIONS, TITLE 5
15060 Standardized account code structure
15440-15451 Criteria and standards for school district budgets
*15494-~~15496~~-**15497** Local control funding formula, **supplemental and concentration grant** expenditures*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California School Accounting Manual
New Requirements for Reporting Fund Balance in Governmental Funds, January 7, 2011
FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS
*Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, **December 2015** ~~September 2006~~*
GOVERNMENT FINANCE OFFICERS ASSOCIATION
*Best Practice: ~~Appropriate Level of Unrestricted Fund Balance in the General Fund, 2009~~ **Fund Balance Guidelines for the General Fund, September 2015***
GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS
Statement 75, Accounting and Financial Reporting ~~by Employers~~ for Post-employment Benefits Other Than Pensions, June 2015
*Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, ~~March~~ **February** 2009*
WEB SITES
CSBA: http://www.csba.org
Association of California School Administrators: http://www.acsa.org
California Department of Education, Finance and Grants: http://www.cde.ca.gov/fg
California Department of Finance: http://www.dof.ca.gov
Fiscal Crisis and Management Assistance Team: http://www.fcmat.org

Management Resources continued: (see next page)

BUDGET (continued)

Management Resources: (continued)
WEB SITES (continued)
Government Finance Officers Association: http://www.gfoa.org
Governmental Accounting Standards Board: http://www.gasb.org
School Services of California, Inc.: http://www.sscal.com

Policy Reference UPDATE Service
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Center Unified SD

Board Policy

Budget

BP 3100
Business and Noninstructional Operations

The Governing Board recognizes its critical responsibility for adopting a sound budget each fiscal year which is aligned with the district's vision, goals, priorities, local control and accountability plan (LCAP), and other comprehensive plans. The district budget shall guide decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the district.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 3300 - Expenditures and Purchases)
(cf. 3460 - Financial Reports and Accountability)
(cf. 9000 - Role of the Board)

The district budget shall show a complete plan and itemized statement of all proposed expenditures and all estimated revenues for the following fiscal year, together with a comparison of revenues and expenditures for the current fiscal year. The budget shall also include the appropriations limit and the total annual appropriations subject to limitation as determined pursuant to Government Code 7900-7914. (Education Code 42122)

Budget Development and Adoption Process

In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified district needs and goals and on realistic projections of available funds.

The Superintendent or designee shall oversee the preparation of a proposed district budget for approval by the Board and shall involve appropriate staff in the development of budget projections.

The Board shall hold a public hearing on the proposed budget in accordance with Education Code 42103 and 42127.

(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)
(cf. 9323 - Meeting Conduct)

The Board shall adopt the district budget on or before July 1 of each year. (Education Code 42127)

At a public meeting scheduled on a date after the public hearing on the budget, the Board shall, following its adoption of the LCAP or an annual update to the LCAP, adopt the budget. The budget shall include the expenditures necessary to implement the LCAP or the annual update to the LCAP. (Education Code 42127, 52062)

The budget that is formally adopted by the Board shall adhere to the state's Standardized Account Code Structure as prescribed by the Superintendent of Public Instruction. (Education Code 42126, 42127)

The Superintendent or designee may supplement this format with additional information as necessary to effectively communicate the budget to the Board, staff, and public.

No later than five days after the Board adopts the district budget or by July 1, whichever occurs first, the Board shall file with the County Superintendent of Schools the adopted district budget and supporting data. The budget and supporting data shall be maintained and made available for public review. (Education Code 42127)

(cf. 1340 - Access to District Records)

If the County Superintendent disapproves or conditionally approves the district's budget, the Board shall review and respond to his/her recommendations at a public meeting on or before October 8. The response shall include any revisions to the adopted budget and any other proposed actions to be taken as a result of those recommendations. (Education Code 42127)

Budget Advisory Committee

The Superintendent or designee may appoint a budget advisory committee composed of staff, Board representatives, and/or members of the community.

The committee shall submit recommendations during the budget development process and its duties shall be assigned each year based on district needs. All recommendations of the committee shall be advisory only and shall not be binding on the Board.

(cf. 1220 - Citizen Advisory Committees)
(cf. 2230 - Representative and Deliberative Groups)
(cf. 3350 - Travel Expenses)
(cf. 9130 - Board Committees)
(cf. 9140 - Board Representatives)

Budget Criteria and Standards

The Superintendent or designee shall develop a district budget in accordance with state

criteria and standards specified in 5 CCR 15440-15450 as they relate to projections of average daily attendance (ADA), enrollment, ratio of ADA to enrollment, local control funding formula revenue, salaries and benefits, other revenues and expenditures, facilities maintenance, deficit spending, unrestricted general fund balance, and reserves. In addition, he/she shall provide the supplemental information specified in 5 CCR 15451 which addresses the methodology and budget assumptions used, contingent liabilities, use of one-time revenues for ongoing expenditures, use of ongoing revenues for one-time expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, status of collective bargaining agreements, the LCAP, and LCAP expenditures. (Education Code 33128, 33128.3, 33129, 42127.01; 5 CCR 15440-15451)

The district budget shall provide for increasing or improving services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students in accordance with 5 CCR 15496. Unduplicated students are students who are eligible for free or reduced-price meals, English learners, and/or foster youth. (Education Code 42238.07; 5 CCR 15496)

(cf. 3553 - Free and Reduced Price Meals)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Learners)

The Board may establish other budget assumptions or parameters which may take into consideration the stability of funding sources, legal requirements and constraints on the use of funds, anticipated increases and/or decreases in the cost of services and supplies, program requirements, and any other factors necessary to ensure that the budget is a realistic plan for district revenues and expenditures.

(cf. 2210 - Administrative Discretion Regarding Board Policy)
(cf. 3110 - Transfer of Funds)

Fund Balance

The district shall classify fund balances in compliance with Governmental Accounting Standards Board (GASB) Statement 54, as follows:

1. Nonspendable fund balance includes amounts that are not expected to be converted to cash, such as resources that are not in a spendable form (e.g., inventories and prepaids) or that are legally or contractually required to be maintained intact.

2. Restricted fund balance includes amounts constrained to specific purposes by their providers or by law.

3. Committed fund balance includes amounts constrained to specific purposes by the Board.

For this purpose, all commitments of funds shall be approved by a majority vote

of the Board. The constraints shall be imposed no later than the end of the reporting period (June 30), although the actual amounts may be determined subsequent to that date but prior to the issuance of the financial statements.

4. Assigned fund balance includes amounts which are intended for a specific purpose but do not meet the criteria to be classified as restricted or committed.

The Board delegates authority to assign funds to the assigned fund balance to the Superintendent and authorizes the assignment of such funds to be made any time prior to the issuance of the financial statements. The Superintendent may further delegate the authority to assign funds at his/her discretion.

5. Unassigned fund balance includes amounts that are available for any purpose.

When multiple types of funds are available for an expenditure, the district shall first utilize funds from the restricted fund balance as appropriate, then from the committed fund balance, then from the assigned fund balance, and lastly from the unassigned fund balance.

The Board intends to maintain a minimum assigned and unassigned fund balance in an amount the Board deems sufficient to maintain fiscal solvency and stability and to protect the district against unforeseen circumstances.

If the assigned and unassigned fund balance falls below the level set by the Board due to an emergency situation, unexpected expenditures, or revenue shortfalls, the Board shall develop a plan to recover the fund balance which may include dedicating new unrestricted revenues, reducing expenditures, and/or increasing revenues or pursuing other funding sources.

Reserve Balance

The district budget shall include a minimum reserve balance for economic uncertainties that is consistent with the percentage or amount specified in 5 CCR 15450.

In any year that the district is notified by the Superintendent of Public Instruction that the amount of monies in the state Public School System Stabilization Account equals or exceeds three percent of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district budget shall not contain a combined assigned or unassigned ending general fund balance that is in excess of 10 percent of these funds. (Education Code 41202, 42127.01)

Long-Term Financial Obligations

The district's current-year budget and multiyear projections shall include adequate provisions for addressing the district's long-term financial obligations, including, but not limited to,

long-term obligations resulting from collective bargaining agreements, financing of facilities projects, unfunded or future liability for retiree benefits, and accrued workers' compensation claims.

(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4154/4254/4354 - Health and Welfare Benefits)
(cf. 7210 - Facilities Financing)
(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

The Board shall approve a plan for meeting the district's long-term obligations to fund nonpension, other postemployment benefits (OPEBs). This plan shall include a specific funding strategy and the method that will be used to finance the district's annual fiscal obligations for such benefits in a manner that continually reduces the deficit to the district to the extent possible. The Board reserves the authority to review and amend the funding strategy as necessary to ensure that it continues to serve the best interests of the district and maintains flexibility to adjust for changing budgetary considerations.

When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of OPEBs, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve a sufficient amount of money in its budget to fund the present value of the benefits of existing retirees and/or the future cost of employees who are eligible for benefits in the current fiscal year. (Education Code 42140)

When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of workers' compensation claims, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve in the budget sufficient amounts to fund the present value of accrued but unfunded workers' compensation claims or if it is otherwise decreasing the amount in its workers' compensation reserve fund. The Board shall annually certify to the County Superintendent the amount, if any, that it has decided to reserve in the budget for these costs. The Board shall submit to the County Superintendent any budget revisions that may be necessary to account for this budget reserve. (Education Code 42141)

Budget Amendments

No later than 45 days after the Governor signs the annual Budget Act, the Superintendent or designee shall make available for public review any revisions in budgeted revenues and expenditures which occur as a result of the funding made available by that Budget Act. (Education Code 42127)

Whenever revenues and expenditures change significantly throughout the year, the Superintendent or designee shall recommend budget amendments to ensure accurate projections of the district's net ending balance. When final figures for the prior-year budget
are available, this information shall be used as soon as possible to update the current-year

budget's beginning balance and projected revenues and expenditures.

In addition, budget amendments shall be submitted for Board approval as necessary when collective bargaining agreements are accepted, district income declines, increased revenues or unanticipated savings are made available to the district, program proposals are significantly different from those approved during budget adoption, interfund transfers are needed to meet actual program expenditures, and/or other significant changes occur that impact budget projections.

Legal Reference:
EDUCATION CODE
1240 Duties of county superintendent of schools
33127-33131 Standards and criteria for local budgets and expenditures
41202 Determination of minimum level of education funding
42103 Public hearing on proposed budget; requirements for content of proposed budget
42122-42129 Budget requirements
42130-42134 Financial certifications
42140-42141 Disclosure of fiscal obligations
42238-42251 Apportionments to districts, especially:
42238.01-42238.07 Local control funding formula
42602 Use of unbudgeted funds
42610 Appropriation of excess funds and limitation thereon
45253 Annual budget of personnel commission
45254 First year budget of personnel commission
52060-52077 Local control and accountability plan
GOVERNMENT CODE
7900-7914 Appropriations limit
CODE OF REGULATIONS, TITLE 5
15060 Standardized account code structure
15440-15451 Criteria and standards for school district budgets
15494-15496 Local control funding formula, expenditures

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California School Accounting Manual
New Requirements for Reporting Fund Balance in Governmental Funds, January 7, 2011
FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS
Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006
GOVERNMENT FINANCE OFFICERS ASSOCIATION
Best Practice: Appropriate Level of Unrestricted Fund Balance in the General Fund, 2009
GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS
Statement 75, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2015

Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009

WEB SITES

CSBA: http://www.csba.org
Association of California School Administrators: http://www.acsa.org
California Department of Education, Finance and Grants: http://www.cde.ca.gov/fg
California Department of Finance: http://www.dof.ca.gov
Fiscal Crisis and Management Assistance Team: http://www.fcmat.org
Government Finance Officers Association: http://www.gfoa.org
Governmental Accounting Standards Board: http://www.gasb.org
School Services of California, Inc.: http://www.sscal.com

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: February 21, 2018 Antelope, California

CSBA Sample

Administrative Regulation

Business and Noninstructional Operations AR 3100(a)

BUDGET

Budget Advisory Committee

Note: The following **optional** section is for use by districts that have established a budget advisory committee and have selected either Option 1 or 2 in the "Budget Advisory Committee" section of the accompanying Board policy.

Membership of the district's budget advisory committee may include representatives of each of the following groups:

1. Governing Board members, provided that less than a majority of the Board serves on the committee

(cf. 9140 - Board Representatives)

2. District and school site administrators

3. Representatives of bargaining units

4. Certificated and/or classified staff

5. Parents/guardians

6. Representatives of the business community and/or other community members

7. Students

(cf. 1220 - Citizen Advisory Committees)
(cf. 2230 - Representative and Deliberative Groups)
(cf. 9130 - Board Committees)

Note: The remainder of this section details the duties of the budget advisory committee and is for use by districts that selected either Option 1, 2, or 3 in the "Budget Advisory Committee" section of the accompanying Board policy.

The committee's duties may include, but **are** not necessarily ~~be~~ limited to:

1. Making recommendations regarding budget priorities **which align with the district's vision, goals, priorities, local control and accountability plan (LCAP), and other comprehensive plans**

BUDGET (continued)

2. Recommending cost reduction strategies, such as identifying services that may be reduced, made more efficient, or discontinued

3. Reviewing the clarity and effectiveness of budget documents and communications

4. Presenting progress reports on the committee's work and a final report of recommendations to the Superintendent or designee and to the Board

The specific duties of the committee shall be clearly defined and presented to each member in writing, along with any background information necessary for the successful completion of the committee's charges, the timelines for reporting the committee's progress, and timelines for completion of each task.

(cf. 3350 - Travel Expenses)

Public Hearing

Note: Pursuant to Education Code 52062, the public hearing on the budget must be at the same meeting as the public hearing on the local control and accountability plan (LCAP). ~~as described below; see~~ **In addition, pursuant to Education Code 52064.1, as added by AB 1808 (Ch. 32, Statutes of 2018), districts are required to develop a local control funding formula budget overview for parents/guardians through a process that meets the requirements of Education Code 52062, including the requirement for a public hearing. See** the accompanying Board policy and BP 0460 - Local Control and Accountability Plan.

The agenda for the public hearing on the district budget shall be posted at least 72 hours before the hearing and shall indicate the location where the budget may be inspected. The proposed budget shall be available for public inspection at least three working days before this hearing. (Education Code 42103, 42127, 52062)

(cf. 0460 - Local Control and Accountability Plan)
(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)

~~Note: Pursuant to Education Code 42103, the County Superintendent of Schools must publish the location, dates, and times at which the district's proposed budget may be inspected, as well as the location, date, and time of the public hearing described above. This notice must be published in a newspaper of general circulation 10-45 days before the hearing.~~

The Superintendent or designee shall notify the County Superintendent of Schools of the location **and** dates~~, and times~~ at which the proposed budget may be inspected, as well as the location, date, and time of the public hearing, in sufficient time for the County Superintendent to publish such information in a newspaper of general circulation at least 10 days but not more than 45 days before the hearing, as required by Education Code 42103.

BUDGET (continued)

~~Note: Pursuant to Education Code 42127, as amended by AB 2585 (Ch. 309, Statutes of 2014), if the proposed budget for 2015-16 or a subsequent year includes a combined assigned and unassigned ending fund balance in excess of the minimum recommended reserve for economic uncertainties adopted by the State Board of Education and contained in 5 CCR 15450, the public hearing must provide the information specified below for public review and discussion.~~

Whenever the proposed district budget includes a combined assigned and unassigned ending fund balance that exceeds the minimum recommended reserve for economic uncertainties adopted by the State Board of Education, the district shall provide, for each fiscal year included in the budget, the following information for public review and discussion at the public hearing: (Education Code 42127; 5 CCR 15450)

1. The minimum recommended reserve for economic uncertainties

2. The combined assigned and unassigned ending fund balances that are in excess of the minimum recommended reserve

3. A statement of reasons substantiating the need for the combined assigned and unassigned ending balances that are in excess of the minimum recommended reserve

During the hearing, any district resident may ~~speak to~~ **appear and object to** the proposed budget or to any item in the budget. The hearing may conclude when all residents who have requested to be heard have had the opportunity to speak. (Education Code 42103)

(cf. 9323 - Meeting Conduct)

Budget Review Committee for Disapproved Budgets

Note: Pursuant to Education Code 42127, ~~as amended by SB 78 (Ch. 19, Statutes of 2015),~~ if the County Superintendent conditionally approves or disapproves the district's initial budget, the district must respond to the County Superintendent's recommendations by October 8; see the accompanying Board policy. If the County Superintendent then disapproves that revised budget, Education Code 42127 and 42127.1 require ~~him/her~~ **the County Superintendent** to call for the formation of a budget review committee unless the **Governing** Board and the County Superintendent agree to waive the committee requirement and the California Department of Education agrees to the waiver. See BP 1431 - Waivers. The formation, convening procedures, and timelines of the budget review committee are set forth in Education Code 42127.1-42127.3.

Education Code 42127 provides that the County Superintendent cannot call for the formation of a budget review committee if ~~his/her~~ **the** sole reason for disapproving the district's budget is **disapproval of** ~~that he/she has not approved~~the district's LCAP or the annual update to the LCAP.

If the district's budget is disapproved by the County Superintendent for any reason other than ~~his/her~~ disapproval of the district's ~~local control and accountability plan (~~LCAP~~)~~ or annual update to the LCAP, the budget shall be reviewed by a budget review committee, unless the Board and County Superintendent agree to waive the requirement and the California Department of Education accepts the waiver. (Education Code 42127)

BUDGET (continued)

Note: Pursuant to Education Code 42127.2, if the ~~Governing~~ Board fails to select the budget review committee from a list of candidates provided by the Superintendent of Public Instruction (SPI) within five working days of receiving the list, as provided in item #1 below, the SPI will select and convene the committee no later than 10 working days after the district's receipt of the candidate list.

This committee shall consist of either: (Education Code 42127.1, 42127.2)

1. Three persons selected by the Board from a list of candidates provided by the Superintendent of Public Instruction (SPI), who shall be selected within five working days after receiving the list of candidates

2. A regional review committee **selected and** convened by the County Superintendent with the approval of the Board **and SPI**

Note: Pursuant to Education Code 42127.2, ~~as amended by SB 78 (Ch. 19, Statutes of 2015),~~ the budget review committee is required to submit, by November 30, its recommendation as to whether the district's budget should be approved or disapproved and, if the recommendation is for disapproval, its recommended revisions to the budget. The SPI may extend this deadline for up to 15 working days. ~~SB 78 also amended Education Code 42127.3 to extend until December 31 the date by which the County Superintendent, in consultation with the district and SPI, must adopt a fiscal plan and budget for the district.~~

If the budget review committee recommends disapproval of the district budget, the Board may submit a response to the SPI no later than five working days after receipt of the committee's report. The response may include any revisions to the adopted final budget and any other proposed actions to be taken as a result of the committee's recommendations. (Education Code 42127.3)

If the SPI disapproves the district budget after reviewing the committee's report and the district's response, the Board shall consult with the County Superintendent ~~as he/she~~ **to** develops and adopts, by December 31, a fiscal plan and budget that will allow the district to meet its **current fiscal year and multiyear** financial obligations. For the current fiscal year, the district shall operate in accordance with the budget adopted by the County Superintendent. (Education Code 42127.3)

Until the district receives approval of its budget, it shall continue to operate either on the basis of the prior year's budget or on the basis of the current year's unapproved budget as adopted and revised by the Board, whichever budget contains a lower total spending authority. (Education Code 42127.4)

Policy Reference UPDATE Service
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Center Unified SD
Administrative Regulation
Budget

AR 3100
Business and Noninstructional Operations

Budget Advisory Committee

Membership of the district's budget advisory committee may include representatives of each of the following groups:

1. Governing Board members, provided that less than a majority of the Board serves on the committee

(cf. 9140 - Board Representatives)

2. District and school site administrators

3. Representatives of bargaining units

4. Certificated and/or classified staff

5. Parents/guardians

6. Representatives of the business community and/or other community members

7. Students

(cf. 1220 - Citizen Advisory Committees)
(cf. 2230 - Representative and Deliberative Groups)
(cf. 9130 - Board Committees)

The committee's duties may include, but not necessarily be limited to:

1. Making recommendations regarding budget priorities

2. Recommending cost reduction strategies, such as identifying services that may be reduced, made more efficient, or discontinued

3. Reviewing the clarity and effectiveness of budget documents and communications

4. Presenting progress reports on the committee's work and a final report of recommendations to the Superintendent or designee and to the Board

The specific duties of the committee shall be clearly defined and presented to each member in writing, along with any background information necessary for the successful completion of the committee's charges, the timelines for reporting the committee's progress, and timelines for completion of each task.

(cf. 3350 - Travel Expenses)

Public Hearing

The agenda for the public hearing on the district budget shall be posted at least 72 hours before the hearing and shall indicate the location where the budget may be inspected. The proposed budget shall be available for public inspection at least three working days before this hearing. (Education Code 42103, 42127, 52062)

(cf. 0460 - Local Control and Accountability Plan)
(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)

The Superintendent or designee shall notify the County Superintendent of Schools of the location, dates, and times at which the proposed budget may be inspected, as well as the location, date, and time of the public hearing, in sufficient time for the County Superintendent to publish such information in a newspaper of general circulation at least 10 days but not more than 45 days before the hearing as required by Education Code 42103.

Whenever the proposed district budget includes a combined assigned and unassigned ending fund balance that exceeds the minimum recommended reserve for economic uncertainties adopted by the State Board of Education, the district shall provide, for each fiscal year included in the budget, the following information for public review and discussion at the public hearing: (Education Code 42127; 5 CCR 15450)

1. The minimum recommended reserve for economic uncertainties

2. The combined assigned and unassigned ending fund balances that are in excess of the minimum recommended reserve

3. A statement of reasons substantiating the need for the combined assigned and unassigned ending balances that are in excess of the minimum recommended reserve

During the hearing, any district resident may speak to the proposed budget or to any item in the budget. The hearing may conclude when all residents who have requested to be heard have had the opportunity to speak. (Education Code 42103)

(cf. 9323 - Meeting Conduct)

Budget Review Committee for Disapproved Budgets

If the district's budget is disapproved by the County Superintendent for any reason other than his/her disapproval of the district's local control and accountability plan (LCAP) or annual update to the LCAP, the budget shall be reviewed by a budget review committee, unless the Board and County Superintendent agree to waive the requirement and the California Department of Education accepts the waiver. (Education Code 42127)

This committee shall consist of either: (Education Code 42127.1, 42127.2)

1. Three persons selected by the Board from a list of candidates provided by the Superintendent of Public Instruction (SPI), who shall be selected within five working days after receiving the list of candidates

2. A regional review committee convened by the County Superintendent with the approval of the Board

If the budget review committee recommends disapproval of the district budget, the Board may submit a response to the SPI no later than five working days after receipt of the committee's report. The response may include any revisions to the adopted final budget and any other proposed actions to be taken as a result of the committee's recommendations. (Education Code 42127.3)

If the SPI disapproves the district budget after reviewing the committee's report and the district's response, the Board shall consult with the County Superintendent as he/she develops and adopts, by December 31, a fiscal plan and budget that will allow the district to meet its financial obligations. For the current fiscal year, the district shall operate in accordance with the budget adopted by the County Superintendent. (Education Code 42127.3)

Until the district receives approval of its budget, it shall continue to operate either on the basis of the prior year's budget or on the basis of the current year's unapproved budget as adopted and revised by the Board, whichever budget contains a lower total spending authority. (Education Code 42127.4)

Regulation CENTER UNIFIED SCHOOL DISTRICT
adopted: January 20, 2016 Antelope, California

CSBA Sample
Board Policy

Business and Noninstructional Operations BP 3260(a)

FEES AND CHARGES

Note: Pursuant to Education Code 49011, a district is prohibited from requiring students to pay a fee, deposit, or other charge in order to participate in an educational activity as defined in Education Code 49010. A district is also required to provide the supplies, materials, and equipment needed by students to participate in educational activities. Education Code 49011 clarifies that an otherwise impermissible fee would not be made permissible by the provision of a waiver for some students. However, pursuant to 5 CCR 350, a district is permitted, in certain circumstances, to impose fees that are specifically authorized by law. See the accompanying administrative regulation for a list of permissible fees.

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students~~'~~ participation in the district's educational program are made available to ~~them~~ **students** at no cost.

No student shall be required to pay a fee, deposit, or other charge for ~~his/her~~ participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

(cf. 3100 - Budget)
(cf. 6145 - Extracurricular and Cocurricular Activities)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. When approving such fees, deposits, or charges, establishing fee schedules, or determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socioeconomic conditions of ~~district~~ students' families and their ability to pay.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0415 - Equity)
(cf. 3250 - Transportation Fees)
~~(cf. 3515.4 - Recovery for Property Loss or Damage)~~
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5143 - Insurance)
(cf. 9323.2 - Actions by the Board)

Note: The following **optional** paragraph may be revised to reflect district practice. The prohibition against student fees pursuant to Education Code 49011 does not restrict districts from soliciting for voluntary donations, participating in fundraising activities, or providing prizes or other recognition for participants in such fundraising activities. However, according to the California Department of Education's (CDE) Fiscal Management Advisory ~~1~~517-01, Pupil Fees, **Deposits, and Other Charges; ~~Parent Service Hours~~**, the prohibition against student fees does bar a district from requiring volunteer hours ~~or payment in lieu of performing volunteer hours~~ as a condition of admission, enrollment, continued enrollment, sibling preference, attendance, participation in educational activities, or receipt of credit or privileges related to educational activities.

FEES AND CHARGES (continued)

The prohibition against student fees shall not ~~restrict~~ **prevent** the district from soliciting for donations, ~~participating in~~ **conducting** fundraising activities, or providing prizes or other recognition for participants in such activities and events. The Superintendent or designee shall emphasize that participation of students, parents/guardians, district employees, volunteers, or educational or civic organizations in such activities and events is voluntary. The district shall not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. ~~It~~ **The district** also shall not remove or threaten to remove from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

(cf. 1321 - Solicitation of Funds from and by Students)
(cf. 3290 - Gifts, Grants and Bequests)

Note: The following paragraph is **optional** and may be revised to reflect district practice.

The Superintendent or designee may provide information or professional development opportunities to administrators, teachers, and other personnel regarding permissible fees.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Complaints

Note: Pursuant to Education Code 49013, a district is mandated to adopt policy and procedures which allow complaints to be filed using the uniform complaint procedures when the district is alleged to have violated the prohibition against requiring unauthorized student fees. See BP/AR 1312.3 - Uniform Complaint Procedures for language implementing this mandate.

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

(cf. 1312.3 - Uniform Complaint Procedures)

Note: Education Code 49013 requires districts found in violation of the prohibition against student fees to design a remedy which may include reasonable efforts to ~~fully~~ identify and **fully** reimburse all affected individuals as specified in 5 CCR 4600. See AR 1312.3 - Uniform Complaint Procedures for additional language reflecting these requirements.

If, upon investigation, the district finds merit in the complaint, the Superintendent or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

FEES AND CHARGES (continued)

Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the district's annual notification of uniform complaint procedures to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

Collection of Debt

Note: Education Code 49014 (the Public School Fair Debt Collection Act), as added by AB 1974 (Ch. 577, Statutes of 2018), establishes requirements for districts to follow when seeking to recover a debt owed by students and/or parents/guardians, including debts resulting from unpaid fees lawfully imposed by a district. See the accompanying administrative regulation for additional language reflecting these requirements.

The debt collection requirements of this Act do not apply to debt owed as a result of vandalism or loss of district property loaned to the student. For further information in regard to such debt, see AR 3515.4 - Recovery for Property Loss or Damage.

For information regarding meal payments, including the collection of delinquent meal charges, see BP/AR 3551 - Food Service Operations/Cafeteria Fund.

The Superintendent or designee shall, in accordance with law, recover any debt owed to the district as a result of unpaid permissible student fees approved by the Board. However, the district shall not bill a current or former student for accumulated debt, nor take negative action against a student or former student because of such debt, including, but not limited to, any of the following: (Education Code 49014)

1. **Denying full credit for any class assignment**

2. **Denying full and equal participation in any classroom activity**

3. **Denying access to the library or other on-campus educational facilities**

4. **Denying or withholding grades or transcripts**

5. **Denying or withholding a diploma**

6. **Limiting or barring participation in an extracurricular activity, club, or sport**

7. **Limiting or excluding the student from participation in an educational activity, field trip, or school ceremony**

Legal Reference: (see next page)

FEES AND CHARGES (continued)

Legal Reference:

EDUCATION CODE
8239 Preschool and wraparound child care services
8250 Child care and development services for children with disabilities
8263 Child care eligibility
8422 21st Century High School After School Safety and Enrichment for Teens programs
8482.6 After School Education and Safety programs
*8760-8774 Outdoor science, ~~and~~ conservation, **and forestry** programs*
*17453.1 District sale or lease of Internet appliances or personal computers to ~~students or~~ parents **of students***
17551 Property fabricated by students
19910-19911 Offenses against libraries
32033 Eye protective devices
32221 Insurance for athletic team member
32390 Fingerprinting program
35330-35332 Excursions and field trips
35335 School camp programs
38080-38086.1 Cafeteria establishment and use
38120 Use of school band equipment on excursions to foreign countries
39801.5 Transportation for adults
39807.5 Payment of transportation costs
39837 Transportation of students to places of summer employment
48050 Residents of adjoining states
48052 Tuition for foreign residents
48904 Liability of parent or guardian
49010-49013 Student fees
49014 Public School Fair Debt Collection Act
49065 Charge for copies
49066 Grades, effect of physical education class apparel
49091.14 Prospectus of school curriculum
49557.5 Unpaid school meal fees
51810-51815 Community service classes
52612 Tuition for adult classes
52613 Nonimmigrant foreign nationals
56504 School records; students with disabilities
60410 Students in classes for adults
GOVERNMENT CODE
6253 Request for copy; fee
CALIFORNIA CONSTITUTION
Article 9, Section 5 Common school system
CODE OF REGULATIONS, TITLE 5
350 Fees not permitted
4600-4687 Uniform complaint procedures
UNITED STATES CODE, TITLE 8
*1184 ~~Foreign~~ **Nonimmigrant** students*

Legal Reference continued: (see next page)

FEES AND CHARGES (continued)

Legal Reference: (continued)

COURT DECISIONS

Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251

*Driving School Assn of CA v. San Mateo Union HSD ~~(1993)~~ **(1992)** 11 Cal. App. 4th 1513*

~~*Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251*~~

Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739

Hartzell v. Connell (1984) 35 Cal. 3d 899

CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Pupil Fees, ~~: Damage to School Property~~ **Deposits and Other Charges**, Fiscal Management Advisory ~~16-01, September 16, 2016~~ **17-01, July 28, 2017***

~~*Pupil Fees: Parent Service Hours, Fiscal Management Advisory 15-01, January 20, 2015*~~

~~*Pupil Fees, Deposits, and Other Charges: Cap and Gown for High School Graduation Ceremony, Addendum to Fiscal Management Advisory 12-02, October 4, 2013*~~

~~*Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013*~~

WEB SITES

CSBA: http://www.csba.org

California Department of Education: http://www.cde.ca.gov

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Center Unified SD

Board Policy

Fees And Charges

BP 3260
Business and Noninstructional Operations

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the district's educational program are made available to them at no cost.

No student shall be required to pay a fee, deposit, or other charge for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

(cf. 3100 - Budget)
(cf. 6145 - Extracurricular and Cocurricular Activities)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. When approving such fees, deposits, or charges, establishing fee schedules, or determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socioeconomic conditions of district students' families and their ability to pay.

(cf. 3250 - Transportation Fees)
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5143 - Insurance)
(cf. 9323.2 - Actions by the Board)

The prohibition against student fees shall not restrict the district from soliciting for donations, participating in fundraising activities, or providing prizes or other recognition for participants in such activities and events. The Superintendent or designee shall emphasize that participation of students, parents/guardians, district employees, volunteers, or educational or civic organizations in such activities and events is voluntary. The district shall not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. It also shall not remove or threaten to remove from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3290 - Gifts, Grants and Bequests)

The Superintendent or designee may provide information or professional development opportunities to administrators, teachers, and other personnel regarding permissible fees.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Complaints

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

(cf. 1312.3 - Uniform Complaint Procedures)

If, upon investigation, the district finds merit in the complaint, the Superintendent or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the district's annual notification of uniform complaint procedures to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

Legal Reference:
EDUCATION CODE
8239 Preschool and wraparound child care services
8250 Child care and development services for children with disabilities
8263 Child care eligibility
8422 21st Century High School After School Safety and Enrichment for Teens programs
8482.6 After School Education and Safety programs
8760-8774 Outdoor science and conservation programs
17453.1 District sale or lease of Internet appliances or personal computers to students or parents
17551 Property fabricated by students
19910-19911 Offenses against libraries
32033 Eye protective devices
32221 Insurance for athletic team member

32390 Fingerprinting program
35330-35332 Excursions and field trips
35335 School camp programs
38080-38086.1 Cafeteria establishment and use
38120 Use of school band equipment on excursions to foreign countries
39801.5 Transportation for adults
39807.5 Payment of transportation costs
39837 Transportation of students to places of summer employment
48050 Residents of adjoining states
48052 Tuition for foreign residents
48904 Liability of parent or guardian
49010-49013 Student fees
49065 Charge for copies
49066 Grades, effect of physical education class apparel
49091.14 Prospectus of school curriculum
51810-51815 Community service classes
52612 Tuition for adult classes
52613 Nonimmigrant foreign nationals
56504 School records; students with disabilities
60410 Students in classes for adults
GOVERNMENT CODE
6253 Request for copy; fee
CALIFORNIA CONSTITUTION
Article 9, Section 5 Common school system
CODE OF REGULATIONS, TITLE 5
350 Fees not permitted
4600-4687 Uniform complaint procedures
UNITED STATES CODE, TITLE 8
1184 Foreign students
COURT DECISIONS
Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513
Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251
Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739
Hartzell v. Connell (1984) 35 Cal. 3d 899
CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Pupil Fees: Damage to School Property, Fiscal Management Advisory 16-01, September 16, 2016
Pupil Fees: Parent Service Hours, Fiscal Management Advisory 15-01, January 20, 2015
Pupil Fees, Deposits, and Other Charges: Cap and Gown for High School Graduation Ceremony, Addendum to Fiscal Management Advisory 12-02, October 4, 2013
Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013
WEB SITES
CSBA: http://www.csba.org

California Department of Education: http://www.cde.ca.gov

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: September 20, 2017Antelope, California

CSBA Sample
Administrative Regulation

Business and Noninstructional Operations AR 3260(a)

FEES AND CHARGES

Note: Pursuant to 5 CCR 350, districts may charge fees only when specifically authorized by law. The following list specifies fees currently authorized by law and should be revised to reflect the types of fees that have been approved by the Governing Board; see the accompanying Board policy. Other permissible fees may exist and be identified in the future. For further information about fees and charges, see the California Department of Education's (CDE) Fiscal Management Advisory ~~12-02,~~ **17-01, Pupil** Fees, Deposits and Other Charges.

Pursuant to Education Code 49011, a district is prohibited from requiring a student to pay fees or charges in order to participate in an educational activity. A complaint alleging the unauthorized charging of student fees ~~may~~ **should** be filed in accordance with the uniform complaint procedures; see the accompanying Board policy and BP/AR 1312.3 - Uniform Complaint Procedures. Districts with questions as to whether a particular fee may be charged should consult with legal counsel.

When approved by the Governing Board, the Superintendent or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption providing for the district to pay the cost of the insurance for any team member who is financially unable to pay (Education Code 32221)

(cf. 5143 - Insurance)

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

Note: In its Fiscal Management Advisory ~~12-02~~ **17-01**, ~~the~~ CDE interprets Education Code 35330 as permitting the district, at its discretion, to charge fees for any field trip, provided that no student is prevented from participating in a field trip due to a lack of funds. ~~AB 341 (Ch. 40, Statutes of 2017) amended Education Code 35330 to delete the prohibition against the use of district funds for the expenses of students participating in an out-of-state field trip, thereby giving districts discretion as to whether or not to charge students a fee to participate in such trips~~

3. Expenses of students' participation in a field trip or excursion within the state or to another state, the District of Columbia, or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)

(cf. 5142.1 - Identification and Reporting of Missing Children)

FEES AND CHARGES (continued)

5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-8774, provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

(cf. 6142.5 - Environmental Education)

Note: Education Code 17551 permits the district to sell to a student any ~~nonperishable~~ property of the district which has been fabricated by the student, as provided in item #6 below. CDE Fiscal Management Advisory ~~12-02~~ **17-01** clarifies that this cost applies to materials ~~the~~ students will take home for ~~his/her~~ **their** own possession and use, such as wood shop, art, or sewing projects.

6. Reimbursement **to the district** for the direct cost of materials ~~provided by the district to a student for the fabrication of nonperishable personal property the student~~ **used by students to fabricate property they** will take home for ~~his/her~~ **their** own possession and use, such as wood shop, art, or sewing projects kept by ~~the~~ students (Education Code 17551)

7. Home-to-school transportation and transportation between regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student**, the district provides a waiver based on financial need,** and **an** exemption~~s are~~ **is** made for ~~indigent and disabled students~~ **any student with a disability whose individualized education program includes transportation as a related service necessary to receive a free appropriate public education** (Education Code 39807.5)

(cf. 3250 - Transportation Fees)
(cf. 6159 - Individualized Education Program)
(cf. 6178.2 - Regional Occupational Center/Program)

8. Transportation for students to and from their places of employment in connection with any summer employment program for youth (Education Code 39837)

9. Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)

10. Sale or lease of personal computers or of Internet appliances that allow a person to connect to or access the district's educational network, provided that the items are sold or leased to parents/guardians at no more than cost and the district provides network access for families who cannot afford it (Education Code 17453.1)

(cf. 0440 - District Technology Plan)
(cf. 6163.4 - Student Use of Technology)

FEES AND CHARGES (continued)

11. An adult education or secondary school community service class in civic, vocational, literacy, health, homemaking, and technical and general education, not to exceed the cost of maintaining the class (Education Code 51810-51815)

(cf. 6142.4 - Service Learning/Community Service Classes)

12. Eye safety devices worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and at a price not to exceed the district's actual costs (Education Code 32033)

(cf. 3514.1 - Hazardous Substances)
(cf. 5142 - Safety)

13. Actual cost of furnishing copies of any student's records, except that no charge shall be made for furnishing up to two transcripts or two verifications of a former student's records or for reproducing records of a student with a disability when the cost would effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)

(cf. 5125 - Student Records)

14. Actual cost of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

(cf. 1340 - Access to District Records)
(cf. 5020 - Parent Rights and Responsibilities)

15. Food sold at school, subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Funds)
(cf. 3552 - Summer Meal Program)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 3554 - Other Food Sales)

16. ~~As allowed in~~ **In accordance with** law, replacement cost or reimbursement for lost or willfully damaged district books, supplies, or property, or for district property loaned to a student that ~~he/she~~ **the student** fails to return (Education Code 19910-19911, 48904)

(cf. 3515.4 - Recovery for Property Loss or Damage)

FEES AND CHARGES (continued)

17. Tuition for district school attendance by an out-of-state or out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)

(cf. 5111.1 - District Residency)
(cf. 5111.2 - Nonresident Foreign Students)

18. Adult education books, materials, transportation, and classes, except that no fee may be charged for classes in elementary subjects, classes for which high school credit is granted when taken by a person who does not hold a high school diploma, or classes in English and citizenship (Education Code 39801.5, 52612, 60410)

(cf. 6200 - Adult Education)

19. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is **exempted from fees by law** ~~for severely disabled children and the student is eligible to enroll in it~~ (Education Code 8239, 8250, 8263)

(cf. 5148 - Child Care and Development)
(cf. 5148.3 - Preschool/Early Childhood Education)

~~Note: Pursuant to Education Code 8422 and 8482.6, as amended by AB 2615 (Ch. 470, Statutes of 2016), districts are permitted to charge family fees for participation in After School Education and Safety (ASES) programs, 21st Century Community Learning Centers (21st CCLC), and 21st Century High School After School Safety and Enrichment for Teens programs, as long as fees are waived or reduced for families with students who are eligible for free or reduced price meals. In regard to ASES and 21st CCLC, commencing July 1, 2017, no fees may be charged if the district knows the student is a homeless youth or in foster care.~~

20. Participation in a before-school or after-school program that is funded as an After School Education and Safety (ASES) program, 21st Century Community Learning Center (21st CCLC), or 21st Century High School After School Safety and Enrichment for Teens program, provided that fees are waived or reduced for families with students who are eligible for free or reduced-price meals and, in regard to ASES and 21st CCLC programs, fees are not charged if the district knows the student is a homeless or foster youth (Education Code 8422, 8482.6)

(cf. 5148.2 - Before/After School Programs)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)

Note: In Fiscal Management Advisory ~~12-02, the~~ **17-01,** CDE lists Advanced Placement and International Baccalaureate examination fees as permissible. Some districts choose to reduce the cost of the fees for low-income students through the use of district funds or other funding sources; see BP 6141.4 - International Baccalaureate Program and BP 6141.5 - Advanced Placement.

FEES AND CHARGES (continued)

21. Advanced Placement and International Baccalaureate Diploma examinations for college credits, as long as the examination is not a course requirement and the results have no impact on student grades or credits in the course

(cf. 6141.4 - International Baccalaureate Program)
(cf. 6141.5 - Advanced Placement)

Note: In its ~~Addendum to~~ Fiscal Management Advisory ~~12-02 issued in October 2013, the CDE clarifies~~ **17-01, CDE advises** that a district that requires its students to wear a cap and gown as a condition for their participation in the high school graduation ceremony may not require such students to purchase the cap and gown. CDE recommends that such districts provide the graduates with a cap and gown for their use at the graduation ceremony and inform them that those interested may purchase a cap and gown from a vendor.

Collection of Debt

Note: Education Code 49014 (the Public School Fair Debt Collection Act), as added by AB 1974 (Ch. 577, Statutes of 2018), establishes requirements for districts to follow when seeking to recover a debt owed by students and/or parents/guardians, including a requirement to provide the parent/guardian with an itemized invoice that references the district's policies relating to debt collection and the rights established pursuant to Education Code 49014 and 49557.5 (unpaid meal fees). It is recommended that districts include references to this administrative regulation and the accompanying Board policy, as well as BP/AR 3551 - Food Service Operations/Cafeteria Fund. For additional rights established by Education Code 49014, including prohibitions against directly billing a student or former student or imposing any negative action on a student, see the accompanying Board policy.

Before pursuing payment of any debt that has accumulated from unpaid permissible fees, the Superintendent or designee shall provide an itemized invoice for any amount owed by the parent/guardian on behalf of a student or former student. The invoice shall reference district policies related to debt collection and the rights established pursuant to Education Code 49014 and 49557.5. For each payment received, the district shall provide a receipt to the parent/guardian. (Education Code 49014)

The Superintendent or designee shall not sell debt owed by a parent/guardian of a student or former student. (Education Code 49014)

Policy Reference UPDATE Service
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Center Unified SD

Administrative Regulation

Fees And Charges

AR 3260
Business and Noninstructional Operations

When approved by the Governing Board, the Superintendent or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption providing for the district to pay the cost of the insurance for any team member who is financially unable to pay (Education Code 32221)

(cf. 5143 - Insurance)

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

3. Expenses of students' participation in a field trip or excursion within the state or to another state, the District of Columbia, or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)

(cf. 5142.1 - Identification and Reporting of Missing Children)

5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-8774, provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

(cf. 6142.5 - Environmental Education)

6. Reimbursement for the direct cost of materials provided by the district to a student for the fabrication of nonperishable personal property the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects kept by the student (Education Code 17551)

7. Home-to-school transportation and transportation between regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does

not exceed the statewide average nonsubsidized cost per student and exemptions are made for indigent and disabled students (Education Code 39807.5)

(cf. 3250 - Transportation Fees)

8. Transportation for students to and from their places of employment in connection with any summer employment program for youth (Education Code 39837)

9. Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)

10. Sale or lease of personal computers or of Internet appliances that allow a person to connect to or access the district's educational network, provided that the items are sold or leased to parents/guardians at no more than cost and the district provides network access for families who cannot afford it (Education Code 17453.1)

(cf. 0440 - District Technology Plan)
(cf. 6163.4 - Student Use of Technology)

11. An adult education or secondary school community service class in civic, vocational, literacy, health, homemaking, and technical and general education, not to exceed the cost of maintaining the class (Education Code 51810-51815)

(cf. 6142.4 - Service Learning/Community Service Classes)

12. Eye safety devices worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and at a price not to exceed the district's actual costs (Education Code 32033)

(cf. 3514.1 - Hazardous Substances)
(cf. 5142 - Safety)

13. Actual cost of furnishing copies of any student's records, except that no charge shall be made for furnishing up to two transcripts or two verifications of a former student's records or for reproducing records of a student with a disability when the cost would effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)

(cf. 5125 - Student Records)

14. Actual cost of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

(cf. 1340 - Access to District Records)
(cf. 5020 - Parent Rights and Responsibilities)

15. Food sold at school, subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Funds)
(cf. 3552 - Summer Meal Program)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 3554 - Other Food Sales)

16. As allowed in law, replacement cost or reimbursement for lost or willfully damaged district books, supplies, or property, or for district property loaned to a student that he/she fails to return (Education Code 19910-19911, 48904)

(cf. 3515.4 - Recovery for Property Loss or Damage)

17. Tuition for district school attendance by an out-of-state or out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)

(cf. 5111.2 - Nonresident Foreign Students)

18. Adult education books, materials, transportation, and classes, except that no fee may be charged for classes in elementary subjects, classes for which high school credit is granted when taken by a person who does not hold a high school diploma, or classes in English and citizenship (Education Code 39801.5, 52612, 60410)

(cf. 6200 - Adult Education)

19. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is for severely disabled children and the student is eligible to enroll in it (Education Code 8239, 8250, 8263)

(cf. 5148 - Child Care and Development)
(cf. 5148.3 - Preschool/Early Childhood Education)

20. Participation in a before-school or after-school program that is funded as an After School Education and Safety (ASES) program, 21st Century Community Learning Center (21st CCLC), or 21st Century High School After School Safety and Enrichment for Teens program, provided that fees are waived or reduced for families with students who are eligible for free or reduced-price meals and, in regard to ASES and 21st CCLC programs, fees are not charged if the district knows the student is a homeless or foster youth (Education Code 8422, 8482.6)

(cf. 5148.2 - Before/After School Programs)
(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

21. Advanced Placement and International Baccalaureate Diploma examinations for college credits, as long as the examination is not a course requirement and the results have no impact on student grades or credits in the course

(cf. 6141.4 - International Baccalaureate Program)
(cf. 6141.5 - Advanced Placement)

Regulation approved: September 20, 2017 CENTER UNIFIED SCHOOL DISTRICT Antelope, California

CSBA Sample
Board Policy

Business and Noninstructional Operations BP 3515.4(a)

RECOVERY FOR PROPERTY LOSS OR DAMAGE

Note: The following **optional** policy may be modified to reflect district practice.

Pursuant to Education Code 48904, parents/guardians are liable **to the district** for the costs of damages caused by the willful misconduct of their minor children (1) that results in damage to school property, an employee's personal property, or injury or death of a district student, employee, or volunteer, and (2) for any reward paid by the district **for information leading to the identification and apprehension of persons who willfully damage or destroy property.**~~; see section below entitled "Rewards."~~ T~~his~~**ese** amounts **are** ~~is~~ adjusted annually for inflation by the Superintendent of Public Instruction. For ~~2018~~ **2019**, the liability of a parent/guardian must not exceed ~~$19,600~~ **$20,300** for damages and ~~$19,600~~ **$20,300** for the reward. For situations not addressed by the Education Code, Civil Code 1714.1 provides for parent/guardian liability for the willful misconduct of their minor child which results in injury, death, or property damage. The limit under this statute is adjusted every two years for cost-of-living by the Judicial Council of California and, effective July 1, 2017, parent/guardian liability must not exceed $42,100.

Pursuant to Penal Code 640.5 and 640.6, an individual who has been found to have defaced district property with graffiti may be fined or ordered by a court to perform community service. Depending on the amount of damage, Penal Code 594 also specifies that an individual, or the parent/guardian of a minor, who has been convicted of vandalism may be ordered to clean up and repair the property and to keep the property free from graffiti for one year.

~~The following **optional** policy may be modified to reflect district practice.~~

The Governing Board desires to create a safe and secure learning environment and to minimize acts of vandalism and damage to school property. ~~To discourage such acts,~~ **When district property is damaged due to the willful misconduct of a student or other person,** the district shall seek reimbursement of damages, within the limitations specified in law, ~~from any individual, or~~ from the parent/guardian of ~~any~~ **a** minor **child** or from any other responsible individual.~~, who has committed theft or has willfully damaged district or employee property~~.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)
(cf. 4158/4258/4358 - Employee Security)
~~(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)~~
(cf. 5131 - Conduct)
(cf. 5131.5 - Vandalism and Graffiti)
(cf. 5136 - Gangs)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Note: Pursuant to Education Code 49014, as added by AB 1974 (Ch. 577, Statutes of 2018), the district may collect debt owed to the school by a student who willfully cuts, defaces, or otherwise injures district property or fails to return property that was loaned by the district, unless the student is a current or former homeless student or foster youth.

RECOVERY FOR PROPERTY LOSS OR DAMAGE (continued)

The district may collect debt owed by a student or former student as a result of vandalism or to cover the replacement cost of district books, supplies, or property loaned to a student that the student willfully fails to return or that is willfully cut, defaced, or otherwise injured. However, this policy shall not apply to a student who is a current or former homeless or foster child or youth. (Education Code 48904, 49014)

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)

Rewards

Note: **The following section is optional.** ~~Government Code 53069.5 authorizes the Governing Board to offer rewards for information leading to the identification and apprehension of persons who willfully damage or destroy property.~~

~~When district or law enforcement officials have not been able to identify the person(s) responsible for the theft or vandalism of district property, the Board may authorize a reward for the identification and apprehension of the responsible person(s).~~**The Board may offer and pay a reward for information leading to the determination of the identity of, and the apprehension of, any person who willfully damages or destroys any district property. (Government Code 53069.5)**

Note: The **Governing** Board may set any amount for the reward it deems to be appropriate~~;~~. **H~~h~~**owever, as detailed above, Education Code 48904 specifies a limit on the amount of parent/guardian liability for repayment of the reward.

Option 1 below allows the Superintendent or designee to offer a reward up to $2,500 without Board approval. Option 2 provides that the Board will determine the amount of any reward offered. Both options may be revised, including the specified reward amount, to reflect district practice.

OPTION 1: The Board authorizes the Superintendent or designee to offer a reward in any amount ~~he/she deems~~ **deemed** appropriate, not exceeding $2,500. A reward in excess of $2,500 shall be authorized in advance by the Board.

~~**OPTION 2:** The Board shall determine the appropriate amount for the reward.~~

Note: The following paragraph applies to all districts.

The Superintendent or designee shall disburse the reward when the guilt of the person responsible for the act has been established by a criminal conviction or other appropriate judicial procedure. If more than one person provides information, the reward shall be divided among them as appropriate.

Legal Reference: (see next page)

RECOVERY FOR PROPERTY LOSS OR DAMAGE (continued)

Legal Reference:

EDUCATION CODE
19910 Libraries, malicious cutting, tearing, defacing, breaking or injuring
19911 Libraries, willful detention of property
44810 Willful interference with classroom conduct
48904 Liability of parent/guardian for willful misconduct
49014 Public School Fair Debt Collection Act
CIVIL CODE
1714.1 Liability of parent or guardian for act of willful misconduct by a minor
GOVERNMENT CODE
53069.5 Reward for information concerning person causing death, injury, or property damage
53069.6 Actions to recover damages
54951 Local agency, definition
PENAL CODE
484 Theft defined
594 Vandalism
594.1 Aerosol paint and etching cream
640.5 Graffiti; facilities or vehicles of governmental entity
640.6 Graffiti

Management Resources:

WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
Judicial Council of California: http://www.courts.ca.gov

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Center Unified SD

Board Policy

Recovery For Property Loss Or Damage

BP 3515.4
Business and Noninstructional Operations

The Governing Board desires to create a safe and secure learning environment and to minimize acts of vandalism and damage to school property. To discourage such acts, the district shall seek reimbursement of damages, within the limitations specified in law, from any individual, or from the parent/guardian of any minor, who has committed theft or has willfully damaged district or employee property.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)
(cf. 4158/4258/4358 - Employee Security)
(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
(cf. 5131 - Conduct)
(cf. 5131.5 - Vandalism and Graffiti)
(cf. 5136 - Gangs)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Rewards

When district or law enforcement officials have not been able to identify the person(s) responsible for the theft or vandalism of district property, the Board may authorize a reward for the identification and apprehension of the responsible person(s).

The Board authorizes the Superintendent or designee to offer a reward in any amount he/she deems appropriate, not exceeding $2,500. A reward in excess of $2,500 shall be authorized in advance by the Board.

The Superintendent or designee shall disburse the reward when the guilt of the person responsible for the act has been established by a criminal conviction or other appropriate judicial procedure.

Legal Reference:
EDUCATION CODE
19910 Libraries, malicious cutting, tearing, defacing, breaking or injuring
19911 Libraries, willful detention of property
44810 Willful interference with classroom conduct

48904 Liability of parent/guardian for willful misconduct
CIVIL CODE
1714.1 Liability of parent or guardian for act of willful misconduct by a minor
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53069.5 Reward for information concerning person causing death, injury, or property damage
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640.6 Graffiti

Management Resources:
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: November 4, 2009 Antelope, California

CSBA Sample
Administrative Regulation

Business and Noninstructional Operations AR 3515.4(a)

RECOVERY FOR PROPERTY LOSS OR DAMAGE

Note: The following administrative regulation is **optional** and should be modified to reflect district practice.

~~**Reports by Staff**~~

District employees shall report any damage to or loss of school property to the ~~principal~~ **Superintendent** or designee immediately after such damage or loss is discovered. ~~In those instances in which insurance reimbursement may be involved, the principal or designee shall contact the appropriate district official.~~

(cf. 3530 - Risk Management/Insurance)
(cf. 5131.5 - Vandalism and Graffiti)

~~**Investigation**~~

Note: Certain acts of graffiti or vandalism may trigger the need for an investigation pursuant to the district's sexual harassment or nondiscrimination grievance procedures (e.g., graffiti that is sexual in nature or disparaging to a class of individuals protected by the district's nondiscrimination policies). See BP 5131.5 - Vandalism and Graffiti.

The Superintendent or designee shall conduct a complete investigation of any instance of damage to or loss of school property and shall consult law enforcement officials when appropriate. ~~If it is determined that the damage has been committed by any district student, the Superintendent or designee shall initiate appropriate disciplinary procedures against the student.~~

(cf. 3515.3 - District Police/Security Department)
~~*(cf. 5131 - Conduct)*~~
~~*(cf. 5144 - Discipline)*~~
~~*(cf. 5144.1 - Suspension and Expulsion/Due Process)*~~
~~*(cf. 5145.3 - Nondiscrimination/Harassment)*~~
~~*(cf. 5145.7 - Sexual Harassment)*~~
~~*(cf. 5145.9 - Hate-Motivated Behavior)*~~

~~**Recovery of Damages**~~

When the individual causing the damage or loss has been identified and the costs of repair, replacement, or cleanup determined, the Superintendent or designee shall take all practical and reasonable steps to recover the district's costs and shall consult with the district's legal counsel and/or insurance ~~administrator~~ **carrier**, as appropriate.

RECOVERY FOR PROPERTY LOSS OR DAMAGE (continued)

Such steps may include the filing of a civil complaint in a court of competent jurisdiction to recover damages from the responsible person and, if the responsible person is a minor, from ~~his/her~~ **the** parent/guardian in accordance with law. Damages may include the cost of repair or replacement of the property, the payment of any reward, interest, court costs, and all other damages as provided by law.

Note: If a student's parents/guardians are unable to pay the damages, Education Code 48904 requires the district to offer an option for the student to provide work in lieu of payment. Pursuant to Education Code 49014, as added by AB 1974 (Ch. 577, Statutes of 2018), a district may offer any student or former student alternative, nonmonetary means to settle debt owed as a result of damage or loss of district property, regardless of the parents/guardians' ability to pay. However, the district is prohibited from collecting debt from a current or former homeless student or foster youth, and therefore cannot offer or require such a student to work or provide an alternative form of compensation.

If the responsible person is a minor student of the district and the student's parents/guardians are unable to pay for the damages or to return the property, the district shall offer a program of voluntary work for the student in lieu of the payment of monetary damages. The district may offer any other student or former student, with parent/guardian permission, the option to provide service, work, or other alternative, nonmonetary forms of compensation to settle the debt owed as a result of property loss or damage. Service or work exchanged for repayment of a debt shall comply with all provisions of the Labor Code related to youth employment. (Education Code 48904, 49014)

The Superintendent or designee may withhold the student's grades, diploma, and/or transcripts until the student's parents/guardians have paid for the damages or the voluntary work has been completed. Prior to withholding a student's grades, diploma, or transcripts, due process shall be afforded the student in accordance with law. (Education Code 48904)

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

~~If it is determined that the damage has been committed by any district student,~~ **In addition,** the Superintendent or designee shall initiate appropriate disciplinary procedures against the student.

(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

RECOVERY FOR PROPERTY LOSS OR DAMAGE (continued)

~~**Payment of Reward**~~

~~When authorized according to Board policy, the Superintendent or designee shall pay the a reward to the party who provides information sufficient to identify and apprehend the person(s) subsequently determined to be responsible for the damage or loss. If more than one person provides information, the reward shall be divided among them as appropriate.~~

Policy Reference UPDATE Service
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Center Unified SD

Administrative Regulation

Recovery For Property Loss Or Damage

AR 3515.4
Business and Noninstructional Operations

Reports by Staff

District employees shall report any damage to or loss of school property to the principal or designee immediately after such damage or loss is discovered. In those instances in which insurance reimbursement may be involved, the principal or designee shall contact the appropriate district official.

(cf. 3530 - Risk Management/Insurance)
(cf. 5131.5 - Vandalism and Graffiti)

Investigation

The Superintendent or designee shall conduct a complete investigation of any instance of damage to or loss of school property and shall consult law enforcement officials when appropriate. If it is determined that the damage has been committed by any district student, the Superintendent or designee shall initiate appropriate disciplinary procedures against the student.

(cf. 3515.3 - District Police/Security Department)
(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

Recovery of Damages

When the individual causing the damage or loss has been identified and the costs of repair, replacement, or cleanup determined, the Superintendent or designee shall take all practical and reasonable steps to recover the district's costs and shall consult with the district's legal counsel and/or insurance administrator, as appropriate.

Such steps may include the filing of a civil complaint in a court of competent jurisdiction to recover damages from the responsible person and, if the responsible person is a minor, from his/her parent/guardian in accordance with law. Damages may include the cost of repair or replacement of the property, the payment of any reward, interest, court costs,

and all other damages as provided by law.

Payment of Reward

When authorized according to Board policy, the Superintendent or designee shall pay the reward to the party who provides information sufficient to identify and apprehend the person(s) subsequently determined to be responsible for the damage or loss. If more than one person provides information, the reward shall be divided among them as appropriate.

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: November 4, 2009 Antelope, California

CSBA Sample
Board Policy

All Personnel BP 4030(a)

NONDISCRIMINATION IN EMPLOYMENT

Note: The following Board policy and accompanying administrative regulation are **mandated** pursuant to Government Code 11138 and 2 CCR 11023~~, as added by Register 2015, No. 50~~. The California Fair Employment and Housing Act (FEHA) (Government Code 12900-12996) prohibits ~~employers~~ **districts and district employees** from **harassing or** discriminating against employees and job applicants on the basis of actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, **pregnancy,** physical or mental disability, medical condition, genetic information, **military and veteran status,** sex, sexual orientation, gender, gender identity, **or** gender expression.~~, religious creed, physical or mental disability, medical condition, marital status, or genetic information. Pursuant to 2 CCR 11009, as amended by Register 2015, No. 50, these same protections apply to unpaid interns and volunteers. Consequently, the district is required to also notify unpaid interns and volunteers about these protections. For more information about volunteers, see BP/AR 1240 - Volunteer Assistance.~~ **Pursuant to Government Code 12940, these protections apply to employees, job applicants, persons who serves in an unpaid internship or other limited-duration program to gain unpaid work experience, volunteers, and independent contractors.**

The same or similar protections are available to employees and job applicants under various provisions of federal law, including Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7), Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), the Americans with Disabilities Act (42 USC 12101-12213), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Genetic Information Nondiscrimination Act (42 USC 2000ff-2000ff-11).

For policy addressing sexual harassment of and by employees, see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.

The Governing Board is determined to provide ~~district employees, interns, volunteers, and job applicants~~ a safe, positive environment where ~~they~~ **all district employees** are assured of full and equal employment access and opportunities, protection from harassment ~~or~~ **and** intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. **For purposes of this policy, *employees* include** ~~This policy shall apply to all district employees and, to the extent required by law, to~~ job applicants, interns, volunteers, ~~and job applicants~~ **and persons who contracted with the district to provide services, as applicable.**

(cf. 1240 - Volunteer Assistance)
(cf. 3312 - Contracts)
(cf. 3600 - Consultants)
(cf. 4111/4211/4311 - Recruitment and Selection)

Note: 2 CCR 11027.1, as added by Register 2018, No. 20, provides a definition of "national origin" for the purpose of implementing state nondiscrimination laws.

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, ~~religious creed,~~ color,

NONDISCRIMINATION IN EMPLOYMENT (continued)

ancestry, national origin, ~~ancestry,~~ age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender identity, gender expression, ~~sex, or sexual orientation~~ or ~~his/her~~ association with a person or group with one or more of these actual or perceived characteristics.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Note: 2 CCR 11028, as amended by Register 2018, No. 20, prohibits inquiry into an employee's immigration status or discrimination on the basis of such status, unless the district provides clear and convincing evidence that it is required to do so in order to comply with federal immigration law. Districts should consult legal counsel as necessary.

The district shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that it is necessary to comply with federal immigration law. (2 CCR 11028)

Note: The following ~~paragraph~~ **items** illustrates unlawful discriminatory practices as specified in Government Code 12940. ~~Pursuant to Labor Code 1197.5, an employer is prohibited from paying an employee at wage rates less than the rates paid to employees of the opposite sex for work requiring equal skill, effort, and responsibility and performed under similar conditions, except when the payment is based on some other bona fide factor such as education, training, or experience. In addition,~~ Labor Code 1197.5~~, as amended by SB 1063 (Ch. 866, Statutes of 2016),~~ prohibits the payment of different wage rates to employees for similar work based on **sex,** race, or ethnicity and prohibits the use of prior salary history by itself to justify any disparity in compensation under the bona fide factor exception.

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment

(cf. 4151/4251/4351 - Employee Compensation)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training

~~*(cf. 4151/4251/4351 - Employee Compensation)*~~
~~*(cf. 4154/4254/4354 - Health and Welfare Benefits)*~~

3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has

NONDISCRIMINATION IN EMPLOYMENT (continued)

the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment

Note: Item #4 below addresses the ~~numerous~~ specific practices prohibited under Government Code 12940 or 2 CCR 11006-11086 in relation to certain protected categories. For example, because "sex" as defined in Government Code 12926 includes pregnancy, childbirth, breastfeeding, or related medical conditions, any of these conditions may be the basis for an employee's sex discrimination claim. As the specific prohibitions are too numerous to list in policy, it is recommended that district legal counsel be consulted when questions arise as to any specific claim.

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:

   a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status

(cf. 4033 - Lactation Accommodation)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

   b. Religious creed discrimination based on an employee's religious belief or observance, including ~~his/her~~ religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement~~.~~

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)

   c. ~~Disability discrimination based on a district r~~**R**equirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

   d. ~~Disability discrimination based on the district's f~~**F**ailure to make reasonable accommodation for the known physical or mental disability of an employee**,** or to engage in a timely, good faith, interactive process with an employee~~,~~ **who has requested such accommodations in order** to determine **the** effective reasonable accommodations**, if any, to be provided to the employee** ~~for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition~~

(cf. 4032 - Reasonable Accommodation)

NONDISCRIMINATION IN EMPLOYMENT (continued)

Note: Retaliation against complainants or other participants in the grievance procedures is prohibited by Government Code 12940 and 34 CFR 110.34. In addition to the general prohibition against retaliation, Government Code 12940 provides that an employee who requests accommodation for ~~his/her~~ **a** physical or mental disability or religious belief is protected from retaliation as specified below. CSBA recommends that this protection be extended to all protected characteristics**, as provided below.** ~~and has modified the policy accordingly. In Thompson v. North American Stainless LP, the U.S. Supreme Court held that a third party may file an anti-retaliation suit.~~

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940; **2 CCR 11028**)

Note: Pursuant to Government Code 12964.5, as added by SB 1300 (Ch. 955, Statutes of 2018), the district is prohibited from requiring an employee, in exchange for a raise or bonus or as a condition of employment or continued employment, to sign a nondisparagement agreement or similar document that would deny the employee the right to disclose information about unlawful acts in the workplace or requiring an employee to release the right to file a claim or civil action against the district.

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign any document that releases the employee's right to file a claim against the district or to disclose information about harassment or other unlawful employment practices. (Government Code 12964.5)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Note: Pursuant to 2 CCR 11019, in certain instances, an employee's (especially a supervisor's) knowledge or notice of prohibited conduct of another employee or individual may subject the district to liability. Therefore, it is recommended that the district require its employees with knowledge of harassment or discrimination to report the incident to the appropriate district authorities. In addition, Government Code 12940**, as amended by SB 1300,** provides that ~~an employer~~ **a district** may be responsible for ~~the sexual~~ harassment of employees by nonemployees where the ~~employer~~ **district** knows or should have known of the conduct and failed to take immediate and corrective action**, taking into consideration the extent of the district's control and other legal responsibility that the district may have with respect to the conduct of those nonemployees. Also s**~~S~~ee BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.

See the accompanying administrative regulation for requirements related to the identification of the employee who will be responsible for compliance with the nondiscrimination laws.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, **including harassment of an employee by a**

NONDISCRIMINATION IN EMPLOYMENT (continued)

nonemployee, shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who reports such incidents from retaliation.

Note: Government Code 12940 **and 2 CCR 11023** requires districts to take all reasonable steps~~, including training,~~ to prevent prohibited discrimination and harassment**, including, but not limited to, dissemination of the district's policy on the prevention of harassment, discrimination, and retaliation**. ~~In addition, 2 CCR 11023, as added by Register 2015, No. 15, imposes an affirmative duty on the district to create a workplace environment that is free from all prohibited practices.~~ **In addition, Government Code 12950 requires districts to post, in prominent and accessible locations on district premises, posters developed by the California Department of Fair Employment and Housing (DFEH), which are available on DFEH's web site. For further information on prevention strategies,** ~~For details of such measures,~~ see the accompanying administrative regulation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. ~~He/she shall provide~~**, including providing** training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

~~In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013.~~

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference: (see next page)

NONDISCRIMINATION IN EMPLOYMENT (continued)

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination
CIVIL CODE
51.7 Freedom from violence or intimidation
GOVERNMENT CODE
11135 Unlawful discrimination
11138 Rules and regulations
12900-12996 Fair Employment and Housing Act, ***especially:***
12940-12952 Unlawful employment practices
12960-12976 Unlawful employment practices; complaints
PENAL CODE
422.56 Definitions, hate crimes
CODE OF REGULATIONS, TITLE 2
11006-11086 Discrimination in employment, ***especially:***
11013 Recordkeeping
11019 Terms, conditions and privileges of employment
11023 Harassment and discrimination prevention and correction
11024 Sexual harassment training and education
11027-11028 National origin and ancestry discrimination
CODE OF REGULATIONS, TITLE 5
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972
UNITED STATES CODE, TITLE 29
621-634 Age Discrimination in Employment Act
794 Section 504 of the Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended
2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age discrimination in federally assisted programs
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34
100.6 Compliance information
104.7 Designation of responsible employee for Section 504
104.8 Notice
106.8 Designation of responsible employee and adoption of grievance procedures
106.9 Dissemination of policy
110.1-110.39 Nondiscrimination on the basis of age
COURT DECISIONS
Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863
Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources: (see next page)

NONDISCRIMINATION IN EMPLOYMENT (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS
California Law Prohibits Workplace Discrimination and Harassment~~, December 2014~~
Transgender Rights in the Workplace
Workplace Harassment Guide for California Employers
Your Rights and Obligations as a Pregnant Employee
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Notice of Non-Discrimination, August 2010
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS
~~Questions and Answers: Religious Discrimination in the Workplace, 2008~~
~~New Compliance Manual Section 15: Race and Color Discrimination, April 2006~~
EEOC Compliance Manual
Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999
WEB SITES
California Department of Fair Employment and Housing: http://www.dfeh.ca.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr
U.S. Equal Employment Opportunity Commission: http://www.eeoc.gov

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Center Unified SD

Board Policy

Nondiscrimination In Employment

BP 4030
Personnel

The Governing Board is determined to provide district employees, interns, volunteers, and job applicants a safe, positive environment where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. This policy shall apply to all district employees and, to the extent required by law, to interns, volunteers, and job applicants.

(cf. 1240 - Volunteer Assistance)
(cf. 4111/4211/4311 - Recruitment and Selection)

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation or his/her association with a person or group with one or more of these actual or perceived characteristics.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment

2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training

(cf. 4151/4251/4351 - Employee Compensation)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:

a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status

(cf. 4033 - Lactation Accommodation)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

b. Religious creed discrimination based on an employee's religious belief or observance, including his/her religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement.

c. Disability discrimination based on a district requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

d. Disability discrimination based on the district's failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee, to determine effective reasonable accommodations for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition

(cf. 4032 - Reasonable Accommodation)

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The

district shall protect any employee who reports such incidents from retaliation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
CIVIL CODE
51.7 Freedom from violence or intimidation
GOVERNMENT CODE
11135 Unlawful discrimination
11138 Rules and regulations
12900-12996 Fair Employment and Housing Act
PENAL CODE
422.56 Definitions, hate crimes
CODE OF REGULATIONS, TITLE 2
11006-11086 Discrimination in employment
11013 Recordkeeping
11019 Terms, conditions and privileges of employment
11023 Harassment and discrimination prevention and correction
11024 Sexual harassment training and education
CODE OF REGULATIONS, TITLE 5
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972
UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act
794 Section 504 of the Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended
2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age discrimination in federally assisted programs
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34
100.6 Compliance information
104.7 Designation of responsible employee for Section 504
104.8 Notice
106.8 Designation of responsible employee and adoption of grievance procedures
106.9 Dissemination of policy
110.1-110.39 Nondiscrimination on the basis of age
COURT DECISIONS
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Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources:
CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS
California Law Prohibits Workplace Discrimination and Harassment, December 2014
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Notice of Non-Discrimination, August 2010
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS
Questions and Answers: Religious Discrimination in the Workplace, 2008
New Compliance Manual Section 15: Race and Color Discrimination, April 2006
Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999
WEB SITES
California Department of Fair Employment and Housing: http://www.dfeh.ca.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr
U.S. Equal Employment Opportunity Commission: http://www.eeoc.gov

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: September 20, 2017Antelope, California

CSBA Sample
Administrative Regulation

All Personnel AR 4030(a)

NONDISCRIMINATION IN EMPLOYMENT

Note: Pursuant to Government Code 11138 and 2 CCR 11023, ~~as added by Register 2015, No. 50,~~ districts are **mandated** to adopt rules and regulations to ensure that district programs and activities are free from unlawful discriminatory practices. Pursuant to ~~2 CCR 11009, as amended by Register 2015, No. 50, it is unlawful to discriminate against~~ **Government Code 12940, protections against discrimination apply to employees, job applicants,** ~~any person~~ **persons** who serves in an unpaid internship or other limited-duration program to gain unpaid work experience, **volunteers, and independent contractors** ~~on any basis protected by Government Code 12940~~.

All allegations of discrimination in employment, including those involving an **employee,** job applicant, intern, volunteer, or ~~job applicant~~ **person contracted to provide services to the district** shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1240 - Volunteer Assistance)
(cf. 3312 - Contracts)
(cf. 3600 - Consultants)
(cf. 4032 - Reasonable Accommodation)

Note: Many nondiscrimination laws and regulations require identification of an employee who will be responsible for compliance with the nondiscrimination laws. For example, pursuant to 34 CFR 104.7, 106.8, and 110.25, the district is required to designate the person(s) responsible for the overall implementation of the requirements of federal laws which prohibit discrimination on the basis of disability, sex, and age, i.e., Section 504 of the Rehabilitation Act of 1973 (29 USC 794), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), and the Age Discrimination in Employment Act (29 USC 621-634). The district should fill in the blanks below to designate the responsible employee and ~~his/her~~ contact information.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to coordinate the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Director of Student Services
8408 Watt Avenue
Antelope, CA 95843
(916) 338-6413

NONDISCRIMINATION IN EMPLOYMENT (continued)

Measures to Prevent Discrimination

Note: Pursuant to Government Code 12940 and 2 CCR 11023, ~~as added by Register 2015, No. 50,~~ the district is required to take all reasonable steps to prevent unlawful discrimination and harassment. 2 CCR 11023~~, as added,~~ specifies certain requirements to be included in the district's policy. The following section reflects the requirements of 2 CCR 11023 and other applicable laws or regulations, as indicated.

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

Note: Pursuant to Government Code 12950, districts are required to post the California Department of Fair Employment and Housing's (DFEH) posters entitled California Law Prohibits Workplace Discrimination and Harassment and Transgender Rights in the Workplace, as provided in item #1. DFEH rules require that these materials be posted electronically and in every location where the district has employees (e.g., district office, hiring office, each school site). These posters and the rules for posting are available on the DFEH web site.

In addition, 2 CCR 11049 requires posting a notice of the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave.

1. **Display in a prominent and accessible location at every work site where the district has employees and post electronically on computers in a conspicuous location, the California Department of Fair Employment and Housing (DFEH) posters in regard to workplace discrimination and harassment and the rights of transgender employees (Government Code 12950)**

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

~~1.~~**2.** Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.9)

a. Including them in each announcement, bulletin, or application form that is used in employee recruitment

b. Posting them in all district schools and offices, including staff lounges and other prominent locations

c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 4111/4211/4311 - Recruitment and Selection)

NONDISCRIMINATION IN EMPLOYMENT (continued)

~~2.~~**3.** Disseminate the district's nondiscrimination policy to all employees by one or more of the following methods: (2 CCR 11023)

a. Printing and providing a copy of the policy to all employees, with an acknowledgment form for each employee to sign and return

b. Sending the policy via email with an acknowledgment return form

c. Posting the policy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies

d. Discussing the policy with employees upon hire and/or during a new hire orientation session

e. Any other way that ensures employees receive and understand the policy

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

~~3.~~**4.** Provide to employees a handbook ~~that~~ **which** contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to ~~anyone who feels that he/she has~~ **employees who believe they have** been the victim of any discriminatory or harassing behavior

Note: Item #5 below provides for training regarding the district's discrimination policy and reporting procedures. For requirements specifically pertaining to sexual harassment training, see AR 4119.11/4219.11/4319.11 - Sexual Harassment. Pursuant to Government Code 12950.1, if the district has 50 or more employees, it must provide at least two hours of staff development regarding sexual harassment to all supervisory employees within six months of their assumption of a supervisory position and once every two years thereafter. As amended by SB 1343 (Ch. 956, Statutes of 2018), Government Code 12950.1 requires any district that has five or more employees to provide at least two hours of sexual harassment training to supervisory employees and at least one hour of sexual harassment training to all nonsupervisory employees by January 1, 2020 and once every two years thereafter.

~~4.~~**5.** Provide training to employees, volunteers, and interns regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

~~Note: Pursuant to 2 CCR 11023, as added by Register 2015, No. 50, if the district has 50 or more employees, its sexual harassment prevention training must include instruction for its supervisors as specified in the following paragraph~~

NONDISCRIMINATION IN EMPLOYMENT (continued)

~~Training for supervisors shall include the requirement to report any complaint of misconduct to a designated representative, such as the coordinator, human resources manager, or Superintendent or designee as a topic in the sexual harassment prevention training required pursuant to 2 CCR 11024. (2 CCR 11023)~~

Note: Pursuant to Government Code 12950.2, as added by SB 1300 (Ch. 955, Statutes of 2018), districts are authorized, but not required, to provide bystander intervention training as provided below.

The district may also provide bystander intervention training to employees that includes information and practical guidance on how to recognize potentially problematic behaviors and motivates them to take action when they observe such behaviors. The training and education may include exercises to provide employees with the skills and confidence to intervene as appropriate and to provide them with resources they can call upon that support their intervention. (Government Code 12950.2)

~~*(cf. 1240 - Volunteer Assistance)*~~
~~*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*~~
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

6. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law

7. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce

Complaint Procedure

Note: 2 CCR 11023~~, as added by Register 2015, No. 50,~~ **mandates** that a district's policy include a complaint process with specified requirements. Some of the requirements of 2 CCR 11023 are similar to those required under existing case law.

Courts have held that an employer may mitigate liability for hostile environment employment discrimination when (1) the employer took reasonable care to prevent and promptly correct the discriminatory or harassing conduct (i.e., provided a complaint procedure) and (2) the aggrieved employee unreasonably failed to take advantage of corrective opportunities offered by the employer (i.e., failure to file a complaint). In its June 1999 Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, the Equal Employment Opportunity Commission (EEOC) outlines the elements of an effective complaint procedure to include (1) a clear explanation of the process; (2) protection against retaliation; (3) designation of multiple individuals authorized to receive complaints; (4) a mechanism for prompt, thorough, and impartial investigation; (5) assurance of immediate and appropriate corrective action; and (6) information about time frames for filing charges with ~~the~~ EEOC or ~~the California Department of Fair Employment and Housing~~ (DFEH).

NONDISCRIMINATION IN EMPLOYMENT (continued)

While ~~the~~ EEOC's guidance recommends a "prompt" investigation, neither the law nor ~~the~~ EEOC delineates a specific time frame for resolution. ~~The~~ EEOC's guidance acknowledges that whether an investigation is considered "prompt" may vary depending on the seriousness and complexity of the circumstances and that intermediate measures may be necessary to prevent further harassment during the investigation.

The following section, including the listed timelines, is consistent with ~~the~~ EEOC's guidance and should be modified to reflect district practice.

Any complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** A complainant may inform ~~his/her~~ **a** direct supervisor, another supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman. **The employee's direct supervisor may be bypassed in filing a complaint where the supervisor is the subject of the complaint.**

   The complainant may file a written complaint in accordance with this procedure~~, or, if he/she is an employee,~~ **or** may first attempt to resolve the situation informally with ~~his/her~~ **the employee's** supervisor.

   A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

   The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. **Investigation Process:** The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

   The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. ~~He/she~~ **The coordinator** shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

NONDISCRIMINATION IN EMPLOYMENT (continued)

(cf. 3580 - District Records)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

If the coordinator determines that a detailed fact-finding investigation is necessary, ~~he/she shall begin~~ the investigation **shall begin** immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out ~~his/her~~ **the** investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator ~~also~~ shall **also** determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents are prevented. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Remedial/Corrective Action:** No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of ~~his/her~~ **the** findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

   The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report ~~also~~ shall **also** include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented. **The report shall be presented to the Superintendent or designee.**

   ~~The report~~ **A summary of the findings** shall be presented to the complainant~~,~~ **and** the person accused~~, and the Superintendent or designee~~.

4. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an

NONDISCRIMINATION IN EMPLOYMENT (continued)

appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 9321 - Closed Session Purposes and Agendas)

Other Remedies

Note: Items #1-3 below state the time limits within which employees must file their complaints. ~~The~~ EEOC's guidance states that it is important for employers' nondiscrimination policies to contain information about timeframes for filing charges of unlawful discrimination or harassment with ~~the~~ EEOC or DFEH. Employees should be informed that the deadline for filing charges starts to run from the last date of the unlawful act, not from the conclusion of the ~~employer's~~ **district's** complaint investigation. Pursuant to DFEH procedures, DFEH will automatically forward any complaint it has accepted for investigation to ~~the~~ EEOC when the matter falls within ~~the~~ EEOC's jurisdiction.

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either ~~the California Department of Fair Employment and Housing~~ (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

Note: Pursuant to Government Code 12960, an employee has one year to file a complaint with DFEH, although that period may be extended under certain circumstances, such as when a person obtains knowledge of the unlawful practice after the expiration of the one-year period.

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960

Note: 42 USC 2000e-5 specifies that a person must file a discrimination complaint with ~~the~~ EEOC within 180 days of the alleged discriminatory act. Pursuant to 42 USC 2000e-5, the 180-day timeline for compensation discrimination starts when the discriminatory paycheck is received and that each discriminatory paycheck restarts the timeline for the filing of a complaint.

2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)

3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

Policy Reference UPDATE Service
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Center Unified SD

Administrative Regulation

Nondiscrimination In Employment

AR 4030
Personnel

All allegations of discrimination in employment, including those involving an intern, volunteer, or job applicant, shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to coordinate the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Director of Personnel
8408 Watt Avenue
Antelope, CA 95843
(916) 338-6413

Measures to Prevent Discrimination

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.9)

a. Including them in each announcement, bulletin, or application form that is used in employee recruitment

b. Posting them in all district schools and offices, including staff lounges and other prominent locations

c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)

2. Disseminate the district's nondiscrimination policy to all employees by one or more of the following methods: (2 CCR 11023)

a. Printing and providing a copy of the policy to all employees, with an acknowledgment form for each employee to sign and return

b. Sending the policy via email with an acknowledgment return form

c. Posting the policy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies

d. Discussing the policy with employees upon hire and/or during a new hire orientation session

e. Any other way that ensures employees receive and understand the policy

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

3. Provide to employees a handbook that contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to anyone who feels that he/she has been the victim of any discriminatory or harassing behavior

4. Provide training to employees, volunteers, and interns regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

Training for supervisors shall include the requirement to report any complaint of misconduct to a designated representative, such as the coordinator, human resources manager, or Superintendent or designee as a topic in the sexual harassment prevention training required pursuant to 2 CCR 11024 (2 CCR 11023)

(cf. 1240 - Volunteer Assistance)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

5. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law

6. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce

Complaint Procedure

Any complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. Notice and Receipt of Complaint: A complainant may inform his/her direct supervisor, another supervisor, the coordinator, or the Superintendent.

The complainant may file a written complaint in accordance with this procedure, or if he/she is an employee, may first attempt to resolve the situation informally with his/her supervisor.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4032 - Reasonable Accommodation)

2. Investigation Process: The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. He/she shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

(cf. 3580 - District Records)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

If the coordinator determines that a detailed fact-finding investigation is necessary, he/she shall begin the investigation immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out his/her investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents are prevented. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. Written Report on Findings and Remedial/Corrective Action: No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report also shall include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented.

The report shall be presented to the complainant, the person accused, and the Superintendent or designee.

4. Appeal to the Governing Board: The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 9321 - Closed Session Purposes and Agendas)

Other Remedies

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960

2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)

3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: September 20, 2017 Antelope, California

CSBA Sample
Administrative Regulation

Certificated Personnel AR 4161.1(a)
4361.1

PERSONAL ILLNESS/INJURY LEAVE

Note: The following administrative regulation is subject to collective bargaining. Education Code 44978 provides a minimum of 10 days of personal illness or injury leave (sick leave) per year for certificated employees working five days a week. The Governing Board may allow additional days at its discretion; if it does so, the following paragraph should be revised accordingly.

Labor Code 245-249 (the Healthy Workplaces, Healthy Families Act) require districts to grant a minimum of one hour of paid sick leave for every 30 hours worked to their employees who work for 30 days **or more** within a year of their employment, including temporary and substitute employees. Pursuant to Labor Code 246, a district may use a different sick leave accrual method which provides for the accrual to be on a regular basis so that ~~an~~ employees accrues at least 24 hours of sick leave or paid time off by the 120th calendar day of ~~his/her~~ **their** employment or each calendar year or 12-month period.

The provisions of Labor Code 245-249 are very broad and **only** district employees covered by a valid collective bargaining agreement may be exempted from them, if the collective bargaining agreement expressly provides paid sick leave in an amount equal to or exceeding the amount of leave required pursuant to Labor Code 246, includes final and binding arbitration of disputes regarding the application of the paid sick days provisions, and provides premium wage rates for all overtime hours worked and a regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate. Since many districts may not satisfy all of the conditions for this exemption, this administrative regulation has been drafted to include the requirements of Labor Code 245-249. Any district ~~whose~~ **which has a** collective bargaining agreement **that** meets all of the conditions for exemption may modify this administrative regulation accordingly.

For additional requirements of Labor Code 245-249, see the section titled "Healthy Workplaces, Healthy Families Act Requirements" below. For paid sick leave for temporary and substitute certificated employees, see BP/AR 4121 - Temporary/Substitute Personnel. For sick leave for classified employees, see AR 4261.1 - Personal Illness/Injury Leave.

Certificated employees employed five school days per week are entitled to 10 days' leave of absence with full pay for personal illness or injury (sick leave) per school year of service. Employees who work less than five school days per week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employees who ~~is~~ **are** entitled to less than three days of paid sick leave per year due to the amount of time worked shall be granted sick leave pursuant to Labor Code 246, if ~~he/she is~~ **they are** eligible. (Education Code 44978; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)
(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

Use of Sick Leave

Note: Items #1-8 below reflect allowable uses of sick leave specified in law. The district may expand this list to include any additional purposes authorized by law, authorized by the district, or included in a bargaining agreement.

PERSONAL ILLNESS/INJURY LEAVE (continued)

Certificated employees may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of ~~or~~ **and** in the course of employment; quarantine which results from contact **in the course of employment** with other persons having a contagious disease ~~during the employee's performance of his/her duties~~; or temporary inability to perform assigned duties because of illness, accident, or quarantine (Education Code 44964)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

2. Pregnancy, miscarriage, childbirth, and related recovery (Education Code 44965, 44978)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity (Education Code 44981)

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

Note: **Optional** item #4 below may be revised as desired to specify a different minimum increment for sick leave.

4. Medical and dental appointments, in increments of not less than one hour

5. Industrial accidents or illnesses when leave granted specifically for that purpose has been exhausted (Education Code 44984)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

Note: Pursuant to the Family and Medical Leave Act (FMLA) (29 USC 2612) and California Family Rights Act (CFRA) (Government Code 12945.2), a district is required to grant leave to an eligible employee to bond with a child after the birth, adoption, or foster care placement of the child, if the district employs 50 or more employees within 75 miles of the worksite where the employee requesting the leave is employed. For this purpose, employees may, but are not required to, use sick leave for any otherwise unpaid FMLA or CFRA leave.

Government Code 12945.6~~, as added by SB 63 (Ch. 686, Statutes of 2017),~~ extends the right to parental leave to an eligible employee who is not covered by FMLA or CFRA when the district employs 20-49 employees within 75 miles of the worksite where the employee requesting the leave is employed.

For further information regarding parental leave, see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave.

PERSONAL ILLNESS/INJURY LEAVE (continued)

6. Need of the employee to bond with a child within one year of the child's birth, adoption, or foster care placement (parental leave) (Education Code 44977.5; Government Code 12945.2, 12945.6; 29 USC 2612; 29 CFR 825.112)

Note: Pursuant to Labor Code 233, any district that provides sick leave to its employees is required to permit them to use sick leave, in an amount not less than the sick leave that would be accrued during six months at the employee's then current rate of entitlement, for the purposes specified in items #7-8 below.

For the purpose of using sick leave to attend to the health care needs of a family member, as specified in item #7 below, Labor Code 245.5 defines "family member" as an employee's spouse, registered domestic partner, child (biological, adopted, or foster child; stepchild; legal ward; or a child to whom the employee stands in loco parentis), parent (biological, adoptive, or foster parent; stepparent; legal guardian of an employee or the employee's spouse or registered domestic partner; or a person who stood in loco parentis when the employee was a minor child), grandparent, grandchild, or sibling.

For additional information about leaves for victims of domestic violence, sexual assault, or stalking granted in accordance with item #8 below, see AR 4161.2/4261.2/4361.2 - Personal Leaves.

7. Need of the employee or ~~his/her~~ **employee's** family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care (Labor Code 233, 246.5)

8. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and/or 230.1(a) for the health, safety, or welfare of the employee or ~~his/her~~ **the employee's** child, when the employee has been a victim of domestic violence, sexual assault, or stalking (Labor Code 233, 246.5)

For the purposes specified in items #7-8, an employee may use, in any calendar year, the amount of sick leave ~~he/she would~~ **that would be** accrued during six months at ~~his/her~~ **the employee's then** current rate of entitlement. (Labor Code 233)

An employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (Education Code 44978)

Note: The following paragraph is **optional**.

An employee shall reimburse the district for any unearned sick leave used as of the date of ~~his/her~~ termination.

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Note: The following **optional** paragraph may be revised to reflect district practice.

At the beginning of each school year, employees shall be notified of the amount of sick leave they have accumulated.

The district shall not require new employees to waive leave accumulated in a previous district. (Education Code 44979, 44980)

Note: Pursuant to Education Code 44979-44980, ~~a~~ certificated employee**s are** ~~is~~ entitled to have ~~his/her~~ **their** accumulated sick leave transferred with ~~him/her~~ **them** in the circumstances specified in the following **optional** paragraph.

The Superintendent or designee shall notify any certificated employee who leaves the district after at least one school year of employment that if the employee accepts a certificated position in another district, county office of education, or community college district within one year, ~~he/she~~ **the employee** may request that the district transfer ~~his/her~~ **any** accumulated sick leave to the new employer. (Education Code 44979, 44980)

Additional Leave for Disabled Military Veterans

~~Note: Education Code 44978.2, as amended by SB 731 (Ch. 597, Statutes of 2017), provides that an employee who is a military veteran or a former or current member of the California National Guard or a federal reserve component is entitled to additional sick leave with pay for up to 10 days for the purpose of undergoing medical treatment for a qualifying military service-connected disability (i.e., an injury or disease that occurred during active duty or was made worse by active military service and that has a disability rating by the U.S. Department of Veterans Affairs of 30 percent or higher). As amended, Education Code 44978.2 provides that credit for such leave begins on either the effective date of the employee's disability rating decision from the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later.~~

In addition to any other entitlement for sick leave with pay, a certificated employee who is a former active duty member of the U.S. Armed Forces or a former or current member of the California National Guard or a federal reserve component shall be entitled to sick leave with pay of up to 10 days for the purpose of undergoing medical treatment, including mental health treatment, for a military service-connected disability rated at 30 percent or more by the U.S. Department of Veterans Affairs. An eligible employee who works less than five days per week shall be entitled to such leave in proportion to the time ~~he/she works~~ **worked**. (Education Code 44978.2)

The amount of leave shall be credited to the employee either on the date the employee receives confirmation of the submission of ~~his/her~~ **the** disability application to the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later. When the employee receives ~~his/her~~ **the**

PERSONAL ILLNESS/INJURY LEAVE (continued)

disability rating decision, ~~he/she~~ **the employee** shall report that information to the Superintendent or designee. If the disability rating decision makes the employee eligible for the leave, the time used before the decision shall be counted toward the 10-day maximum leave. If the disability rating decision makes the employee ineligible for the leave, the district may change the sick leave time used before the disability rating decision to an alternative leave balance. (Education Code 44978.2)

Note: Pursuant to Education Code 44978.2, the district may require proof that a leave granted under this law is used for treatment of a military service-connected disability. The following paragraph may be revised to reflect district practice.

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Leave for military-service connected disability shall be available for 12 months following the first date that the leave was credited. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 44978.2)

Notification of Absence

Note: The following **optional** section may be revised to reflect district practice.

An employee shall notify the district of ~~his/her~~ **the** need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which ~~he/she~~ **the employee** intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

(cf. 4121 - Temporary/Substitute Personnel)

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

Note: Pursuant to Education Code 44977, ~~an~~ employees who ~~is~~ **are** absent **due to illness** for up to five months after exhausting all ~~his/her~~ available sick leave must receive ~~his/her~~ **their** regular salary minus the cost of a substitute. ~~Option 1 below reflects this requirement. However,~~ **Alternatively,** Education Code 44983 ~~provides that Education Code 44977 does not apply to those districts that~~ **allows districts to** adopt a rule that gives certificated employees 50 percent or more of their regular salary during the period of absence. ~~Option 2 below is for use by districts that choose to specify such a level of compensation; these districts are mandated to adopt a rule to this effect.~~ When an employee is absent for a ~~period of more than five months,~~

PERSONAL ILLNESS/INJURY LEAVE (continued)

~~or is absent for a~~ cause other than illness, Education Code 44977 and 44983 provide that the amount deducted from ~~his/her~~ **the employee's** salary shall be determined according to the rules and regulations adopted by the Board as long as such rules are not in conflict with State Board of Education regulations.

Option 1 below is for use by districts that subtract the cost of a substitute from the absent employee's salary pursuant to Education Code 44977. Option 2 is mandated pursuant to Education Code 44983 for districts that choose to give certificated employees 50 percent or more of their regular salary during the period of absence, and may be revised to specify a percentage higher than 50 percent in accordance with district practice.

If not covered in the district's bargaining agreement, the district may add provisions to this section reflecting salary deductions for employees absent longer than five months.

OPTION 1:

During each school year, when a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or accident, continues to be absent ~~from his/her duties~~ for an additional period of up to five school months, ~~the employee shall receive his/her~~ **the district shall deduct from the employee's** regular salary ~~minus~~ **for that period** the actual cost of a substitute to fill the position. If the district has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that would have been paid to a substitute shall be deducted from the employee's salary. (Education Code 44977)

An employee shall not be provided more than one five-month period per illness or accident. However, if the school year ends before the five-month period is exhausted, the employee may take the balance of the five-month period in a subsequent school year. (Education Code 44977)

~~Note: Option 2 below is **mandated** for use by districts that choose to provide employees at least 50 percent of their regular salary during the period of absence pursuant to Education Code 44983. The following paragraph specifies 50 percent and should be modified by districts that have set a higher percentage.~~

~~OPTION 2:~~

~~After a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or accident, continues to be absent for an additional period of up to five months, he/she **the employee** shall receive **at least** 50 percent of his/her **the employee's** regular salary during the additional period of absence. (Education Code 44983)~~

PERSONAL ILLNESS/INJURY LEAVE (continued)

Absence Beyond Five-Month Period/Reemployment List

Note: The following paragraph is required for districts that select Option 1 (i.e., differential pay) in the section "Continued Absence After Available Sick Leave Is Exhausted/Differential Pay" above and should be carefully considered by districts that select Option 2 (i.e., 50 percent pay). Education Code 44978.1 requires the establishment of a reemployment list for employees who are unable to resume their duties after the five-month period provided pursuant to Education Code 44977.

Although Education Code 44978.1 does not explicitly require a reemployment list for districts selecting Option 2, such districts should be aware that failure to establish a reemployment list may subject employees to termination following a five-month absence. Therefore, any district that selects Option 2 and currently maintains a reemployment list for employees who are absent beyond the five-month period, or that wishes to establish such a list, should consult legal counsel before changing its policy or practices.

If a certificated employee is not medically able to ~~resume his/her duties~~ **return to work** after the five-month period provided pursuant to Education Code 44977, the employee shall be placed either in another position or on a reemployment list. Placement on the reemployment list shall be for 24 months for probationary employees or 39 months for permanent employees and shall begin at the expiration of the five-month period. If during this time the employee becomes medically able, ~~he/she~~ **the employee** shall be returned to employment in a position for which ~~he/she~~ **the employee** is credentialed and qualified. (Education Code 44978.1)

(cf. 4116 - Probationary/Permanent Status)

Parental Leave

Note: The following section is subject to any conflicting provision in a collective bargaining agreement that provides greater parental leave rights.

During each school year, a certificated employee may use all available sick leave, including accumulated sick leave, for the purpose of parental leave for a period **of** up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. (Education Code 44977.5)

Note: Unlike leave taken pursuant to Government Code 12945.2, leave taken pursuant to Education Code 44977.5 does not require an employee to have at least 1,250 hours of service with the district during the previous 12-month period in order to be eligible for parental leave. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for further information on requirements related to the California Family Rights Act.

Eligibility for such leave shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 44977.5)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Note: Pursuant to Education Code 44977.5, the district is required to provide differential pay to a certificated employee ~~when he/she~~ **for up to 12 work weeks when the employee** has exhausted all available sick leave, including accumulated sick leave, and continues to be absent due to parental leave pursuant to Government Code 12945.2. Such an employee is entitled to receive differential pay, calculated in the same manner described in Option 1 or 2 in the section "Continued Absence After Available Sick Leave Is Exhausted/Differential Pay" above~~, for up to 12 work weeks~~. **As amended by AB 2012 (Ch. 994, Statutes of 2018), Education Code 44977.5 requires that, regardless of the type of differential pay system used by the district, employees must receive at least 50 percent of their regular salary for any portion of the 12-week parental leave that remains following the exhaustion of sick leave. The following paragraph may be revised to specify a percentage higher than 50 percent in accordance with district practice.**

Since Education Code 44977.5 does not expressly require districts to provide differential pay to employees who are eligible for parental leave pursuant to Government Code 12945.6, ~~as added by SB 63 (Ch. 686, Statutes of 2017),~~ it is unclear whether such employees would be entitled to differential pay. Districts should consult legal counsel if they have questions regarding differential pay for such employees.

An employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave shall receive differential pay **of at least 50 percent of the employee's regular salary** for the remainder of the 12 work weeks. (Education Code 44977.5)

Parental leave taken pursuant to Education Code 44977.5 shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 or 12945.6, and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. (Education Code 44977.5; Government Code 12945.2, 12945.6)

Verification Requirements

Note: Education Code 44978 **mandates** the Board to adopt regulations requiring proof of illness or injury and prescribing the means of verification. However, Education Code 44978 provides that these regulations shall not discriminate against evidence of treatment and the need for treatment by the practice of a well-recognized religion. For verification requirements for employees on leave pursuant to the Family and Medical Leave Act, see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave. The following section should be modified to reflect district practice and any procedures which have been specified in bargaining agreements.

Labor Code 233 requires districts to allow their employees to use sick leave for the purposes specified in Labor Code 246.5, the paid sick leave law. Because the paid sick leave law is silent on requests for verification, and actually requires an employer to provide an employee with paid sick days upon oral or written request, districts should be cautious in requiring verification for sick leave used for the purposes specified in Labor Code 246.5 (items #7-8 in the section "Use of Sick Leave" above). Although a district is permitted to require verification from an employee who is a victim of domestic violence, sexual assault, or stalking, pursuant to Labor Code 230 and 230.1, a general insistence on verification could be deemed a violation of Labor Code 246.5. Any district with questions regarding its authority related to verification should consult legal counsel.

PERSONAL ILLNESS/INJURY LEAVE (continued)

After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed district absence form to ~~his/her~~ **the employee's** immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on ~~the medical condition of the employee. The report shall include a statement as to~~ the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny further leave.

Note: 42 USC 2000ff-1, the Genetic Information Nondiscrimination Act, and its implementing regulations, 29 CFR 1635.1-1635.12, specify that it is unlawful for a district to request, require, or purchase ~~an~~ employee~~'ss~~' or ~~his/her~~ **their** family member's individual genetic information except in complying with the medical certification requirements for family care and medical leave purposes or with the employee's prior written authorization. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave. Pursuant to 29 CFR 1635.9, any such information received by the district must be kept confidential as specified below.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information. Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and ~~shall~~ not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from ~~his/her~~ **a** physician stating that ~~he/she~~ **the employee** is able to return to duty and stipulating any necessary restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)
(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

Healthy Workplaces, Healthy Families Act Requirements

Note: Pursuant to Labor Code 245-249, all employers, including those that provide paid time off to their employees under existing policy or other law, must comply with the requirements specified in the following section. Pursuant to Labor Code 248.5, noncompliance with the Healthy Workplaces, Healthy Families Act

PERSONAL ILLNESS/INJURY LEAVE (continued)

could result in an enforcement action against the employer, including the imposition of civil and monetary penalties. Any district with questions regarding the applicability of this ~~new~~ law should consult its legal counsel.

No employee shall be denied the right to use accrued sick days, and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:

   a. That an employee is entitled to accrue, request, and use paid sick days

   b. The ~~amount~~ **number** of sick days provided by Labor Code 245-249

   c. The terms of use of paid sick days

   d. That discrimination or retaliation against an employee for requesting and/or using sick leave is prohibited by law and that an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against ~~him/her~~ **the employee**

2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request

3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference: (see next page)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Legal Reference:

EDUCATION CODE
44964 Power to grant leave of absence in case of illness, accident, or quarantine
44965 Granting of leaves of absence for pregnancy and childbirth
44976 Transfer of leave rights when school is transferred to another district
44977 Salary deduction during absence from duties up to five months after sick leave is exhausted
44977.5 Differential pay during parental leave up to 12 weeks after sick leave is exhausted
44978 Provisions for sick leave of certificated employees
44978.1 Inability to return to duty; placement in another position or on reemployment list
44978.2 Leave for military service connected disability
44979 Transfer of accumulated sick leave to another district
44980 Transfer of accumulated sick leave to a county office of education
44981 Leave of absence for personal necessity
44983 Exception to sick leave when district adopts specific rule
44984 Industrial accident or illness
44986 Leave of absence for disability allowance applicant
GOVERNMENT CODE
12945.1-12945.2 California Family Rights Act
12945.6 Parental leave
LABOR CODE
220 Sections inapplicable to public employees
230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off
230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off
233 Illness of child, parent, spouse or domestic partner
234 Absence control policy
245-249 Healthy Workplaces, Healthy Families Act of 2014
CODE OF REGULATIONS, TITLE 5
5601 Transfer of accumulated sick leave
UNITED STATES CODE, TITLE 29
2601-2654 Family and Medical Leave Act of 1993, as amended
UNITED STATES CODE, TITLE 42
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
CODE OF FEDERAL REGULATIONS, TITLE 29
825.100-825.702 Family and Medical Leave Act of 1993
1635.1-1635.12 Genetic Information Nondiscrimination Act of 2008
COURT DECISIONS
Veguez v. Governing Board of Long Beach Unified School District, (2005) 127 Cal.App.4th 406

Policy Reference UPDATE Service
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Center Unified SD

Administrative Regulation

Personal Illness/Injury Leave

AR 4161.1
Personnel

Certificated employees employed five school days per week are entitled to 10 days' leave of absence with full pay for personal illness or injury (sick leave) per school year of service. Employees who work less than five school days per week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee who is entitled to less than three days of paid sick leave per year due to the amount of time worked shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 44978; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)
(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

Use of Sick Leave

Certificated employees may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment; quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties; or temporary inability to perform assigned duties because of illness, accident, or quarantine (Education Code 44964)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

2. Pregnancy, miscarriage, childbirth, and related recovery (Education Code 44965, 44978)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity (Education Code 44981)

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

4. Medical and dental appointments, in increments of not less than one hour

5. Industrial accidents or illnesses when leave granted specifically for that purpose has been exhausted (Education Code 44984)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

6. Need of the employee to bond with a child within one year of the child's birth, adoption, or foster care placement (parental leave) (Education Code 44977.5; Government Code 12945.2, 12945.6; 29 USC 2612; 29 CFR 825.112)

7. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care (Labor Code 233, 246.5)

8. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and/or 230.1(a) for the health, safety, or welfare of the employee or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking (Labor Code 233, 246.5)

For the purposes specified in items #7-8, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)

An employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (Education Code 44978)

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978)

At the beginning of each school year, employees shall be notified of the amount of sick leave they have accumulated.

The district shall not require new employees to waive leave accumulated in a previous district. (Education Code 44979, 44980)

The Superintendent or designee shall notify any certificated employee who leaves the district after at least one school year of employment that if the employee accepts a certificated position in another district, county office of education, or community college district within one year, he/she may request that the district transfer his/her accumulated sick leave to the new employer. (Education Code 44979, 44980)

Additional Leave for Disabled Military Veterans

In addition to any other entitlement for sick leave with pay, a certificated employee who is a former active duty member of the U.S. Armed Forces or a former or current member of the California National Guard or a federal reserve component shall be entitled to sick leave with pay of up to 10 days for the purpose of undergoing medical treatment,

including mental health treatment, for a military service-connected disability rated at 30 percent or more by the U.S. Department of Veterans Affairs. An eligible employee who works less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 44978.2)

The amount of leave shall be credited to the employee either on the date the employee receives confirmation of the submission of his/her disability application to the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later. When the employee receives his/her disability rating decision, he/she shall report that information to the Superintendent or designee. If the disability rating decision makes the employee eligible for the leave, the time used before the decision shall be counted toward the 10-day maximum leave. If the disability rating decision makes the employee ineligible for the leave, the district may change the sick leave time used before the disability rating decision to an alternative leave balance. (Education Code 44978.2)

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Leave for military-service connected disability shall be available for 12 months following the first date that the leave was credited. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 44978.2)

Notification of Absence

An employee shall notify the district of his/her need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

(cf. 4121 - Temporary/Substitute Personnel)

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

During each school year, when a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or accident, continues to be absent from his/her duties for an additional period of up to five school months, the employee shall receive his/her regular salary minus the actual cost of a substitute to fill the position. If the district has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that would have been paid to a substitute shall be deducted from the employee's salary. (Education Code 44977)

An employee shall not be provided more than one five-month period per illness or accident. However, if the school year ends before the five-month period is exhausted, the employee may take the balance of the five-month period in a subsequent school year. (Education Code 44977)

Absence Beyond Five-Month Period/Reemployment List

If a certificated employee is not medically able to resume his/her duties after the five-month period provided pursuant to Education Code 44977, the employee shall be placed either in another position or on a reemployment list. Placement on the reemployment list shall be for 24 months for probationary employees or 39 months for permanent employees and shall begin at the expiration of the five-month period. If during this time the employee becomes medically able, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

(cf. 4116 - Probationary/Permanent Status)

Parental Leave

During each school year, a certificated employee may use all available sick leave, including accumulated sick leave, for the purpose of parental leave for a period up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. (Education Code 44977.5)

Eligibility for such leave shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 44977.5)

An employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave shall receive differential pay for the remainder of the 12 work weeks. (Education Code 44977.5)

Parental leave taken pursuant to Education Code 44977.5 shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 or 12945.6, and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. (Education Code 44977.5; Government Code 12945.2, 12945.6)

Verification Requirements

After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an

absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny further leave.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to duty and stipulating any necessary restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)
(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

Healthy Workplaces, Healthy Families Act Requirements

No employee shall be denied the right to use accrued sick days, and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:

a. That an employee is entitled to accrue, request, and use paid sick days

b. The amount of sick days provided by Labor Code 245-249

c. The terms of use of paid sick days

d. That discrimination or retaliation against an employee for requesting and/or using

sick leave is prohibited by law and that an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her

2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request

3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference:
EDUCATION CODE
44964 Power to grant leave of absence in case of illness, accident, or quarantine
44965 Granting of leaves of absence for pregnancy and childbirth
44976 Transfer of leave rights when school is transferred to another district
44977 Salary deduction during absence from duties up to five months after sick leave is exhausted
44977.5 Differential pay during parental leave up to 12 weeks after sick leave is exhausted
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44978.1 Inability to return to duty; placement in another position or on reemployment list
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44981 Leave of absence for personal necessity
44983 Exception to sick leave when district adopts specific rule
44984 Industrial accident or illness
44986 Leave of absence for disability allowance applicant
GOVERNMENT CODE
12945.1-12945.2 California Family Rights Act
12945.6 Parental leave
LABOR CODE
220 Sections inapplicable to public employees
230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off
230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off
233 Illness of child, parent, spouse or domestic partner

234 Absence control policy
245-249 Healthy Workplaces, Healthy Families Act of 2014
CODE OF REGULATIONS, TITLE 5
5601 Transfer of accumulated sick leave
UNITED STATES CODE, TITLE 29
2601-2654 Family and Medical Leave Act of 1993, as amended
UNITED STATES CODE, TITLE 42
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
CODE OF FEDERAL REGULATIONS, TITLE 29
825.100-825.800 Family and Medical Leave Act of 1993
1635.1-1635.12 Genetic Information Nondiscrimination Act of 2008
COURT DECISIONS
Veguez v. Governing Board of Long Beach Unified School District, (2005) 127 Cal.App.4th 406

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: June 13, 2018 Antelope, California

Center Unified SD

Administrative Regulation

Personal Illness/Injury Leave

AR 4361.1
Personnel

Certificated employees employed five school days per week are entitled to 10 days' leave of absence with full pay for personal illness or injury (sick leave) per school year of service. Employees who work less than five school days per week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee who is entitled to less than three days of paid sick leave per year due to the amount of time worked shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 44978; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)
(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

Use of Sick Leave

Certificated employees may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment; quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties; or temporary inability to perform assigned duties because of illness, accident, or quarantine (Education Code 44964)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

2. Pregnancy, miscarriage, childbirth, and related recovery (Education Code 44965, 44978)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity (Education Code 44981)

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

4. Medical and dental appointments, in increments of not less than one hour

5. Industrial accidents or illnesses when leave granted specifically for that purpose has been exhausted (Education Code 44984)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

6. Need of the employee to bond with a child within one year of the child's birth, adoption, or foster care placement (parental leave) (Education Code 44977.5; Government Code 12945.2, 12945.6; 29 USC 2612; 29 CFR 825.112)

7. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care (Labor Code 233, 246.5)

8. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and/or 230.1(a) for the health, safety, or welfare of the employee or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking (Labor Code 233, 246.5)

For the purposes specified in items #7-8, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)

An employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (Education Code 44978)

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978)

At the beginning of each school year, employees shall be notified of the amount of sick leave they have accumulated.

The district shall not require new employees to waive leave accumulated in a previous district. (Education Code 44979, 44980)

The Superintendent or designee shall notify any certificated employee who leaves the district after at least one school year of employment that if the employee accepts a certificated position in another district, county office of education, or community college district within one year, he/she may request that the district transfer his/her accumulated sick leave to the new employer. (Education Code 44979, 44980)

Additional Leave for Disabled Military Veterans

In addition to any other entitlement for sick leave with pay, a certificated employee who is a former active duty member of the U.S. Armed Forces or a former or current member of the California National Guard or a federal reserve component shall be entitled to sick leave with pay of up to 10 days for the purpose of undergoing medical treatment,

including mental health treatment, for a military service-connected disability rated at 30 percent or more by the U.S. Department of Veterans Affairs. An eligible employee who works less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 44978.2)

The amount of leave shall be credited to the employee either on the date the employee receives confirmation of the submission of his/her disability application to the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later. When the employee receives his/her disability rating decision, he/she shall report that information to the Superintendent or designee. If the disability rating decision makes the employee eligible for the leave, the time used before the decision shall be counted toward the 10-day maximum leave. If the disability rating decision makes the employee ineligible for the leave, the district may change the sick leave time used before the disability rating decision to an alternative leave balance. (Education Code 44978.2)

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Leave for military-service connected disability shall be available for 12 months following the first date that the leave was credited. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 44978.2)

Notification of Absence

An employee shall notify the district of his/her need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

(cf. 4121 - Temporary/Substitute Personnel)

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

During each school year, when a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or accident, continues to be absent from his/her duties for an additional period of up to five school months, the employee shall receive his/her regular salary minus the actual cost of a substitute to fill the position. If the district has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that would have been paid to a substitute shall be deducted from the employee's salary. (Education Code 44977)

An employee shall not be provided more than one five-month period per illness or accident. However, if the school year ends before the five-month period is exhausted, the employee may take the balance of the five-month period in a subsequent school year. (Education Code 44977)

Absence Beyond Five-Month Period/Reemployment List

If a certificated employee is not medically able to resume his/her duties after the five-month period provided pursuant to Education Code 44977, the employee shall be placed either in another position or on a reemployment list. Placement on the reemployment list shall be for 24 months for probationary employees or 39 months for permanent employees and shall begin at the expiration of the five-month period. If during this time the employee becomes medically able, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

(cf. 4116 - Probationary/Permanent Status)

Parental Leave

During each school year, a certificated employee may use all available sick leave, including accumulated sick leave, for the purpose of parental leave for a period up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. (Education Code 44977.5)

Eligibility for such leave shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 44977.5)

An employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave shall receive differential pay for the remainder of the 12 work weeks. (Education Code 44977.5)

Parental leave taken pursuant to Education Code 44977.5 shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 or 12945.6, and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. (Education Code 44977.5; Government Code 12945.2, 12945.6)

Verification Requirements

After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an

absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny further leave.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to duty and stipulating any necessary restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)
(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

Healthy Workplaces, Healthy Families Act Requirements

No employee shall be denied the right to use accrued sick days, and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:

a. That an employee is entitled to accrue, request, and use paid sick days

b. The amount of sick days provided by Labor Code 245-249

c. The terms of use of paid sick days

d. That discrimination or retaliation against an employee for requesting and/or using

sick leave is prohibited by law and that an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her

2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request

3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference:
EDUCATION CODE
44964 Power to grant leave of absence in case of illness, accident, or quarantine
44965 Granting of leaves of absence for pregnancy and childbirth
44976 Transfer of leave rights when school is transferred to another district
44977 Salary deduction during absence from duties up to five months after sick leave is exhausted
44977.5 Differential pay during parental leave up to 12 weeks after sick leave is exhausted
44978 Provisions for sick leave of certificated employees
44978.1 Inability to return to duty; placement in another position or on reemployment list
44978.2 Leave for military service connected disability
44979 Transfer of accumulated sick leave to another district
44980 Transfer of accumulated sick leave to a county office of education
44981 Leave of absence for personal necessity
44983 Exception to sick leave when district adopts specific rule
44984 Industrial accident or illness
44986 Leave of absence for disability allowance applicant
GOVERNMENT CODE
12945.1-12945.2 California Family Rights Act
12945.6 Parental leave
LABOR CODE
220 Sections inapplicable to public employees
230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off
230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off
233 Illness of child, parent, spouse or domestic partner

234 Absence control policy
245-249 Healthy Workplaces, Healthy Families Act of 2014
CODE OF REGULATIONS, TITLE 5
5601 Transfer of accumulated sick leave
UNITED STATES CODE, TITLE 29
2601-2654 Family and Medical Leave Act of 1993, as amended
UNITED STATES CODE, TITLE 42
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
CODE OF FEDERAL REGULATIONS, TITLE 29
825.100-825.800 Family and Medical Leave Act of 1993
1635.1-1635.12 Genetic Information Nondiscrimination Act of 2008
COURT DECISIONS
Veguez v. Governing Board of Long Beach Unified School District, (2005) 127 Cal.App.4th 406

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: June 13, 2018 Antelope, California

CSBA Sample
Administrative Regulation

Classified Personnel AR 4261.1(a)

PERSONAL ILLNESS/INJURY LEAVE

Note: The following administrative regulation is subject to collective bargaining. Twelve days of paid personal illness or injury leave (sick leave) per year is the minimum prescribed by Education Code 45191 for classified employees employed five days a week in both merit and non-merit system districts. The Governing Board may allow more sick leave at its discretion; if it does so, the following paragraph should be revised accordingly.

Labor Code 245-249 (the Healthy Workplaces, Healthy Families Act) require districts to grant a minimum of one hour of paid sick leave for every 30 hours worked to their employees who work for 30 days within a year of their employment, including classified employees. Pursuant to Labor Code 246, a district may use a different sick leave accrual method which provides for the accrual to be on a regular basis so that ~~an~~ employees accrues at least 24 hours of sick leave or paid time off by the 120th calendar day of ~~his/her~~ **their** employment or each calendar year or 12-month period.

The provisions of Labor Code 245-249 are very broad and **only** district employees covered by a valid collective bargaining agreement may be exempted from them, if the collective bargaining agreement expressly provides paid sick leave in an amount equal to or exceeding the amount of leave required pursuant to Labor Code 246, includes final and binding arbitration of disputes regarding the application of the paid sick days provisions, and provides premium wage rates for all overtime hours worked and a regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate. Since many districts may not satisfy all of the conditions for this exemption, this administrative regulation reflects the requirements of Labor Code 245-249. Any district ~~whose~~ **which has a** collective bargaining agreement **that** meets all of the conditions for exemption may modify this administrative regulation accordingly.

For additional requirements of Labor Code 245-249, see sections titled "Short-Term and Substitute Employees" and "Healthy Workplaces, Healthy Families Act Requirements" below. For sick leave for certificated employees, see AR 4161.1/4361.1 - Personal Illness/Injury Leave.

Classified employees employed five days a week are entitled to 12 days' leave of absence with full pay for personal illness or injury (sick leave) per fiscal year. Employees who work less than a full fiscal year or fewer than five days a week (part-time employees) shall be granted sick leave in proportion to the time they work. However, ~~any~~ part-time employees ~~whose work hours are so few as to entitle him/her~~ **who are entitled** to less than 24 hours of paid sick leave per fiscal year **due to the amount of time worked** shall be granted sick leave pursuant to Labor Code 246, if ~~he/she is~~ **they are** eligible. (Education Code 45191; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)
(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

Use of Sick Leave

Note: Items #1-8 below reflect allowable uses of sick leave specified in law. The district may expand this list to include any additional purposes authorized by law, authorized by the district, or included in a bargaining agreement.

A classified employee may use sick leave for absences due to:

PERSONAL ILLNESS/INJURY LEAVE (continued)

1. Accident or illness, whether or not the absence arises out of or in the course of employment, or by quarantine which results from contact **in the course of employment** with other persons having a contagious disease ~~during the employee's performance of his/her duties~~ (Education Code 45199)

2. Pregnancy, childbirth, and recovery (Education Code 45193)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity as specified in Education Code 45207

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

Note: **Optional** item #4 below may be revised to specify a different minimum increment.

4. Medical ~~or~~ **and** dental appointments, in increments of not less than one hour

5. Industrial accident or illness when leave granted specifically for that purpose has been exhausted (Education Code 45192)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

Note: Pursuant to the Family and Medical Leave Act (FMLA) (29 USC 2612) and California Family Rights Act (CFRA) (Government Code 12945.2), a district is required to grant leave to an eligible employee to bond with a child after the birth, adoption, or foster care placement of the child, if the district employs 50 or more employees within 75 miles of the worksite where the employee requesting the leave is employed. For this purpose, employees may, but are not required to, use sick leave for any otherwise unpaid FMLA or CFRA leave.

Government Code 12945.6~~, as added by SB 63 (Ch. 686, Statutes of 2017),~~ extends the right to parental leave to an eligible employee who is not covered by FMLA or CFRA when the district employs 20-49 employees within 75 miles of the worksite where the employee requesting the leave is employed.

For further information regarding parental leave, see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave.

6. Need of an employee to bond with a child within one year of the child's birth, adoption, or foster care placement (parental leave) (Education Code 45196.1; Government Code 12945.2, 12945.6; 29 USC 2612; 29 CFR 825.112)

Note: Pursuant to Labor Code 233, any district that provides sick leave to its employees is required to permit them to use sick leave, in an amount not less than the sick leave that would be accrued during six months at the employee's then current rate of entitlement, for the purposes specified in items #7-8 below.

PERSONAL ILLNESS/INJURY LEAVE (continued)

For the purpose of using sick leave to attend to the health care needs of a family member, as specified in item #7 below, Labor Code 245.5 defines "family member" as an employee's spouse, registered domestic partner, child (biological, adopted, or foster child; stepchild; legal ward; or a child to whom the employee stands in loco parentis), parent (biological, adoptive, or foster parent; stepparent; legal guardian of an employee or the employee's spouse or registered domestic partner; or a person who stood in loco parentis when the employee was a minor child), grandparent, grandchild, or sibling.

For additional information about leaves for victims of domestic violence, sexual assault, or stalking granted in accordance with item #8 below, see AR 4161.2/4261.2/4361.2 - Personal Leaves.

7. Need of the employee or ~~his/her~~ **the employee's** family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care (Labor Code 233, 246.5)

8. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee~~,~~ or ~~his/her~~ **the employee's** child, when the employee has been a victim of domestic violence, sexual assault, or stalking (Labor Code 233, 246.5)

For the purposes specified in items #7-8, an employee may use, in any calendar year, the amount of sick leave ~~he/she would~~ **that would be** accrued during six months at ~~his/her~~ **the employee's then** current rate of entitlement. (Labor Code 233)

An employee may take leave for personal illness or injury at any time during the year, even if credit for such leave has not yet been accrued. However, a new full-time classified employee shall not be entitled to more than six days of sick leave**, or the proportionate amount to which the employee may be entitled,** until ~~he/she~~ **the first day of the month after the employee** has completed six months of active service with the district. (Education Code 45191)

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 45191)

Note: The following paragraph is **optional**.

An employee shall reimburse the district for any unearned sick leave used as of the date of ~~his/her~~ termination.

The district shall not require newly employed classified employees to waive leave accumulated in a previous district. However, if the employee's previous employment was terminated for cause, the transfer of the accumulated leave shall be made only if approved by the Governing Board. (Education Code 45202)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Note: Pursuant to Education Code 45202, ~~a~~ classified employees who ~~is~~ **are** terminated after at least one year of employment for any reason unrelated to discipline ~~is~~ **are** entitled to have ~~his/her~~ **their** accumulated sick leave transferred with ~~him/her~~ **them** in certain circumstances. The following paragraph, which provides for the notification of employees as a way to implement this provision, is **optional** and may revised to reflect district practice.

The Superintendent or designee shall notify any classified employee whose employment with the district is terminated after at least one calendar year for reasons other than for cause that, if ~~he/she~~ **the employee** accepts employment in another district, county office of education, or community college district within one year of the termination of employment, ~~he/she~~ **the employee** may request that the district transfer ~~his/her~~ **any** accumulated sick leave to the new employer. (Education Code 45202)

Additional Leave for Disabled Military Veterans

~~Note: Education Code 45191.5, as amended by SB 731 (Ch. 597, Statutes of 2017), provides that an employee who is a military veteran or is a former or current member of the California National Guard or federal reserve component is entitled to additional sick leave with pay for up to 12 days for the purpose of undergoing medical treatment for a qualifying military service-connected disability (i.e., an injury or disease that occurred during active duty or was made worse by active military service and that has a disability rating by the U.S. Department of Veterans Affairs of 30 percent or higher). As amended, Education Code 45191.5 provides that credit for such leave begins on the effective date of the employee's disability rating decision from the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later.~~

In addition to any other entitlement for sick leave with pay, a classified employee who is a former active duty member of the U.S. Armed Forces or a former or current member of the California National Guard or a federal reserve component shall be entitled to sick leave with pay of up to 12 days for the purpose of undergoing medical treatment, including mental health treatment, for a military service-connected disability rated at 30 percent or higher by the U.S. Department of Veterans Affairs. An eligible employee who works less than five days per week shall be entitled to such leave in proportion to the time ~~he/she works~~ **worked**. (Education Code 45191.5)

The amount of leave shall be credited to the employee either on the date the employee receives confirmation of the submission of ~~his/her~~ **the** disability application to the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later. When the employee receives ~~his/her~~ **the** disability rating decision, ~~he/she~~ **the employee** shall report that information to the Superintendent or designee. If the disability rating decision makes the employee eligible for the leave, the time used before the decision shall be counted toward the 12-day maximum leave. If the disability rating decision makes the employee ineligible for the leave, the district may change the sick leave time used before the disability rating decision to an alternative leave balance. (Education Code 45191.5)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Note: Pursuant to Education Code 45191.5, the district may require proof that a leave granted under this law is used for treatment of a military service-connected disability. The following paragraph may be revised to reflect district practice.

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Leave for military-service connected disability shall be available for 12 months following the first date that the leave was credited. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 45191.5)

Notification of Absence

Note: The following **optional** section may be revised to reflect district practice.

An employee shall notify the Superintendent or the designated manager or supervisor of ~~his/her~~ **the** need to be absent as soon as such need is known so that the services of a substitute may be secured as necessary. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which ~~he/she~~ **the employee** intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

Note: Pursuant to Education Code 45196, ~~a district is authorized to pay any employees who has exhausted his/her paid leaves his/her salary minus the actual pay received by a substitute for the remainder of a five-month absence to which the employee is entitled (Option 1 below). Alternatively, such an employee may be compensated at 50 percent or more of his/her salary for up to 100 working days, regardless of whether or not a substitute is hired (Option 2 below).~~ **districts may choose one of two methods for compensating classified employees who have exhausted their sick leave and continue to be absent due to illness or injury.**

Option 1 below is for use by districts that subtract the actual cost of a substitute from the absent employee's salary for up to five months. Pursuant to Education Code 45196, the amount paid to a substitute must be less than the absent employee's salary unless the Board has adopted a salary schedule for substitutes. In California School Employees Association v. Tustin Unified School District, the court ruled that a district could deduct from the absent employee's salary only the cost of an outside substitute employee, not the cost of existing classified employee(s) working additional hours to fill the position during the absence.

PERSONAL ILLNESS/INJURY LEAVE (continued)

Option 2 is mandated pursuant to Education Code 45196 for districts that annually credit regular classified employees with at least 100 working days of paid sick leave and, after they have exhausted all fully paid leaves, compensate them at 50 percent or more of their regular salary for the remainder of the 100 working days. Option 2 may be revised to specify more than 100 working days and/or the level of compensation the district will pay an employee, if it chooses to pay more than 50 percent of the employee's salary.

Districts that maintain a catastrophic leave program for their classified employees should specify how the program will affect the differential leave pay to which the employee may be entitled.

OPTION 1:

~~Note: In 53 Ops.Cal.Atty.Gen. 111 (1970), the Attorney General clarified that a classified employee is entitled to a total period of five months, commencing with the first day of illness, during which the amount deducted from his/her salary may not exceed the sum which is actually paid a substitute. This five-month period runs concurrently with any other paid leave. After the employee has exhausted all paid leaves, he/she is entitled to differential pay for the balance of the five-month period.~~

~~In California School Employees Association v. Tustin Unified School District, the court ruled that a district could deduct from the absent employee's salary only the cost of an outside substitute employee, not the cost of existing classified employee(s) working additional hours to fill the position during the absence.~~

~~Pursuant to Education Code 45196, the amount paid to a substitute must be less than the absent employee's salary unless the Board has adopted a salary schedule for substitutes.~~

~~A **When a** classified employee who has exhausted all paid leaves, including sick leave, shall for the remainder of the five-month period of absence to which he/she is entitled, receive his/her salary minus the actual amount paid a substitute to fill the employee's position during his/her absence **and continues to be absent on account of illness or injury for a period of five months or less, the district shall deduct from the employee's regular salary for that period an amount that does not exceed the actual cost of a substitute to fill the position.** (Education Code 45196)~~

~~The five-month period shall commence on the first day of the leave of absence and shall run concurrently with any other paid leave.~~

OPTION 2:

~~Note: Education Code 45196 authorizes, but does not require, a district to annually credit regular classified employees with at least 100 working days of paid sick leave, and to compensate any such employee at 50 percent or more of the employee's regular salary for the remainder of the 100 working days after the employee has exhausted all leaves for which he/she would be entitled to a full salary. Any district that chooses this option is **mandated** to adopt a rule to that effect. Such districts should note that this option is exclusive of other paid leave, holidays, or vacation. In California School Employees Association v. Colton Joint Unified School District, the court ruled that the district's practice of coordinating or combining vacation with the 100 days of differential leave contradicts the express provision of Education Code 45196.~~

PERSONAL ILLNESS/INJURY LEAVE (continued)

~~The following paragraph may be revised to specify more than 100 working days and/or the level of compensation the district will pay an employee, if it chooses to pay more than 50 percent of the employee's salary.~~

Each year, each regular classified employee shall be credited with no fewer than 100 working days of paid leave for personal illness or ~~accident~~ **injury**, including current year and accumulated days of leave. When the current year and accumulated days at full pay are exhausted, the remainder of the 100 days shall be compensated at ~~least~~ 50 percent of the employee's regular salary. Any of the 100 days of leave not used during the year in which they are credited shall be forfeited and shall not accumulate from year to year. This paid leave shall be exclusive of any other paid leave, holidays, vacation, or compensatory time to which the employee may be entitled. (Education Code 45196)

Parental Leave

Note: The following section is subject to any conflicting provision in a collective bargaining agreement that provides greater parental leave rights.

During each school year, a classified employee may use all available sick leave, including accumulated sick leave, for the purpose of parental leave for a period **of** up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. (Education Code 45196.1)

Note: Unlike leave taken pursuant to Government Code 12945.2, leave taken pursuant to Education Code 45196.1 does not require an employee to have at least 1,250 hours of service with the district during the previous 12-month period in order to be eligible for parental leave. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for further information on requirements related to the California Family Rights Act.

Eligibility for such leave shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 45196.1)

Note: Pursuant to Education Code 45196.1, the district is required to provide differential pay to a classified employee **for up to 12 work weeks when the employee** ~~when he/she~~ has exhausted all available sick leave, including accumulated sick leave, and continues to be absent due to parental leave pursuant to Government Code 12945.2. Such an employee is entitled to receive differential pay, calculated in the same manner described in Option 1 or 2 in the section "Continued Absence After Available Sick Leave Is Exhausted/Differential Pay" above~~, for up to 12 work weeks~~. **As amended by AB 2012 (Ch. 994, Statutes of 2018), Education Code 45196.1 requires that, regardless of the type of differential pay system used by the district, employees must receive at least 50 percent of their regular salary for any portion of the 12-week parental leave that remains following the exhaustion of sick leave. The following paragraph may be revised to specify a percentage higher than 50 percent in accordance with district practice.**

Since Education Code 45196.1 does not expressly require districts to provide differential pay to employees who are eligible for parental leave pursuant to Government Code 12945.6, ~~as added by SB 63 (Ch. 686, Statutes of 2017),~~ it is unclear whether such employees would be entitled to differential pay. Districts should consult legal counsel if they have questions regarding differential pay for such employees.

PERSONAL ILLNESS/INJURY LEAVE (continued)

An employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave shall receive differential pay **of at least 50 percent of the employee's regular salary** for the remainder of the 12 work weeks. (Education Code 45196.1)

Parental leave taken pursuant to Education Code 45196.1 shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 or 12945.6, and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. (Education Code 45196.1; Government Code 12945.2, 12945.6)

Extension of Leave

Note: Pursuant to Education Code 45195, the following extension of leave may be either paid or unpaid, and the Board may grant full pay for the full 18 months' allowable absence, if desired.

A permanent employee who is absent because of a personal illness or injury and who has exhausted all available sick leave, vacation, compensatory overtime, and any other paid leave shall be so notified, in writing, and offered an opportunity to request additional leave. The Board may grant the employee additional leave, paid or unpaid, for a period not to exceed six months and may renew this leave for two additional six-month periods or for lesser periods. The total additional leave granted shall not exceed 18 months. (Education Code 45195)

(cf. 4216 - Probationary/Permanent Status)

If the employee is still unable to ~~resume his/her duties~~ **return to work** after all available paid and unpaid leaves have been exhausted, the employee shall be placed on a reemployment list for a period of 39 months. If during this time the employee becomes **medically** able, ~~to resume the duties of his/her position, he/she~~ **the employee** shall be offered reemployment in the first vacancy in the classification of ~~his/her~~ **the employee's** previous assignment. During the 39 months, the employee's reemployment shall take preference over all other applicants except those laid off for lack of work or lack of funds, in which case the employee shall be ranked according to ~~his/her~~ seniority. (Education Code 45195)

Verification Requirements

Note: Education Code 45191 **mandates** the Board to adopt regulations that require proof of illness or injury and prescribe the means of verification. However, Education Code 45191 provides that these regulations shall not discriminate against evidence of treatment and the need for treatment by the practice of a well-recognized religion. The following section should be modified to reflect district practice and any procedures that have been specified in bargaining agreements.

Labor Code 233 requires districts to allow their employees to use sick leave for the purposes specified in Labor Code 246.5, the paid sick leave law. Because the paid sick leave law is silent on requests for verification, and actually requires an employer to provide an employee with paid sick days upon oral or

PERSONAL ILLNESS/INJURY LEAVE (continued)

written request, districts should be cautious in requiring verification for sick leave used for the purposes specified in Labor Code 246.5 (items #7-8 in the section "Use of Sick Leave" above). Although a district is permitted to require verification from an employee who is a victim of domestic violence, sexual assault, or stalking, pursuant to Labor Code 230 and 230.1, a general insistence on verification could be deemed a violation of Labor Code 246.5. Any district with questions regarding its authority related to verification should consult legal counsel.

After any absence due to illness or injury, the employee shall submit a completed and signed district absence form to ~~his/her~~ **the employee's** immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for additional leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny the request for additional leave.

Note: 42 USC 2000ff-1, the Genetic Information Nondiscrimination Act, and its implementing regulations, 29 CFR 1635.1-1635.12, specify that it is unlawful for a district to request, require, or purchase an employee's or ~~his/her~~ family member's individual genetic information except in complying with the medical certification requirements for family care and medical leave purposes or with the employee's prior written authorization. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave. Pursuant to 29 CFR 1635.9, any such information received by the district must be kept confidential as specified below.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information. Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from ~~his/her~~ **a** physician stating that ~~he/she~~ **the employee** is able to return to work and stipulating any ~~recommended~~ **necessary** restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)
(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Short-Term and Substitute Employees

Note: Pursuant to Labor Code 245-249, the district is required to grant a minimum of one hour of paid sick leave for every 30 hours worked by an employee who works for 30 days within a year of ~~his/her~~ employment. In implementing this requirement, Labor Code 246 permits the district to use any of the options specified below. Option 1 provides for paid leave accrual based on one hour for every 30 hours worked. Option 2 allows an accrual method that provides for a regular accrual basis and ensures that the employee receives 24 hours of paid sick leave by the 120th calendar day of ~~his/her~~ employment **or each calendar year or 12-month period**. Option 3 is for any district that credits employees with 24 hours **or three days** of paid sick leave at the beginning of each year and does not allow unused sick leave to carry over to the next year. In addition, pursuant to Labor Code 245.5, retired annuitants who have not reinstated to the applicable public retirement system are excluded from participation in these leave benefit provisions. The district should select the option below which corresponds to its approach under Labor Code 246.

See section below titled "Healthy Workplaces, Healthy Families Act Requirements" for additional requirements.

OPTION 1:

Except for a retired annuitant who is not reinstated to the retirement system, ~~any~~ short-term or substitute employees who works for 30 or more days within a year of ~~his/her~~ **their** employment shall be entitled to one hour of paid sick leave for every 30 hours worked. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 48 hours. (Labor Code 246)

~~OPTION 2:~~

~~Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employees who works for 30 or more days within a year of his/her **their** employment shall accrue, on a regular basis, paid sick leave of up to 24 hours by the 120th calendar day of his/her **their** employment or each calendar year or 12-month period. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 48 hours. (Labor Code 246)~~

~~OPTION 3:~~

~~Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employees who works for 30 or more days within a year of his/her **their** employment shall be credited with 24 hours **or three days** of paid sick leave for that year. Unused sick leave shall not carry over to the following year of employment. (Labor Code 246)~~

Note: The following paragraph applies to all the above options.

PERSONAL ILLNESS/INJURY LEAVE (continued)

~~Any~~ sShort-term or substitute employees may begin to use accrued paid sick days on the 90th day of ~~his/her~~ **their** employment, after which ~~he/she~~ **they** may use the sick days as they are accrued. (Labor Code 246)

Note: The following paragraph applies to all of the above options and reflects the intent of the Healthy Workplaces, Healthy Families Act to enable California workers to address their own and their family's health needs and to provide them with economic security when they need to take time off work for reasons of domestic violence, sexual assault, or stalking. The following paragraph may be revised to include additional reasons for which short-term or substitute employees may use sick leave, pursuant to district policy or practice. Pursuant to Labor Code 247.5, a district is not required to inquire into the purposes for which an employee uses paid leave.

A short-term or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)

1. ~~His/her~~ **The employee's** own need or the need of a family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care

2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or ~~his/her~~ **the employee's** child, when the employee has been a victim of domestic violence, sexual assault, or stalking

Healthy Workplaces, Healthy Families Act Requirements

Note: Pursuant to Labor Code 245-249, all employers, including those that provide paid time off to their employees under existing policy or other law, must comply with the requirements specified in the following section. Pursuant to Labor Code 248.5, noncompliance with the Healthy Workplaces, Healthy Families Act could result in an enforcement action against the employer, including the imposition of civil and monetary penalties. Any district with questions regarding the applicability of this ~~new~~ law should consult its legal counsel.

No employee, including a short-term or substitute employee, shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:

   a. That an employee is entitled to accrue, request, and use paid sick days

PERSONAL ILLNESS/INJURY LEAVE (continued)

b. The ~~amount~~ **number** of sick days provided by Labor Code 245-249

c. The terms of use of paid sick days

d. That discrimination or retaliation against an employee for requesting and/or using sick leave is prohibited by law and that an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against ~~him/her~~ **the employee**

2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request

3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference: (see next page)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Legal Reference:

EDUCATION CODE
45103 Substitute employees
45190 Leaves of absence and vacations
45191 Leaves of absence for illness and injury
45191.5 Leave for military service connected disability
45193 Leave of absence for pregnancy (re use of sick leave under certain circumstances)
45195 Additional leave for nonindustrial accident or illness; reemployment preference
45196 Salary; deductions during sick leave
45196.1 Differential pay during parental leave up to 12 weeks after sick leave is exhausted
45202 Transfer of accumulated sick leave and other benefits
GOVERNMENT CODE
12945.1-12945.2 California Family Rights Act
12945.6 Parental leave
LABOR CODE
230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off
230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off
233 Illness of child, parent, spouse or domestic partner
245-249 Healthy Workplaces, Healthy Families Act of 2014
UNITED STATES CODE, TITLE 29
2601-2654 Family and Medical Leave Act of 1993, as amended
UNITED STATES CODE, TITLE 42
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
CODE OF FEDERAL REGULATIONS, TITLE 29
825.100-825.702 Family and Medical Leave Act of 1993
1635.1-1635.12 Genetic Information Nondiscrimination Act of 2008
COURT DECISIONS
California School Employees Association v. Colton Joint Unified School District, (2009) 170 Cal.App.4th 957
California School Employees Association v. Tustin Unified School District, (2007) 148 Cal.App.4th 510
~~*ATTORNEY GENERAL OPINIONS*~~
~~*53 Ops.Cal.Atty.Gen. 111 (1970)*~~

(3/17 3/18) 3/19

Policy Reference UPDATE Service
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Center Unified SD

Administrative Regulation

Personal Illness/Injury Leave

AR 4261.1
Personnel

Classified employees employed five days a week are entitled to 12 days' leave of absence with full pay for personal illness or injury (sick leave) per fiscal year. Employees who work less than a full fiscal year or fewer than five days a week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee whose work hours are so few as to entitle him/her to less than 24 hours of paid sick leave per fiscal year shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 45191; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)
(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

Use of Sick Leave

A classified employee may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment, or by quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties (Education Code 45199)

2. Pregnancy, childbirth, and recovery (Education Code 45193)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity as specified in Education Code 45207

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

4. Medical or dental appointments, in increments of not less than one hour

5. Industrial accident or illness when leave granted specifically for that purpose has been exhausted (Education Code 45192)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

6. Need of an employee to bond with a child within one year of the child's birth, adoption, or foster care placement (parental leave) (Education Code 45196.1;

Government Code 12945.2, 12945.6; 29 USC 2612; 29 CFR 825.112)

7. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care (Labor Code 233, 246.5)

8. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking (Labor Code 233, 246.5)

For the purposes specified in items #7-8, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)

An employee may take leave for personal illness or injury at any time during the year, even if credit for such leave has not yet been accrued. However, a new full-time classified employee shall not be entitled to more than six days of sick leave until he/she has completed six months of active service with the district. (Education Code 45191)

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 45191)

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

The district shall not require newly employed classified employees to waive leave accumulated in a previous district. However, if the employee's previous employment was terminated for cause, the transfer of the accumulated leave shall be made only if approved by the Governing Board. (Education Code 45202)

The Superintendent or designee shall notify any classified employee whose employment with the district is terminated after at least one calendar year for reasons other than for cause that, if he/she accepts employment in another district, county office of education, or community college district within one year of the termination of employment, he/she shall be entitled to request that the district transfer his/her accumulated sick leave to his/her new employer. (Education Code 45202)

Additional Leave for Disabled Military Veterans

In addition to any other entitlement for sick leave with pay, a classified employee who is a former active duty member of the U.S. Armed Forces or a former or current member of the California National Guard or a federal reserve component shall be entitled to sick leave with pay of up to 12 days for the purpose of undergoing medical treatment, including mental health treatment, for a military service-connected disability rated at 30 percent or higher by the U.S. Department of Veterans Affairs. An eligible employee who

works less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 45191.5)

The amount of leave shall be credited to the employee either on the date the employee receives confirmation of the submission of his/her disability application to the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later. When the employee receives his/her disability rating decision, he/she shall report that information to the Superintendent or designee. If the disability rating decision makes the employee eligible for the leave, the time used before the decision shall be counted toward the 12-day maximum leave. If the disability rating decision makes the employee ineligible for the leave, the district may change the sick leave time used before the disability rating decision to an alternative leave balance. (Education Code 45191.5)

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Leave for military-service connected disability shall be available for 12 months following the first date that the leave was credited. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 45191.5)

Notification of Absence

An employee shall notify the Superintendent or the designated manager or supervisor of his/her need to be absent as soon as such need is known so that the services of a substitute may be secured as necessary. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

Each year, each regular classified employee shall be credited with no fewer than 100 working days of paid leave for personal illness or accident, including current year and accumulated days of leave. When the current year and accumulated days at full pay are exhausted, the remainder of the 100 days shall be compensated at 50 percent of the employee's regular salary. Any of the 100 days of leave not used during the year in which they are credited shall be forfeited and shall not accumulate from year to year. This paid leave shall be exclusive of any other paid leave, holidays, vacation, or compensatory time to which the employee may be entitled. (Education Code 45196)

Parental Leave

During each school year, a classified employee may use all available sick leave, including accumulated sick leave, for the purpose of parental leave for a period up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. (Education Code 45196.1)

Eligibility for such leave shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 45196.1)

An employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave shall receive differential pay for the remainder of the 12 work weeks. (Education Code 45196.1)

Parental leave taken pursuant to Education Code 45196.1 shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 or 12945.6, and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. (Education Code 45196.1; Government Code 12945.2, 12945.6)

Extension of Leave

A permanent employee who is absent because of a personal illness or injury and who has exhausted all available sick leave, vacation, compensatory overtime, and any other paid leave shall be so notified, in writing, and offered an opportunity to request additional leave. The Board may grant the employee additional leave, paid or unpaid, for a period not to exceed six months and may renew this leave for two additional six-month periods or for lesser periods. The total additional leave granted shall not exceed 18 months. (Education Code 45195)

(cf. 4216 - Probationary/Permanent Status)

If the employee is still unable to resume his/her duties after all available paid and unpaid leaves have been exhausted, the employee shall be placed on a reemployment list for a period of 39 months. If during this time the employee becomes able to resume the duties of his/her position, he/she shall be offered reemployment in the first vacancy in the classification of his/her previous assignment. During the 39 months, the employee's reemployment shall take preference over all other applicants except those laid off for lack of work or lack of funds, in which case the employee shall be ranked according to his/her seniority. (Education Code 45195)

Verification Requirements

After any absence due to illness or injury, the employee shall submit a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may require verification whenever an employee's

absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for additional leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny the request for additional leave.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to work and stipulating any recommended restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)
(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

Short-Term and Substitute Employees

Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employee who works for 30 or more days within a year of his/her employment shall be entitled to one hour of paid sick leave for every 30 hours worked. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 48 hours. (Labor Code 246)

Any short-term or substitute employee may begin to use accrued paid sick days on the 90th day of his/her employment, after which he/she may use the sick days as they are accrued. (Labor Code 246)

A short-term or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)

1. His/her own need or the need of a family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care

2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking

Healthy Workplaces, Healthy Families Act Requirements

No employee, including a short-term or substitute employee, shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:

a. That an employee is entitled to accrue, request, and use paid sick days

b. The amount of sick days provided by Labor Code 245-249

c. The terms of use of paid sick days

d. That discrimination or retaliation against an employee for requesting and/or using sick leave is prohibited by law and that an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her

2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request

3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference:
EDUCATION CODE
45103 Substitute employees

45190 Leaves of absence and vacations
45191 Leaves of absence for illness and injury
45191.5 Leave for military service connected disability
45193 Leave of absence for pregnancy (re use of sick leave under certain circumstances)
45195 Additional leave for nonindustrial accident or illness; reemployment preference
45196 Salary; deductions during sick leave
45196.1 Differential pay during parental leave up to 12 weeks after sick leave is exhausted
45202 Transfer of accumulated sick leave and other benefits
GOVERNMENT CODE
12945.1-12945.2 California Family Rights Act
12945.6 Parental leave
LABOR CODE
230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off
230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off
233 Illness of child, parent, spouse or domestic partner
245-249 Healthy Workplaces, Healthy Families Act of 2014
UNITED STATES CODE, TITLE 29
2601-2654 Family and Medical Leave Act of 1993, as amended
UNITED STATES CODE, TITLE 42
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
CODE OF FEDERAL REGULATIONS, TITLE 29
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ATTORNEY GENERAL OPINIONS
53 Ops.Cal.Atty.Gen. 111 (1970)

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: June 13, 2018 Antelope, California

CSBA Sample
Board Policy

Students BP 5117(a)

INTERDISTRICT ATTENDANCE

Note: The Education Code provides a number of options under which a district may enroll a student whose parent/guardian does not reside within district boundaries. Under an "interdistrict attendance permit" or "reciprocal agreement" pursuant to Education Code 46600-~~46611~~**46610**, a student may attend school in a different district when both the district of residence and the district of proposed attendance agree (Option 1 below). Alternatively, pursuant to Education Code 48300-48317, the Governing Board may declare the district to be a "school district of choice" willing to accept a specific number of interdistrict transfers into the district through a random selection process (Option 2 below). In order to maintain the integrity of the random selection process, it is recommended that a school district of choice not also accept transfers under the interdistrict attendance permit option except when extraordinary circumstances exist, as provided in Option 2 below. Districts that wish to use both sources of authority should consult legal counsel.

In addition, pursuant to Education Code 48204, a district may authorize a student whose parent/guardian is employed within district boundaries to attend a school in the district (Allen bill transfer); see AR 5111.1 - District Residency. ~~A student attending a school identified as low achieving on the state's Open Enrollment List may transfer to a school in any other district in the state, pursuant to Education Code 48350-48361; see BP/AR 5118 - Open Enrollment Act Transfers.~~

The Governing Board recognizes that parents/guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

(cf. 5111.1 - District Residency)
(cf. 5116.1 - Intradistrict Open Enrollment)
~~*(cf. 5118 - Open Enrollment Act Transfers)*~~

OPTION 1: Interdistrict Attendance Agreements and Permits

Note: The following section is for use by districts that have entered into an agreement with one or more other districts to accept **student** transfers through interdistrict attendance permits pursuant to Education Code 46600-~~46611~~ **46610**. Districts selecting this option should also select Option 1 in the accompanying administrative regulation.

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

Note: Education Code 46600 requires that the interdistrict attendance agreement specify the terms and conditions under which individual permits may be granted or denied. In addition, pursuant to Education Code 46600, students who have been granted an interdistrict attendance permit must be allowed to continue to attend the school without having to reapply unless the agreement between the two districts contains specific agreed-upon standards for reapplication; see the accompanying administrative regulation. Districts also may include in the agreement their agreed-upon standards for revocation of students' interdistrict attendance. Examples of conditions that may result in revocation include falsification of information stated on the permit application, unsatisfactory attendance, continual disruption, or poor academic achievement.

INTERDISTRICT ATTENDANCE (continued)

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

Note: Pursuant to Education Code 46600, it is the responsibility of the ~~attendance supervisor~~ **superintendent or designee** of the district of residence, subject to board policies of the district of residence and terms of the agreement, to issue an individual permit verifying the district's approval of an interdistrict transfer out of the district. The permit shall become valid when endorsed by the board's designee in the district of proposed ~~attendance~~ **enrollment**.

See the accompanying administrative regulation for procedures to follow when the permit is denied.

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

~~**OPTION 2: School District of Choice Program**~~

Note: The following section is for use by districts that elect to participate in the school district of choice program pursuant to Education Code 48300-48317. **Pursuant to Education Code 48301, such a district must register as a school district of choice with the Superintendent of Public Instruction and County Board of Education before enrolling students under this option.** Districts selecting this option should also select Option 2 in the accompanying administrative regulation.

~~Pursuant to Education Code 48301, as amended by AB 99 (Ch. 15, Statutes of 2017), any district that elects to participate in this program must, on or before July 1, 2018, register as a school district of choice with the Superintendent of Public Instruction and the County Board of Education. Pursuant to Education Code 48317, as amended by AB 99, failure to register will result in the loss of a portion of the district's local control funding formula apportionment attributable to the average daily attendance (ADA) of students enrolled through the school district of choice program in the previous year.~~

The Board has designated the district as a "school district of choice" and shall accept students who reside **with**in other California **school** districts who wish to attend a district school.

~~Each year, the Superintendent or designee shall recommend to the Board the number of transfer students that the district will be able to accept and shall identify the schools, grade levels, and programs that will be able to accept these students.~~

~~Note: Education Code 48301, as amended by AB 99 (Ch. 15, Statutes of 2017), requires that a school district of choice accept all transfers up to the maximum number established by the Board.~~

~~The Board shall, by resolution, annually establish the number of students who will be accepted into the district through this program based on recommendations by the~~

INTERDISTRICT ATTENDANCE (continued)

~~Superintendent or designee as to the number of transfer students the district will be able to accept and the schools, grades, and programs that will be able to accept the students. Once established, the district shall accept all students who apply to transfer into the district until the district is at maximum capacity~~**, as required pursuant to** . ~~(Education Code 48301).~~

Note: ~~Whenever the number of student applications exceeds the number of transfers that the Board has established,~~ Education Code 48301 requires a random, unbiased process for selecting students who will be admitted **through the school district of choice program** and prohibits consideration of certain **characteristics and** factors **in making the selections**. ~~AB 99 (Ch. 15, Statutes of 2017) amended Education Code 48301 to expand the list of factors that must not be considered.~~ Pursuant to Education Code 48301, family income may only be considered to the extent necessary to determine enrollment priority pursuant to Education Code 48306; see the accompanying administrative regulation.

~~The Board shall establish a selection process which ensures that students are~~ **Students shall be** ~~admitted to district schools through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based upon his/her~~ **the student's** ~~academic or athletic performance, physical condition, proficiency in English, any of the individual characteristics set forth in Education Code 200, or family income. (Education Code 48301)~~

~~If the number of transfer applications exceeds the number of transfers the Board has elected to accept, approval for transfer shall be determined by a random drawing held in public at a regularly scheduled Board meeting. (Education Code 48301)~~

Note: Because the school district of choice program requires a random selection process, it is recommended that participating districts not admit students through the interdistrict attendance permit process described in Option 1 above except under extraordinary circumstances. Such circumstances might include approving interdistrict attendance permits for students who are victims of an act of bullying. Such students are given priority for interdistrict attendance permits pursuant to Education Code 46600; see the accompanying administrative regulation.

~~Because the district admits students in accordance with the school district of choice program, the Superintendent or designee shall not admit students based on individual interdistrict attendance permits pursuant to Education Code 46600-46611~~**46610** ~~except under extraordinary circumstances.~~

~~Note: Education Code 48313 requires a school district of choice to maintain and report specified information regarding requests for transfers and the disposition of those requests. As amended by AB 99 (Ch. 15, Statutes of 2017), Education Code 48313 requires this report to include the eligibility for free or reduced price meals of students transferring into or out of the district and the number of students provided transportation; see items #3 and 5 below.~~

~~The Superintendent or designee shall maintain a record~~ **keep an accounting** ~~of~~ **all** ~~requests for admittance~~ **and a record of their disposition, including,** ~~that includes, but is not limited to, all of the following: (Education Code 48313)~~

INTERDISTRICT ATTENDANCE (continued)

~~1. The number of requests granted, denied, or withdrawn and, for denied requests, the reason for the denial~~

~~2. The number of students transferred into and out of the district pursuant to this program~~

~~3. The race, ethnicity, gender, self-reported socioeconomic status, eligibility for free or reduced-price meals, and the district of residence for each student transferred into or out of the district pursuant to this program~~

~~4. The number of students transferred into or out of the district pursuant to this program who are classified as English learners or students with disabilities~~

Note: Education Code 48311 authorizes, but does not require, a school district of choice to provide transportation to participating students to the extent that the district provides transportation assistance to other students. See section on "Transportation" below. Item #5 may be deleted by districts that do not provide transportation.

~~5. As applicable, the number of students described in items #3 and 4 above who are provided transportation assistance to a district school or program, and the total number of students provided transportation assistance, pursuant to the school district of choice program~~

~~Note: AB 99 (Ch. 15, Statutes of 2017) amended Education Code 48313 to revise the deadline for submitting the above report and to delete the requirement to submit the report to the Department of Finance. As amended, Education Code 48313 requires the California Department of Education to collect and report statewide data on its web site and to share the information with specified state agencies.~~

~~The Superintendent or designee shall report to the Board, at a regularly scheduled meeting, the information specified in items #1-5 above. No later than October 15 of each year, the Superintendent or designee shall provide the same information for the current school year, as well as information regarding the district's status as a school district of choice in the upcoming school year, to each geographically adjacent school district, the county office of education, and the Superintendent of Public Instruction. (Education Code 48313)~~

~~The district's compliance with **specified** program requirements shall be subject to **reviewed as part of** the annual district audit conducted pursuant to Education Code 41020. (Education Code 48301)~~

~~*(cf. 3460 - Financial Reports and Accountability)*~~

Transportation

Note: The following **optional** section is for use by all districts and should be revised to reflect district practice. Districts are not required to provide transportation or transportation assistance to students admitted

INTERDISTRICT ATTENDANCE (continued)

under an interdistrict attendance permit pursuant to Education Code 46600-~~46611~~ **46610**. Pursuant to Education Code 48311, a school district of choice is authorized, but not required, to provide transportation assistance to the extent that the district otherwise provides transportation assistance to students.

The district shall not provide transportation beyond any school attendance area. Upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for an interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.

Legal Reference:

EDUCATION CODE
41020 Annual district audits
*46600-~~46611~~ **46610** Interdistrict attendance agreements*
48204 Residency requirements for school attendance
48300-48317 Student attendance alternatives, school district of choice program
~~48350-48361 Open Enrollment Act~~
48900 Grounds for suspension or expulsion; definition of bullying
48915 Expulsion; particular circumstances
48915.1 Expelled individuals: enrollment in another district
48918 Rules governing expulsion procedures
48980 Notice at beginning of term
48985 Notices to parents in language other than English
52317 Regional occupational center/program, enrollment of students, interdistrict attendance
CALIFORNIA CONSTITUTION
Article 1, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin
ATTORNEY GENERAL OPINIONS
87 Ops.Cal.Atty.Gen. 132 (2004)
84 Ops.Cal.Atty.Gen. 198 (2001)
COURT DECISIONS
Walnut Valley Unified School District v. the Superior Court of Los Angeles County, (2011) 192 Cal.App.4th 234
Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

Management Resources:

WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov

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Center Unified SD

Board Policy

Interdistrict Attendance

BP 5117
Students

The Governing Board recognizes that parents/guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

(cf. 5111.1 - District Residency)
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5118 - Open Enrollment Act Transfers)

Interdistrict Attendance Permits

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

Transportation

The district shall not provide transportation beyond any school attendance area. Upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for an interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.

Legal Reference:
EDUCATION CODE
41020 Annual district audits
46600-46611 Interdistrict attendance agreements

48204 Residency requirements for school attendance
48300-48317 Student attendance alternatives, school district of choice program
48350-48361 Open Enrollment Act
48900 Grounds for suspension or expulsion; definition of bullying
48915 Expulsion; particular circumstances
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COURT DECISIONS
Walnut Valley Unified School District v. the Superior Court of Los Angeles County, (2011) 192 Cal.App.4th 234
Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

Management Resources:
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: February 21, 2018 Antelope, California

CSBA Sample
Administrative Regulation

Students AR 5117(a)

INTERDISTRICT ATTENDANCE

OPTION 1: Interdistrict Attendance Agreements and Permits

Note: The following option is for use by districts that have entered into an agreement with one or more other school districts to accept transfers through the "interdistrict attendance permit" or "reciprocal agreement" process pursuant to Education Code 46600-~~46611~~ **46610**. (See Option 1 in the accompanying Board policy.) In 87 Ops.Cal.Atty.Gen. 132 (2004), the Attorney General opined that districts could not charge students a fee for processing applications for interdistrict attendance.

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a ~~student's attendance outside his/her district of residence~~ **student of either district to enroll in the other district** may be issued upon approval of both **districts** ~~the district of residence and the district of attendance~~.

Note: Pursuant to Education Code 46600.2, as added by AB 2826 (Ch. 550, Statutes of 2018), districts are required to post on their web sites, in a manner accessible to the public without a password, the procedures and timelines regarding a request for an interdistrict transfer permit.

The district shall post on its web site the procedures and timelines for requesting an interdistrict transfer permit, including a link to BP 5117 - Interdistrict Attendance. The posted information shall include, but is not limited to: (Education Code 46600.1, 46600.2)

1. **The date upon which the district will begin accepting and processing interdistrict transfer requests for the following school year**

2. **The reasons for which the district may approve or deny a request, and any information or documents that must be submitted as supporting evidence**

3. **If applicable, the process and timelines by which a denial of a request may be appealed within the district before the district renders a final decision**

4. **A statement that failure of a parent/guardian to meet any timelines established by the district shall be deemed an abandonment of the request**

5. **Applicable timelines for processing a request, including the following statements:**

   a. **For an interdistrict transfer request received by the district 15 or fewer calendar days before the commencement of instruction in the school year for which the transfer is sought, the district will notify the parent/guardian of its final decision within 30 calendar days from the date the request was received.**

INTERDISTRICT ATTENDANCE (continued)

b. For an interdistrict transfer request received by the district more than 15 days before the commencement of instruction in the school year for which the interdistrict transfer is sought, the district will notify the parent/guardian of its final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction in the school year for which transfer is sought.

6. The conditions under which an existing interdistrict transfer permit may be revoked or rescinded

~~The Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:~~

Note: Education Code 46600 requires districts to give priority for interdistrict attendance permits to a student who is a victim of an act of bullying, as provided below. For this purpose, Education Code 48900(r) defines bullying to include, but not be limited to, bullying committed by means of an electronic act directed specifically toward the student; see AR 5144.1 - Suspension and Expulsion/Due Process.

~~1.~~ ~~When the~~ **Priority for interdistrict attendance shall be given to a** student **who** has been determined by staff of either the district of residence or district of proposed ~~attendance~~ **enrollment** to be a victim of an act of bullying, as defined in Education Code 48900(r), **committed by a student of the district of residence.** ~~Such a student shall be given priority for interdistrict attendance under any existing interdistrict attendance agreement or, in the absence of an agreement, shall be given consideration for the creation of a new permit~~. (Education Code 46600)

(cf. 5131.2 - Bullying)

In addition, t~~T~~he Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:

Note: **Optional** items ~~#2-12~~ **1-11** below should be revised and/or deleted to reflect district practice.

~~2.~~**1.** To meet the child care needs of the student, ~~. Such a student may be allowed to continue to attend district schools~~ only as long as ~~he/she continues to use a~~ **the student's** child care provider **remains** within district boundaries~~.~~

(cf. 5148 - Child Care and Development)

~~3.~~**2.** To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel~~.~~

(cf. 6159 - Individualized Education Program)

INTERDISTRICT ATTENDANCE (continued)

~~4.~~**3.** When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance.

~~5.~~**4.** To allow the student to complete a school year when ~~his/her~~ **the student's** parents/guardians have moved out of the district during that year.

~~6.~~**5.** To allow the student to remain with a class graduating that year from an elementary, middle, or senior high school.

~~7.~~**6.** To allow a high school senior to attend the same school ~~he/she~~ attended as a junior, even if ~~his/her~~ **the student's** family moved out of the district during the junior year.

~~8.~~**7.** When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the **school** year in the district.

~~9.~~**8.** When the student will be living out of the district for one year or less.

~~10.~~**9.** When recommended by the school attendance review board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence.

(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5113.12 - District School Attendance Review Board)

~~11.~~**10.** When there is valid interest in a particular educational program not offered in the district of residence.

~~12.~~**11.** To provide a change in school environment for reasons of personal and social adjustment.

Note: In 84 Ops.Cal.Atty.Gen. 198 (2001), the Attorney General opined that a lack of school facilities is a justifiable reason for denial of the interdistrict attendance permit request. However, according to the Attorney General, once the student is admitted, the district may not later deny the student continued attendance at a district school because of overcrowding. Although Attorney General opinions are not binding on the courts, they are generally afforded deference in the court when there is no specific statutory or case law to the contrary. The following paragraph is based on this Attorney General opinion.

The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district ~~may~~ **shall** not deny ~~him/her~~ continued attendance because of overcrowded facilities at the relevant grade level.

INTERDISTRICT ATTENDANCE (continued)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Note: Education Code 46600.2, as added by AB 2826, establishes the following timelines for notifying a student's parents/guardians of the district's final decision regarding the interdistrict transfer request.

If the transfer request is for a school year that begins within 15 calendar days of the receipt of the request, the Superintendent or designee shall notify the parent/guardian of the final decision within 30 calendar days of receiving the request. If the transfer request is for a school year that begins more than 15 calendar days after the receipt of the request, the parent/guardian shall be notified of the final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction during that school year. (Education Code 46600.2)

Note: ~~Education Code 46601 requires that, within 30 days of a request for an interdistrict permit, parents/guardians whose permit application was denied must be informed about their right to appeal to the County Board of Education. This notice shall be provided by the district denying the request, or, in the absence of an agreement between the districts, by the district of residence.~~ **Education Code 46600.2, as added by AB 2826, requires a district that denies a request for an interdistrict transfer to give written notice to the parent/guardian of the right to appeal to the County Board of Education.**

Pursuant to Education Code 46601, parents/guardians may submit their appeal **to the County Board** within 30 calendar days of the ~~failure or refusal to issue~~ **district's final denial of** the permit. The County Board then has 30 calendar days, unless extended by an additional five school days for good cause, to make its determination as to whether the student should be allowed to attend the district of **proposed enrollment and the applicable period of attendance** ~~his/her choice~~. However, ~~as amended by SB 344 (Ch. 461, Statutes of 2017),~~ Education Code 46601 allows a class 1 county (i.e., a county with a 1994-95 average daily attendance (ADA) of 500,000 or more for all districts in the county), **until July 1, 2023,** 60 calendar days to make its determination~~, and a class 2 county (i.e., a county with a 1994-95 ADA of 180,000-499,999) 45 calendar days to make its determination~~.

Pursuant to Education Code 46602, if the County Board determines that the student should be permitted to attend the district of ~~his/her choice~~ **proposed enrollment**, the district shall admit the student without delay.

~~Within 30 calendar days of a request for an interdistrict permit,~~ **If a student's interdistrict transfer request is denied,** the Superintendent or designee shall**, in writing,** notify the parents/guardians of ~~a student who is denied interdistrict attendance regarding the process for~~ **their right to** appeal to the County Board of Education ~~as specified in Education Code 46601~~ **within 30 calendar days from the date of the final denial**. (Education Code **46600.2** ~~46601~~)

(cf. 5145.6 - Parental Notifications)

All notices to parents/guardians regarding the district's decision on any request for interdistrict transfer shall conform to the translation requirements of Education Code 48985, and may be provided by regular mail, electronic format if the parent/guardian provides an email address, or by any other method normally used to communicate with parents/guardians in writing. (Education Code 46600.2)

INTERDISTRICT ATTENDANCE (continued)

Pending a decision by the two districts or ~~an appeal~~ by the County Board on appeal, the Superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months**, provided the district is the district of proposed enrollment. If the decision has not been rendered by the conclusion of two school months and the districts or County Board is still operating within the prescribed timelines, the student shall not be allowed to continue attending the district school to which the student was provisionally admitted**. (Education Code 46603)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or ~~decisions~~ **rescissions** while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

(cf. 5119 - Students Expelled from Other Districts)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

~~Note: Pursuant to Education Code 46600, once an interdistrict permit is granted and the student is enrolled in the new school, the district of enrollment (1) may not require the student to reapply; (2) must allow the student to continue to attend the school, unless the permit contains specific standards for reapplication; and (3) along with the district of residence, may not revoke the student's existing permit if he/she is entering grade 11 or 12. Therefore, even if an interdistrict attendance agreement between the two districts has expired, the student may be allowed to continue attending the school to which he/she has transferred, unless the agreement contains specific language requiring reapplication.~~

Once a student is admitted to a school on the basis of an interdistrict attendance permit, ~~he/she~~ the student shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school ~~in which he/she is enrolled~~ of enrollment, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall not be rescinded after June 30 following a student's completion of grade 10 or for any students entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

~~**OPTION 2: School District of Choice Program**~~

Note: The following section is for use by districts that elect to participate in the school district of choice program pursuant to Education Code 48300-48317. (See Option 2 in the accompanying Board policy.)

~~The Superintendent or designee shall communicate with parents/guardians regarding transfer opportunities under the school district of choice program. Communications sent to parents/guardians shall be available in all languages for which translations are required pursuant to Education Code 48985, shall be factually accurate, and shall not target particular neighborhoods or individual parents/guardians on the basis of a child's actual or perceived academic or athletic skill or any other personal characteristic. (Education Code 48301, 48980)~~

INTERDISTRICT ATTENDANCE (continued)

~~Note: The following paragraph may be revised to reflect district practice. Education Code 48312, as amended by AB 99 (Ch. 15, Statutes of 2017), requires a school district of choice to make public announcements regarding district schools, programs, policies, and procedures, including transportation options. Education Code 48302, as amended by AB 99, encourages districts to hold informational meetings and make public announcements regarding the current educational programs offered by the district so that parents/guardians may make informed decisions regarding their child's education and provide input on methods to improve the current programs.~~

~~The Superintendent or designee shall also make public announcements regarding district schools, programs, policies, and procedures, including transportation options if applicable, during the enrollment period. (Education Code 48312)~~

Note: The following **optional** paragraph reflects Education Code 48302, which encourages districts to hold informational meetings as described below, and may be revised to reflect district practice..

The Superintendent or designee may hold informational meetings on the district's current educational programs, so that parents/guardians can provide input to the district on methods to improve current programs and make informed decisions regarding their children's education. (Education Code 48302)

~~Note: Education Code 48301, as amended by AB 99 (Ch. 15, Statutes of 2017), requires that application information be posted on the district's web site.~~

~~The process for student transfers into the district under the school district of choice program, including, but not limited to, any applicable form, the timeline for a transfer, and an explanation of the selection process, shall be posted on the district's web site. (Education Code 48301)~~

~~*(cf. 1113 - District and School Web Sites)*~~

~~Parents/guardians shall submit applications for interdistrict attendance to the district office by~~ **~~before~~** ~~January 1 of the school year preceding the school year for which the student may~~ **~~is requesting to~~** ~~be transferred. The application deadline may be waived upon agreement between the district and the student's district of residence. (Education Code 48308)~~

~~The application deadline shall not apply to an application requesting a transfer if the parent/guardian with whom the student resides is enlisted in the military and was relocated by the military within 90 days prior to submitting the application. (Education Code 48308)~~

~~*(cf. 6173.2 - Education of Children of Military Families)*~~

~~Note: Education Code 48306, as amended by AB 99 (Ch. 15, Statutes of 2017), adds a requirement that second priority for admission under the school district of choice program be given to students who are eligible for free and reduced price meals and that third priority be given to children of military personnel.~~

INTERDISTRICT ATTENDANCE (continued)

~~Priority for transfer under the school district of choice program shall be granted as follows: (Education Code 48306)~~

~~1. First priority shall be given to siblings of students already in attendance in the district.~~

~~2. Second priority shall be given to students eligible for free or reduced price meals.~~

~~*(cf. 3553 - Free and Reduced Price Meals)*~~

~~3. Third priority shall be given to children of military personnel.~~

Note: Pursuant to Education Code 48305, if the district chooses to use existing entrance criteria for specialized schools or programs, then the criteria must be uniformly applied. The following **optional** paragraph is for use by districts that choose to use existing entrance criteria.

~~Any existing entrance criteria for specialized schools or programs shall be uniformly applied to all applicants. (Education Code 48305)~~

~~Note: Items #1-2 below are **optional** and may be revised to reflect district practice. Education Code 48303 provides that a district may not deny a transfer because the additional cost of educating the student would exceed the amount of additional state aid to be received. However, pursuant to Education Code 48303, a transfer may be rejected if it would require the district to create a new program to serve the student, as specified in item #1.~~

~~The district may deny a transfer into the district under the school district of choice program under either of the following circumstances: 1.The **if the** transfer into the district would require the district to create a new program to serve that student, except that the district shall not reject the transfer of a student with disabilities or an English learner. (Education Code 48303)~~

~~Note: Pursuant to Education Code 48307, a school district of choice may prohibit a transfer into the district if the Governing Board determines that the transfer would negatively impact a court-ordered desegregation plan, a voluntary desegregation plan, or the racial and ethnic balance of the district. In Crawford v. Huntington Beach Union High School District, a California appellate court held that a district's intradistrict open enrollment policy, which contained a racial and ethnic balance component as authorized by Education Code 35160.5, was unconstitutional. According to the court, because the constitutional provisions added by Proposition 209 in 1996 (California Constitution, Article 1, Section 31) prohibit discrimination against or preferential treatment for any individual or group on the basis of race, sex, color, ethnicity, or national origin, a district must not adopt a policy containing different admission criteria on the basis of race. However, pursuant to Education Code 48307, as amended by AB 99 (Ch. 15, Statutes of 2017), denial of transfers on the basis of a voluntary desegregation plan or the racial and ethnic balance of the district must be consistent with the provisions of Proposition 209. It is recommended that the district consult legal counsel before adopting a policy to allow the denial of transfers on either of these bases.~~

~~For language regarding student transfers out of the district for any of the reasons specified in item #2a-e, see section "Transfers Out of the District" below.~~

INTERDISTRICT ATTENDANCE (continued)

2. The Board determines that the transfer into the district would negatively impact any of the following: (Education Code 48307)

   a. A court-ordered desegregation plan

   b. A voluntary desegregation plan of the district, consistent with the California Constitution, Article 1, Section 31

   c. The racial and ethnic balance of the district, consistent with the California Constitution, Article 1, Section 31

Whenever the number of transfer applications exceeds the number of interdistrict transfers that may be accepted as annually determined by the Governing Board, students accepted for transfer shall be selected by a random drawing held in public at a regularly scheduled Board meeting **before February 15 of the school year preceding the school year for which the transfer is sought.** (Education Code 48301)

Priority for transfer under the school district of choice program shall be granted as follows: (Education Code 48306)

1. First priority shall be given to siblings of students already in attendance in the district.

2. Second priority shall be given to students eligible for free or reduced price meals.

(cf. 3553 - Free and Reduced Price Meals)

3. Third priority shall be given to children of military personnel.

Note: Education Code 48308, as amended by AB 99 (Ch. 15, Statutes of 2017), requires that parents/guardians of students who have requested a transfer be provided the following notice by February 15.

Between January 1 and **No later than** February 15 of the school year preceding the school year for which the student is requesting to be transferred, the Superintendent or designee shall notify the parent/guardian in writing whether the application has been provisionally accepted or rejected or of the student's position on any waiting list. (Education Code 48308)

Note: Education Code 48308, as amended by AB 99 (Ch. 15, Statutes of 2017), requires the following notifications to the district of residence.

If a student's application for transfer is accepted, the Superintendent or designee shall so notify the student's district of residence no later than February 15 of the school year preceding the school year for which the student is requesting to be transferred. (Education Code 48308)

INTERDISTRICT ATTENDANCE (continued)

The number of students accepted for transfer into the district, by school and grade level, shall be reported to the district of residence on or before February 15. (Education Code 48308)

If a student's application is denied, the Superintendent or designee shall notify the student's parents/guardians that the number of students requesting to transfer exceeded the district's capacity and that the student was not selected during the random drawing. The **Such** determination shall be accurately recorded in the minutes of the Board meeting at which the determination was made. (Education Code 48308)

(cf. 9324 - Minutes and Recordings)

For a student whose parent/guardian was relocated by the military **less than** 90 days prior to the submission of the application, the district shall make a final decision to accept or reject the application within 90 days of its receipt. If the student's application has been submitted less than 90 days prior to the beginning of the school year, then the district shall accept or deny the application before the school year begins. Upon his/her acceptance, the student may immediately enroll in a district school. (Education Code 48308)

Vacancies may be filled from the waiting list until May 1 of the school year preceding the school year for which students are requesting to be transferred. (Education Code 48308)

The final number of students accepted for transfer **enrolled** into the district **through the school district of choice program**, by school and grade level, along with the names of the students, shall be reported to the district of residence on or before May 2. (Education Code 48308)

Students admitted through the school district of choice program are deemed to have fulfilled district residency requirements pursuant to Education Code 48204. (Education Code 48301)

(cf. 5111.1 - District Residency)
(cf. 5116.1 - Intradistrict Open Enrollment)

Final acceptance of the transfer is applicable for one school year and shall be renewed automatically each year unless the Board, by adoption of a resolution, withdraws from participation in the program and no longer accepts transfer students from other districts. (Education Code 48308)

Note: The following paragraph may be revised by districts that do not maintain high schools.

Even if the district withdraws from participation in the program, students who attended or received a notice of acceptance into the district before the Board's resolution of withdrawal

INTERDISTRICT ATTENDANCE (continued)

~~shall be permitted to attend school in the district, and admitted high school students may continue attending school in the district until they graduate from high school. (Education Code 48307, 48308)~~

~~The district may accept any completed coursework, attendance, and other academic progress credited to an accepted student by any district(s)~~ **the student** ~~he/she has previously attended and may grant academic standing to the student based upon the district's evaluation of the student's academic progress. (Education Code 48309)~~

~~*(cf. 6146.3 - Reciprocity of Academic Credit)*~~

~~The district may revoke a student's enrollment if he/she~~ **the student** ~~is recommended for expulsion pursuant to Education Code 48918. (Education Code 48309)~~

Transfers Out of the District

Note: The following **optional** section is for use by all districts.

~~Pursuant to Education Code 48307, a district must not deny a student whose parent/guardian is in active military duty from transferring out of the district to any other district. In addition, Education Code 46600, as amended by AB 2659 (Ch. 186, Statutes of 2016), provides that a district must not prohibit the transfer of such a student out of the district to any other district that approves the transfer, regardless of whether or not an interdistrict transfer agreement exists or a permit is issued.~~

A student whose parent/guardian is in active military duty shall not be prohibited from transferring out of the district, provided the school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48307)

The district may limit transfers out of the district to a school district of choice under any of the following circumstances: (Education Code 48307)

Note: Even if a district has not designated itself as a school district of choice, it has the authority pursuant to Education Code 48307 to limit the number of students transferring out of the district into other districts that have designated themselves as school districts of choice. A district with an ADA of more than 50,000 may annually limit the number of such transfers to one percent of its current year estimated ADA. A district with an ADA of 50,000 or less may limit the number of such transfers to three percent of its current estimated ADA and may limit the maximum number of such transfers for the duration of the program to 10 percent of the ADA for that period. In Walnut Valley Unified School District v. Superior Court of Los Angeles County, the appellate court held that the 10 percent cap on outbound transfers "for the duration of the program" should be based on the district's ADA over the entire life of the district of choice program (i.e., from the program's inception in 1994 until the present day). The district may revise item #1 to reflect the applicable percentage in Education Code 48307 based on its ADA.

1. The number of student transfers out of the district to a school district of choice has reached the limit specified in Education Code 48307 based on the district's average daily attendance.

INTERDISTRICT ATTENDANCE (continued)

2. The County Superintendent of Schools has given the district a negative budget certification or has determined that the district will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice.

(cf. 3100 - Budget)

Note: Item #3 is **optional** and should be revised to reflect district practice. ~~As noted above in the section "Option 2: School District of Choice Program,"~~ Education Code 48307 authorizes the district to prohibit a transfer ~~in or~~ out of the district under the school district of choice program if the Board determines that the transfer would negatively impact a court-ordered desegregation plan, a voluntary desegregation plan, or the racial and ethnic balance of the district. ~~As amended by AB 99 (Ch. 15, Statutes of 2017),~~ Education Code 48307 provides that denial of transfers on the basis of a voluntary desegregation plan or the racial and ethnic balance of the district must be consistent with the constitutional provisions added by Proposition 209 in 1996 (California Constitution, Article 1, Section 31). It is recommended that districts consult legal counsel before adopting policy to allow denial of transfers on either of these bases.

3. The Board determines that the transfer would negatively impact any of the following: (Education Code 48307)

   a. A court-ordered desegregation plan

   b. A voluntary desegregation plan of the district, consistent with the California Constitution, Article 1, Section 31

   c. The racial and ethnic balance of the district, consistent with the California Constitution, Article 1, Section 31

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Center Unified SD

Administrative Regulation

Interdistrict Attendance

AR 5117
Students

Interdistrict Attendance Permits

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a student's attendance outside his/her district of residence may be issued upon approval of both the district of residence and the district of proposed attendance.

The Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:

1. When the student has been determined by staff of either the district of residence or district of proposed attendance to be a victim of an act of bullying as defined in Education Code 48900(r). Such a student shall be given priority for interdistrict attendance under any existing interdistrict attendance agreement or, in the absence of an agreement, shall be given consideration for the creation of a new permit. (Education Code 46600)

(cf. 5131.2 - Bullying)

2. To meet the child care needs of the student. Such a student may be allowed to continue to attend district schools only as long as he/she continues to use a child care provider within district boundaries.

(cf. 5148 - Child Care and Development)

3. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel.

(cf. 6159 - Individualized Education Program)

4. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance.

5. To allow the student to complete a school year when his/her parents/guardians have moved out of the district during that year.

6. To allow the student to remain with a class graduating that year from an

elementary, middle, or senior high school.

7. To allow a high school senior to attend the same school he/she attended as a junior, even if his/her family moved out of the district during the junior year.

8. When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the year in the district.

9. When the student will be living out of the district for one year or less.

10. When recommended by the school attendance review board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence.

(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5113.12 - District School Attendance Review Board)

11. When there is valid interest in a particular educational program not offered in the district of residence.

12. To provide a change in school environment for reasons of personal and social adjustment.

The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district may not deny him/her continued attendance because of overcrowded facilities at the relevant grade level.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Within 30 calendar days of a request for an interdistrict permit, the Superintendent or designee shall notify the parents/guardians of a student who is denied interdistrict attendance regarding the process for appeal to the County Board of Education as specified in Education Code 46601. (Education Code 46601)

(cf. 5145.6 - Parental Notifications)

Pending a decision by the two districts or an appeal by the County Board, the Superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months. (Education Code 46603)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or decisions while expulsion proceedings are

pending or during the term of the expulsion. (Education Code 46601)

(cf. 5119 - Students Expelled from Other Districts)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Once a student is admitted to a school on the basis of an interdistrict attendance permit, he/she shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school in which he/she is enrolled, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall not be rescinded for students entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: February 21, 2018 Antelope, California

CSBA Sample
Administrative Regulation

Students AR 5125.2(a)

WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS

Note: **In certain limited circumstances, state law permits districts to withhold student grades, diplomas, and/or transcripts.** Pursuant to Education Code 48904, ~~parents/guardians of any minor~~ **the district may withhold the grades, diploma, and/or transcripts of a student** who willfully cuts, defaces, or otherwise injures any real or personal property belonging to the district, or who **willfully** does not return district property that was loaned to the student, **until the damages are paid.** ~~are liable for paying damages to the district up to the amount specified in law and annually adjusted for inflation;~~ **For more information regarding limits of damages, as annually adjusted for inflation,** see BP/AR 3515.4 - Recovery for Property Loss or Damage. ~~Until the damages are paid, the district is authorized to withhold the grades, diploma, and/or transcripts of the student responsible for the damage.~~ **Pursuant to Education Code 49014, as added by AB 1974 (Ch. 577, Statutes of 2018), a current or former homeless or foster youth is exempted from the requirement to pay damages.**

If a student's parents/guardians are unable to pay the damages, Education Code 48904 requires the district to offer an option for the student to provide work in lieu of payment. Pursuant to Education Code 49014, a district may offer any other student regardless of the ability to pay, other than a current or former homeless or foster youth, alternative, nonmonetary means to settle the debt owed as a result of damage or loss of district property. In such cases, the district may withhold the student's grades, diploma, and/or transcripts until the work or other alternative is completed.

Education Code 48904 **mandates** the Governing Board to establish procedures for withholding a student's grades, diploma, and/or transcripts until reparation is made.

When a minor student willfully cuts, defaces, or otherwise injures real or personal property of the district or **willfully** does not return district property that has been loaned to ~~him/her~~ **the student** ~~upon demand of a district employee~~, the student's parents/guardians may be required to pay the costs of all damages within the limits established pursuant to Education Code 48904. Until the student's parents/guardians have paid for the damages **or the student has completed voluntary work or other nonmonetary alternative offered by the district in lieu of monetary damages**, the Superintendent or designee may withhold the student's grades, diploma, and/or transcripts. (Education Code 48904**, 49014**)

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5125 - Student Records)
(cf. 5131.5 - Vandalism and Graffiti)
(cf. 6161.2 - Damaged or Lost Instructional Materials)

This administrative regulation shall not apply to a student who is a current or former homeless or foster youth. (Education Code 49014)

Before withholding ~~the~~ **a** student's grades, diploma, and/or transcripts, the Superintendent or designee shall inform the student's parents/guardians in writing of the student's alleged misconduct. (Education Code 48904)

WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS (continued)

(cf. 5145.6 - Parental Notifications)

Note: Education Code 48904 **mandates** that the district's procedures for withholding a student's grades, diploma, and/or transcripts conform to procedures established in the Education Code for student expulsion. For due process procedures related to student expulsion, see BP/AR 5144.1 - Suspension and Expulsion/Due Process.

The student shall be afforded due process consistent with procedures established for the expulsion of students. (Education Code 48904)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

~~If the student and parents/guardians are unable to pay for the damages or return the property, the Superintendent or designee shall provide a program of voluntary work for the student in lieu of monetary damages. Upon completion of the voluntary work, the student's grades, diploma, and/or transcripts shall be released. (Education Code 48904)~~

When a student who is transferring into the district has had ~~his/her~~ grades, **a** diploma, and/or transcripts withheld by the previous district, the Superintendent or designee shall continue to withhold the student's grades, diploma, and/or transcripts until notified by the previous district that the decision to withhold has been rescinded. (Education Code 48904.3)

Upon receiving notice that a student whose grades, diploma, and/or transcripts have been withheld by this district has transferred to another district in California, the Superintendent or designee shall provide the student's records to the new district and notify the new district that the student's grades, diploma, and/or transcripts are being withheld from the student and parents/guardians pursuant to Education Code 48904.

The Superintendent or designee shall also notify the student's parents/guardians in writing that the decision to withhold the student's grades, diploma, and/or transcripts will be enforced by the new district. (Education Code 48904.3)

Legal Reference:

EDUCATION CODE
48904 Liability of parent
48904.3 Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold
48911 Suspension by principal, designee or superintendent
49014 Public School Fair Debt Collection Act
49069 Absolute right to access

(12/91 10/17) 3/19

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Center Unified SD

Administrative Regulation

Withholding Grades, Diploma Or Transcripts

AR 5125.2
Students

When a minor student willfully cuts, defaces, or otherwise injures real or personal property of the district or does not return district property that has been loaned to him/her upon demand of a district employee, the student's parents/guardians may be required to pay the costs of all damages within the limits established pursuant to Education Code 48904. Until the student's parents/guardians have paid for the damages, the Superintendent or designee may withhold the student's grades, diploma, and/or transcripts. (Education Code 48904)

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5125 - Student Records)
(cf. 5131.5 - Vandalism and Graffiti)
(cf. 6161.2 - Damaged or Lost Instructional Materials)

Before withholding the student's grades, diploma, and/or transcripts, the Superintendent or designee shall inform the student's parents/guardians in writing of the student's alleged misconduct. (Education Code 48904)

(cf. 5145.6 - Parental Notifications)

The student shall be afforded due process consistent with procedures established for the expulsion of students. (Education Code 48904)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

If the student and parents/guardians are unable to pay for the damages or return the property, the Superintendent or designee shall provide a program of voluntary work for the student in lieu of monetary damages. Upon completion of the voluntary work, the student's grades, diploma, and/or transcripts shall be released. (Education Code 48904)

When a student who is transferring into the district has had his/her grades, diploma, and/or transcripts withheld by the previous district, the Superintendent or designee shall continue to withhold the student's grades, diploma, and/or transcripts until notified by the previous district that the decision to withhold has been rescinded. (Education Code 48904.3)

Upon receiving notice that a student whose grades, diploma, and/or transcripts have been

withheld by this district has transferred to another district in California, the Superintendent or designee shall provide the student's records to the new district and notify the new district that the student's grades, diploma, and/or transcripts are being withheld from the student and parents/guardians pursuant to Education Code 48904.

The Superintendent or designee shall also notify the student's parents/guardians in writing that the decision to withhold the student's grades, diploma, and/or transcripts will be enforced by the new district. (Education Code 48904.3)

Legal Reference:
EDUCATION CODE
48904 Liability of parent
48904.3 Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold
48911 Suspension by principal, designee or superintendent
49069 Absolute right to access

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: February 21, 2018 Antelope, California

CSBA Sample
Board Policy

Students BP 5127(a)

GRADUATION CEREMONIES AND ACTIVITIES

Note: The following **optional** policy is for use by any district that maintains a high school and should be modified to reflect district practice.

High school graduation ceremonies shall be held to recognize those students who have earned a diploma by successfully completing the required course of study, satisfying district standards, and passing any required assessments. The Governing Board believes that these students deserve the privilege of a public celebration that recognizes the significance of their achievement and encourages them to continue the pursuit of learning throughout their lives.

(cf. 6011 - Academic Standards)
(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

At the discretion of the Superintendent or designee, a student who will complete graduation requirements during the summer may **be allowed to** participate in graduation exercises without receiving ~~his/her~~ **a** diploma. When the requirements have been satisfied, a diploma shall be sent to the student.

Note: **There are three high school equivalency tests that are approved by the State Board of Education for the purpose of receiving a California High School Equivalency Certificate: the General Educational Development Test (GED), the High School Equivalency Test, and the Test Assessing Secondary Completion. In addition, students age 16 or older may take the California High School Proficiency Examination (CHSPE) for the purpose of receiving a Certificate of Proficiency, which is equivalent to a high school diploma.** On its web site, the California Department of Education **(CDE)** indicates that a student's **successful completion of a high school equivalency test or the CHSPE is not equivalent to completing all coursework required for regular graduation from high school.** ~~General Educational Development (GED) Test results may not be used by the district to satisfy the minimum course requirements for graduation.~~ The following **optional** paragraph ~~parallels this concept with regard to use of results of the GED and California High School Proficiency Examination for participation in graduation ceremonies~~ **provides that students receiving such certificates are not eligible to participate in graduation ceremonies and may be revised to reflect district practice.**

High school students who have passed **a high school equivalency test or** the California High School Proficiency Examination ~~or the General Educational Development Test~~ must also meet district graduation requirements in order to participate in graduation ceremonies.

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

Note: School-sponsored and school-directed prayer at public high school graduation ceremonies has been ruled unconstitutional by both the U.S. Supreme Court (Lee v. Weisman) and the California Supreme Court (Sands v. Morongo Unified School District). However, the law is unclear as to whether student-led, student-

GRADUATION CEREMONIES AND ACTIVITIES (continued)

initiated prayer at graduation ceremonies is constitutional. In Cole v. Oroville Union High School District, the 9th Circuit Court of Appeals found that it would be unconstitutional for a district to allow a student to give a sectarian and proselytizing invocation at graduation. In that case, the district had developed a policy whereby students determined whether an invocation would be granted and, if so, would then select a fellow student to deliver it. The principal would then review the content of the student invocation for proselytizing messages. The court upheld the policy authorizing principal review, but did not rule on the underlying policy allowing the invocation ~~in the first place~~. Some attorneys have argued that the U.S. Supreme Court's decision in Santa Fe Independent School District v. Doe, which found unconstitutional a district policy allowing student-led, student-initiated prayers at football games, would also apply to student-led, student-initiated prayer and invocations at graduation ceremonies. **In Workman v. Greenwood Community School Corporation, a federal district court in Indiana relied on the holdings in Lee and Santa Fe to grant a preliminary injunction prohibiting the district from permitting students to lead a prayer during the graduation ceremony even though the invocation was chosen through election by the senior class. The court reasoned that attendance at the graduation was functionally obligatory and the election was school sponsored. Because this issue has not been authoritatively resolved by the courts, it is strongly recommended that districts consult legal counsel prior to adopting policies or procedures allowing prayer at graduation. See also the U.S. Department of Education's Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools.**

~~Option 1 is for use by districts that prohibit prayer at graduation ceremonies. Option 2 is for use by those districts that allow a student-initiated, student-led prayer at graduation ceremonies. However, because the issue has not yet been authoritatively resolved by the courts, it is strongly recommended that districts selecting Option 2 consult legal counsel prior to the adoption of this policy and/or any other procedure allowing prayer at graduation ceremonies.~~

~~**OPTION 1:**~~ Invocations, prayers, or benedictions shall not be included in graduation ceremonies. The school or district shall not sponsor other ceremonies or programs for graduates that include prayer.

~~**OPTION 2:** The school or district shall not direct invocations, prayers, or benedictions at graduation ceremonies.~~

(cf. 1330 - Use of School Facilities)
(cf. 5145.2 - Freedom of Speech/Expression)

~~**Honors and Awards**~~

~~Note: The following **optional** section may be modified to reflect district practice. Districts that choose to recognize students for outstanding academic performance should adopt procedures for selecting honorees and notifying students and their parents/guardians. Such rules, procedures, and criteria may be added to this section.~~

~~To honor superior academic achievement, graduation ceremonies shall include recognition of valedictorian(s) and salutatorian(s). Valedictorian(s) and salutatorian(s) shall be selected based on established criteria and procedures that use multiple measures of academic performance.~~

~~*(cf. 5121 - Grades/Evaluation of Student Achievement)*~~

GRADUATION CEREMONIES AND ACTIVITIES (continued)

~~The Superintendent or designee shall identify other school-sponsored awards which may be given during graduation exercises. A separate awards program may be held to recognize graduating students receiving other school and non-school awards.~~

~~*(cf. 5126 - Awards for Achievement)*~~

~~Conduct at~~ Graduation Attire ~~Ceremonies~~

~~Note: The following section is **optional**. Graduation ceremonies are school-sponsored and/or school-related activities over which school boards have authority. Thus, the Governing Board may regulate student behavior at such events.~~

~~Any student participating in a graduation ceremony shall comply with district policies and regulations pertaining to student conduct.~~

~~*(cf. 5131 - Conduct)*~~

Note: Under the authority granted the **Governing** Board to regulate student conduct, the Board may require graduating students to wear ceremonial attire, such as cap and gown, at the ceremony. ~~However, Education Code 35183.3, as added by AB 1463 (Ch. 296, Statutes of 2009), allows graduating students who are in active military service to wear their military dress uniforms to graduation ceremonies.~~ **In its Fiscal Management Advisory 17-01, Pupil Fees, Deposits, and other Charges, CDE advises that a district that requires its students to wear a cap and gown as a condition of their participation in the high school graduation ceremony may not require such students to purchase the cap and gown. CDE recommends that such districts provide the graduates with a cap and gown for their use at the graduation ceremony and inform them that those interested may purchase a cap and gown from a vendor. See AR 3260 - Fees and Charges.**

The Superintendent or designee may require graduating students to wear ceremonial attire, such as cap and gown, at the ceremony.

(cf. 3260 - Fees and Charges)

~~However, any~~ **Any** graduating student who has completed basic training and is an active member of any branch of the United States Armed Forces may, at ~~his/her~~ **the student's** option, wear ~~his/her~~ **a** military dress uniform at the ceremony. (Education Code 35183.3)

Note: The following optional paragraphs may be revised to reflect district practice. Education Code 35183.1, as added by AB 1248 (Ch. 804, Statutes of 2018), permits students to wear tribal regalia or recognized objects of religious or cultural significance as an adornment to the customary cap and gown. However, the district may exercise discretion to prohibit any item that is likely to cause a substantial disruption of, or material interference with, the ceremony.

Students shall be permitted to wear tribal regalia or recognized objects of religious or cultural significance as an adornment to the customary ceremonial attire, as long as the

GRADUATION CEREMONIES AND ACTIVITIES (continued)

adornment does not cause a substantial disruption of, or material interference with, the graduation ceremony. (Education Code 35183.1)

Students who desire to wear such adornments shall seek permission from the Superintendent or designee at least 14 days before the graduation ceremony.

Disciplinary Considerations

Note: **The following optional section may be revised to reflect district practice.** The withholding of a diploma is governed by Education Code 48904 and is separate from the denial of participation in graduation ceremonies; see AR 5125.2 - Withholding Grades, Diploma or Transcripts and BP 6161.2 - Damaged or Lost Instructional Materials. Even though the graduation ceremony is not an essential component to the granting of a diploma, it is an important symbolic event. Therefore, it is recommended that districts provide some due process before denying a student the privilege of participating in the ceremony.

~~In order to encourage high standards of student conduct and behavior, the principal may deny a student the privilege of participating in graduation ceremonies and/or activities in accordance with school rules. Prior to denial of the privilege, the student, and where practicable his/her parent/guardian, shall be made aware of the grounds for such denial and shall be given an opportunity to respond. If a privilege is to be denied, the student and parent/guardian shall receive written notice of the denied privilege and the means whereby he/she may appeal the decision.~~ ~~**Students are expected to comply with district and school policies, regulations, and rules throughout the school session, including during graduation and related events. Students shall not be denied the privilege of participating in graduation ceremonies except as discipline in cases of serious misconduct. In no event shall a student be denied participation in graduation ceremonies unless the principal or designee has informed the student and the student's parents/guardians of the misconduct and has given them an opportunity to respond.**~~

~~*(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)*~~
(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
~~*(cf. 6161.2 - Damaged or Lost Instructional Materials)*~~

~~**During the graduation ceremony, a student may be removed from the ceremony for conduct that is disruptive or that poses a risk to safety.**~~

~~**High school seniors shall be notified of this policy in advance, through the student handbook or other means, and shall be required to acknowledge receiving it.**~~

In order to encourage high standards of student conduct and behavior, the principal may deny a student the privilege of participating in graduation ceremonies and/or activities in accordance with school rules. Prior to denial of the privilege, the student, and where practicable his/her parent/guardian, shall be made aware of the grounds for such denial and shall be given an opportunity to respond. If a privilege is to be denied, the student and

GRADUATION CEREMONIES AND ACTIVITIES (continued)

parent/guardian shall receive written notice of the denied privilege and the means whereby he/she may appeal the decision.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
(cf. 5144 - Discipline)
(cf. 6161.2 - Damaged or Lost Instructional Materials)

Legal Reference: (see next page)

GRADUATION CEREMONIES AND ACTIVITIES (continued)

Legal Reference:

EDUCATION CODE

35183.1 Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance

35183.3 Graduation ceremonies; military dress uniforms

38119 Lease of personal property; caps and gowns

48904 Liability of parent or guardian; withholding of grades, diplomas, transcripts

51225.5 Honorary diplomas; foreign exchange students

*51410-~~51412~~ **51413** Diplomas*

COURT DECISIONS

Workman v. Greenwood Community School Corporation, (2010) Case No. 1:2010cv00293

Cole v. Oroville Union High School District, (2000, 9th Cir.) 228 F.3d 1092

Santa Fe Independent School District v. Doe, (2000) 530 U.S. 290

Lee v. Weisman, (1992) 505 U.S. 577

Sands v. Morongo Unified School District, (1991) 53 Cal. 3d 863

Lemon v. Kurtzman, (1971) 403 U.S. 602

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees, Deposits and Other Charges, Fiscal Management Advisory 17-01, July 28, 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools, February 2003

WEB SITES

AASA The School Superintendents Association: http://www.aasa.org

Antidefamation League: https://www.adl.org

California Department of Education, High School: ***http://www.cde.ca.gov/ci/gs/hs***

U.S. Department of Education: http://www.ed.gov

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Center Unified SD

Board Policy

Graduation Ceremonies And Activities

BP 5127
Students

High school graduation ceremonies shall be held to recognize those students who have earned a diploma by successfully completing the required course of study, satisfying district standards, and passing any required assessments. The Governing Board believes that these students deserve the privilege of a public celebration that recognizes the significance of their achievement and encourages them to continue the pursuit of learning throughout their lives.

(cf. 6011 - Academic Standards)
(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6162.52 - High School Exit Examination)
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

At the discretion of the Superintendent or designee, a student who will complete graduation requirements during the summer may participate in graduation exercises without receiving his/her diploma. When the requirements have been satisfied, a diploma shall be sent to the student.

High school students who have passed the California High School Proficiency Examination or the General Educational Development Test must also meet district graduation requirements in order to participate in graduation ceremonies.

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

The school or district shall not direct invocations, prayers, or benedictions at graduation ceremonies.

(cf. 1330 - Use of School Facilities)
(cf. 5145.2 - Freedom of Speech/Expression)

Honors and Awards

To honor superior academic achievement, graduation ceremonies shall include recognition of valedictorian(s) and salutatorian(s). Valedictorian(s) and salutatorian(s) shall be selected based on established criteria and procedures that use multiple measures of academic performance.

(cf. 5121 - Grades/Evaluation of Student Achievement)

The Superintendent or designee shall identify other school-sponsored awards which may be given during graduation exercises. A separate awards program may be held to recognize graduating students receiving other school and nonschool awards.

(cf. 5126 - Awards for Achievement)

Conduct at Graduation Ceremonies

Any student participating in a graduation ceremony shall comply with district policies and regulations pertaining to student conduct.

(cf. 5131 - Conduct)

The Superintendent or designee may require graduating students to wear ceremonial attire, such as cap and gown, at the ceremony.

However, any graduating student who has completed basic training and is an active member of any branch of the United States Armed Forces may, at his/her option, wear his/her military dress uniform at the ceremony. (Education Code 35183.3)

Disciplinary Considerations

In order to encourage high standards of student conduct and behavior, the principal may deny a student the privilege of participating in graduation ceremonies and/or activities in accordance with school rules. Prior to denial of the privilege, the student, and where practicable his/her parent/guardian, shall be made aware of the grounds for such denial and shall be given an opportunity to respond. If a privilege is to be denied, the student and parent/guardian shall receive written notice of the denied privilege and the means whereby he/she may appeal the decision.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
(cf. 5144 - Discipline)
(cf. 6161.2 - Damaged or Lost Instructional Materials)

Legal Reference:
EDUCATION CODE
35183.3 Graduation ceremonies; military dress uniforms
38119 Lease of personal property; caps and gowns
48904 Liability of parent or guardian; withholding of grades, diplomas, transcripts
51225.5 Honorary diplomas; foreign exchange students
51410-51412 Diplomas

COURT DECISIONS
Cole v. Oroville Union High School District, (2000, 9th Cir.) 228 F.3d 1092
Santa Fe Independent School District v. Doe, (2000) 530 U.S. 290
Lee v. Weisman, (1992) 505 U.S. 577
Sands v. Morongo Unified School District, (1991) 53 Cal. 3d 863
Lemon v. Kurtzman, (1971) 403 U.S. 602

Management Resources:
WEB SITES
California Department of Education, High School: http://www.cde.ca.gov/ci/gs/hs/

Policy CENTER UNIFIED SCHOOL DISTRICT
adopted: June 16, 2010 Antelope, California

CSBA Sample
Exhibit

Students E 5145.6(a)

PARENTAL NOTIFICATIONS

Cautionary Notice: Government Code 17581.5 releases districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2018 (SB 840, Ch. 29, Statutes of 2018) extends the suspension of these requirements through the 2018-19 fiscal year. As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

Note: The following exhibit lists notices which the law explicitly requires be provided to parents/guardians. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements. For example, see AR 1312.3 - Uniform Complaint Procedures for the contents of the annual notice regarding uniform complaint procedures as mandated by 5 CCR 4622.

The exhibit does not include other notices that are recommended throughout CSBA's sample policy manual but are not required by law. The district may revise the exhibit to reflect additional notifications provided by the district.

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually			
Beginning of each school year	**Education Code 222.5**	**BP 5146**	**Rights and options for pregnant and parenting students**
Beginning of each school year	Education Code 234.7	BP 0410	Right to a free public education regardless of immigration status or religious beliefs
Beginning of each school year	Education Code 310	BP 6142.2 AR 6174	Information on the district's language acquisition programs
Beginning of each school year	Education Code 17611.5, 17612, 48980.3	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information, and, if district has no web site and uses certain pesticides, integrated pest management plan
By February 1	Education Code 35256, 35258	BP 0510	School Accountability Report Card provided
Beginning of each school year	Education Code 35291, 48980	AR 5144 AR 5144.1	District and site discipline rules

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 44050	BP 4119.21 4219.21 4319.21	Code of conduct addressing employee interactions with students
Beginning of each school year	Education Code 46010.1	AR 5113	Absence for confidential medical services
Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	District policy authorizing transfer
Beginning of each school year	Education Code 48980	BP 6111	Schedule of minimum days and student-free staff development days
Beginning of each school year	Education Code 48980, 231.5; 5 CCR 4917	AR 5145.7	Copy of sexual harassment policy as related to students
Beginning of each school year	Education Code 48980, 32255-32255.6	AR 5145.8	Right to refrain from harmful or destructive use of animals
Beginning of each school year	Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361	BP 5111.1 AR 5116.1 AR 5117	All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process
Beginning of each school year, if Board allows such absence	Education Code 48980, 46014	AR 5113	Absence for religious exercises or purposes
Beginning of each school year	Education Code 48980, 48205	AR 5113 BP 6154	Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 48980, 48206.3, 48207, 48208	AR 6183	Availability of home/hospital instruction for students with temporary disabilities
Beginning of each school year	Education Code 48980, 49403	BP 5141.31	School immunization program
Beginning of each school year	Education Code 48980, 49423, 49480	AR 5141.21	Administration of prescribed medication
Beginning of each school year	Education Code 48980, 49451; 20 USC 1232h	AR 5141.3	Right to refuse consent to physical examination
Beginning of each school year	Education Code 48980, 49471, 49472	BP 5143	Availability of insurance
Beginning of each school year	Education Code 49013; 5 CCR 4622	AR 1312.3	Uniform complaint procedures, available appeals, civil law remedies
Beginning of each school year	Education Code 49063	AR 5125 AR 5125.3	Challenge, review, and expunging of records
Beginning of each school year	Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7	AR 5125	Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability
Beginning of each school year	Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37	AR 5125.1	Release of directory information
Beginning of each school year and at least one more time during school year using specified methods	**Education Code 49428**	**None**	**How to access mental health services at school and/or in community**

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5	AR 3553	Eligibility and application process for free and reduced-price meals
Beginning of each school year	Education Code 51513; 20 USC 1232h	AR 5022 BP 6162.8	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; inspection rights and procedures
Beginning of each school year	Education Code 56301	BP 6164.4	Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment
Beginning of each school year	Education Code 58501, 48980	AR 6181	Alternative schools
Beginning of each school year	Health and Safety Code 104855	AR 5141.6	Availability of dental fluoride treatment; opportunity to accept or deny treatment
Annually	5 CCR 852; Education Code 60615	AR 6162.51	Student's participation in state assessments; option to request exemption from testing
Beginning of each school year, if district receives Title I funds	20 USC 6312; 34 CFR 200.48	BP 4112.2 AR 4222	Right to request information re: professional qualifications of child's teacher and paraprofessional
Beginning of each school year	34 CFR 104.8, 106.9	BP 0410 BP 6178	Nondiscrimination
Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	USDA SP-23-2017	AR 3551	District policy on meal payments
II. At Specific Times During the Student's Academic Career			
Beginning in grade 7, at least once prior to course selection and career counseling	Education Code 221.5, 48980	BP 6164.2	Course selection and career counseling
Upon a student's enrollment	Education Code 310	BP 6142.2 AR 6174	Information on the district's language acquisition programs
When child first enrolls in a public school, if school offers a fingerprinting program	Education Code 32390, 48980	AR 5142.1	Fingerprinting program
When participating in driver training courses under the jurisdiction of the district	Education Code 35211	None	Civil liability, insurance coverage
Upon registration in K-6, if students have not previously been transported	Education Code 39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops
Beginning of each school year for high school students, if high school is open campus	Education Code 44808.5, 48980	~~AR~~ **BP** 5112.5	Open campus
Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement	Education Code 48980, 51225.3	AR 6146.1	How each graduation requirement does or does not satisfy college entrance a-g course criteria; district CTE courses that satisfy a-g criteria
Upon a student's enrollment	Education Code 49063	AR 5125 AR 5125.3	Specified rights related to student records
When students enter grade 7	Education Code 49452.7	AR 5141.3	Specified information on type 2 diabetes

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
When in kindergarten, or first grade if not previously enrolled in public school	Education Code 49452.8	AR 5141.32	Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights
Beginning of each school year for students in grades 9-12	Education Code 51229, 48980	AR 6143	College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors
Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year	Education Code 51938, 48980	AR 6142.1	Sexual health and HIV prevention education, right to view A/V materials, whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse
Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year	Education Code 60641; 5 CCR 863	AR 6162.51	Results of tests; test purpose, individual score and intended use
By October 15 for students in grade 12	Education Code 69432.9	AR 5121 AR 5125	Forwarding of student's grade point average to Cal Grant program; timeline to opt out
When child is enrolled or reenrolled in a licensed child care center or preschool	**Health and Safety Code 1596.7996**	**AR 5148**	**Information on risks and effects of lead exposure, blood lead testing**
When child is enrolled in kindergarten	Health and Safety Code 124100, 124105	AR 5141.32	Health screening examination
To students in grades 11-12, early enough to enable registration for fall test	5 CCR 11523	AR 6146.2	Notice of proficiency examination provided under Education Code 48412

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
To secondary students, if district receives Title I funds	20 USC 7908	AR 5125.1	Request that district not release name, address, phone number of child to military recruiters without prior written consent
III. When Special Circumstances Occur			
In the event of a breach of security of district records, to affected persons	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, contact information for credit reporting agencies
Upon receipt of a complaint alleging discrimination	Education Code 262.3	AR 1312.3	Civil law remedies available to complainants
When determining whether an English learner should be reclassified as fluent English proficient	Education Code 313; 5 CCR 11303	AR 6174	Description of reclassification process, opportunity for parent/guardian to participate
When student is identified as English learner and district receives Title I or Title III funds for English learner programs, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year	Education Code 313.2, 440; 20 USC 6312	AR 6174	Reason for classification, level of English proficiency, identification as long-term English learner, description of program(s), option to decline program or choose alternate, option to remove student from program at any time, exit requirements of program
When homeless or foster youth applies for enrollment in before/after school program	Education Code 8483	AR 5148.2	Right to priority enrollment; how to request priority enrollment
Before high school student attends specialized secondary program on a university campus	Education Code 17288	None	University campus buildings may not meet Education Code requirements for structural safety
At least 72 hours before use of pesticide product not included in annual list	Education Code 17612	AR 3514.2	Intended use of pesticide product
To members of athletic teams	Education Code 32221.5	AR 5143	Offer of insurance; no-cost and low-cost program options

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Annually to parents/guardians of student athletes before they participate in competition	Education Code 33479.3	AR 6145.2	Information on sudden cardiac arrest
If school has lost its WASC accreditation status	Education Code 35178.4	BP 6190	Loss of status, potential consequences
When district has contracted for electronic products or services that disseminate advertising	Education Code 35182.5	BP 3312	Advertising will be used in the classroom or learning center
At least six months before implementing uniform policy	Education Code 35183	AR 5132	Dress code policy requiring schoolwide uniform
Before implementing a year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round schedule
When interdistrict transfer is requested and not approved or denied within 30 days	Education Code 46601	AR 5117	Appeal process
Before early entry to kindergarten, if offered	Education Code 48000	AR 5111	Effects, advantages and disadvantages of early entry
When student identified as being at risk of retention	Education Code 48070.5	AR 5123	Student at risk of retention
When student excluded due to quarantine, contagious or infectious disease, danger to safety or health	Education Code 48213	AR 5112.2 BP 5141.33	Student has been excluded from school
Before already admitted student is excluded for lack of immunization	Education Code 48216; 17 CCR 6040	AR 5141.31	Need to submit evidence of immunization or exemption within 10 school days; referral to medical care
When a student is classified as truant	Education Code 48260.5, 48262	AR 5113.1	Truancy, parental obligation, availability of alternative programs, student consequences, need for conference

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When a truant is referred to a SARB or probation department	Education Code 48263	AR 5113.1	Name and address of SARB or probation department and reason for referral
~~When a school is identified on the state's Open Enrollment List~~	~~Education Code 48354; 5 CCR 4702~~	~~AR 5118~~	~~Student's option to transfer to another school~~
~~Within 60 days of receiving application for transfer out of open enrollment school~~	~~Education Code 48357; 5 CCR 4702~~	~~AR 5118~~	~~Whether student's transfer application is accepted or rejected; reasons for rejection~~
When student requests to voluntarily transfer to continuation school	Education Code 48432.3	AR 6184	Copy of district policy and regulation on continuation education
Prior to involuntary transfer to continuation school	Education Code 48432.5	AR 6184	Right to request meeting prior to involuntary transfer to continuation school
To person holding educational rights, prior to recommending placement of foster youth outside school of origin	Education Code 48853.5	AR 6173.1	Basis for the placement recommendation
When student is removed from class and teacher requires parental attendance at school	Education Code 48900.1	AR 5144.4	Parental attendance required; timeline for attendance
Prior to withholding grades, diplomas, or transcripts	Education Code 48904	AR 5125.2	Damaged school property
When withholding grades, diplomas or transcripts from transferring student	Education Code 48904.3	AR 5125.2	Next school will continue withholding grades, diplomas, or transcripts
When student is released to peace officer	Education Code 48906	BP 5145.11	Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse
At time of suspension	Education Code 48911	BP 5144.1 AR 5144.1	Notice of suspension

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When original period of suspension is extended	Education Code 48911	AR 5144.1	Extension of suspension
At the time a student is assigned to a supervised suspension classroom	Education Code 48911.1	AR 5144.1	The student's assignment to a supervised suspension classroom
Before holding a closed session re: suspension	Education Code 48912	AR 5144.1	Intent to hold a closed session re: suspension
When student expelled from another district for certain acts seeks admission	Education Code 48915.1, 48918	BP 5119	Hearing re: possible danger presented by expelled student
When readmission is denied	Education Code 48916	AR 5144.1	Reasons for denial; determination of assigned program
When expulsion occurs	Education Code 48916	AR 5144.1	Readmission procedures
At least 10 calendar days before expulsion hearing	Education Code 48918	AR 5144.1	Notice of expulsion hearing
When expulsion or suspension of expulsion occurs	Education Code 48918	AR 5144.1	Decision to expel; right to appeal to county board; obligation to inform new district of status
Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	Right to request a meeting with principal or designee
One month before the scheduled minimum day	Education Code 48980	BP 6111	When minimum days are scheduled after beginning of the school year
When parents/guardians request guidelines for filing complaint of child abuse at a school site	Education Code 48987	AR 5141.4	Guidelines for filing complaint of child abuse at a school site with local child protective agencies
When student in danger of failing a course	Education Code 49067	AR 5121	Student in danger of failing a course

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When student transfers from another district or private school	Education Code 49068	AR 5125	Right to receive copy of student's record and to challenge its content
When parent/guardian's challenge of student record is denied and parent/guardian appeals	Education Code 49070	AR 5125.3	If board sustains allegations, the correction or destruction of record; if denied, right to submit written objection
When district is considering program to gather safety-related information from students' social media activity	Education Code 49073.6	BP 5125	Opportunity for input on proposed program
When district adopts program to gather information from students' social media activity, and annually thereafter	Education Code 49073.6	AR 5125	Information is being gathered, access to records, process for removal or corrections, destruction of records
Within 24 hours of release of information to a judge or probation officer	Education Code 49076	AR 5125	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition
Before release of information pursuant to court order or subpoena	Education Code 49077	AR 5125	Release of information pursuant to court order or subpoena
When screening results in suspicion that student has scoliosis	Education Code 49452.5	AR 5141.3	Scoliosis screening
When test results in discovery of visual or hearing defects	Education Code 49456; 17 CCR 2951	AR 5141.3	Vision or hearing test results
Within 10 days of negative balance in meal account	Education Code 49557.5	AR 3551	Negative balance in meal account; encouragement to apply for free or reduced-price meals
Annually to parents/guardians of student athletes before their first practice or competition	Education Code 49475	AR 6145.2	Information on concussions and head injuries

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Within 30 days of foster youth, homeless youth, former juvenile court school student, ~~or~~ child of military family, **or migrant student** being transferred ~~between high schools~~ **after second year of high school, or immigrant student enrolled in newcomer program in grades 11-12**	Education Code 51225.1	BP 6146.1 AR 6173 AR 6173.1 AR 6173.3 **AR 6175**	Exemption from local graduation requirements, effect on college admission, option for fifth year of high school
Before any test/survey questioning personal beliefs	Education Code 51513	AR 5022	Permission for test, survey questioning personal beliefs
At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year	Education Code 51938	AR 6142.1	Instruction in HIV prevention or sexual health by guest speaker or outside consultant
Prior to administering survey regarding health risks and behaviors to students in 7-12	Education Code 51938	AR 5022	Notice that the survey will be administered
Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency	Education Code 52164.1, 52164.3; 5 CCR 11511.5	AR 6174	Results of state test of English proficiency
When migrant education program is established	Education Code 54444.2	BP 6175 AR 6175	Parent advisory council membership composition
When child participates in licensed child care and development program	Health and Safety Code 1596.857	AR 5148	Parent/guardian right to enter facility
When district receives Tobacco-Use Prevention Education Funds	Health and Safety Code 104420	AR 3513.3	The district's tobacco-free schools policy and enforcement procedures
When testing by community water system finds presence of lead exceeding specified level	Health and Safety Code 116277	AR 3514	Elevated lead level at school

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When sharing student immunization information with an immunization system	Health and Safety Code 120440	AR 5125	Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share
At least 14 days prior to sex offender coming on campus as volunteer	Penal Code 626.81	AR 1240 BP 1250	Dates and times permission granted; obtaining information from law enforcement
When hearing is requested by person asked to leave school premises	Penal Code 627.5	AR 3515.2	Notice of hearing
When responding to complaint re: discrimination, special education, or noncompliance with law	5 CCR 4631	AR 1312.3	Findings, disposition of complaint, any corrective actions, appeal rights and procedures
When child participates in licensed child care and development program	5 CCR 18066	AR 5148	Policies re: excused and unexcused absences
Within 30 days of application for subsidized child care or preschool services	5 CCR 18094, 18118	AR 5148 AR 5148.3	Approval or denial of services
Upon recertification or update of application for child care or preschool services	5 CCR 18095, 18119	AR 5148 AR 5148.3	Any change in service, such as in fees, amount of service, termination of service
Upon child's enrollment in child care program	5 CCR 18114	AR 5148	Policy on fee collection
When payment of child care fees is seven days late	5 CCR 18114	AR 5148	Notice of delinquent fees
When district substantively changes policy on student privacy rights	20 USC 1232h	AR 5022	Notice of any substantive change in policy or regulation

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
For districts receiving Title I funds, when child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught	20 USC 6312	AR 4112.2	Timely notice to parent/ guardian of child's assignment
For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners	20 USC 6312	AR 6174	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose other program
For schools receiving Title I funds, upon development of parent involvement policy	20 USC 6318	AR 6020	Notice of policy
When household is selected for verification of eligibility for free or reduced-price meals	42 USC 1758; 7 CFR 245.6a	AR 3553	Need to submit verification information; any subsequent change in benefits; appeals
When student is homeless or unaccompanied minor	42 USC 11432; Education Code 48852.5	AR 6173	Educational and related opportunities; transportation services; placement decision and right to appeal
When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30	34 CFR 99.34	AR 5125	Right to review records
When district receives federal funding assistance for nutrition program	USDA FNS Instruction 113-1	BP 3555	Rights and responsibilities, nondiscrimination policy, complaint procedures
IV. Special Education Notices			
Prior to conducting initial evaluation	Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415(d); 34 CFR 300.502, 300.503	BP 6159.1 AR 6159.1 AR 6164.4	Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. Special Education Notices (continued)			
Before functional behavioral assessment begins	Education Code 56321	AR 6159.4	Notification and consent
24 hours before IEP when district intending to record	Education Code 56341.1	AR 6159	Intention to audio-record IEP meeting
Early enough to ensure opportunity for parent/ guardian to attend IEP meeting	Education Code 56341.5; 34 CFR 300.322	AR 6159	Time, purpose, location, who will attend, participation of others with special knowledge, transition statements if appropriate
When parent/guardian orally requests review of IEP	Education Code 56343.5	AR 6159	Need for written request
Within one school day of emergency intervention or serious property damage	Education Code 56521.1	AR 6159.4	Emergency intervention
Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	Prior written notice
Upon filing of state complaint	20 USC 1415(d); 34 CFR 300.504	AR 6159.1	Procedural safeguards notice
When disciplinary measures are taken or change in placement	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	Decision and procedural safeguards notice
Upon requesting a due process hearing	20 USC 1415(k); 34 CFR 300.508	AR 6159.1	Student's name, address, school, description of problem, proposed resolution
Eligibility for services under Section 504	34 CFR 104.32, 104.36	AR 6164.6	District responsibilities, district actions, procedural safeguards

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. Classroom Notices			
In each classroom in each school	Education Code **8235.5**, 35186	AR 1312.4 E 1312.4	Complaints ~~re: sufficiency of instructional materials, teacher vacancy or misassignment, maintenance of facilities~~ **subject to Williams uniform complaint procedures**

Policy Reference UPDATE Service
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Center Unified SD

Exhibit

Parental Notifications

E 5145.6
Students

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2016 (SB 826, Ch.23, Statutes of 2016) extends the suspension of these requirements through the 2016-17 fiscal year. As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

Note: The following exhibit lists notices which the law explicitly requires be provided to parents/guardians. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements. For example, see AR 1312.3 - Uniform Complaint Procedures for the contents of the annual notice regarding uniform complaint procedures (UCP) as mandated by 5 CCR 4622.

Note: In addition to the notices required by law, there are other notices that districts are recommended to distribute. For example, AR 5145.3 - Nondiscrimination/Harassment includes an optional notice regarding the rights of transgender and gender-nonconforming students. Furthermore, although the California High School Exit Examination is suspended through the 2017-18 school year pursuant to Education Code 60851.5, and therefore the notice described in Education Code 60850 is not currently required, districts may choose to notify parents/guardians of the suspension of the exam and the possibility that it could subsequently be reinstated.

I. Annually

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 310
Board Policy/Administrative Regulation #: See BP 6174, See AR 6142.2
Subject: Information on the district's language acquisition program

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 17611.5, 17612, 48980.3
Board Policy/Administrative Regulation #: See AR 3514.2
Subject: Use of pesticide product, active ingredients, Internet address to access information, and, if district uses certain pesticides, integrated pest management plan

When to Notify: Annually by February 1

Education or Other Legal Code: Education Code 35256, 35258
Board Policy/Administrative Regulation #: See BP 0510
Subject: School Accountability Report Card provided

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 35291, 48980
Board Policy/Administrative Regulation #: See AR 5144, See AR 5144.1
Subject: District and site discipline rules

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 46010.1
Board Policy/Administrative Regulation #: See AR 5113
Subject: Absence for confidential medical services
When to Notify: Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school
Education or Other Legal Code: Education Code 48929, 48980
Board Policy/Administrative Regulation #: See BP 5116.2
Subject: District policy authorizing transfer

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980
Board Policy/Administrative Regulation #: See BP 6111
Subject: Schedule of minimum days and student-free staff development days

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 231.5; 5 CCR 4917
Board Policy/Administrative Regulation #: See AR 5145.7
Subject: Copy of sexual harassment policy as related to students

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 32255-32255.6
Board Policy/Administrative Regulation #: See AR 5145.8
Subject: Right to refrain from harmful or destructive use of animals

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361
Board Policy/Administrative Regulation #: See BP 5111.1, See AR 5116.1, See AR 5117
Subject: All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process

When to Notify: Beginning of each school year, if Board allows such absence
Education or Other Legal Code: Education Code 48980, 46014
Board Policy/Administrative Regulation #: See AR 5113

Subject: Absence for religious exercise or purposes

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 48205
Board Policy/Administrative Regulation #: See AR 5113, See BP 6154
Subject: Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 48206.3, 48207, 48208
Board Policy/Administrative Regulation #: See AR 6183
Subject: Availability of home/hospital instruction for students with temporary disabilities

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49403
Board Policy/Administrative Regulation #: See BP 5141.31
Subject: School immunization program

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49423, 49480
Board Policy/Administrative Regulation #: See AR 5141.21
Subject: Administration of prescribed medication

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49451; 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Right to refuse consent to physical examination

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980, 49471, 49472
Board Policy/Administrative Regulation #: See BP 5143
Subject: Availability of insurance

When to Notify: Annually
Education or Other Legal Code: 49013; 5 CCR 4622
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Uniform complaint procedures, available appeals, civil law remedies

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063
Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3
Subject: Challenge, review and expunging of records

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7

Board Policy/Administrative Regulation #: See AR 5125
Subject: Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37
Board Policy/Administrative Regulation #: See AR 5125.1
Subject: Release of directory information

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5
Board Policy/Administrative Regulation #: See AR 3553
Subject: Free and reduced price meals

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 51513, 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5022, See BP 6162.8
Subject: Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; inspection rights and procedures

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 56301
Board Policy/Administrative Regulation #: See BP 6164.4
Subject: Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 58501, 48980
Board Policy/Administrative Regulation #: See AR 6181
Subject: Alternative schools

When to Notify: Beginning of each school year
Education or Other Legal Code: Health and Safety Code 104855
Board Policy/Administrative Regulation #: See AR 5141.6
Subject: Availability of dental fluoride treatment; opportunity to accept or deny treatment

When/Whom to Notify: Annually
Education or Other Legal Code: 5 CCR 852; Education Code 60615
Board Policy/Administrative Regulation #: See AR 6162.51
Subject: Student's participation in state assessments; option to request exemption from

testing

When to Notify: Beginning of each school year, if district receives Title I funds
Education or Other Legal Code: 20 USC 6312; 34 CFR 200.61
Board Policy/Administrative Regulation #: See BP 4112.2, See AR 4222
Subject: Right to request information re: professional qualifications of child's teacher and paraprofessional

When to Notify: Beginning of each school year
Education or Other Legal Code: 34 CFR 104.8, 106.9
Board Policy/Administrative Regulation #: See BP 0410, See BP 6178
Subject: Nondiscrimination

When to Notify: Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals
Education or Other Legal Code: 40 CFR 763.84, 40 CFR 763.93
Board Policy/Administrative Regulation #: See AR 3514
Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

II. At Specific Times During the Student's Academic Career

When to Notify: Beginning in grade 7, at least once prior to course selection and career counseling
Education or Other Legal Code: Education Code 221.5; 48980
Board Policy/Administrative Regulation #: See BP 6164.2
Subject: Course selection and career counseling

When to Notify: Upon a student's enrollment
Education or Other Legal Code: Education Code 310
Board Policy/Administrative Regulation #: See BP 6174, See AR 6142.2
Subject: Information on the district's language acquisition programs

When to Notify: When child first enrolls in a public school, if the school offers a fingerprinting program
Education or Other Legal Code: Education Code 32390, 48980
Board Policy/Administrative Regulation #: See AR 5142.1
Subject: Fingerprinting program

When/Whom to Notify: When participating in driver training courses under the jurisdiction of the district
Education or Other Legal Code: Education Code 35211
Board Policy/Administrative Regulation #: None
Subject: Civil liability, insurance coverage

When to Notify: Upon registration in K-6, if students have not previously been

transported
Education or Other Legal Code: Education Code 39831.5
Board Policy/Administrative Regulation #: See AR 3543
Subject: School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops

When to Notify: Beginning of each school year for high school students, if high school is open campus
Education or Other Legal Code: Education Code 44808.5, 48980
Board Policy/Administrative Regulation #: See AR 5112.5
Subject: Open campus

When to Notify: Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement
Education or Other Legal Code: Education Code 48980, 51225.3
Board Policy/Administrative Regulation #: See AR 6146.1
Subject: How each school graduation requirement does or does not satisfy college entrance a-g course criteria; districts CTE courses that satisfy a-g course criteria

When to Notify: Upon a student's enrollment
Education or Other Legal Code: Education Code 49063
Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3
Subject: Specified rights related to student records

When to Notify: When students enter grade 7
Education or Other Legal Code: Education Code 49452.7
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Specified information on type 2 diabetes

When to Notify: When in kindergarten, or first grade if not previously enrolled in public school
Education or Other Legal Code: Education Code 49452.8
Board Policy/Administrative Regulation #: See AR 5141.32
Subject: Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights

When to Notify: Beginning of each school year for students in grades 9-12
Education or Other Legal Code: Education Code 51229, 48980
Board Policy/Administrative Regulation #: See AR 6143
Subject: College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors

When to Notify: Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year
Education or Other Legal Code: Education Code 51938, 48980

Board Policy/Administrative Regulation #: See AR 6142.1
Subject: Sexual health and HIV prevention education; right to view A/V materials, whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse

When to Notify: Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year
Education or Other Legal Code: Education Code 60641; 5 CCR 863
Board Policy/Administrative Regulation #: See AR 6162.51
Subject: Results of tests; test purpose, individual score and intended use

When/Whom to Notify: By October 15 for students in grade 12
Education or Other Legal Code: Education Code 69432.9
Board Policy/Administrative Regulation #: See AR 5121, See AR 5125
Subject: Forwarding of student's grade point average to Cal Grant program; timeline to opt out

When to Notify: When child is enrolled in kindergarten
Education or Other Legal Code: Health and Safety Code 124100, 124105
Board Policy/Administrative Regulation #: See AR 5141.32
Subject: Health screening examination

When to Notify: To students in grades 11-12, early enough to enable registration for fall test
Education or Other Legal Code: 5 CCR 11523
Board Policy/Administrative Regulation #: See AR 6146.2
Subject: Notice of proficiency examination provided under Education Code 48412

When to Notify: To secondary students, if district receives Title I funds
Education or Other Legal Code: 20 USC 7908
Board Policy/Administrative Regulation #: See AR 5125.1
Subject: Request that district not release name, address, phone number of child to military recruiters without prior written consent

III. When Special Circumstances Occur

When to Notify: In the event of a breach of security of district records, security of district records,
Education or Other Legal Code: Civil Code 1798.29
Board Policy/Administrative Regulation #: See BP 3580
Subject: Types of records affected, date of breach, description of incident, contact information for credit reporting agencies

When to Notify: Upon receipt of a complaint alleging discrimination
Education or Other Legal Code: Education Code 262.3

Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Civil law remedies available to complainants

When to Notify: When determining whether an English learner should be reclassified as fluent English proficient
Education or Other Legal Code: Education Code 313; 5 CCR 11303
Board Policy/Administrative Regulation #: See AR 6174
Subject: Description of reclassification process, opportunity for parent/guardian to participate

When to Notify: When Student is identified as English learner and district receives Titles I or Title III funds for English learner programs, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year
Education or Other Legal Code: Education Code 440; 20 USC 6312
Board Policy/Administrative Regulation #: See AR 6174
Subject: Reason for classification, level of English proficiency, description of program(s), option to decline program or choose alternate, option to remove student from program at any time, exit requirements of program

When to Notify: When homeless or foster youth applies for enrollment in before/after school program
Education or Other Legal Code: Education Code 8483
Board Policy/Administrative Regulation #: See AR 5178.2
Subject: Right to priority enrollment how to request priority enrollment

When to Notify: Before high school student attends specialized secondary program on a university campus
Education or Other Legal Code: Education Code 17288
Board Policy/Administrative Regulation #: None
Subject: University campus buildings may not meet Education Code requirements for structural safety

When to Notify: At least 72 hours before use of pesticide product not included in annual list
Education or Other Legal Code: Education Code 17612
Board Policy/Administrative Regulation #: See AR 3514.2
Subject: Intended use of pesticide product

When to Notify: To members of athletic teams
Education or Other Legal Code: Education Code 32221.5
Board Policy/Administrative Regulation #: See AR 5143
Subject: Offer of insurance; no-cost and low-cost program options

When to Notify: If school has lost its WASC accreditation status
Education or Other Legal Code: Education Code 35178.4
Board Policy/Administrative Regulation #: See BP 6190

Subject: Loss of status, potential consequences

When/Whom to Notify: When district has contracted for electronic products or services that disseminate advertising
Education or Other Legal Code: Education Code 35182.5
Board Policy/Administrative Regulation #: BP 3312
Subject: Advertising will be used in the classroom or learning center

When to Notify: At least six months before implementing a schoolwide uniform policy
Education or Other Legal Code: Education Code 35183
Board Policy/Administrative Regulation #: See AR 5132
Subject: Dress code policy requiring schoolwide uniform

When to Notify: Before implementing a year-round schedule
Education or Other Legal Code: Education Code 37616
Board Policy/Administrative Regulation #: See BP 6117
Subject: Public hearing on year-round schedule

When to Notify: When interdistrict transfer is requested and not approved or denied within 30 days
Education or Other Legal Code: Education Code 46601
Board Policy/Administrative Regulation #: See AR 5117
Subject: Appeal process

When to Notify: Before early entry to kindergarten, if offered
Education or Other Legal Code: Education Code 48000
Board Policy/Administrative Regulation #: See AR 5111
Subject: Effects, advantages and disadvantages of early entry

When to Notify: When student identified as being at risk of retention
Education or Other Legal Code: Education Code 48070.5
Board Policy/Administrative Regulation #: See AR 5123
Subject: Student at risk of retention

When to Notify: When student excluded due to quarantine, contagious or infectious disease, danger to safety or health
Education or Other Legal Code: Education Code 48213
Board Policy/Administrative Regulation #: See AR 5112.2, See BP 5141.33
Subject: Student has been excluded from school

When to Notify: Before already admitted student is excluded for lack of immunization
Education or Other Legal Code: Education Code 48216; 17 CCR 6040
Board Policy/Administrative Regulation #: See AR 5141.31
Subject: Need to submit evidence of immunization or exemption within 10 school days; referral to medical care

When to Notify: When a student is classified as truant
Education or Other Legal Code: Education Code 48260.5, 48262
Board Policy/Administrative Regulation #: See AR 5113.1
Subject: Truancy, parental obligation, availability of alternative programs, student consequences, need for conference

When to Notify: When a truant is referred to a SARB or probation department
Education or Other Legal Code: Education Code 48263
Board Policy/Administrative Regulation #: See AR 5113.1
Subject: Name and address of SARB or probation department and reason for referral

When to Notify: When a school is identified on the state's Open Enrollment List
Education or Other Legal Code: Education Code 48354; 5 CCR 4702
Board Policy/Administrative Regulation #: See AR 5118
Subject: Student's option to transfer to another school

When to Notify: Within 60 days of receiving application for transfer out of open enrollment school
Education or Other Legal Code: Education Code 48357; 5 CCR 4702
Board Policy/Administrative Regulation #: See AR 5118
Subject: Whether student's transfer application is accepted or rejected; reasons for rejection

When/Whom to Notify: When student requests to voluntarily transfer to continuation school
Education or Other Legal Code: Education Code 48432.3
Board Policy/Administrative Regulation #: See AR 6184
Subject: Copy of district policy and regulation on continuation education

When to Notify: Prior to involuntary transfer to continuation school
Education or Other Legal Code: Education Code 48432.5
Board Policy/Administrative Regulation #: See AR 6184
Subject: Right to require meeting prior to involuntary transfer to continuation school

When/Whom to Notify: To person holding educational rights, prior to recommending placement of foster youth outside school of origin
Education or Other Legal Code: Education Code 48853.5
Board Policy/Administrative Regulation #: See AR 6173.1
Subject: Basis for the placement recommendation

When to Notify: When student is removed from class and teacher requires parental attendance at school
Education or Other Legal Code: Education Code 48900.1
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Parental attendance required; timeline for attendance

When to Notify: Prior to withholding grades, diplomas, or transcripts
Education or Other Legal Code: Education Code 48904
Board Policy/Administrative Regulation #: See AR 5125.2
Subject: Damaged school property

When to Notify: When withholding grades, diplomas or transcripts from transferring student
Education or Other Legal Code: Education Code 48904.3
Board Policy/Administrative Regulation #: See AR 5125.2
Subject: Next school will continue withholding grades, diplomas or transcripts

When to Notify: When student is released to peace officer
Education or Other Legal Code: Education Code 48906
Board Policy/Administrative Regulation #: See BP 5145.11
Subject: Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse

When to Notify: At time of suspension
Education or Other Legal Code: Education Code 48911
Board Policy/Administrative Regulation #: See BP 5144.1, See AR 5144.1
Subject: Notice of suspension

When to Notify: When original period of suspension is extended
Education or Other Legal Code: Education Code 48911
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Extension of suspension

When to Notify: At the time a student is assigned to a supervised suspension classroom
Education or Other Legal Code: Education Code 48911.1
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: The student's assignment to a supervised suspension classroom

When to Notify: Before holding a closed session re: suspension
Education or Other Legal Code: Education Code 48912
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Intent to hold a closed session re: suspension

When to Notify: When student expelled from another district for certain acts seeks admission
Education or Other Legal Code: Education Code 48915.1, 48918
Board Policy/Administrative Regulation #: See BP 5119
Subject: Hearing re: possible danger presented by expelled student

When to Notify: When readmission is denied
Education or Other Legal Code: Education Code 48916
Board Policy/Administrative Regulation #: See AR 5144.1

Subject: Reasons for denial; determination of assigned program

When to Notify: When expulsion occurs
Education or Other Legal Code: Education Code 48916
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Readmission procedures

When to Notify: At least 10 calendar days before expulsion hearing
Education or Other Legal Code: Education Code 48918
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Notice of expulsion hearing

When to Notify: When expulsion or suspension of expulsion occurs
Education or Other Legal Code: Education Code 48918
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Decision to expel; right to appeal to county board; obligation to inform new district of status

When to Notify: Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school
Education or Other Legal Code: Education Code 48929, 48980
Board Policy/Administrative Regulation #: See BP 5116.2
Subject: Right to request a meeting with principal or designee

When to Notify: One month before the scheduled minimum day
Education or Other Legal Code: Education Code 48980
Board Policy/Administrative Regulation #: See BP 6111
Subject: When minimum days are scheduled after the beginning of the school year

When to Notify: When parents/guardians request guidelines for filing complaint of child abuse at a school site
Education or Other Legal Code: Education Code 48987
Board Policy/Administrative Regulation #: See AR 5141.4
Subject: Guidelines for filing complaint of child abuse at a school site with local child protective agencies

When to Notify: When student in danger of failing a course
Education or Other Legal Code: Education Code 49067
Board Policy/Administrative Regulation #: See AR 5121
Subject: Student in danger of failing a course

When to Notify: When student transfers from another district or private school
Education or Other Legal Code: Education Code 49068
Board Policy/Administrative Regulation #: See AR 5125
Subject: Right to receive copy of student's record and to challenge its content

When/Whom to Notify: When parent/guardian's challenge of student record is denied and parent/guardian appeals
Education or Other Legal Code: Education Code 49070
Board Policy/Administrative Regulation #: See AR 5125.3
Subject: If board sustains allegations, the correction of destruction of record; if denied, right to submit written objection

When/Whom to Notify: When district is considering program to gather safety-related information from students' social media activity
Education or Other Legal Code: Education Code 49073.6
Board Policy/Administrative Regulation #: See BP 5125
Subject: Opportunity for input on proposed program

When/Whom to Notify: When district adopts program to gather information from students' social media activity, and annually thereafter
Education or Other Legal Code: Education Code 49073.6
Board Policy/Administrative Regulation #: AR 5125
Subject: Information is being gathered, access to records, process for removal or corrections, destruction of records

When to Notify: Within 24 hours of release of information to a judge or probation officer
Education or Other Legal Code: Education Code 49076
Board Policy/Administrative Regulation #: See AR 5125
Subject: Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition

When to Notify: Before release of information pursuant to court order or subpoena
Education or Other Legal Code: Education Code 49077
Board Policy/Administrative Regulation #: See AR 5125
Subject: Release of information pursuant to court order or subpoena

When to Notify: When screening results in suspicion that student has scoliosis
Education or Other Legal Code: Education Code 49452.5
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Scoliosis screening

When to Notify: When test results in discovery of visual or hearing defects
Education or Other Legal Code: Education Code 49456; 17 CCR 2951
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Vision or hearing test results

When to Notify: Annually to parents/guardians of student athletes before their first practice or competition
Education or Other Legal Code: Education Code 49475
Board Policy/Administrative Regulation #: See AR 6145.2
Subject: Information on concussions and head injuries

When/Whom to Notify: To person holding educational rights, within 30 days of foster youth, homeless youth, or former juvenile court school student being transferred between high schools
Education or Other Legal Code: Educational Code 51225.1
Board Policy/Administrative Regulation #: See BP 6146.1, See AR 6173, See AR 6173.1, AR 6173.3
Subject: Exemption from local graduation requirements, effect on college admission, option for fifth year of high school

When to Notify: Before any test/survey questioning personal beliefs
Education or Other Legal Code: Education Code 51513
Board Policy/Administrative Regulation #: See AR 5022
Subject: Permission for test, survey questioning personal beliefs

When to Notify: At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year
Education or Other Legal Code: Education Code 51938
Board Policy/Administrative Regulation #: See AR 6142.1
Subject: Instruction in HIV prevention or sexual health by guest speaker or outside consultant

When to Notify: Prior to administering survey regarding health risks and behaviors to students in 7-12
Education or Other Legal Code: Education Code 51938
Board Policy/Administrative Regulation #: See AR 5022
Subject: Notice that the survey will be administered

When to Notify: Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency
Education or Other Legal Code: Education Code 52164.1, 52164.3; 5 CCR 11511.5
Board Policy/Administrative Regulation #: See AR 6174
Subject: Results of state test of English proficiency

When to Notify: When migrant education program is established
Education or Other Legal Code: Education Code 54444.2
Board Policy/Administrative Regulation #: See BP 6175, See AR 6175
Subject: Parent advisory council membership composition

When to Notify: When child participates in licensed child care and development program
Education or Other Legal Code: Health and Safety Code 1596.857
Board Policy/Administrative Regulation #: See AR 5148
Subject: Parent/guardian right to enter facility

When/Whom to Notify: When district receives Tobacco-Use Prevention Education Funds

Education or Other Legal Code: Health and Safety Code 104420
Board Policy/Administrative Regulation #: See AR 3513.3
Subject: The district's tobacco-free schools policy and enforcement procedures

When to Notify: When sharing student immunization information with an immunization system
Education or Other Legal Code: Health and Safety Code 120440
Board Policy/Administrative Regulation #: See AR 5125
Subject: Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share

When/Whom to Notify: At least 14 days prior to sex offender coming on campus as volunteer
Education or Other Legal Code: Penal Code 626.81
Board Policy/Administrative Regulation #: See AR 1240, See BP 1250
Subject: Dates and times permission granted; obtaining information from law enforcement

When to Notify: When hearing is requested by person asked to leave school premises
Education or Other Legal Code: Penal Code 627.5
Board Policy/Administrative Regulation #: See AR 3515.2
Subject: Notice of hearing

When/Whom to Notify: When responding to complaint re: discrimination, special education, or noncompliance with law
Education or Other Legal Code: 5 CCR 4631
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Findings, disposition of complaint, any corrective actions, appeal rights and procedures

When to Notify: When child participates in licensed child care and development program
Education or Other Legal Code: 5 CCR 18066
Board Policy/Administrative Regulation #: See AR 5148
Subject: Policies re: excused and unexcused absences

When to Notify: Within 30 days of application for subsidized child care or preschool services
Education or Other Legal Code: 5 CCR 18094, 18118
Board Policy/Administrative Regulation #: See AR 5148, See AR 5148.3
Subject: Policies re: Approval or denial of services

When to Notify: Upon recertification or update of application for child care or preschool services
Education or Other Legal Code: 5 CCR 18095, 18119
Board Policy/Administrative Regulation #: See AR 5148, See AR 5148.3

Subject: Policies re: Any change in service, such as in fees, amount of service, termination of service

When to Notify: Upon child's enrollment in child care program
Education or Other Legal Code: 5 CCR 18114
Board Policy/Administrative Regulation #: See AR 5148
Subject: Policies re: Policy on fee collection

When to Notify: When payment of child care fees is seven days late
Education or Other Legal Code: 5 CCR 18114
Board Policy/Administrative Regulation #: See AR 5148
Subject: Policies re: Notice of delinquent fees

When to Notify: When district substantively changes policy on student privacy rights
Education or Other Legal Code: 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5022
Subject: Notice of any substantive change in policy or regulation

When to Notify: For districts receiving Title I funds, when a child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught
Education or Other Legal Code: 20 USC 6312
Board Policy/Administrative Regulation #: See AR 4112.24
Subject: Timely notice to parent/guardian of child's assignment

When to Notify: For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners
Education or Other Legal Code: 20 USC 6312
Board Policy/Administrative Regulation #: See AR 6174
Subject: Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose another program

When to Notify: For schools receiving Title I funds, upon development of parent involvement policy
Education or Other Legal Code: 20 USC 6316
Board Policy/Administrative Regulation #: See AR 6020
Subject: Notice of policy

When to Notify: When household is selected for verification of eligibility for free or reduced-price meals
Education or Other Legal Code: 42 USC 1758; 7 CFR 245.6a
Board Policy/Administrative Regulation #: See AR 3553
Subject: Need to submit verification information; any subsequent change in benefits; appeals

When/Whom to Notify: When student is homeless or unaccompanied minor
Education or Other Legal Code: 42 USC 11432; Education Code 48852.5
Board Policy/Administrative Regulation #: See AR 6173
Subject: Educational and related opportunities; transportation services; placement decision and right to appeal

When to Notify: When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30
Education or Other Legal Code: 34 CFR 99.34
Board Policy/Administrative Regulation #: See AR 5125
Subject: Right to review records

When to Notify: When district receives federal funding assistance for nutrition program
Education or Other Legal Code: USDA FNS Instruction 113-1
Board Policy/Administrative Regulation #: See BP 3555
Subject: Rights and responsibilities, nondiscrimination policy, complaint procedures

IV. Special Education Notices

When to Notify: Prior to conducting initial evaluation
Education or Other Legal Code: Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415 (d); 34 CFR 300.502, 300.503
Board Policy/Administrative Regulation #: See BP 6159.1, See AR 6159.1, See AR 6164.4
Subject: Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards

When/Whom to Notify: Before functional behavioral assessment begins
Education or Other Legal Code: Education Code 56321
Board Policy/Administrative Regulation #: See AR 6159
Subject: Notification and consent

When to Notify: 24 hours before IEP when district intending to record
Education or Other Legal Code: Education Code 56341.1
Board Policy/Administrative Regulation #: See AR 6159
Subject: Intention to audio-record IEP meeting

When to Notify: Early enough to ensure opportunity for parent to attend IEP meeting
Education or Other Legal Code: Education Code 56341.5; 34 CFR 300.322
Board Policy/Administrative Regulation #: See AR 6159
Subject: Time, purpose, location, who will attend, participation of others with special knowledge, transition statements if appropriate

When to Notify: When parent/guardian orally requests review of IEP
Education or Other Legal Code: Education Code 56343.5
Board Policy/Administrative Regulation #: See AR 6159

Subject: Need for written request

When to Notify: Within one school day of emergency intervention or serious property damage
Education or Other Legal Code: Education Code 56521.1
Board Policy/Administrative Regulation #: See AR 6159.4
Subject: Emergency intervention

When to Notify: Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services
Education or Other Legal Code: 20 USC 1415(c); 34 CFR 300.300, 300.503
Board Policy/Administrative Regulation #: See AR 6159, See AR 6159.1
Subject: Prior written notice

When/Whom to Notify: Upon filing of state complaint
Education or Other Legal Code: 20 USC 1415(d), 34 CFR 300.504
Board Policy/Administrative Regulation #: See AR 6159.1
Subject: Procedural safeguards notice

When/Whom to Notify: When disciplinary measures are taken or change in placement
Education or Other Legal Code: 20 USC 1415(k); 34 CFR 300.530
Board Policy/Administrative Regulation #: See AR 5144.2
Subject: Decision and procedural safeguards notice

When to Notify: Upon requesting a due process hearing
Education or Other Legal Code: 20 USC 1415(k); 34 CFR 300.508
Board Policy/Administrative Regulation #: See AR 6159.1
Subject: Child's name, address, school, description of problem, proposed resolution

When to Notify: Eligibility for services under Section 504
Education or Other Legal Code: 34 CFR 104.32, 104.36
Board Policy/Administrative Regulation #: See AR 6164.6
Subject: District responsibilities, district actions, procedural safeguards

V. Classroom Notices

When to Notify: In each classroom in each school
Education or Other Legal Code: Education Code 35186
Board Policy/Administrative Regulation #: See AR/E 1312.4
Subject: Complaints re: sufficiency of instructional materials, teacher vacancy and misassignment, maintenance of facilities, right of students who did not pass the exit exam to receive intensive instruction after grade 12

ExhibitCENTER UNIFIED SCHOOL DISTRICT
version: September 20, 2017 Antelope, California

CSBA Sample
Administrative Regulation

Students AR 5148(a)

CHILD CARE AND DEVELOPMENT

Note: The following administrative regulation is for use by districts that operate child care and development services through a contract with the California Department of Education (CDE) and reflects provisions generally applicable to programs under the Child Care and Development Services Act (Education Code 8200-8499.7). **Such programs include resource and referral programs (Education Code 8210-8216; 5 CCR 18240-18248), alternative payment programs (Education Code 8220-8227.7; 5 CCR 18220-18231), migrant child care and development programs (Education Code 8230-8233), California State Preschool Programs (CSPP) (Education Code 8235-8239.1), general child care and development programs (Education Code 8240-8244), and programs for children with special needs (Education Code 8250-8252).** The district may revise this regulation to reflect specific requirements for the program(s) it offers. See BP/AR 5148.2 - Before/After School Programs for requirements pertaining to the After-School Education and Safety program (Education Code 8482-8484.65) and 21st Century Community Learning Centers (Education Code 8484.7-8484.8), and BP/AR 5148.3 - Preschool/Early Childhood Education for **CSPP** requirements ~~pertaining to the California State Preschool Program (Education Code 8235-8239)~~.

The following administrative regulation does not reflect all policy language mandated for each specific program. The district should be careful to include the mandates, if any, applicable to the program(s) it offers. For example, for the ~~A~~alternative ~~P~~payment ~~P~~program ~~(Education Code 8220-8227.3; 5 CCR 18220-18231)~~, 5 CCR 18221 mandates a written policy statement that includes specified components, including, but not limited to, program purpose, enrollment priorities, reimbursement of providers, and family fee collection. For the ~~R~~resource and ~~R~~referral program ~~(Education Code 8210-8216; 5 CCR 18240-18248)~~, 5 CCR 18244 mandates written referral policies and written complaint procedures.

In addition to the program requirements described below, child care and development programs may be subject to other policies in the district's policy manual (e.g., BP/AR 1240 - Volunteer Assistance, AR 3514.2 - Integrated Pest Management, ~~BP/AR 1240 - Volunteer Assistance, food safety standards and nutrition requirements in~~ BP/AR 3550 - Food Service/Child Nutrition Program). Districts should consult legal counsel if they have questions regarding the applicability of other laws to the district's child care and development program.

Licensing

Note: Pursuant to 22 CCR 101156, all child care centers must be licensed by the California Department of Social Services **(CDSS)** unless exempted by law. Health and Safety Code 1596.792 and 22 CCR 101158 list exemptions from the licensure requirements including, but not limited to, any program that (1) is a "public recreation program" that meets the criteria specified in Health and Safety Code 1596.792, (2) is operated before and/or after school by qualified teachers employed by the district, (3) is a school parenting program or adult education child care program, (4) operates only one day per week for no more than four hours on that day, (5) offers temporary child care services to parents/guardians who are on the same premises as the child care site, ~~or~~ (6) provides activities that are of an instructional nature in a classroom-like setting when K-12 students are normally not in session and the sessions do not exceed a total of 30 days when only school-age children are enrolled or 15 days when younger children are enrolled**, or (7) is a CSPP program operated in a school building that meets specified health and safety requirements**. If the district offers only programs that are exempted from licensure, it should modify the following regulation accordingly.

Pursuant to Health and Safety Code 1596.951, as added by AB 605 (Ch. 574, Statutes of 2018), CDSS is required to adopt regulations by January 1, 2021 to create a new child care center license including

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components for serving infant, toddler, preschool, and school-age children; health and safety standards; and enhanced ability to transition children to the next age group. Pursuant to Health and Safety Code 1596.951, all child care centers are required to obtain this license by January 1, 2024.

All district child care and development services shall be licensed by the California Department of Social Services, unless exempted pursuant to Health and Safety Code 1596.792 or 22 CCR 101158.

The license shall be posted in a prominent, publicly accessible location in the facility. (Health and Safety Code 1596.8555)

Licensed child care centers shall be subject to the requirements of Health and Safety Code 1596.70-1597.21, 22 CCR 101151-101239.2, and, when applicable, 22 CCR 101451-101539.

Program Components

Note: Items ~~#1-8~~ **1-7 and 9** below list components of child care and development programs required for all providers pursuant to 5 CCR 18272-18281. The Governing Board is required, pursuant to 5 CCR 18271, to approve goals and objectives addressing each of these program components; see the accompanying Board policy. The district may add components of other programs offered by the district.

The district's child care and development program shall include the following components:

1. The use of a developmental profile reflecting each child's physical, cognitive, social, and emotional development to plan and conduct developmentally and age appropriate activities (Education Code 8203.5; 5 CCR 18272)

   Program staff shall complete the "Desired Results Developmental Profile," available from the California Department of Education (CDE), for each child who is enrolled in the program for at least 10 hours per week and for any child with disabilities regardless of the number of hours enrolled. The profile shall be completed within 60 days of enrollment and at least once every six months thereafter for children of all ages. (Education Code 8203.5; 5 CCR 18270.5, 18272)

2. An educational program that complies with 5 CCR 18273, including the provision of services that are developmentally, linguistically, and culturally appropriate and inclusive of children with special needs

(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6159 - Individualized Education Program)
~~(cf. 6164.4 - Identification of Individuals for Special Education)~~
(cf. 6164.6 - Identification and Education Under Section 504)
(cf. 6174 - Education for English Learners)

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3. A staff development program which complies with 5 CCR 18274

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

4. Parent/guardian involvement and education that ~~complies~~ **comply** with 5 CCR 18275 and ~~involves parents/guardians through~~ **include** an orientation, at least two individual conferences per year, meetings with program staff, an advisory committee, participation in daily activities, and information regarding their child's progress

(cf. 6020 - Parent Involvement)

5. A health and social services component that complies with 5 CCR 18276 and includes referrals to appropriate community agencies as needed

~~*(cf. 1020 - Youth Services)*~~
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.23 - Asthma Management)
(cf. 5141.6 - School Health Services)

6. A community involvement component that complies with 5 CCR 18277

Note: Health and Safety Code 1596.808 establishes beverage standards for licensed child care centers. ~~These standards require that children age 2 or older, with specified exceptions, be served only low-fat or nonfat milk, no more than one serving per day of 100 percent juice, and no beverage with added sweetener and that clean and safe drinking water be readily available and accessible throughout the day.~~ In addition, centers that receive funding through the Child and Adult Care Food Program (42 USC 1766) must meet federal guidelines for meals, snacks, fluid milk or nutritionally equivalent milk substitutes, and drinking water.

7. **As applicable, a** ~~A~~ nutrition component that ensures children in the program are provided nutritious meals, beverages, and snacks that meet state and federal standards and have access to drinking water throughout the day, including meal times (Health and Safety Code 1596.808; 5 CCR 18278; 42 USC 1766)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Note: Item ~~#9~~ **8** below is **optional** and may be revised to reflect district practice. 42 USC 1766 encourages child care centers to provide opportunities for physical activity and to limit the amount of time spent in sedentary activities, such as time spent using electronic media.

~~9.~~**8.** Programs that promote age-appropriate structured and unstructured opportunities for

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physical activity and that limit the amount of time spent in sedentary activities to an appropriate level

Note: 5 CCR 18279-18281 require an annual evaluation using the standardized "Desired Results for Children and Families" system developed by CDE. The system requires a program self-evaluation that includes, but is not limited to, a staff assessment, a parent/**guardian** survey, and an environment rating scale using forms selected by CDE. Each contractor is required to submit a summary of the self-evaluation findings to CDE by June 1 of each year. In addition, every three years, CDE conducts a Federal Program Monitoring/Contract Monitoring Review (FPM/CMR) process with each contract agency to review compliance with program requirements. The FPM/CMR instrument is available on the CDE's web site.

~~8.~~**9.** An annual plan for program evaluation which conforms with the state's "Desired Results for Children and Families" system and includes, but is not limited to, a self-evaluation, parent/**guardian** survey, and environment rating scale using forms provided by the CDE (5 CCR 18270.5, 18279, 18280)

(cf. 0500 - Accountability)

~~Note: Item #9 below is optional and may be revised to reflect district practice. 42 USC 1766 encourages child care centers to provide opportunities for physical activity and to limit the amount of time spent in sedentary activities, such as time spent using electronic media.~~

~~9. Programs that promote age-appropriate structured and unstructured opportunities for physical activity and that limit the amount of time spent in sedentary activities to an appropriate level~~

Staffing

The district's child care and development program shall maintain at least the minimum adult-child and teacher-child ratios specified in 5 CCR 18290-18292 based on the ages of the children served.

~~Note: Health and Safety Code 1596.7995, as added by SB 792 (Ch. 807, Statutes of 2015), requires employees and volunteers at a day care center to be immunized against influenza, pertussis, and measles, with specified exceptions. Health and Safety Code 1597.055, as amended by SB 792, incorporates the immunization requirements into the qualifications of day care teachers and adds a requirement for such teachers to obtain a tuberculosis clearance. Pursuant to Health and Safety Code 1596.76, a day care center includes any child care facility other than a family day care home, including infant centers, preschools, extended day care facilities, and school-age child care centers.~~

~~Any person~~ **All persons** employed at a **licensed** district child care center and ~~any~~ **all** volunteers who provides care and supervision to children at such a center shall be immunized against influenza, pertussis, and measles. If ~~a person meets~~ **they meet** all other requirements for employment or volunteering, as applicable, but needs additional time to obtain and

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provide ~~his/her~~ immunization records, ~~the person~~ **they** may be employed or volunteer conditionally for a maximum of 30 days upon signing and submitting a written statement attesting that ~~he/she has~~ **they have** been immunized as required. In addition, ~~each~~ employees and volunteers shall receive an influenza vaccination between August 1 and December 1 of each year. A person shall be exempt from these requirements only under any of the following circumstances: (Health and Safety Code 1596.7995)

1. The person submits a written statement from a licensed physician declaring either that immunization is not safe because of the person's physical condition or medical circumstances or that the person has evidence of current immunity to influenza, pertussis, and measles.

2. In the case of the influenza vaccine, the person submits a written declaration ~~that he/she has declined~~ **declining** the vaccination.

3. In the case of the influenza vaccine required during the first year of employment or volunteering, the vaccine is not timely because the person was hired after December 1 of the previous year and before August 1 of the current year.

(cf. 1240 - Volunteer Assistance)
(cf. 4112.4/4212.4/4312.4 - Health Examinations)

Documentation of the required immunizations or exemptions from immunization shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

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

In addition to the above immunization requirements, teachers employed in a **licensed** child care center shall present evidence of a current tuberculosis clearance and meet other requirements specified in Health and Safety Code 1597.055. (Health and Safety Code 1597.055)

Eligibility and Enrollment

Note: CDE contracts provide funding only for services to families who meet the criteria for subsidized services as specified in Education Code 8263. The district may also provide services to nonsubsidized families provided the district uses other funding sources or the families pay the full cost of services; see section on "Fees and Charges" below.

Pursuant to 5 CCR 18105, districts contracting with CDE to offer child care services are **mandated** to develop written admissions policies and procedures that conform to requirements of 22 CCR 101218, including criteria designating those children whose needs can be met by the child care center's program and services and the ages of children who will be accepted.

The following section should be revised to reflect the district's contract(s) with CDE.

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The district's subsidized child care and development services may be available to infants and children through 12 years of age and to individuals with disabilities through 21 years of age in accordance with their individualized education program and Education Code 8208. (Education Code 8208, 8263.4; 5 CCR 18089, 18407, 18422)

Note: Pursuant to 5 CCR 18082-18083, the parent/guardian must submit an application for services which contains specified information and documentation. The application form is available on CDE's web site. The family's or child's eligibility must be certified by a person designated by the district.

Pursuant to Education Code 8263.1, as amended by AB 2626 (Ch. 945, Statutes of 2018), income eligibility is based on an adjusted monthly family income at or below 85 percent of the state median income, adjusted for family size, for purposes of establishing ongoing income eligibility after January 1, 2019 or initial eligibility after July 1, 2019.

Eligible families shall be those who document both an eligibility basis and a need for care, as follows: (Education Code 8263)

1. The family is eligible for subsidized services on the basis of being a current aid recipient, income eligible, or homeless and/or the family's children are recipients of protective services or have been identified as being or at risk of being abused, neglected, or exploited.

2. The family has a need for child care based on either of the following:

   a. The unavailability of the parents/guardians to care for and supervise their children for some portion of the day because they are participating in vocational training leading directly to a recognized trade, paraprofession, or profession; **are engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate;** are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated

~~Note: AB 982 (Ch. 567, Statutes of 2015) amended Education Code 8263 to expand the list of entities that can identify a child in need of subsidized child care to include a local educational agency liaison for homeless children and youth, a Head Start program, or a transitional shelter and to expand the list of children to be identified to include a homeless child.~~

   b. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services, as being or at risk of being neglected, abused, or exploited, or as being homeless

Note: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the centralized eligibility list established in each county pursuant to Education Code 8499.5, such

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lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to Education Code 8263 and 5 CCR 18106.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8263)

Second priority for enrollment shall be given to families who are income eligible, as defined in Education Code 8263.1. Families with the lowest gross monthly income in relation to family size shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with disabilities shall be admitted first or, if there is no child with disabilities, the family that has been on the waiting list for the longest time shall be admitted first. (Education Code 8263, 8263.1)

The district shall allow eligible children 11-12 years of age to combine enrollment in a before-school or after-school program with subsidized child care services during the time that the before-school or after-school program does not operate. Children 11-12 years of age, except for children with disabilities, shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before-school or after-school program. (Education Code 8263.4)

Note: The following **optional** paragraph may be revised to reflect additional enrollment priorities or criteria established by the district, such as priority for district students, children of district students, or children of district employees; see the accompanying Board policy.

After all children eligible for subsidized services have been enrolled, the district may enroll children in accordance with the priorities established by the Governing Board.

Note: 5 CCR 18094 and 18118 require the district to provide written notification to the parent/guardian as to whether ~~his/her~~ **the** application for subsidized services has been approved or denied. For this purpose, the district should use the Notice of Action form available on CDE's web site. If the services are denied, the parent/guardian may appeal the decision in accordance with 5 CCR 18120-18122; see section "Rights of Parents/Guardians" below.

The district's decision to approve or deny services shall be communicated to the parent/guardian through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18118)

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(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Education Code 8263, as amended by AB 2626, effective July 1, 2019, a family that establishes initial or ongoing eligibility for services, regardless of the basis of eligibility, is entitled to receive those services for at least 12 months before being recertified for eligibility, except when an increase in income results in the family income exceeding the threshold for ongoing eligibility.

Upon establishing eligibility for services, a family shall be eligible for and shall receive services for not less than 12 months before having the family's eligibility or need recertified and shall not be required to report changes to income or other changes for at least 12 months. However, a family establishing eligibility on the basis of income shall report any increases in income that exceed the threshold for ongoing income eligibility specified in Education Code 8263.1, and the family's ongoing eligibility shall be recertified at that time. At any time a family may voluntarily report income or other changes, which shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of eligibility before recertification. (Education Code 8263)

Note: 5 CCR 18095 and 18119 require the district to notify a parent/guardian of any change in services or fees as described below. For such notification, the district should use the Notice of Action form available on CDE's web site. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122; see section "Rights of Parents/Guardians" below.

~~Subsequently, t~~The Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination **made** during recertification or **the** update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified

2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing

3. An indication by the parent/guardian that ~~he/she~~ **the service is** no longer **wanted** ~~wants the service~~

4. The death of a parent/guardian or child

5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

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The Superintendent or designee shall establish and maintain a basic data file for each family receiving child care and development services containing the completed and signed application for services, documentation used to determine the child's eligibility and need, and copies of all Notices of Action. (5 CCR 18081, 18095)

Fees and Charges

Note: Education Code 8273 requires the Superintendent of Public Instruction (SPI) to establish a fee schedule for families using child care services through a CDE contract, including families who are eligible for subsidized child care services based on the criteria specified in item #1 in the section "Eligibility and Enrollment" above. See CDE Management Bulletin 14-03a.

Pursuant to 5 CCR 18109 and CDE's Frequently Asked Questions to Management Bulletin 14-03a, the district may charge a full-time, part-time, or "cost of care" fee calculated pursuant to 5 CCR 18109, whichever is less, depending on the number of hours that a child will receive services.

Education Code 8250 and 5 CCR 18110 prohibit districts from assessing fees for children enrolled in a program for severely disabled children or a federally based migrant program. Districts may revise the following paragraph to reflect any such program(s) offered by the district. Districts that offer only programs prohibited from charging fees may delete the following section.

Except when offering a program that is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services according to the fee schedule established by the Superintendent of Public Instruction, the actual cost of services, or the maximum daily/hourly rate specified in the contract, whichever is least. (Education Code 8250, 8263, 8273, 8273.1, ~~8273.2,~~ 8447; 5 CCR 18078, 18108-18110)

However, no fee shall be charged to a family that is receiving CalWORKS cash aid, an income-eligible family whose child is enrolled in a part-day California State Preschool Program, or a family whose income level, in relation to family size, is less than the first entry in the fee schedule. (Education Code 8273.1; 5 CCR 18110)

In addition, any family receiving child care on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that child care services continue to be necessary, may be exempt from these fees for up to 12 months. ~~Any family whose child is receiving child care on the basis of being at risk of abuse, neglect, or exploitation may be exempt from these fees for up to three months, unless the family becomes eligible based on receipt of child protective services or certification of need by a county child welfare agency. The cumulative period of exemption for these purposes shall not exceed 12 months.~~ (Education Code 8273.1)

Note: Pursuant to Education Code 8273 and CDE Management Bulletin 14-03a, family fees must be assessed at initial enrollment and reassessed at recertification or when the family data file is updated due to a change in status.

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Pursuant to 5 CCR 18114, districts contracting with CDE to offer child care services are **mandated** to adopt a policy for the collection of fees in advance of providing services, as provided below. 5 CCR 18114 contains an alternative definition of delinquency for alternative payment programs offered pursuant to Education Code 8220-8224.

Fees shall be assessed at initial enrollment and reassessed when a family is recertified or experiences a change in status. Fees shall be considered delinquent after seven days from the date that fees are due. Parents/guardians shall be notified in the event that fees are delinquent.

If a reasonable plan for payment of the delinquent fees has not been provided by the parents/guardians, services shall be terminated if all delinquent fees are not paid within two weeks of such notification. Parents/guardians shall receive a copy of the district's regulations regarding fee collection at the time of initial enrollment into the program. (Education Code 8273; 5 CCR 18082, 18114, 18115)

Note: The following paragraph is for use by districts that contract with CDE to offer child care services and wish to require parents/guardians to provide diapers and/or to pay the costs of field trips (unless the program is exempt from fees), and may be modified to delete diapers as appropriate for the age of the children served. Education Code 8273.3 **mandates** that such districts have a written policy which includes parents/guardians in the decision-making process. Pursuant to Education Code 8273.3, the fees cannot exceed $25 per child in the contract year.

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)

Disenrollment

Note: Education Code 8263.3 specifies the order by which families must be disenrolled from child care and development services when funding levels are reduced. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122, but only on the grounds that the factors used to determine the family's disenrollment are incorrect. See section "Rights of Parents/Guardians" below.

When necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services in the following order: (Education Code 8263.3)

1. Families with the highest income in relation to family size shall be disenrolled first.

2. If two or more families have the same income ranking, children without disabilities who have been enrolled in child care services the longest shall be disenrolled first.

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After all children without disabilities have been disenrolled, children with disabilities shall be disenrolled, with those who have been enrolled in child care services the longest being disenrolled first.

3. Families whose children are receiving child protective services or are at risk of neglect, abuse, or exploitation, regardless of family income, shall be disenrolled last.

Health Examination and Information

A physical examination and evaluation, including age-appropriate immunization, shall be required prior to or within ~~30 days~~ **six weeks** of enrollment. (Education Code 8263)

(cf. 5141.3 - Health Examinations)
(cf. 5141.31 - Immunizations)

Note: Education Code 8263 provides that the physical examination and evaluation, including immunizations, required of children enrolling in a child care center may be waived if a parent/guardian submits a letter stating that such examination is contrary to ~~his/her~~ **the parent/guardian's** religious beliefs. However, Health and Safety Code 120335~~, as amended by SB 277 (Ch. 35, Statutes of 2015),~~ eliminated the personal beliefs exemption for immunization requirements unless the parent/guardian files a letter or affidavit prior to January 1, 2016 or a licensed physician indicates that a student should be exempted for medical reasons. An exemption granted for personal beliefs is only effective until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12). See BP/AR 5141.31 - Immunizations.

~~A physical examination and evaluation, including age-appropriate immunization, shall be required prior to or within 30 days of enrollment. (Education Code 8263)~~

The requirement for a physical examination and evaluation ~~may~~ **shall** be waived if a parent/guardian submits a letter stating that such examination is contrary to ~~his/her~~ **the parent/guardian's** religious beliefs. (Education Code 8263)

However, a ~~A~~ child may be exempted from the immunization requirements only if: (Education Code 8263; Health and Safety Code 120335)

1. A licensed physician indicates that immunization is not safe due to the physical condition or medical circumstances of the child.

2. The parent/guardian submitted a letter or affidavit prior to January 1, 2016 stating that such examination is contrary to ~~his/her~~ **the parent/guardian's** personal beliefs. An exemption from immunization granted for personal beliefs is effective only until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12).

~~*(cf. 5141.22 - Infectious Diseases)*~~
~~*(cf. 5141.3 - Health Examinations)*~~
~~*(cf. 5141.31 - Immunizations)*~~

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If there is good cause to believe that a child is suffering from a recognized contagious or infectious disease, the child shall be temporarily excluded from the child care and development program until it is determined that the child is not suffering from that contagious or infectious disease. (Education Code 8263)

(cf. 5141.22 - Infectious Diseases)

Note: Health and Safety Code 1596.7996, as added by AB 2370 (Ch. 676, Statutes of 2018), requires licensed child care programs to provide parents/guardians of enrolled children with a flyer developed by CDSS in conjunction with the California Department of Public Health, which contains specified information regarding lead exposure and blood testing. The flyer is available on the CDSS web site.

Pursuant to Health and Safety Code 1597.16, as added by AB 2370, a licensed child care center located in a building constructed before January 1, 2010 will be required to have its drinking water tested for lead contamination levels between January 1, 2020 and January 1, 2023, and every five years after the date of the initial test. At that time the child care center must notify parents/guardians of enrolled children of the requirement to test the drinking water and of the test results.

When a child enrolls or reenrolls in a licensed child care program, the center shall provide the child's parent/guardian with written information on the risks and effects of lead exposure, blood lead testing recommendations and requirements, and options for obtaining blood lead testing, including any state or federally funded programs that offer free or discounted tests. (Health and Safety Code 1596.7996)

Attendance

Sign-in and sign-out sheets shall be used daily for all children for attendance accounting purposes. Attendance records shall include verification of excused absences, including the child's name, date(s) of absence, specific reason for absence, and signature of parent/guardian or district representative. (5 CCR 18065, 18066)

Absences shall be excused for the following reasons:

1. Illness or quarantine of the child or of the parent/guardian (Education Code 8208)

2. Family emergency (Education Code 8208)

Note: Pursuant to 5 CCR 18066, districts contracting with CDE to offer child care services are **mandated** to adopt policies delineating circumstances constituting an excused absence for a family emergency. The following paragraph may be revised to reflect district practice.

A family emergency shall be considered to exist when unforeseen circumstances cause the need for immediate action, such as may occur in the event of a natural disaster or when a member of the child's immediate family dies, has an accident, or is required to appear in court.

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3. Time spent with a parent/guardian or other relative as required by a court of law (Education Code 8208)

4. Time spent with a parent/guardian or other relative which is clearly in the best interest of the child (Education Code 8208)

Note: 5 CCR 18066 **mandates** a policy that delineates circumstances constituting an excused absence "in the best interest of the child." The following paragraph may be revised to reflect district practice.

An absence shall be considered to be in the best interest of the child when the time is spent with the child's parent/guardian or other relative for reasons deemed justifiable by the program coordinator or site supervisor.

Except for children who are recipients of child protective services or are at risk of abuse or neglect, excused absences in the best interest of the child shall be limited to 10 days during the contract period. (5 CCR 18066)

Note: 5 CCR 18066 **mandates** that providers adopt a policy governing unexcused absences which may include reasonable limitations, if any. The following paragraph may be revised to reflect district practice.

Any absence due to a reason other than any of those stated above, or without the required verification, shall be considered an unexcused absence. After three unexcused absences during the year, the program coordinator or site supervisor shall notify the **child's** parents/guardians. Children who continue to have excessive unexcused absences may be removed from the program at the discretion of the program coordinator in order to accommodate other families on the waiting list for admission.

Parents/guardians shall be notified of the policies and procedures related to excused and unexcused absences for child care and development services. (5 CCR 18066)

Rights of Parents/Guardians

Note: The following two paragraphs are ~~is~~ for use by districts that operate one or more licensed child care centers ~~(see "Licensing" section above)~~, but may be used by license-exempt providers.

At the time a child is accepted into a licensed child care and development center, the child's parent/guardian or authorized representative shall be notified of ~~his/her~~ **the** rights ~~as~~ specified in 22 CCR 101218.1, including, but not limited to, the right to enter and inspect the child care facility and the right to be informed, upon request, of the name and type of association to the center of any adult who has been granted a criminal record exemption. (Health and Safety Code 1596.857; 22 CCR 101218.1)

CHILD CARE AND DEVELOPMENT (continued)

The written notice of parent/guardian rights also shall be permanently posted within the facility in a location accessible to parents/guardians. Notwithstanding these rights, access to the facility may be denied to an adult whose behavior presents a risk to children present in the facility or to noncustodial parents/guardians when so requested by the responsible parent/guardian. (Health and Safety Code 1596.857)

Note: The remainder of this section is for use by all districts and applies to licensed and unlicensed child care programs.

In addition, if a parent/guardian disagrees with any district action to deny ~~his/her~~ **a** child's eligibility for subsidized child care services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the level of services, ~~he/she~~ **the parent/guardian** may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, ~~he/she~~ **the parent/guardian** may, within 14 calendar days, appeal the decision to the CDE. (5 CCR 18120-18122)

Records

Note: CDE contracts require the district to submit data on both subsidized and nonsubsidized families served by child care centers. In addition, the district is required to provide monthly reports, through CDE's online management information system, regarding any families receiving subsidized services during that month.

The Superintendent or designee shall maintain records of enrollment, attendance, types of families served, income received from all families participating in the district's child care and development program, and any other records required by CDE.

(cf. 3580 - District Records)
(cf. 5125 - Student Records)

(7/15 10/16) 3/19

Policy Reference UPDATE Service
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Center Unified SD

Administrative Regulation

Child Care And Development

AR 5148
Students

Licensing

All district child care and development services shall be licensed by the California Department of Social Services, unless exempted pursuant to Health and Safety Code 1596.792 or 22 CCR 101158.

The license shall be posted in a prominent, publicly accessible location in the facility. (Health and Safety Code 1596.8555)

Licensed child care centers shall be subject to the requirements of Health and Safety Code 1596.70-1597.21, 22 CCR 101151-101239.2, and, when applicable, 22 CCR 101451-101539.

Program Components

The district's child care and development program shall include the following components:

1. The use of a developmental profile reflecting each child's physical, cognitive, social, and emotional development to plan and conduct developmentally and age appropriate activities (Education Code 8203.5; 5 CCR 18272)

Program staff shall complete the "Desired Results Developmental Profile," available from the California Department of Education (CDE), for each child who is enrolled in the program for at least 10 hours per week and for any child with disabilities regardless of the number of hours enrolled. The profile shall be completed within 60 days of enrollment and at least once every six months thereafter for children of all ages. (Education Code 8203.5; 5 CCR 18270.5, 18272)

2. An educational program that complies with 5 CCR 18273, including the provision of services that are developmentally, linguistically, and culturally appropriate and inclusive of children with special needs

(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6159 - Individualized Education Program)
(cf. 6164.4 - Identification of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)
(cf. 6174 - Education for English Language Learners)

3. A staff development program which complies with 5 CCR 18274

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

4. Parent/guardian involvement and education that complies with 5 CCR 18275 and involves parents/guardians through an orientation, at least two individual conferences per year, meetings with program staff, an advisory committee, participation in daily activities, and information regarding their child's progress

(cf. 6020 - Parent Involvement)

5. A health and social services component that complies with 5 CCR 18276 and includes referrals to appropriate community agencies as needed

(cf. 1020 - Youth Services)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.23 - Asthma Management)
(cf. 5141.6 - School Health Services)

6. A community involvement component that complies with 5 CCR 18277

7. A nutrition component that ensures children in the program are provided nutritious meals, beverages, and snacks that meet state and federal standards and have access to drinking water throughout the day, including meal times (Health and Safety Code 1596.808; 5 CCR 18278; 42 USC 1766)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

8. An annual plan for program evaluation which conforms with the state's "Desired Results for Children and Families" system and includes, but is not limited to, a self-evaluation, parent survey, and environment rating scale using forms provided by the CDE (5 CCR 18270.5, 18279, 18280)

(cf. 0500 - Accountability)

9. Programs that promote age-appropriate structured and unstructured opportunities for physical activity and that limit the amount of time spent in sedentary activities to an appropriate level

Staffing

The district's child care and development program shall maintain at least the minimum adult-child and teacher-child ratios specified in 5 CCR 18290-18292 based on the ages of the children served.

Any person employed at a district child care center and any volunteer who provides care and supervision to children at such a center shall be immunized against influenza, pertussis, and measles. If a person meets all other requirements for employment or volunteering, as applicable, but needs additional time to obtain and provide his/her immunization records, the person may be employed or volunteer conditionally for a maximum of 30 days upon signing and submitting a written statement attesting that he/she has been immunized as required. In addition, each employee and volunteer shall receive an influenza vaccination between August 1 and December 1 of each year. A person shall be exempt from these requirements only under any of the following circumstances: (Health and Safety Code 1596.7995)

1. The person submits a written statement from a licensed physician declaring either that immunization is not safe because of the person's physical condition or medical circumstances or that the person has evidence of current immunity to influenza, pertussis, and measles.

2. In the case of the influenza vaccine, the person submits a written declaration that he/she has declined the vaccination.

3. In the case of the influenza vaccine required during the first year of employment or volunteering, the vaccine is not timely because the person was hired after December 1 of the previous year and before August 1 of the current year.

(cf. 1240 - Volunteer Assistance)
(cf. 4112.4 - Health Examinations)

Documentation of the required immunizations or exemptions from immunization shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

(cf. 4112.6 - Personnel Files)

In addition to the above immunization requirements, teachers employed in a child care center shall present evidence of a current tuberculosis clearance and meet other requirements specified in Health and Safety Code 1597.055. (Health and Safety Code 1597.055)

Eligibility and Enrollment

The district's subsidized child care and development services may be available to infants

and children through 12 years of age and to individuals with disabilities through 21 years of age in accordance with their individualized education program and Education Code 8208. (Education Code 8208, 8263.4; 5 CCR 18089, 18407, 18422)

Eligible families shall be those who document both an eligibility basis and a need for care, as follows: (Education Code 8263)

1. The family is eligible for subsidized services on the basis of being a current aid recipient, income eligible, or homeless and/or the family's children are recipients of protective services or have been identified as being or at risk of being abused, neglected, or exploited.

2. The family has a need for child care based on either of the following:

a. The unavailability of the parents/guardians to care for and supervise their children for some portion of the day because they are participating in vocational training leading directly to a recognized trade, paraprofession, or profession; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated

b. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services, as being or at risk of being neglected, abused, or exploited, or as being homeless

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8263)

Second priority for enrollment shall be given to families who are income eligible, as defined in Education Code 8263.1. Families with the lowest gross monthly income in relation to family size shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with disabilities shall be admitted first or, if there is no child with disabilities, the family that has been on the waiting list for the longest time shall be admitted first. (Education Code 8263, 8263.1)

The district shall allow eligible children 11-12 years of age to combine enrollment in a before-school or after-school program with subsidized child care services during the time that the before-school or after-school program does not operate. Children 11-12 years of

age, except for children with disabilities, shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before-school or after-school program. (Education Code 8263.4)

After all children eligible for subsidized services have been enrolled, the district may enroll children in accordance with the priorities established by the Governing Board.

The district's decision to approve or deny services shall be communicated to the parent/guardian through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18118)

(cf. 5145.6 - Parental Notifications)

Subsequently, the Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination during recertification or update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified

2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing

3. An indication by the parent/guardian that he/she no longer wants the service

4. The death of a parent/guardian or child

5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

The Superintendent or designee shall establish and maintain a basic data file for each family receiving child care and development services containing the completed and signed application for services, documentation used to determine the child's eligibility and need, and copies of all Notices of Action. (5 CCR 18081, 18095)

Fees and Charges

Except when offering a program that is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services according to the fee schedule established by the Superintendent of Public Instruction, the actual cost of services, or the maximum daily/hourly rate specified in the contract, whichever is least. (Education Code 8250, 8263, 8273, 8273.1, 8273.2, 8447; 5 CCR 18078, 18108-18110)

However, no fee shall be charged to a family that is receiving CalWORKS cash aid, an income-eligible family whose child is enrolled in a part-day California State Preschool Program, or a family whose income level, in relation to family size, is less than the first entry in the fee schedule. (Education Code 8273.1; 5 CCR 18110)

In addition, any family receiving child care on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that child care services continue to be necessary, may be exempt from these fees for up to 12 months. Any family whose child is receiving child care on the basis of being at risk of abuse, neglect, or exploitation may be exempt from these fees for up to three months, unless the family becomes eligible based on receipt of child protective services or certification of need by a county child welfare agency. The cumulative period of exemption for these purposes shall not exceed 12 months. (Education Code 8273.1)

Fees shall be assessed at initial enrollment and reassessed when a family is recertified or experiences a change in status. Fees shall be considered delinquent after seven days from the date that fees are due. Parents/guardians shall be notified in the event that fees are delinquent. If a reasonable plan for payment of the delinquent fees has not been provided by the parents/guardians, services shall be terminated if all delinquent fees are not paid within two weeks of such notification. Parents/guardians shall receive a copy of the district's regulations regarding fee collection at the time of initial enrollment into the program. (Education Code 8273; 5 CCR 18082, 18114, 18115)

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)

Disenrollment

When necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services in the following order: (Education Code 8263.3)

1. Families with the highest income in relation to family size shall be disenrolled first.

2. If two or more families have the same income ranking, children without disabilities who have been enrolled in child care services the longest shall be disenrolled first. After all children without disabilities have been disenrolled, children with disabilities shall be disenrolled, with those who have been enrolled in child care services the longest being disenrolled first.

3. Families whose children are receiving child protective services or are at risk of neglect, abuse, or exploitation, regardless of family income, shall be disenrolled last.

Health Examination

A physical examination and evaluation, including age-appropriate immunization, shall be required prior to or within 30 days of enrollment. (Education Code 8263)

The requirement for a physical examination and evaluation may be waived if a parent/guardian submits a letter stating that such examination is contrary to his/her religious beliefs. (Education Code 8263)

A child may be exempted from the immunization requirements only if: (Education Code 8263; Health and Safety Code 120335)

1. A licensed physician indicates that immunization is not safe due to the physical condition or medical circumstances of the child.

2. The parent/guardian submitted a letter or affidavit prior to January 1, 2016 stating that such examination is contrary to his/her personal beliefs. An exemption from immunization granted for personal beliefs is effective only until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12).

(cf. 5141.22 - Infectious Diseases)
(cf. 5141.3 - Health Examinations)
(cf. 5141.31 - Immunizations)

Attendance

Sign-in and sign-out sheets shall be used daily for all children for attendance accounting purposes. Attendance records shall include verification of excused absences, including the child's name, date(s) of absence, specific reason for absence, and signature of parent/guardian or district representative. (5 CCR 18065, 18066)

Absences shall be excused for the following reasons:

1. Illness or quarantine of the child or of the parent/guardian (Education Code 8208)

2. Family emergency (Education Code 8208)

A family emergency shall be considered to exist when unforeseen circumstances cause the need for immediate action, such as may occur in the event of a natural disaster or when a member of the child's immediate family dies, has an accident, or is required to appear in court.

3. Time spent with a parent/guardian or other relative as required by a court of law

(Education Code 8208)

4. Time spent with a parent/guardian or other relative which is clearly in the best interest of the child (Education Code 8208)

An absence shall be considered to be in the best interest of the child when the time is spent with the child's parent/guardian or other relative for reasons deemed justifiable by the program coordinator or site supervisor.

Except for children who are recipients of child protective services or are at risk of abuse or neglect, excused absences in the best interest of the child shall be limited to 10 days during the contract period. (5 CCR 18066)

Any absence due to a reason other than any of those stated above, or without the required verification, shall be considered an unexcused absence. After three unexcused absences during the year, the program coordinator or site supervisor shall notify the parents/guardians. Children who continue to have excessive unexcused absences may be removed from the program at the discretion of the program coordinator in order to accommodate other families on the waiting list for admission.

Parents/guardians shall be notified of the policies and procedures related to excused and unexcused absences for child care and development services. (5 CCR 18066)

Rights of Parents/Guardians

At the time a child is accepted into a licensed child care and development center, the child's parent/guardian or authorized representative shall be notified of his/her rights as specified in 22 CCR 101218.1, including, but not limited to, the right to enter and inspect the child care facility and the right to be informed, upon request, of the name and type of association to the center of any adult who has been granted a criminal record exemption. (Health and Safety Code 1596.857; 22 CCR 101218.1)

The written notice of parent/guardian rights also shall be permanently posted within the facility in a location accessible to parents/guardians. Notwithstanding these rights, access to the facility may be denied to an adult whose behavior presents a risk to children present in the facility or to noncustodial parents/guardians when so requested by the responsible parent/guardian. (Health and Safety Code 1596.857)

In addition, if a parent/guardian disagrees with any district action to deny his/her child's eligibility for subsidized child care services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the level of services, he/she may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5

CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, he/she may, within 14 calendar days, appeal the decision to the CDE. (5 CCR 18120-18122)

Records

The Superintendent or designee shall maintain records of enrollment, attendance, types of families served, income received from all families participating in the district's child care and development program, and any other records required by the CDE.

(cf. 3580 - District Records)
(cf. 5125 - Student Records)

Regulation CENTER UNIFIED SCHOOL DISTRICT
approved: September 20, 2017 Antelope, California

CSBA Sample
Board Bylaw

Board Bylaws BB 9323.2(a)

ACTIONS BY THE BOARD

Note: Pursuant to Education Code 35164, a majority vote of all members of the Governing Board is necessary for an item to carry, even in those cases where some members are absent. Thus, for districts with a five-member board, an item will pass with three votes, even if only three members are present or there is a vacancy. Education Code 35165 details the effect of a vacancy in districts with a seven-member board. For language regarding vote requirements when a board member abstains, see BB 9323 - Meeting Conduct.

The law specifies certain board actions as requiring more than a majority vote; see E(1) 9323.2 for a ~~specific~~ list of such actions.

The Governing Board shall act by a majority vote of all of the membership constituting the Board, unless otherwise required by law. (Education Code 35164)

(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)
(cf. 9012 - Board Member Electronic Communications)
(cf. 9200 - Limits of Board Member Authority)

~~Note: In some instances, the law requires that a hearing be conducted before the Board takes action on an item (e.g., before adopting the district's budget or expelling a student). Notice and other requirements for hearings may be more extensive than those for regular or special meetings and will depend upon the specific requirements in applicable statutes.~~

An "action" by the Board means: (Government Code 54952.6)

1. A collective decision by a majority of the Board members

2. A collective commitment or promise by a majority of the Board members to make a positive or negative decision

3. A vote by a majority of the Board members when sitting as the Board upon a motion, proposal, resolution, order, or ordinance

The Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)

Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145)

(cf. 9324 - Minutes and Recordings)

ACTIONS BY THE BOARD (continued)

Action on Non-Agenda Items

Note: The Brown Act (Government Code 54950-54963) generally prohibits any action or discussion of items not on the posted agenda. However, Government Code 54954.2 provides for three specific and narrow situations in which the Board can act on an item not on the agenda, as specified below. Board members may also briefly respond to questions raised by members of the public concerning items not on the agenda; see BB 9323 - Meeting Conduct.

After publicly identifying the item, the Board may take action on a subject not appearing on the posted meeting agenda under any of the following conditions: (Government Code 54954.2)

1. When a majority of the Board determines that an emergency situation exists, as defined for emergency meetings pursuant to Government Code 54956.5

2. When two-thirds of the members present, or if less than two-thirds of the members are present then by a unanimous vote of all members present, determine that the need to take immediate action came to the district's attention after the agenda was posted

3. When an item appeared on the agenda of, and was continued from, a meeting that occurred not more than five days earlier

(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)

Challenging Board Actions

Note: Government Code 54960 grants authority to the district attorney or any interested person to file a civil action asking the court to order the Board to stop or prevent Brown Act violations specified below. The Board should ~~be careful to~~ respond to legal challenges to its actions and consult legal counsel when necessary. Pursuant to Government Code 54960.5, a court may award court costs and reasonable attorney's fees to a plaintiff who successfully invalidates a Board action in violation of the Brown Act or successfully enforces one of the Brown Act's civil remedies provided in Government Code 54960-54960.2.

The district attorney's office or any interested person may file an action in court ~~to~~ **for the purpose of: (Government Code 54960, 54960.2)**

1. Stop**ping** or prevent**ing** the Board's violation or ~~threats of~~ **threatened** violations of the Brown Act;

2. ~~to d~~Determine**ing** the applicability of the Brown Act to ongoing or future threatened Board actions;

ACTIONS BY THE BOARD (continued)

3. ~~In addition, the district attorney's office or any interested party may file an action in court to determine~~ **Determining** the applicability of the Brown Act to ~~any~~ **a** past ~~Board~~ action **of the Board that is** not specified in Government Code 54960.1, ~~under the following conditions~~ **provided that:**

   a. Within nine months of the alleged violation, a cease and desist letter is submitted to the Board, clearly describing the past Board action and the nature of the alleged violation.

Note: Pursuant to Government Code 54960.2, the Board may respond within 30 days of receiving the cease and desist letter. If the Board decides to respond to the letter with an unconditional commitment to desist from repeating the past action, the unconditional commitment is required to be substantially in the same form provided in Government Code 54960.2 and to be approved in an open session of the Board's regular or special meeting. For a sample unconditional commitment letter, see E(2) 9323.2.

   b. The time for the Board to respond has expired and the Board has not provided an unconditional commitment to cease and desist from and not repeat the past action alleged to have violated the Brown Act.

   c. The action is brought within the time required by Government Code 54960.2.

4. ~~to d~~**D**etermin**eing** the validity, under ~~California~~ **state** or federal law, of any Board rule or action ~~to~~ **which** penalizes any of its members or otherwise discourages **their** ~~member's~~ expression~~, or~~

5. ~~to e~~**C**ompel**ling** the Board to audio record its closed sessions because of **a court's finding of the Board's** ~~its~~ violation of any applicable Government Code provision~~. (Government Code 54960)~~

Note: Pursuant to Government Code 54960.1, the district attorney's office or any interested person may file a lawsuit to invalidate (i.e., declare null and void) actions that violate specific provisions of the Brown Act listed in Government Code 54960.1 and specified below. However, even when the action may normally be subject to invalidation, Government Code 54960.1 provides that in certain circumstances (e.g., when there has been substantial compliance with the Brown Act or the Board ~~created a contractual obligation~~ **action resulted in a contract with a party who detrimentally relied on the action in good faith and without notice of a challenge to its validity**), the action may not be invalidated.

Before seeking court action, the person who believes a violation occurred must send a written demand to the Board to "cure or correct" the action as specified below. Because the laws regarding these provisions are complex, it is recommended that the district consult with legal counsel upon receipt of a "cure and correct" demand.

ACTIONS BY THE BOARD (continued)

The district attorney or any interested person may ~~present a demand that the Board cure and correct a Board action which he/she alleges is~~ **file an action in court to nullify a Board action which is alleged to be** in violation of law regarding any of the following: (Government Code 54960.1)

1. Open meeting and teleconferencing (Government Code 54953)

2. Agenda posting (Government Code 54954.2)

3. Closed session item descriptions (Government Code 54954.5)

4. New or increased tax assessments (Government Code 54954.6)

5. Special meetings (Government Code 54956)

6. Emergency meetings (Government Code 54956.5)

Prior to bringing any action to nullify a Board action, the district attorney or other interested person shall present a ~~Any~~ demand to "cure and correct" ~~an~~ **the** alleged violation. **The demand** shall clearly describe the challenged action and the nature of the alleged violation and shall be presented to the Board in writing within 90 days of the date when the action was taken. If the alleged violation concerns action taken in an open session but in violation of Government Code 54954.2 (agenda posting), the written demand must be made within 30 days of the date when the alleged action took place. (Government Code 54960.1)

Within 30 days of receiving the demand, the Board shall do one of the following: (Government Code 54960.1)

1. Cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct.

2. Determine not to cure or correct the alleged violation and inform the demanding party in writing of its decision to not cure or correct.

3. Take no action. If the Board takes no action within the 30-day ~~review~~ period, its inaction shall be considered a decision not to cure or correct the **challenged** action.

~~Note: Pursuant to Government Code 54960, as amended by SB 1003 (Ch. 732, Statutes of 2012), past Board actions that occur on or after January 1, 2013 but which are not specified in Government Code 54960.1 may also be challenged. However, prior to commencing such an action, the district attorney or other interested person must comply with the requirements specified in Government Code 54960.2, as added by SB 1003, including sending a cease and desist letter to the Board within nine months of the alleged violation.~~

ACTIONS BY THE BOARD (continued)

~~In addition, the district attorney's office or any interested party may file an action in court to determine the applicability of the Brown Act to any past Board action not specified in Government Code 54960.1, if the following conditions are met: (Government Code 54960.2)~~

1. ~~Within nine months of the alleged violation, a cease and desist letter is submitted to the Board, clearly describing the past Board action and the nature of the alleged violation.~~

> ~~Note: Pursuant to Government Code 54960.2, the Board may respond within 30 days of receiving the cease and desist letter. If the Board decides to respond to the letter with an unconditional commitment to desist from repeating the past action, the unconditional commitment is required to be substantially in the same form provided in Government Code 54960.2 and to be approved in an open session of the Board's regular or special meeting. For a sample unconditional commitment letter, see E(2) 9323.2.~~

2. ~~The time for the Board to respond has expired and the Board has not provided an unconditional commitment to cease and desist from and not repeat the past action alleged to have violated the Brown Act.~~

Legal Reference: (see next page)

ACTIONS BY THE BOARD (continued)

Legal Reference:

EDUCATION CODE
15266 School construction bonds
17466 Declaration of intent to sell or lease real property
17481 Lease of property with residence for nondistrict purposes
*17510-~~17511~~**17512 Leasing for production of gas, r~~R~~**esolution requiring unanimous vote ~~**of all members constituting board**~~*
17546 Private sale of personal property
17556-17561 Dedication of real property
35140-35149 Meetings
35160-35178.4 Powers and duties
48660-48661 Community day schools, establishment and restrictions
CODE OF CIVIL PROCEDURE
425.16 Special motion to strike in connection with a public issue
1245.240 Eminent domain vote requirements
1245.245 Eminent domain, resolution adopting different use
GOVERNMENT CODE
53090-53097.5 Regulation of local agencies by counties and cities
53724 Parcel tax resolution requirements
53790-53792 Exceeding the budget
53820-53833 Temporary borrowing
53850-53858 Temporary borrowing
54950-54963 The Ralph M. Brown Act, especially:
54952.6 Action taken, definition
*54953 Meetings to be open and public; attendance; **prohibition against** secret ballots*
54960-54960.5 Actions to prevent violations
65352.2 Coordination with planning agency
PUBLIC CONTRACT CODE
3400 Bid specifications
20111 Contracts over $50,000; contracts for construction; award to lowest responsible bidder
20113 Emergencies, award of contracts without bids
20114 Repairs, maintenance, and improvements to district facilities by day labor or force account
22034 Uniform Public Construction Cost Accounting Act informal bidding ordinance
22035 Repair or replacement of facilities in case of emergency
22050 Emergency contracting procedures
COURT DECISIONS
Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003) 112 Cal.App.4th 1313
McKee v. Orange Unified School District (2003) 110 Cal.App.4th 1310
Bell v. Vista Unified School District (2002) 82 Cal.App.4th 672
Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109

Management Resources: (see next page)

ACTIONS BY THE BOARD (continued)

Management Resources:

CSBA PUBLICATIONS
The Brown Act: School Boards and Open Meeting Laws, 2014
ATTORNEY GENERAL PUBLICATIONS
The Brown Act: Open Meetings for Local Legislative Bodies, 2003
LEAGUE OF CALIFORNIA CITIES PUBLICATIONS
Open and Public IV: A Guide to the Ralph M. Brown Act ***2nd Edition, rev. July 2010*** ~~*2007*~~
WEB SITES
CSBA: http://www.csba.org
~~*California Attorney General's Office: http://www.oag.ca.gov*~~
Institute ~~*of*~~ ***for*** *Local Government: http://www.ca-ilg.org*
Office of the Attorney General: http://www.oag.ca.gov

(3/11 11/12) 3/19

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Center Unified SD

Board Bylaw

Actions By The Board

BB 9323.2
Board Bylaws

The Governing Board shall act by a majority vote of all of the membership constituting the Board, unless otherwise required by law. (Education Code 35164)

(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)
(cf. 9012 - Board Member Electronic Communications)
(cf. 9200 - Limits of Board Member Authority)

An "action" by the Board means: (Government Code 54952.6)

1. A collective decision by a majority of the Board members

2. A collective commitment or promise by a majority of the Board members to make a positive or negative decision

3. A vote by a majority of the Board members when sitting as the Board upon a motion, proposal, resolution, order, or ordinance

The Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)

Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145)

(cf. 9324 - Minutes and Recordings)

Action on Non-Agenda Items

After publicly identifying the item, the Board may take action on a subject not appearing on the posted meeting agenda under any of the following conditions: (Government Code 54954.2)

1. When a majority of the Board determines that an emergency situation exists, as defined for emergency meetings pursuant to Government Code 54956.5

2. When two-thirds of the members present, or if less than two-thirds of the members are present then by a unanimous vote of all members present, determine that the

need to take immediate action came to the district's attention after the agenda was posted

3. When an item appeared on the agenda of, and was continued from, a meeting that occurred not more than five days earlier

(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)

Challenging Board Actions

The district attorney's office or any interested person may file an action in court to stop or prevent the Board's violation or threats of violations of the Brown Act, to determine the applicability of the Brown Act to ongoing or future threatened Board actions, to determine the validity, under California or federal law, of any Board rule or action to penalize any of its members or otherwise discourage the member's expression, or to compel the Board to audio record its closed sessions because of its violation of any applicable Government Code provision. (Government Code 54960)

The district attorney or any interested person may present a demand that the Board cure and correct a Board action which he/she alleges is in violation of law regarding any of the following: (Government Code 54960.1)

1. Open meeting and teleconferencing (Government Code 54953)

2. Agenda posting (Government Code 54954.2)

3. Closed session item descriptions (Government Code 54954.5)

4. New or increased tax assessments (Government Code 54954.6)

5. Special meetings (Government Code 54956)

6. Emergency meetings (Government Code 54956.5)

Any demand to "cure and correct" an alleged violation shall clearly describe the challenged action and the nature of the alleged violation and shall be presented to the Board in writing within 90 days of the date when the action was taken. If the alleged violation concerns action taken in an open session but in violation of Government Code 54954.2 (agenda posting), the written demand must be made within 30 days of the date when the alleged action took place. (Government Code 54960.1)

Within 30 days of receiving the demand, the Board shall do one of the following: (Government Code 54960.1)

1. Cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct.

2. Determine not to cure or correct the alleged violation and inform the demanding party in writing of its decision to not cure or correct.

3. Take no action. If the Board takes no action within the 30-day review period, its inaction shall be considered a decision not to cure or correct the action.

In addition, the district attorney's office or any interested party may file an action in court to determine the applicability of the Brown Act to any past Board action not specified in Government Code 54960.1, if the following conditions are met: (Government Code 54960.2)

1. Within nine months of the alleged violation, a cease and desist letter is submitted to the Board, clearly describing the past Board action and the nature of the alleged violation.

2. The time for the Board to respond has expired and the Board has not provided an unconditional commitment to cease and desist from and not repeat the past action alleged to have violated the Brown Act.

Legal Reference:
EDUCATION CODE
15266 School construction bonds
17466 Declaration of intent to sell or lease real property
17481 Lease of property with residence for nondistrict purposes
17510-17511 Resolution requiring unanimous vote of all members constituting board
17546 Private sale of personal property
17556-17561 Dedication of real property
17582-17583 District deferred maintenance fund
35140-35149 Meetings
35160-35178.4 Powers and duties
48660-48661 Community day schools, establishment and restrictions
CODE OF CIVIL PROCEDURE
425.16 Special motion to strike in connection with a public issue
1245.240 Eminent domain vote requirements
1245.245 Eminent domain, resolution adopting different use
GOVERNMENT CODE
53090-53097.5 Regulation of local agencies by counties and cities
53724 Parcel tax resolution requirements
53790-53792 Exceeding the budget
53820-53833 Temporary borrowing
53850-53858 Temporary borrowing
54950-54963 The Ralph M. Brown Act, especially:
54952.6 Action taken, definition

54953 Meetings to be open and public; attendance; secret ballots
54960-54960.5 Actions to prevent violations
65352.2 Coordination with planning agency
PUBLIC CONTRACT CODE
3400 Bid specifications
20111 Contracts over $50,000; contracts for construction; award to lowest responsible bidder
20113 Emergencies, award of contracts without bids
COURT DECISIONS
Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003) 112 Cal.App.4th 1313
McKee v. Orange Unified School District (2003) 110 Cal.App.4th 1310
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Institute of Local Government: http://www.ca-ilg.org

Bylaw CENTER UNIFIED SCHOOL DISTRICT
adopted: April 17, 2013 Antelope, California

CSBA Sample
Exhibit

Board Bylaws E(1) 9323.2(a)

ACTIONS BY THE BOARD

ACTIONS REQUIRING A SUPER MAJORITY VOTE

Note: The following exhibit lists some of the Governing Board actions that require more than a simple majority vote. Other such actions may exist and may be identified in the future.

Actions Requiring a Two-Thirds Vote of the Board:

Note: For an action requiring a two-thirds vote to pass, a three-member board will need two board members to vote in favor of the item, a five-member board will need four board members to vote in favor of the item, and a seven-member board will need five board members to vote in favor of the item.

1. Resolution declaring **the Governing Board's** intention to sell or lease real property (Education Code 17466)

(cf. 3280 - Sale or Lease of District-Owned Real Property)

2. Resolution declaring **the Board's** intent ~~of Governing Board~~ to convey or dedicate property to the state or any political subdivision for the purposes specified in Education Code 17556 (Education Code 17557)

3. Resolution authorizing and directing the Board president, or any other presiding officer, secretary, or member, to execute a deed of dedication or conveyance of property to the state or a political subdivision (Education Code 17559)

4. Lease, for up to three months, of school property which has a residence on it and which cannot be developed for district purposes because funds are unavailable (Education Code 17481)

Note: Item #5 below is different from temporary borrowing pursuant to Government Code 53850-53858 which requires only a majority vote of the Board.

5. Request for temporary borrowing ~~pursuant to Government Code 53820-53833, of~~ **funds needed for immediate requirements of the district** to pay district obligations incurred before the receipt of district income for the fiscal year sufficient to meet the payment(s) (Government Code 53821)

6. Upon complying with Government Code 65352.2 and Public Resources Code 21151.2, action to render city or county zoning ordinances inapplicable to a proposed use of the property by the district (Government Code 53094)

ACTIONS BY THE BOARD (continued)

(cf. 7131 - Relations with Local Agencies)
(cf. 7150 - Site Selection and Development)
(cf. 7160 - Charter School Facilities)

7. When the district is organized to serve only grades K-8, **action** ~~and seeks~~ to establish a community day school for any of grades K-8 (Education Code 48660)

(cf. 6185 - Community Day School)

8. When the district **is organized to serve only grades K-8,** has an average daily attendance (ADA) of 2,500 or less**, or desires to operate a community day school to serve any of grades K-6 (and no higher grades)** and seeks to situate a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)

~~9. When the district is organized to serve only grades K-8 and seeks to situate a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)~~

~~10. When the district desires to operate a community day school to serve any of grades K-6 (and no higher grades) on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)~~

~~11.~~**9.** Resolution of intent to issue general obligation bonds with the approval of 55 percent of the voters of the district (Education Code 15266)

(cf. 7214 - General Obligation Bonds)

~~12.~~**10.** Resolution of intent to issue bonds within a school facilities improvement district with the approval of 55 percent of the voters of the school facilities improvement district (Education Code 15266)

(cf. 7213 - School Facilities Improvement Districts)

~~13.~~**11.** Resolution to place a parcel tax on the ballot (Government Code 53724)

Note: Code of Civil Procedure 1245.240 requires that, prior to commencing an eminent domain action, the Board adopt a resolution of necessity approved by a two-thirds vote of the Board unless a greater vote is required by statute, charter, or ordinance. In addition, if the Board desires to use the property for a different purpose than stated in the resolution of necessity, then pursuant to Code of Civil Procedure 1245.245, the Board must adopt, by two-thirds vote, another resolution authorizing the different use unless a greater vote is required by statute, charter, or ordinance.

ACTIONS BY THE BOARD (continued)

~~14.~~**12.** Resolution of necessity to proceed with an eminent domain action and, if the Board subsequently desires to use the property for a different use than stated in the resolution of necessity, a subsequent resolution so authorizing the different use (Code of Civil Procedure 1245.240, 1245.245)

Note: Item #13 is for use by three-member boards.

13. When the district has a three-member Board, action to respond to an emergency facilities condition without giving notice for bids to let contracts, including the repair or replacement of district facilities, the taking of any other action that is directly related to and immediately required by that emergency, the procurement of the necessary equipment, services, and supplies for those purposes, the delegation of authority to the Superintendent or designee to take such action, and the determination during a regular Board meeting of the need to continue the action (Public Contract Code 22035, 22050)

Actions Requiring a Two-Thirds Vote of the Board Members Present at the Meeting:

1. Determination that there is a need to take immediate action and that the need for action came to the district's attention after the posting of the agenda. If less than two-thirds of the Board members are present at the meeting, a unanimous vote of all members present is required. (Government Code 54954.2)

2. Determination that a closed session is necessary during an emergency meeting. If less than two-thirds of the Board members are present, a unanimous vote of all members present is required. (Government Code 54956.5)

(cf. 9320 - Meetings and Notices)
(cf. 9321 - Closed Session Purposes and Agendas)

Actions Requiring a Four-Fifths Vote of the Board:

Note: For an action requiring a four-fifths vote to pass, a three-member board will need a unanimous vote in favor of the item, a five-member board will need four board members to vote in favor of the item, and a seven-member board will need six board members to vote in favor of the item.

1. Expenditure and transfer of necessary funds and use of district property or personnel to meet a national or local emergency created by war, military, naval, or air attack, or sabotage, or to provide for adequate national or local defense (Government Code 53790-53792)

(cf. 3110 - Transfer of Funds)

ACTIONS BY THE BOARD (continued)

2. Resolution for district borrowing based on issuance of notes, tax anticipation warrants, or other evidences of indebtedness, in an amount up to 50 percent of the district's estimated income and revenue for the fiscal year or the portion not yet collected at the time of the borrowing (Government Code 53822, 53824)

3. Resolution for district borrowing, between July 15 and August 30 of any fiscal year, of up to 25 percent of the estimated income and revenue to be received by the district during that fiscal year from apportionments based on ADA for the preceding school year (Government Code 53823-53824)

4. Declaration of an emergency in order to authorize the district to include a particular brand name or product in a bid specification (Public Contract Code 3400)

(cf. 3311 - Bids)

Note: Item #5 is for use by districts governed by a five-member or seven-member board.

5. **When the district has a five-member or seven-member Board, action to respond to an emergency facilities condition without giving notice for bids to let contracts, including the repair or replacement of district facilities, the taking of any other action that is directly related to and immediately required by that emergency, the procurement of the necessary equipment, services, and supplies for those purposes, the delegation of authority to the Superintendent or designee to take such action, and the determination during a regular Board meeting of the need to continue the action (Public Contract Code 22035, 22050)**

Note: AB 2249 (Ch. 169, Statutes of 2018) amended Public Contract Code 22034 to change the thresholds for public works projects bid pursuant to the Uniform Public Construction Cost Accounting Act, thereby increasing the amount requiring board resolution, as provided in item #6.

~~5.~~**6.** Resolution to award a contract for a public works project at ~~$187,500~~ **212,500** or less to the lowest responsible bidder, when the district is using the informal process authorized under the Uniform Public Construction Cost Accounting Act for projects of ~~$175,000~~ **200,000** or less, all bids received are in excess of ~~$175,000~~ **200,000**, and the Board determines that the district's cost estimate was reasonable (Public Contract Code 22034)

(cf. 3311.1 - Uniform Public Construction Cost Accounting Procedures)

Actions Requiring a Unanimous Vote of the Board:

1. Resolution authorizing and prescribing the terms of a ~~community~~ lease **of district property** for extraction **and taking** of gas **not associated with oil** (Education Code 17510-17511)

ACTIONS BY THE BOARD (continued)

2. **Authorization of the use of day labor or force account, or w~~W~~aiver** of the competitive bid process pursuant to Public Contract Code 20111, when the Board determines that an emergency exists **requiring the repair, alteration, work, or improvement to any facility to permit the continuance of existing classes or to avoid danger to life or property,** and upon approval of the County Superintendent of Schools (Public Contract Code 20113)

Action Requiring a Unanimous Vote of the Board Members Present at the Meeting:

1. Private sale of surplus property without advertisement in order to establish that such property is not worth more than $2,500. Disposal of surplus property ~~in the local dump~~ or donation to a charitable organization requires the unanimous vote of the Board members present to establish that the value of such property would not defray the cost of arranging its sale. (Education Code 17546)

(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)

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Center Unified SD

Exhibit

Actions By The Board

E 9323.2
Board Bylaws

ACTIONS REQUIRING A SUPER MAJORITY VOTE

Actions Requiring a Two-Thirds Vote of the Board:

1. Resolution declaring intention to sell or lease real property (Education Code 17466)

(cf. 3280 - Sale or Lease of District-Owned Real Property)

2. Resolution declaring intent of Governing Board to convey or dedicate property to the state or any political subdivision for the purposes specified in Education Code 17556 (Education Code 17557)

3. Resolution authorizing and directing the Board president, or any other presiding officer, secretary, or member, to execute a deed of dedication or conveyance of property to the state or a political subdivision (Education Code 17559)

4. Lease, for up to three months, of school property which has a residence on it and which cannot be developed for district purposes because funds are unavailable (Education Code 17481)

5. Request for temporary borrowing pursuant to Government Code 53820-53833, to pay district obligations incurred before the receipt of district income for the fiscal year sufficient to meet the payment(s) (Government Code 53821)

6. Upon complying with Government Code 65352.2 and Public Resources Code 21151.2, action to render city or county zoning ordinances inapplicable to a proposed use of the property by the district (Government Code 53094)

(cf. 7131 - Relations with Local Agencies)
(cf. 7150 - Site Selection and Development)
(cf. 7160 - Charter School Facilities)

7. When the district is organized to serve only grades K-8 and seeks to establish a community day school for any of grades K-8 (Education Code 48660)

(cf. 6185 - Community Day School)

8. When the district has an average daily attendance (ADA) of 2,500 or less and seeks to situate a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)

9. When the district is organized to serve only grades K-8 and seeks to situate a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)

10. When the district desires to operate a community day school to serve any of grades K-6 (and no higher grades) on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)

11. Resolution of intent to issue general obligation bonds with the approval of 55 percent of the voters of the district (Education Code 15266)

(cf. 7214 - General Obligation Bonds)

12. Resolution of intent to issue bonds within a school facilities improvement district with the approval of 55 percent of the voters of the school facilities improvement district (Education Code 15266)

(cf. 7213 - School Facilities Improvement Districts)

13. Resolution to place a parcel tax on the ballot (Government Code 53724)

14. Resolution of necessity to proceed with an eminent domain action and, if the Board subsequently desires to use the property for a different use than stated in the resolution of necessity, a subsequent resolution so authorizing the different use (Code of Civil Procedure 1245.240, 1245.245)

Actions Requiring a Two-Thirds Vote of the Board Members Present at the Meeting:

1. Determination that there is a need to take immediate action and that the need for action came to the district's attention after the posting of the agenda. If less than two-thirds of the Board members are present at the meeting, a unanimous vote of all members present is required. (Government Code 54954.2)

2. Determination that a closed session is necessary during an emergency meeting. If less than two-thirds of the Board members are present, a unanimous vote of all members present is required. (Government Code 54956.5)

(cf. 9320 - Meetings and Notices)
(cf. 9321 - Closed Session Purposes and Agendas)

Actions Requiring a Four-Fifths Vote of the Board:

1. Expenditure and transfer of necessary funds and use of district property or personnel to meet a national or local emergency created by war, military, naval, or air attack, or sabotage, or to provide for adequate national or local defense (Government Code 53790-53792)

(cf. 3110 - Transfer of Funds)

2. Resolution for district borrowing based on issuance of notes, tax anticipation warrants, or other evidences of indebtedness, in an amount up to 50 percent of the district's estimated income and revenue for the fiscal year or the portion not yet collected at the time of the borrowing (Government Code 53822, 53824)

3. Resolution for district borrowing, between July 15 and August 30 of any fiscal year, of up to 25 percent of the estimated income and revenue to be received by the district during that fiscal year from apportionments based on ADA for the preceding school year (Government Code 53823-53824)

4. Declaration of an emergency in order to authorize the district to include a particular brand name or product in a bid specification (Public Contract Code 3400)

(cf. 3311 - Bids)

5. Resolution to award a contract for a public works project at $187,500 or less to the lowest responsible bidder, when the district is using the informal process authorized under the Uniform Public Construction Cost Accounting Act for projects of $175,000 or less, all bids received are in excess of $175,000, and the Board determines that the district's cost estimate was reasonable (Public Contract Code 22034)

Actions Requiring a Unanimous Vote of the Board:

1. Resolution authorizing and prescribing the terms of a community lease for extraction of gas (Education Code 17510-17511)

2. Waiver of the competitive bid process pursuant to Public Contract Code 20111 when the Board determines that an emergency exists and upon approval of the County Superintendent of Schools (Public Contract Code 20113)

Action Requiring a Unanimous Vote of the Board Members Present at the Meeting:

1. Private sale of surplus property without advertisement in order to establish that such property is not worth more than $2,500. Disposal of surplus property in the local dump or donation to a charitable organization requires the unanimous vote of the Board members present to establish that the value of such property would not defray the cost of

arranging its sale. (Education Code 17546)

(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)

CSBA Sample
Exhibit

Board Bylaws E(2) 9323.2

ACTIONS BY THE BOARD

UNCONDITIONAL COMMITMENT LETTER

Note: Government Code 54960~~, as amended by SB 1003 (Ch. 732, Statutes of 2012),~~ authorizes the district attorney or other interested person to file an action in court to determine the applicability of the Ralph M. Brown Act to any past Governing Board action which is not specified in Government Code 54960.1 ~~and which occurs on or after January 1, 2013~~; see the accompanying ~~administrative regulation~~ **board bylaw**. **Pursuant to Government Code 54960.2, p**~~P~~rior to commencing such an action the district attorney or other interested person must send a cease and desist letter to the Board within nine months of the alleged violation. Within 30 days of receiving the cease and desist letter, the Board may respond by sending an unconditional commitment, substantially in the same form provided in Government Code 54960.2, to desist from repeating the past action. If the Board so responds, the district attorney or other interested person may not file an action in court. The following exhibit presents a sample unconditional commitment letter.

To: *(Name of district attorney or any interested person)*

The Governing Board of *(name of school district)* has received your cease and desist letter dated *(date)* alleging that the following ~~described~~ past action taken by the Board violates the Ralph M. Brown Act: *(Describe alleged past action as set forth in the cease and desist letter.)*

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the Board hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action described above. The Board may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address(es) you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, a notice will be delivered to you by the same means as this commitment, or by mail to an address that you have designated in writing, and you will have the right to commence legal action pursuant to Government Code 54960(a).

Sincerely,

(Name)
(Title of Board President or other designee)

(11/12) 3/19

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