

# RIVER DELTA UNIFIED SCHOOL DISTRICT

## Notice of a Regular Meeting of the Board of Trustees

By Order of the President of the Board of Trustees, this is a Call for the Regular Meeting of the Board of Trustees of the River Delta Unified School District to be held:

**May 9, 2017**

### **Clarksburg Middle School ♦ 52870 Netherlands, Clarksburg, CA**

*A copy of the full agenda (with backup documents but without confidential closed session items) is available for public review at the District Office, 445 Montezuma St., Rio Vista, California, at least 72 hours prior to the announced meeting of the Board of Trustees or online at <http://riverdelta.org> under the heading: Board of Trustees*

### **REGULAR MEETING AGENDA**

1. Call the Open Session to Order (@ 5:30 p.m.)
2. Roll Call
3. Review Closed Session Agenda (see attached agenda)
  - 3.1 Announce Closed Session Agenda
  - 3.2 Public Comment on Closed Session Agenda Items Only
4. Approve Closed Session Agenda and Adjourn to the **Closed Session** (@5:35 p.m.)  
Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Time: \_\_\_\_\_
5. Reconvene to Open Session (@ approx. 6:30 p.m.) Time: \_\_\_\_\_
  - 5.1 Retake Roll Call  
Member Fernandez \_\_\_\_; Member Olson \_\_\_\_; Member Riley \_\_\_\_; Member Donnelly \_\_\_\_;  
Member Elliott \_\_\_\_; Member Maghoney \_\_\_\_; Member Bettencourt \_\_\_\_
  - 5.2 Pledge of Allegiance
6. Report of Action taken, if any, during the Closed Session (Government Code Section 54957.1) -- Board President Fernandez
  - 6.1 Closed Session action taken, if any.
7. Review and Approve the **Open Session** Agenda  
Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_
8. Public Comment: **Anyone may address the Board at this time regarding any subject that is within the Board's subject-matter jurisdiction which is not on this night's agenda** [Government Code Section 54954.3 and Education Code Sections 35145.5 and 72121.5]. **However, please hold your comments on a specific agenda item on this agenda until it is brought up for discussion.** To address the Board, raise your hand and when you have been called on, please step up to the podium and state your name. However, **understand the Board may not take action on any item which is not actually listed on this agenda** (except as authorized by Government Code Section 54954.2). (BB9323) **Individual speakers shall be allowed three minutes to address the Board on any non-agendized item. The Board shall limit the total time for public presentation and input on all items to a maximum of 20 minutes.** With Board consent, the Board President may increase or decrease the time allowed for public comment, depending on the topic and the number of persons wishing to be heard and the overall length of the agenda. The Board President may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. (BB 9323) Anyone may appear at the Board meeting to testify in support of, or in opposition to, any item on this agenda being presented to the Board for consideration. (If you wish to have an item placed on the agenda for discussion and/or action by the Board, you must notify the Board Secretary/Superintendent in writing no later than ten working days prior to a regularly scheduled Board meeting requesting permission. After the Superintendent's Cabinet has met, you will be notified of their decision.)
9. **Reports, Presentations, Information**
  - 9.1 Board Member(s) and Superintendent Report(s) and/or Presentation(s) –
    - 9.1.1 Board Members' report(s)
    - 9.1.2 Committee Report(s)
    - 9.1.3 Superintendent Beno's report(s)
  - 9.2 Business Services' Reports and/or Presentations on: Routine Restricted Maintenance, Deferred Maintenance, Maintenance and Operations, Transportation Department, Food Services Department, District Technology, and District - Elizabeth Keema-Aston, Chief Business Officer, Craig Hamblin, Director of MOT
    - 9.2.1 ADA/Enrollment Report - Elizabeth Keema-Aston
    - 9.2.2 Monthly Financial Report - Elizabeth Keema-Aston
    - 9.2.3 Maintenance, Operations & Transportation Update - Craig Hamblin
  - 9.3 Other – Reports and/or Presentation(s) –
    - 9.3.1 Educational Services and Special Education Updates – Kathy Wright
    - 9.3.2 Presentation given by the Agricultural Discovery students from Clarksburg Middle Schools – Charles VanRiper
    - 9.3.3 Receive presentation of the District Schools' Single Plan for Student Achievement for school year 2017-2018 presented by Nick Casey, Principal of D.H. White Elementary School
10. **Consent Calendar**
  - 10.1 Approve Board Minutes  
Regular Meeting of the Board, April 18, 2017
  - 10.2 Receive and Approve Monthly Personnel Reports  
As of May 9, 2017
  - 10.3 District's Monthly Expenditure Report  
April 2017
  - 10.4 Request approval for Vicky Turk, Brian Fonseca and Stacy Knisley as Rio Vista High School's Representative to the CIF League for 2017-2018 and Laura Uslan and Katherine Ingalls as Delta High School's Representative to the CIF League for 2017-2018 – Vicky Turk and Laura Uslan

- 10.5 Request approval for site principals at Delta High and Rio Vista High Schools to authorize and approve overnight travel within the State of California for athletic and academic programs for the 2017-2018 school year – Vicky Turk and Laura Uslan
- 10.6 Request to approve the Service Contract with Ryland School Business Consulting for various Financial and Business Office Services, Not exceed \$8,000 – Unrestricted General Funds – Elizabeth Keema-Aston
- 10.7 Request approval of D.H. White Elementary School's 2017-18 Single Plan for Student Achievement – Nick Casey
- 10.8 Request to approve the Memorandum of Understanding for district participation in the Sly Park program for the 2017-2018 school year – Don Beno
- 10.9 Request to approve the Professional Expert Agreement with Linda Van DeMaele to provide health services and instruction for the 2017-2018 school year at a cost not to exceed \$9000, General Fund – Kathy Wright
- 10.10 Request for out of state travel for Kathy Wright and Noelle Gomes to attend the AVID Summer Institute on June 26th – June 28th, 2017 in Orlando, FL, cost not to exceed \$3000, General Fund – Kathy Wright
- 10.11 Request to approve the purchase of "Math and You" textbooks for the Practical Math class at Rio Vista High and Delta High School at a cost not to exceed \$16,500, Educational Services Funds – Kathy Wright
- 10.12 Request to approve the purchase of 164 Chromebooks and 5 Chromebook carts at a cost not to exceed \$51,748.25
- 10.13 Request to approve the fund raising event "Bottled Water Sales" to benefit Riverview Middle School students attending the CADA Leadership Camp – Sonia Rambo
- 10.14 Donations to Receive and Acknowledge:

**Riverview Middle School – AYSO Soccer League – Miscellaneous soccer equipment**  
**Rio Vista High School – Joseph Turk Memorial Scholarship Fund**

Nancy Holt  
 Maria Elena Becerra  
 Loretta Abbott

**Rio Vista High School – Swimming Team**

Petals on Main - \$70  
 Rio Vista Lions Club - \$1500

Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_

**Action Items -- Individual speakers shall be allowed three minutes to address the Board on any agenda item. The Board shall limit the total time for public presentation and input on all items to a maximum of 20 minutes.** With Board consent, the Board President may increase or decrease the time allowed for public comment, depending on the topic and the number of persons wishing to be heard and the overall length of the agenda. The Board President may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. (BB 9323) Anyone may appear at the Board meeting to testify in support of, or in opposition to, any item on this agenda being presented to the Board for consideration.

- 11. Request to approve the *second and final* reading of the updated or new Board Policies, Administrative Regulations and or Exhibits due to new legislations or mandated language and citation revisions as of December 2017 – Don Beno

Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_

- 12. Request approval of Change Orders #1 for the Walnut Grove Elementary School – Restroom Accessibility Upgrades 2016 – Elizabeth Keema-Aston, Chief Business Officer and Craig Hamblin, Dir. Of Maintenance, Operations and Transportation

Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_

- 13. Request the approval to file a Notice of Completion for the Walnut Grove Elementary School, Restroom Accessibility Upgrades 2016 – Elizabeth Keema-Aston, Chief Business Officer and Craig Hamblin, Dir. Of Maintenance, Operations and Transportation

Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_

- 14. Request to approve lease amendment #2 with Head Start/SETA for preschool programming on Walnut Grove Elementary School's campus in the fall of 2017 – Elizabeth Keema-Aston

Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_

- 15. Request to approve the Bates Elementary and Mokelumne High Schools' list of outdated computers and electronics as surplus and deem as zero monetary value – Maria Elena Becerra

Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_

- 16. Request for the approval of Resolution # 730 Authorizing FY 2016-2017 expenditures from Educational Protection Act Funds (Proposition 30) – Elizabeth Keema-Aston, Chief Business Officer

Motioned: \_\_\_\_\_ Second: \_\_\_\_\_

Roll Call Vote: Member Rooney \_\_\_\_; Member Donnelly \_\_\_\_; Member Riley \_\_\_\_; Member Maghoney \_\_\_\_; Member Olson \_\_\_\_; Member Bettencourt \_\_\_\_; Member Fernandez \_\_\_\_; Vote: \_\_\_\_\_

- 17. Re-Adjourn to continue Closed Session, if needed
- 18. Report of Action taken, if any, during continued Closed Session (Government Code Section 54957.1) - Board President Fernandez
- 19. Adjournment

Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstentions: \_\_\_\_\_ Time: \_\_\_\_\_

**A copy of the full agenda (without backup documents and without confidential closed session items) is available for public review at each school site and/or the District Office, 445 Montezuma St., Rio Vista, California, at least 72 hours prior to the announced meeting of the Board of Trustees. The full agenda is also available online at <http://riverdelta.org>.**

**Americans with Disabilities Act Compliance:** Any and all requests for "...any disability-related modification or accommodation, including auxiliary aids or services..." needed to access our agendas or to participate in the public meetings, must be received in writing by the Superintendent's Office at 445 Montezuma Street, Rio Vista, CA 94571 at least annually before July 1 of each year -- or at least 5 calendar days prior to the individual meeting in question. All inquiries may be directed to the Superintendent's Office c/o Jennifer Gaston at (707) 374-1711.

**AFFIDAVIT OF NOTICING AND POSTING:**

I, Jennifer Gaston, Executive Assistant to the Board of Trustees, declare that a copy of this Regular Meeting Agenda/Notice was posted in the bulletin board in front of the District Office and that the Board of Trustees Members, District administrative offices and schools, the community libraries and the River News Herald were provided notice or caused to be provided notice via fax, e-mail and/or hand delivery on or before Friday, May 5, 2017, by or before 5:30 p.m.

**By:** *Jennifer Gaston* Jennifer Gaston, Executive Assistant, to the Superintendent.

ATTACHMENT

RIVER DELTA UNIFIED SCHOOL DISTRICT
Notice of a Regular Meeting of the Board of Trustees

By Order of the President of the Board of Trustees, this is a Call for the Regular Meeting of the Board of Trustees of the River Delta Unified School District to be held:

May 9, 2017

Clarksburg Middle School ♦ 52870 Netherlands, Clarksburg, CA

CLOSED SESSION

As provided by Government Code Section 54957, the Board is requested to meet in closed session for consideration of personnel appointment, employment, discipline, complaint, evaluation or dismissal [Government Code Section 54957], possible or pending litigation [Government Code 54956.9(a)(b)(c)], student discipline [Education Code Sections 49070 (c) and 76232 (c)], employee/employer negotiations [Government Code Section 3549.1 and 54957.6], or real property transactions [Government Code Section 54956.8].

A Closed Session will be held beginning at 5:35 p.m. on May 9, 2017, at the Clarksburg Middle School, Clarksburg, California (which is prior to the full Open Session). Any formal action taken by the Board will be reported in the Open Session of this regular meeting of the Board of Trustees [Government Code Section 54957.1]. As needed, this Closed Session may be reconvened following the full Open Session. Any formal action taken by the Board will be reported in Open Session prior to adjournment.

4. CLOSED SESSION

4.1 Student Discipline [Education Code Sections 49070 (c) and 76232 (c)]. – None

4.2 Possible or Pending Litigation [Government Code 54956.9(a)(b)(c)]
Following Conference with Legal Counsel Following Conference with Legal Counsel (Parker & Covert, LLC; Girard, Edwards, Stevens & Tucker LLP) – Pending or Anticipated Litigation/Potential Case(s) Update(s)
4.2.1 Name(s) unspecified as disclosure would jeopardize the service of process and/or existing/possible settlement negotiations

4.3 Personnel Evaluation, Searches, Appointment, Employment, Complaint, Discipline, Dismissal, Non-reelects and Releases [Government Code Section 54957]

Following Conference with Legal Counsel (Parker & Covert, LLC; Girard, Edwards, Stevens & Tucker LLP)

Public Employee(s) Evaluation:

- 4.3.1 Certificated
4.3.2 Classified
4.3.3 Public Employee(s) Searches, Appointment, Employment conditions
4.3.4 Complaint, Discipline, Dismissal, Non-Reelects, & Releases
4.3.5 Employee/Employer Negotiations [Government Code Section 3549.1 and 54957.6]
Following negotiation meetings any/all units.
4.3.5.1 Administration
4.3.5.2 Confidential
4.3.5.3 RDUTA
4.3.5.4 CSEA

5. Adjourn to Open Session (@6:30 p.m.) Any formal action taken by the Board in the above items will be reported in Open Session of this regular meeting of the Board of Trustees [Government Code Section 54957.1]. The meeting may be reconvened as needed (i.e. following the end of Open Session).

Motioned: \_\_\_\_\_ Second: \_\_\_\_\_ Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_ Time: \_\_\_\_\_

jg

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

Meeting Date: May 9, 2017 Attachments: X

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From: Elizabeth Keema-Aston, Chief Business Officer Item No.: 9.2.1  
Action Item: \_\_\_\_\_

SUBJECT: Monthly Enrollment and ADA Report (**April Month 9**) Consent Action: \_\_\_\_\_  
Information Only: x

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Background: Each month district staff compiles attendance and enrollment data for all school sites. The attached summary shows comparative enrollment and ADA for *2015-2016 and 2016-2017*. The summary also shows the increase/decrease enrollment for current and prior months. The attached charts compare the ADA with Enrollment for the current year and five (5) prior years.

Status: District-wide enrollment ***decreased by 31 students*** compared to the same month last year, *decreasing* from 1,951 to 1,920. (Does not include Adult Ed)

District-wide enrollment ***decreased by 2 students*** compared to **last month** (*March*), from 1,922 to 1,920. (Does not include Adult Ed)

District-wide attendance ***has increased 8 ADA*** compared to **last month** (*March*), *1,820 to 1,828*. (Does not include Adult Ed)

Prepared by: Elvia Navarro, Accounting Specialist

Presenter: Elizabeth Keema-Aston, Chief Business Officer

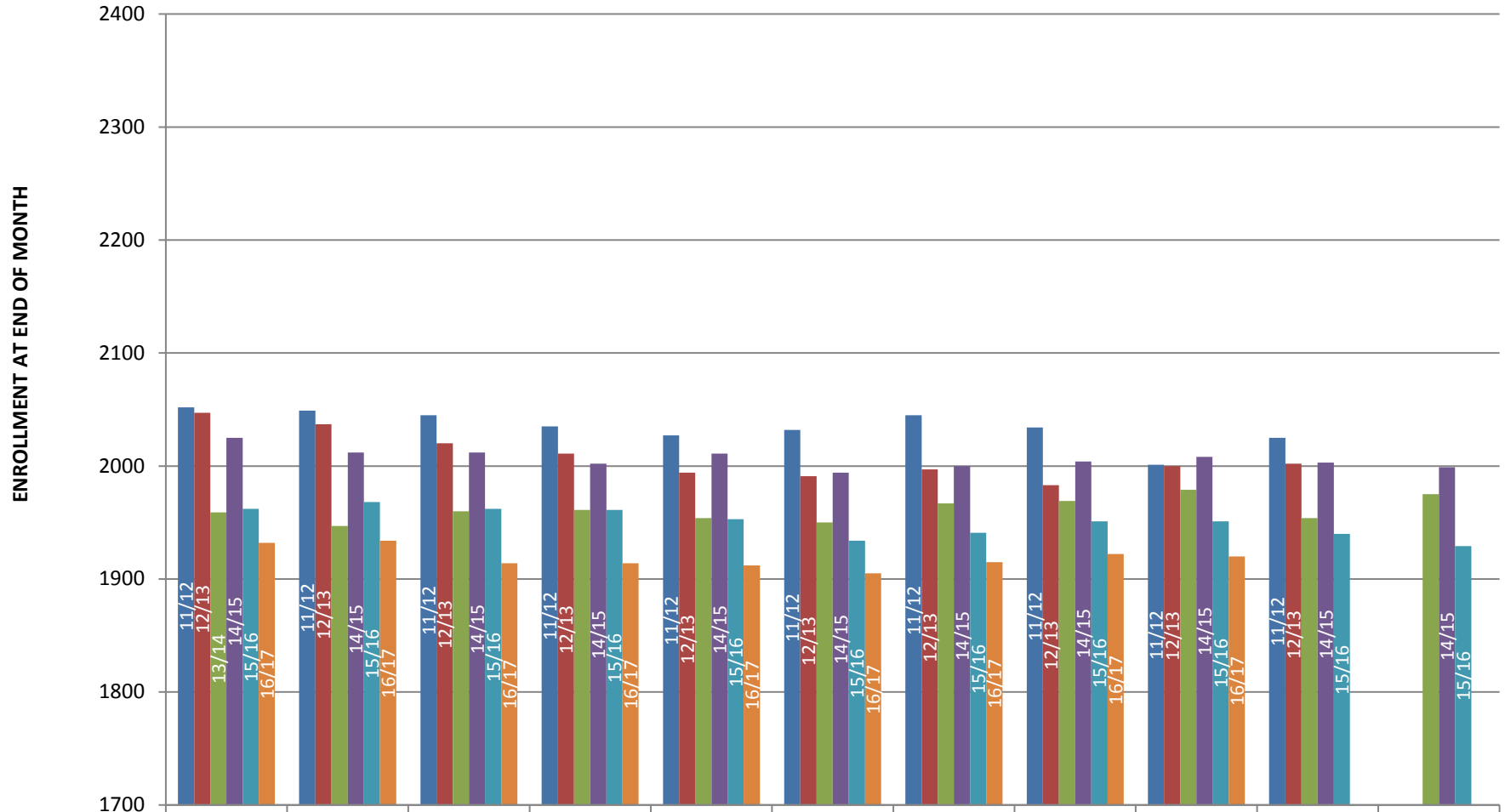
Recommendation:

That the Board receives the information presented.

SITE		AUG	AUG	% of ADA		SEPT	SEPT	Incr/Decr From Pr Month	% of ADA	OCT	OCT	Incr/Decr From Pr Month	% of ADA	NOV	NOV	Incr/Decr From Pr Month	% of ADA	DEC	DEC	Incr/Decr From Pr Month	% of ADA	JAN	JAN	Incr/Decr From Pr Month	% of ADA	FEB	FEB
		15-16	16-17			15-16	16-17			15-16	16-17			15-16	16-17			15-16	16-17			15-16	16-17			15-16	16-17
BATES	ENR	148	151	98.7%		147	153	2		147	148	-5		146	149	1		145	149	0		144	148	-1		144	152
	ADA	146	149			146	147			96.1%	143			146	98.6%			143	143			96.0%	137			142	95.3%
CLARKSBURG (7th & 8th Gr)	ENR	147	177	96.6%		146	176	-1		145	172	-4		144	171	-1		146	171	0		144	173	2		143	174
	ADA	144	171			143	171			97.2%	141			168	97.7%			139	165			96.5%	140			164	95.9%
ISLETON	ENR	153	173	96.0%		156	176	3		159	170	-6		159	172	2		157	171	-1		150	171	0		156	169
	ADA	148	166			147	167			94.9%	150			166	97.6%			152	165			95.9%	142			161	94.2%
RIVERVIEW	ENR	284	242	98.8%		283	243	1		284	242	-1		283	244	2		284	242	-2		284	244	2		279	245
	ADA	282	239			281	242			99.6%	278			235	97.1%			276	236			96.7%	270			231	95.5%
WALNUT GROVE	ENR	168	167	98.2%		164	170	3		159	170	0		160	171	1		158	171	0		158	170	-1		161	171
	ADA	164	164			159	162			95.3%	157			161	94.7%			154	164			95.9%	147			159	93.0%
D.H. WHITE	ENR	365	363	95.0%		373	359	-4		370	354	-5		369	354	0		369	348	-6		364	345	-3		367	348
	ADA	356	345			358	340			94.7%	362			337	95.2%			355	338			95.5%	343			327	94.0%
ELEMENTARY SUB TOTAL	ENR	1,265	1,273			1,269	1,277	4		1,264	1,256	-21		1,261	1,261	5		1,259	1,252	-9		1,244	1,251	-1		1,250	1,259
	ADA	1,240	1,234			1,234	1,229			1,231	1,213			1,219	1,211			1,179	1,184			1,189	1,143			1,195	1,185
CLARKSBURG (9th Grade)	ENR	69	58	98.3%		67	58	0		69	58	0		67	58	0		68	57	-1		68	57	0		66	57
	ADA	67	57			67	56			96.6%	65			57	98.3%			65	56			96.6%	65			56	98.2%
DELTA HIGH	ENR	208	190	97.4%		210	190	0		207	189	-1		207	189	0		207	189	0		206	190	1		205	187
	ADA	203	185			200	182			95.8%	199			181	95.8%			197	180			95.2%	195			178	94.2%
RIO VISTA HIGH	ENR	387	378	96.3%		385	373	-5		381	381	8		382	370	-11		377	377	7		372	373	-4		377	378
	ADA	373	364			364	360			96.5%	363			361	94.8%			359	357			96.5%	353			352	93.4%
HIGH SCHOOL SUB TOTAL	ENR	664	626			662	621	-5		657	628	7		656	617	-11		652	623	6		646	620	-3		648	622
	ADA	643	606			631	598			627	599			621	593			613	586			621	567			614	579
Mokelumne High (Continuation)	ENR	18	18			19	17	-1		20	12	-5		20	14	2		18	13	-1		23	11	-2		22	12
	ADA	14	15			15	13			15	9			15	10			13	10			18	7			17	9
River Delta High/Elem (Alternative)	ENR	10	10			12	15	5		13	13	-2		16	16	3		16	18	2		15	17	-1		16	18
	ADA	7	9			7	10			7	9			9	10			12	12			12	11			10	13
Community Day	ENR	5	5			6	4	-1		8	5	1		8	6	1		8	6	0		6	6	0		5	4
	ADA	5	4			5	4			5	4			6	5			7	5			5	5			4	4
TOTAL K-12 LCFF Funded	ENR	1,962	1,932			1,968	1,934	2		1,962	1,914	-20		1,961	1,914	0		1,953	1,912	-2		1,934	1,905	-7		1,941	1,915
	ADA	1,909	1,868			1,892	1,854			1,885	1,834			1,870	1,829			1,824	1,797			1,845	1,733			1,840	1,790
Wind River- Adult Ed	ENR	17	13			38	19	6		74	30	11		88	31	1		89	25	-6		88	27	2		105	33
TOTAL DISTRICT	ENR	1,979	1,945			2,006	1,953	8		2,036	1,944	-9		2,049	1,945	1		2,042	1,937	-8		2,022	1,932	-5		2,046	1,948

SITE	Incr/Decr From Pr Month	%	MAR		Incr/Decr From Pr Month	%	APR		Incr/Decr From Pr Month	%	
			15-16	16-17			15-16	16-17			
BATES	ENR	4		141	151	-1		139	152	1	
	ADA		96.1%	137	146		96.7%	136	147		96.7%
CLARKSBURG (7th & 8th Gr)	ENR	1		144	174	0		146	174	0	
	ADA		96.0%	139	166		95.4%	141	169		97.1%
ISLETON	ENR	-2		160	168	-1		159	170	2	
	ADA		94.7%	153	161		95.8%	154	163		95.9%
RIVERVIEW	ENR	1		280	247	2		282	247	0	
	ADA		95.5%	273	235		95.1%	270	241		97.6%
WALNUT GROVE	ENR	1		165	173	2		168	172	-1	
	ADA		91.8%	155	164		94.8%	161	164		95.3%
D.H. WHITE	ENR	3		368	355	7		369	354	-1	
	ADA		92.2%	352	330		93.0%	355	336		94.9%
ELEMENTARY SUB TOTAL	ENR	8		1,258	1,268	9		1,263	1,269	1	
	ADA			1,209	1,202			1,217	1,220		
CLARKSBURG (9th Grade)	ENR	0		64	57	0		64	57	0	
	ADA		96.5%	61	55		96.5%	62	55		96.5%
DELTA HIGH	ENR	-3		206	184	-3		205	183	-1	
	ADA		93.0%	194	174		94.6%	190	174		95.1%
RIO VISTA HIGH	ENR	5		378	374	-4		378	374	0	
	ADA		92.6%	359	357		95.5%	359	349		93.3%
HIGH SCHOOL SUB TOTAL	ENR	2		648	615	-7		647	614	-1	
	ADA			614	586			611	578		
Mokelumne High (Continuation)	ENR	1		22	15	3		18	14	-1	
	ADA			16	12			14	12		
River Delta High/Elem (Alternative)	ENR	1		17	20	2		17	19	-1	
	ADA			12	15			11	14		
Community Day	ENR	-2		6	4	0		6	4	0	
	ADA			4	5			5	4		
TOTAL K-12 LCFF Funded	ENR	10		1,951	1,922	7		1,951	1,920	-2	
	ADA			1,855	1,820			1,858	1,828		
Wind River- Adult Ed	ENR	6		61	47	14		64	47	0	
TOTAL DISTRICT	ENR	16		2,012	1,969	21		2,015	1,967	-2	

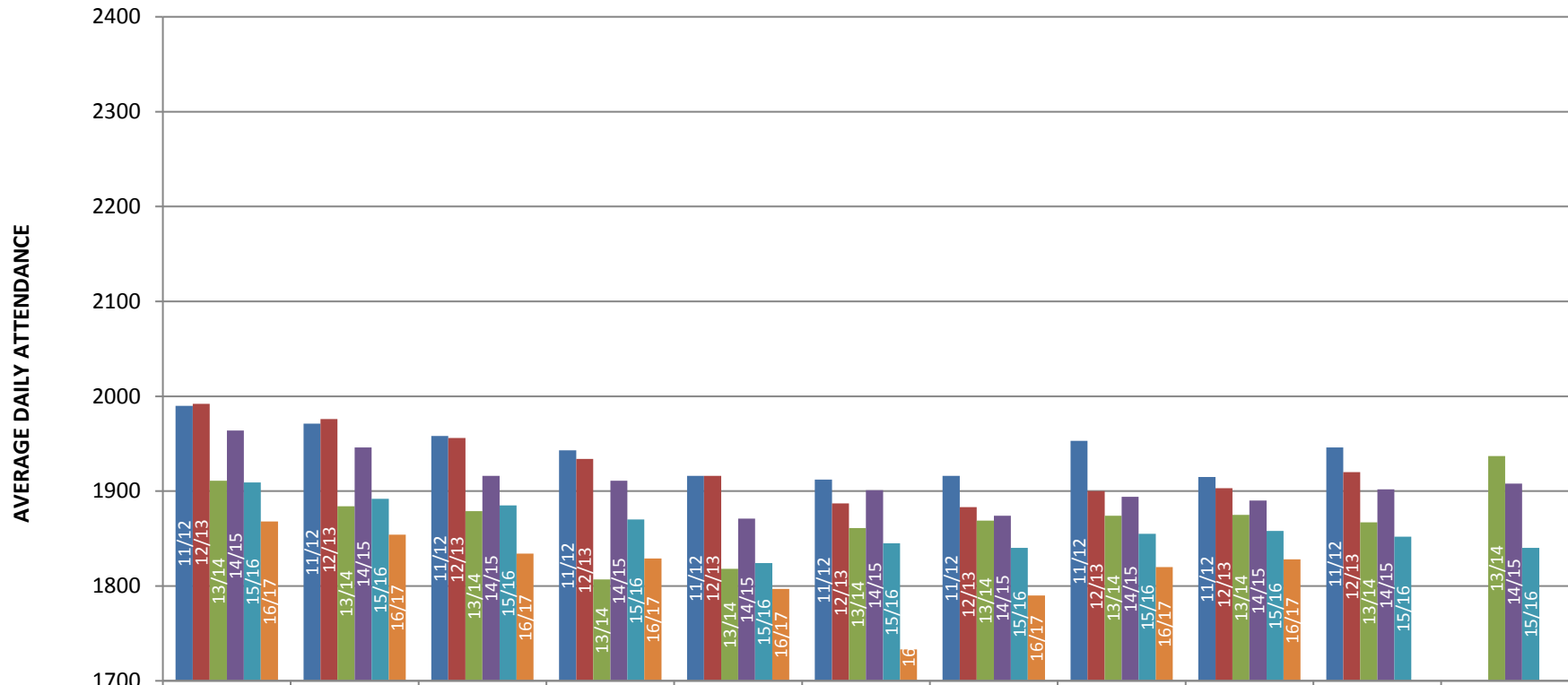
# ENROLLMENT



	1	2	3	4	5	6	7	8	9	10	11
■ 11/12	2052	2049	2045	2035	2027	2032	2045	2034	2001	2025	
■ 12/13	2047	2037	2020	2011	1994	1991	1997	1983	2000	2002	
■ 13/14	1959	1947	1960	1961	1954	1950	1967	1969	1979	1954	1975
■ 14/15	2025	2012	2012	2002	2011	1994	2000	2004	2008	2003	1999
■ 15/16	1962	1968	1962	1961	1953	1934	1941	1951	1951	1940	1929
■ 16/17	1932	1934	1914	1914	1912	1905	1915	1922	1920		

SCHOOL MONTH

## ACTUAL ATTENDANCE



	1	2	3	4	5	6	7	8	9	10	11
■ 11/12	1990	1971	1958	1943	1916	1912	1916	1953	1915	1946	
■ 12/13	1992	1976	1956	1934	1916	1887	1883	1900	1903	1920	
■ 13/14	1911	1884	1879	1807	1818	1861	1869	1874	1875	1867	1937
■ 14/15	1964	1946	1916	1911	1871	1901	1874	1894	1890	1902	1908
■ 15/16	1909	1892	1885	1870	1824	1845	1840	1855	1858	1852	1840
■ 16/17	1868	1854	1834	1829	1797	1733	1790	1820	1828		

SCHOOL MONTH



**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

Meeting Date:	May 9, 2017	Attachments: <input checked="" type="checkbox"/> X
From:	Elizabeth Keema-Aston, Chief Business Officer	Item Number: <u>9.2.2</u>
<b><u>SUBJECT</u></b>	Monthly Financial Report	Action: _____
		Consent Action: _____
		Information Only: <input checked="" type="checkbox"/> X

**Background:**

Each month the Chief Business Officer prepares a monthly financial summary report, showing both budgeted and actual revenues and expenditures for each district fund for the prior month. The report includes: the percentage of the districts ending fund from the prior month, the percentage of the districts ending fund balance (reserves) at the end of the reported month.

This report does not include any encumbered expenditures.

**Status:**

**Presenter:** Elizabeth Keema-Aston, Chief Business Officer

**Other People Who Might Be Present:**

**Cost &/or Funding Sources**

Not Applicable

**Recommendation:**

That the Board receives the Monthly Financial report as submitted.

Time: 5 mins.

**River Delta Unified School District**  
 2016-17 Working Budget vs. Actuals Report  
 April 30, 2017

Working Budget						Actuals thru: 4/30/2017					
	Beginning Balance ( A )	Net Income/ Contributions in ( B )	Expense/ Contributions out ( C )	Ending Balance ( D )	YTD Income ( E )	YTD Paid to Delta Charter ( F )	YTD Net Revenue ( G )	Percentage Received ( H )	YTD Expense ( I )	Percentage Spent ( J )	
					(G/B=H)				(I/C=J)		
General Fund: (01)											
Unrestricted	3,584,303	16,133,707	16,763,448	2,954,562	13,293,139	(1,553,461)	11,739,678	72.76%	12,057,155	71.93%	
Restricted	634,002	7,096,575	7,429,527	301,050	2,489,038		2,489,038	35.07%	4,149,744	55.85%	
Combined	4,218,306	23,230,282	24,192,975	3,255,613	15,782,177	(1,553,461)	14,228,716	61.25%	16,206,899	66.99%	
<i>Dry Period Financing</i>					-		-				
General Fund - Fund Balance %	13.46%	<i>Represents Ending Balances divided by Budget Expenses (D/C)</i>									
Other Funds											
Adult Ed. (11)	32,403	78,275	110,678	0	64,906		64,906	82.92%	66,092	59.72%	
Cafeteria ( 13 )	109,033	951,748	927,305	133,476	538,078		538,078	56.54%	692,934	74.73%	
Sp. Res-Other than Cap. Outlay (17)	67,506	450	-	67,956	305		305	67.78%	-	0.00%	
Bond Fund ( 21 )	1,014,516	29,000	260,662	782,854	28,856		28,856	99.50%	212,589	81.56%	
Bond Fund- SFID #1 South (22)	375,242	2,500	231,702	146,040	1,418		1,418	56.72%	231,702	100.00%	
Bond Fund - SFID #2 North (23)	96,774	28,760	42,795	82,739	420		420	1.46%	26,907	62.88%	
Developer Fees (25)	49,700	245,284	245,284	49,700	88,594		88,594	36.12%	242,312	98.79%	
County School Facilities (35)	1,489,129	7,770	1,489,129	7,770	2,100		2,100	27.03%	1,489,129	100.00%	
Capital Projects (49)	35,898	230	3,932	32,196	161		161	70.00%	1,966	49.99%	

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

Meeting Date: 05-9-17

Attachments:  X

From: Craig Hamblin, Director of MOT

Item Number: 9.2.3

**SUBJECT**      Monthly M.O.T. Information Report

Action: \_\_\_\_\_

Consent Action: \_\_\_\_\_

Information Only:  X

**Background:**

To provide a monthly update on the activities of the Maintenance, Operations & Transportation departments

**Status:**

See attached monthly report for the period of April 2017

**Presenter**

Craig Hamblin

**Other People Who Might Be Present**

**Cost &/or Funding Sources**

**Recommendation:**

That the Board receives this information

Time: 5 mins.

**Maintenance, Operations & Transportation**  
**Monthly Report for Board Meeting**  
**May 9, 2017**

Routine maintenance, repairs and custodial duties at all school sites and district office were completed. Other non-routine projects have been captured below.

**Maintenance & Operations:**

- **Delta High School**
  - Repaired 3” line in parking area - \$546.35
  
- **D.H. White Elementary School**
  - Repaired backflow device - \$192.28
  
- **Isleton Elementary School**
  - Per SIA playground inspection; repaired 3 swings, replaced missing bolts - \$106.10
  - Cleared floor drains - \$192.50
  - Repaired Jacobson mower - \$129.22
  - Replaced condensing fan motor - \$472.76
  - Repaired basketball hoop oil pan – 105.00
  
- **Rio Vista High School**
  - Painted stage, walls and doors - \$2,518.62
  - Lined City Park ballfield for RVHS game - \$108.91
  
- **Riverview Middle School**
  - Installed, painted and caulked display boards - \$218.11
  
- **Walnut Grove Elementary School**
  - Installed 2 new push button drinking fountains in old building - \$207.78

**Transportation:**

- South - Had new hydraulic pump installed on Maintenance Kabota backhoe- \$1,488.06
- North – Made new address sign - \$156.67

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

Meeting Date: May 9, 2017

Attachments: none

From: Charles VanRiper, Delta High School & Clarksburg Middle School  
Agriculture Teacher

Item Number: 9.3.1

**SUBJECT**

Action: \_\_\_\_\_

Inform the board about the CMS Ag Discovery Program and related events going on this year at Clarksburg Middle School.

Consent Action: \_\_\_\_\_

Information Only: X

**Background:**

The Clarksburg Middle School Ag Discovery Officer Team and teacher Charles VanRiper would like to make a report to the Board about activities and successes of the program this school year.

**Status:** The Ag Discovery students will review the program focus as well as activities that have been held throughout the school year.

**Presenters:** Agriculture teacher Charles VanRiper

**Other People Who Might Be Present:** Laura Uslan, Principal at Delta High School

**Cost &/or Funding Sources**

No cost

**Recommendation:**

Information only.

Time: \_\_\_\_\_5 mins.\_\_\_\_

**BOARD OF TRUSTEES  
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

Meeting Date: May 9, 2017

Attachments: \_\_\_x\_\_\_

From: Don Beno, Superintendent

Item Number: 10.1

**SUBJECT** Request to approve the minutes of the Board of Trustee's meeting held on April 18, 2017.

Action: \_\_\_\_\_  
Consent Action: x  
Information Only: \_\_\_\_\_

**Background:**

Attached are the minutes for the Board of Trustee's meetings held on:  
April 18, 2017

**Status:**

The board is to review for approval.

**Presenter**

Jennifer Gaston, recorder

**Other People Who Might Be Present**

Board

**Cost &/or Funding Sources**

None

**Recommendation:**

That the Board approves the Minutes as submitted.

# RIVER DELTA UNIFIED SCHOOL DISTRICT

## MINUTES

### REGULAR MEETING

April 18, 2017

1. **Call Open Session to Order** – Board President Fernandez called the Open Session of the meeting of the Board of Trustees to order at 5:30 p.m. on April 18, 2017, at Bates Elementary School, Courtland, California.

2. **Roll Call of Members:**

Alicia Fernandez, President  
Don Olson, Vice President  
Marilyn Riley, Clerk  
Sarah Donnelly, Member  
Chris Elliott, Member  
Katy Maghoney, Member  
David Bettencourt, Member (Absent)

Also present: Don Beno, Superintendent

3. **Review, Approve the Closed Session Agenda and Adjourn to Closed Session**

3.1 Board President Fernandez announced items on the Closed Session Agenda and informed the Board that a request to add a line item to the Closed Session Agenda was made. The Board added line item 4.3.1 Superintendents evaluation.

3.2 Public Comment on Closed Session Agenda Items. – *None to report*

3.3 Approve Closed Session Agenda and Adjourn to the **Closed Session**

Member Riley moved to approve the closed session agenda adding line item 4.3.1, Member Olson seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Donnelly, Elliott, Maghoney): 0 (Nays): 1 (Absent: Bettencourt)

4. Board President Fernandez asked for a motion to adjourn the meeting to Closed Session @ 5:36 pm

Member Riley moved to approve, Member Olson seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Donnelly, Elliott, Maghoney): 0 (Nays): 1 (Absent: Bettencourt)

5. **Open Session was reconvened at 6:31 pm**

5.1 Roll was retaken, Member Bettencourt was absent and all other members were present.

Also present: Don Beno, Superintendent; Elizabeth Keema-Aston, Chief Business Officer and Jennifer Gaston, Recorder.

5.2 The Pledge of Allegiance was led by Maria Elena Becerra, Principal of Bates Elementary School

6. **Report of Action taken, if any, during the Closed Session** (Government Code Section 54957.1)

Board President Fernandez reported that the Board took the following actions during closed session:

4.3.1 The Board approved Superintendent Beno's current contract extending it through June 30, 2020.

Motion carried by roll call vote: 6 (Ayes: Fernandez, Olson, Riley, Donnelly, Elliott, Maghoney): 0 (Nays): 1 (Absent: Bettencourt)

4.1.1 The stipulated expulsion and rehabilitation plan for case number 1617-321-007 was approved as recommended.

Motion carried by roll call vote: 4 (Ayes: Olson, Donnelly, Elliott, Maghoney): 2 (Nays: Fernandez, Riley): 1 (Absent: Bettencourt)

7. **Review and Approve the Open Session Agenda**

Member Riley moved to approve, Member Olson seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Donnelly, Elliott, Maghoney): 0 (Nays): 1 (Absent: Bettencourt)

8. **Public Comment:** None to report

9. **Reports, Presentations, Information**

9.1 Board Member(s) and Superintendent Report(s) and/or Presentation(s) –

9.1.1 Board Members' report(s): Member Maghoney shared that she was happy to support the Riverview Middle School students selling treats at the Sheep Dog Trials. She also commented that she has been watching Isleton Elementary School's soccer practice after school and they are really good. Member Maghoney shared a personal story and wanted to honor one of her students that passed away over spring break.

Member Elliott reported that he had the pleasure of attending Delta High and Clarksburg Middle Schools production of Footloose. The performances drew a packed house, it was standing room only for both nights of the production, and it was truly a community event. The community band supported the schools by playing at the performances. The cooperation between these schools and the continuity of students is up lifting to be a part of.

Member Elliott also shared that he sits on the Board of the Society of American Military Engineers. The Board recently selected the scholarships that will be awarded during the next school year. It will be his goal to make sure that this program is better known to River Delta Unified School District students and hopefully they will be recipients of one of these scholarships. The Society of American Military Engineers as part of their mission is on STEM programs which is an area our district is growing in.

Member Fernandez reported that she has attended the drama productions in the past and she is amazed on how things come together in the end and run smoothly putting on a fantastic performance. Member Fernandez is proud of the volunteers and the students involved.

Member Elliott mentioned that Carlin Merwin did a fantastic job with the students and the graduating seniors threw a lot of accolades for her after the final performance and testimonies of how she has touched their lives.

9.1.2 Committee Report(s): None to report

9.1.3 Superintendent Beno's report(s) – Mr. Beno thanked the Board for actions taken during closed session. Mr. Beno reported that the following Sunday at the River Cats game the teacher of the year will be acknowledged at the game and he plans on attending.

9.2 Business Services' Reports and/or Presentations on: Routine Restricted Maintenance, Deferred Maintenance, Maintenance and Operations, Transportation Department, Food Services Department, District Technology, and District Budget – Elizabeth Keema-Aston, Chief Business Officer; Craig Hamblin, Director of Maintenance, Operations and Transportation

9.2.1 ADA/Enrollment Report - Elizabeth Keema-Aston reported that the district's enrollment has increased by seven pupils and the average daily attendance has increased by 30.

9.2.2 Monthly Financial Report - Elizabeth Keema-Aston reported that the purchase requisitions for the year are closing and all services and goods must be received by June 30<sup>th</sup>, therefore the school sites are spending the remainder of their funds by the deadline.

9.2.3 Maintenance, Operations & Transportation Update - Craig Hamblin, reported that because of the bus grant that the district was awarded a new bus should be delivered around the 26<sup>th</sup> of the month and bus 15 will be retired. Mr. Hamblin was proud announce and to congratulate Augustina (Tina) Lopez who was awarded Northern California Bus Driver of the year for 2016. The official awards ceremony will be held on April 27 at 6:30pm in the Rio Vista High School Theater. Mr. Hamblin explained the details of the change order listed for later in the evening.

9.3 Other – Educational Services' Reports and/or Presentation(s) – Kathy Wright, Director of Educational Services

9.3.1 Educational Services and Special Education Updates – Kathy Wright reported on the upcoming events regarding testing and the end of the school year activities. Mrs. Wright gave the Board in site to a new tool CLEAVER used by the school sites for technology. This tool will make it easier for the students to login into each of the educational programs they use. It requires one login to access all programs. The educational services department is actively preparing for the summer school programs.

9.3.2 Williams Settlement Public Notification regarding sufficiency of teachers, facilities, CAHSEE, and textbook and instructional materials, quarterly report (Third Quarter Jan.-Mar.) – Kathy Wright reported the district didn't have any insufficiencies to report during the third quarter.

## 10. Consent Calendar

10.1 Approve Board Minutes

Regular Meeting of the Board, March 14, 2017

10.2 Receive and Approve Monthly Personnel Reports

As of April 18, 2017

10.3 District's Monthly Expenditure Report

March 2017

10.4 Request to approve Rio Vista High School's fundraising event "Movie Night and Snack Bar Sales" to benefit Rio Vista High School's Swim Team – Vicky Turk

10.5 Request to approve Riverview Middle School's fundraising event "Optional PE Clothing Sale" for the 2017-2018 school year, to benefit the physical education department, allowing the purchase of PE supplies – Sonia Rambo

10.6 Request to approve the Bates Elementary and Mokelumne High Schools' list of outdated computers and electronics as surplus – Maria Elena Becerra

10.7 Request to approve the overnight travel for Riverview Middle School students to travel to UC Santa Barbara from July 22-25, 2017 to attend the CADA Leadership Camp, funded by ASB funds and student payments – Sonia Rambo

10.8 Request to approve the agreement with Government Financial Strategies, Inc. to provide financial advisory assistance ending in FY 2020-21 – Elizabeth Keema-Aston

10.9 Request to approve the Professional Expert Agreement with Linda Van DeMaele to provide Health Services Instruction for the 2016-2017 school year at a cost not to exceed \$1,000 - General Fund – Kathy Wright

10.10 Request to approve the Delta High School's Senior Class of 2017 student's educational trip Grad Night to



- Disneyland, Anaheim, California May 17-18, 2017 – Laura Uslan
- 10.11 Request the approval for out-of-state travel for RVHS students to travel to the Oregon Shakespeare Festival in Ashland, Oregon from May 13-15, 2017 – Vicky Turk
- 10.12 Request to approve the Rio Vista High School's Class of 2017 educational graduation trip to Disneyland in Anaheim, California on May 24-25, 2017 – Vicky Turk
- 10.13 Request to approve Independent Contract for Services Agreement with Sacramento Theatre Company at Isleton Elementary School during summer camp, June 5-9, 2017 at a cost not to exceed \$2,250 paid by Isleton Elementary School Funds – Antonia Slagle
- 10.14 Request approval for Delta High School's FFA Chapter to apply for a grant from Universal Technical Institute (UTI) to fund agricultural mechanics projects – Charles Van Riper and Laura Uslan
- 10.15 Request to approve the 2016-2017 General Agreement for Nonpublic, Nonsectarian School/Agency Jane Johnson Speech Therapy to provide speech therapy services for a district student at a cost not to exceed \$1,000 – Special Education Funds– Sue Moelenbrock
- 10.16 Request to approve the General Agreement for Nonpublic, Nonsectarian School/Agency (McGrew Behavior Intervention Services, Inc.) for the 2016-2017 school year at a cost not to exceed \$15,000 – Special Education Funds – Sue Moelenbrock
- 10.17 Request approval to apply for the CDE State Preschool Program Grant for the FY 2017-18, approximately \$300,000 – Antonia Slagle
- 10.18 Request to approve the District Service Agreement with Butte County Office of Education Migrant Education Region 2 for Migrant Services in RDUSD for the 2017-2018 school year – Kathy Wright
- 10.19 Donations to Receive and Acknowledge:
- Bates Elementary School – Associated Student Body**  
Excel Photographers - \$129.52
- Delta High School – Scholarship Fund**  
Bank of Rio Vista - \$1,500
- Delta High School – Tyler Uslan Scholarship Fund**  
Gordon T. and Melissa A. Egan Family Foundation - \$5,000
- Rio Vista High School – From Rio Vista Athletic Boosters**  
\$350 - School Screenagers Project  
\$250 – RVHS Softball Team  
\$250 – AFS Club
- Rio Vista High School**  
Isleton Lions Club - \$300 – RVHS Golf Team  
Rio Vista Rotary Club - \$1,000 – KRVH / Radio Rio Program  
Sorooptimist International of Rio Vista - \$500 – RVHS Swimming Team

Member Fernandez requested 10.9 be pulled from the consent calendar for discussion.

Member Donnelly moved to approve with line item 10.9 pulled for discussion. Member Riley seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Donnelly, Elliott, Maghoney): 0 (Nays): 1 (Absent: Bettencourt)

Item 10.9 was discussed and brought to the Board for approval.

Member Fernandes moved to approve line item 10.9. Member Olson seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Donnelly, Elliott, Maghoney): 0 (Nays): 1 (Absent: Bettencourt)

Board President Fernandez acknowledged those who donated and thanked them for their support.

11. Request to approve the contract extension for one year to retain Sodexo as the Food Service Manager for the River Delta Unified School District in FY 2017-2018 – Elizabeth Keema-Aston  
Member Olson moved to approve. Member Donnelly seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Donnelly, Elliott, Maghoney): 0 (Nays): 1 (Absent: Bettencourt)
12. Request to approve Change Order #1 for the Gymnasium Roof and Gutter System Project at Rio Vista High School in the amount of \$15,227.89 – Elizabeth Keema-Aston  
Member Olson moved to approve. Member Elliott seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Donnelly, Elliott, Maghoney): 0 (Nays): 1 (Absent: Bettencourt)
13. Request the approval to file a Notice of Completion for the Gymnasium Roof and Gutter System Project at Rio Vista High School – Elizabeth Keema-Aston  
Member Olson moved to approve. Member Donnelly seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Donnelly, Elliott, Maghoney): 0 (Nays): 1 (Absent: Bettencourt)
14. Request to approve the first reading of the updated or new Board Policies, Administrative Regulation and Exhibits due to new legislation or mandated language and citation revisions as of December 2016 including miscellaneous mandated and conditionally mandated policies – Don Beno  
Member Olson moved to approve. Member Riley seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Donnelly, Elliott, Maghoney): 0 (Nays): 1 (Absent: Bettencourt)

15. Request to approve the agreement and Scope of Work with Government Financial Strategies to Assist with the Development of Mitigation Plan for Gibbs Ranch Development, not to exceed \$22,500 plus \$1,000 for out of pocket expenses - Unrestricted General Funds – Elizabeth Keema-Aston  
Member Fernandez moved to approve, Member Maghoney seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Donnelly, Elliott, Maghoney): 0 (Nays): 1 (Absent: Bettencourt)
16. Request to approve the allowance of attendance because of emergency conditions application (J-13A) to be filed for loss of the district's Average Daily Attendance (ADA) for January 19 & 20, 2017 – Elizabeth Keema-Aston  
Member Olson moved to approve, Member Elliott seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Donnelly, Elliott, Maghoney): 0 (Nays): 1 (Absent: Bettencourt)
17. Re-Adjourn to continue Closed Session was not necessary.
18. Adjournment to Closed Session was not necessary not action was taken.
19. Adjournment: There being no further business before the Board, Board President Fernandez asked for a motion to adjourn.  
Member Donnelly moved to approve, Member Riley seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Donnelly, Elliott, Maghoney): 0 (Nays): 1 (Absent: Bettencourt)
20. The meeting was adjourned at 7:27 p.m.

Submitted:

Approved:

\_\_\_\_\_  
Don Beno, Superintendent and  
Secretary to the Board of Trustees

\_\_\_\_\_  
Marilyn Riley, Clerk, Board of Trustees

By: Jennifer Gaston, Recorder  
End

**BOARD OF TRUSTEES**

**RIVER DELTA UNIFIED SCHOOL DISTRICT**

Meeting Date: May 9, 2017

Attachments: \_\_\_\_\_

Item no. 10.2

From: Bonnie Kauzlarich, Dir. of Personnel

**SUBJECT**      **MONTHLY PERSONNEL TRANSACTION REPORT**

Action: \_\_\_\_\_

Consent:  X \_\_\_\_\_

Background

Status:

Presenter:    Don Beno, Superintendent

Other People Who Might Be Present:

Cost &/or Funding Sources

Recommendation:    That the Board approve the Monthly Personnel Transaction Report as submitted.

Time: \_\_\_\_\_



**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

Meeting Date: May 9, 2017

Attachments: X

From: Elizabeth Keema-Aston, Chief Business Officer

Item No.: 10.3

Action Item:     

Consent Action: X

Information Only:     

SUBJECT: Approve Monthly Expenditure Summary

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Background: The staff prepares a report of expenditures for the preceding month.

Presenter: Elizabeth Keema-Aston, Chief Business Officer

Other People Who Might Be Present:

Cost and/or Funding Sources:

Not Applicable

Recommendation:

That the Board approves the monthly expenditure summary report as submitted.

Cutoff amount: \$1.00

Select vendors with 1099 flags: of any setting.

Select payments with 1099 flags: of any setting.

Input file: Unknown Updated:

Report prepared: Fri, Apr 28, 2017, 4:22 PM

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003556 A-Z BUS SALES 3418 52ND STREET SACRAMENTO, CA 95823  (951) 781-7188 N	359.14	02P425138 TRANS PARTS 02P425138 TRANS PARTS 02P427219 TRANS PARTS 02P427219 TRANS PARTS 02P427219 TRANS PARTS 02P425138 TRANS PARTS	04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017	17342492 PO-170229 17342492 PO-170229 17342492 PO-170229 17342492 PO-170229 17342492 PO-170229 17342492 PO-170229	.43 123.89 .82 .82 235.25 .43-	N N N N N N
000009 ABEL CHEVROLET-PONTIAC-BUICK 280 NO FRONT STREET P.O. BOX 696 RIO VISTA, CA 94571-0696  (707) 374-6317 N	45.00	15635 TRANS SERV	04/20/2017	17342493 PO-170228	45.00	N
014612 ACCUTRAIN DEVELOPMENTS RES 208 ASH AVE, ST 103 VIRGINIA BEACH, VA 23452  ( 0) - 0 N	149.00	170890 BATES YEPEZ WORKSHOP	04/04/2017	17339648 PO-170890	149.00	N
013287 ACSA FOUNDATION FOR ED ADMIN 1575 BAYSHORE HIGHWAY BURLINGAME, CA 94010  (800) 608-2272 N	498.06	MARCH 2017 DUES APRIL 2017 DUES	04/04/2017 04/25/2017	17339681 PV-170499 17343111 PV-170544	233.82 264.24	N N
011236 ADVANCE KIDS 1300 ETHAN WAY SUITE 500 SACRAMENTO, CA 95825  (916) 363-6103 N	4,858.00	64290 SP ED AIDE	04/20/2017	17342494 PO-170979	4,858.00	N
014346 ADVANCED GASES & EQUIPMENT 717 GALVESTON ST W. SACRAMENTO, CA 95691  (916) 374-0771 N	542.52	73998 RVHS AG EQUIP 73998 RVHS AG EQUIP 73998 RVHS AG EQUIP 73998 RVHS AG EQUIP 73998 RVHS AG EQUIP 73998 RVHS AG EQUIP	04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017	17342472 PO-170780 17342472 PO-170780 17342472 PO-170780 17342472 PO-170780 17342472 PO-170780 17342472 PO-170780	250.00 23.77 20.31 20.31 23.77 292.52	N N N N N N

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
010188 AMADOR STAGE LINES INC 1331 C STREET SACRAMENTO, CA 95814  (916) 444-7880	1,386.59	69933 DHS SOCCER BUS 69933 DHS SOCCER BUS	04/20/2017 04/20/2017	17342473 PO-170868 17342473 PO-170868	652.92 733.67	N N
014621 AMERICAN PSYCHOLOGICAL ASSOC 750 FIRST STREET NE WASHINGTON, DC 20002-4242  (800) 374-2721	50.00	DHS APA DUES	04/04/2017	17339649 PO-170960	50.00	N
013339 APPLE, KRISTY PO BOX 313 ISLETON, CA 95641  (916) 777-6654	9.48	RVHS SUPPLIES	04/27/2017	17343778 PO-170393	9.48	N
012964 ASSOCIATED VALUATION SERVICES 1501 COFFEE ROAD SUITE N MODESTO, CA 95355  (209) 543-8245	1,064.56	5503 WITS INVENTORY SYSTEM	04/11/2017	17340790 PO-170117	1,064.56	N
003876 ATKINSON ANDELSON LOYA 12800 CENTER COURT DRIVE SUITE 300 CERRITOS, CA 90703  (562) 653-3200	258.00	517645 HR/SP ED CONF 517645 HR/SP ED CONF	04/11/2017 04/11/2017	17340802 PV-170518 17340802 PV-170518	129.00 129.00	E E
013413 B STREET THEATRE 2711 B STREET SACRAMENTO, CA 95816  (916) 442-5635	425.00	#659 BATES ASSEMBLY	04/27/2017	17343779 PO-170687	425.00	N THEATRE FOR CH

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014617 BAGLEY, ROY 1195 RICKEY DRIVE YUBA CITY, CA 95991	48.15	DHS CONF MILEAGE	04/04/2017	17339686 TC-170230	48.15	N
( 0) - 0						N
012312 BALLANCE MPT, MICHAEL R 12270 KIRKWOOD STREET HERALD, CA 95638	425.00	SP ED PHYS THERAPY	04/20/2017	17342496 PO-170307	425.00	7
(209) 663-8013		Y BALLANCE, MICH				
014367 BANK OF AMERICA PO BOX 15710 WILMINGTON, DE 19886-5710	6,567.96	ED SV CABE ANAHEIM HOTEL	04/20/2017	17342474 PO-170712	888.84	N
( 0) - 0		F5 CAEYC HOTEL RADISSON	04/20/2017	17342474 PO-170763	881.94	N
		NURSE HOTEL HYATT MONTEREY	04/20/2017	17342474 PO-170774	675.24	N
		WASC VISIT HOTEL	04/20/2017	17342495 PO-170806	147.71	N
		ED SV HOTEL CHICO CAREER FAIR	04/20/2017	17342474 PO-170815	536.22	N
		BUS OFF CAFE DEPOSIT BAGS	04/20/2017	17342491 PO-170894	103.24	N
		ISLE PROJECTOR BULBS	04/20/2017	17342474 PO-170903	67.00	N
		RVHS PROJECTOR BULBS	04/20/2017	17342474 PO-170918	147.26	N
		HR REG CCAC SPRING CONF	04/20/2017	17342474 PO-170921	35.00	N
		ISLE RECORDERS	04/20/2017	17342474 PO-170928	194.40	N
		BATES PLAY KIT	04/20/2017	17342474 PO-170932	135.64	N
		BATES PLAY KIT	04/20/2017	17342474 PO-170932	11.02	N
		BATES PLAY KIT	04/20/2017	17342474 PO-170932	11.02	N
		BATES CABE FLIGHT BECERRA	04/20/2017	17342474 PO-170937	175.94	N
		ISLE SUPPLIES AMAZON	04/20/2017	17342474 PO-170949	176.85	N
		BUS OFF ASSET TAGS	04/20/2017	17342474 PO-170957	380.00	N
		BUS OFF ASSET TAGS	04/20/2017	17342474 PO-170957	30.88	N
		BUS OFF ASSET TAGS	04/20/2017	17342474 PO-170957	30.88	N
		MAINT HERBICIDE	04/20/2017	17342474 PO-170971	13.81	N
		MAINT HERBICIDE	04/20/2017	17342474 PO-170971	169.95	N
		MAINT HERBICIDE	04/20/2017	17342474 PO-170971	13.81	N
		MAINT HERBICIDE	04/20/2017	17342474 PO-170972	719.09	N
		WG MEDALS TROPHYDEPOT	04/20/2017	17342474 PO-170973	451.95	N
		RVHS SUPPLY	04/20/2017	17342474 PO-170982	535.22	N
		RVHS WIRELESS KEYBOARD	04/20/2017	17342474 PO-170983	32.78	N
		F5 SUPPLIES	04/20/2017	17342474 PO-170986	47.81	N
		SP ED SUPPLIES	04/20/2017	17342474 PO-170991	17.45	N
		INTERNATIONAL FEE CC	04/20/2017	17342474 PO-170998	1.20	N
		DW ULTRAMON SOFTWARE	04/20/2017	17342474 PO-170998	39.95	N
		ISLE READING BOOKS	04/20/2017	17342495 PO-171002	7.28	N

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
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012586 BAY ALARM 60 BERRY DRIVE PACHECO, CA 94553  (209) 465-1986	5,364.29	RMS MONITORING ISLE MONITORING DO ALARM RVHS ALARMS RMS ALARMS RVHS ALARM RVHS ALARM RVHS ALARM BATES ALARM DW ALARM DO ALARM	04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017	17343780 PO-170054 17343800 PO-170061 17343814 PV-170546 17343814 PV-170546 17343814 PV-170546 17343814 PV-170546 17343814 PV-170546 17343814 PV-170546 17343814 PV-170546 17343814 PV-170546 17343814 PV-170546	317.34 91.99 546.75 68.67 399.72 117.20 1,940.16 153.15 236.16 1,133.06 360.09	N N N N N N N N N N N
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012147 BECERRA, LUCIA P.O. BOX 64 RYDE, CA 95680  ( 0) - 0	247.60	ASP MILEAGE ASP MILEAGE ASP MILEAGE	04/11/2017 04/11/2017 04/11/2017	17340816 TC-170233 17340816 TC-170233 17340816 TC-170233	82.53 82.54 82.53	N N N
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011231 BECERRA, MARIA ELENA PO BOX 98 COURTLAND, CA 95615  ( ) -	281.91	BATES CONF REIMB BATES SUPPLIES MOKE SUPPLIES	04/20/2017 04/27/2017 04/27/2017	17342540 TC-170250 17343781 PO-170366 17343801 PO-170367	30.00 167.88 84.03	N N N
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012286 BLICK ART MATERIALS P.O. BOX 1267 GALESBURG, IL 61402-1267  (800) 447-8192	137.30	7534574 RMS SUPPLIES 7534574 RMS SUPPLIES	04/27/2017 04/27/2017	17343782 PO-170962 17343782 PO-170962	54.92 82.38	N N
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014095 BROOKS, MEGAN 2620 4TH AVENUE SACRAMENTO, CA 95818  ( ) -	200.00	RVHS SUPPLIES	04/27/2017	17343783 PO-170177	200.00	N
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014614 BUCKMASTER 623 W. STADIUM LANE SACRAMENTO, CA 95834	1,614.77	330206 DHS COPIER MAINT 329986/330018 DHS INK 330008 DHS PRINTER INK	04/11/2017 04/20/2017 04/27/2017	17340797 PO-170905 17342497 PO-171028 17343802 PO-171028	451.61 1,060.88 102.28	N N N

(916) 923-0500

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014609 BUILDING BLOCKS BEHAVIOR CONS 214 ESTATES DRIVE STE# A ROSEVILLE, CA 95678  (916) 749-4646 N	3,406.25	2690 SP ED ASSESSMENTS	04/27/2017	17343803 PO-170872	3,406.25	N
012497 BUSWEST 21107 CHICO STREET CARSON, CA 90745  (209) 531-3928 N	442.21	BN85209 TRANS CREDIT BN85463 TRANS PARTS BN85947 TRANS PARTS BN85206 TRANS CREDIT BN85950 TRANS PARTS BN86017 TRANS PARTS BN85214 TRANS CREDIT	04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017	17342498 PO-170230 17342498 PO-170230 17342498 PO-170230 17342498 PO-170230 17342498 PO-170230 17342498 PO-170230 17342498 PO-170230	73.01- 457.99 67.95 24.59- 118.25 116.79 221.17-	N N N N N N N
014604 CA CASE PO BOX 4223 HUNTINGTON BEACH, CA 92605  (714) 390-2679 N	225.00	170832 ADMIN TRAINING	04/04/2017	17339650 PO-170832	225.00	N
010825 CABE 16033 E SAN BERNARDINO ROAD COVINA, CA 91722-3900  (626) 814-4441 N	735.00	A17474 WG SANCHEZ CABE A17475 F5 LARIOS CABE	04/06/2017 04/06/2017	17340219 PO-170700 17340219 PO-170861	310.00 425.00	N N
013508 CAEYC 950 GLENN DRIVE SUITE 150 FOLSOM, CA 95630  (916) 486-7750 N	590.00	RIVERDELTA01 F5 REGIST	04/27/2017	17343784 PO-170762	590.00	N
003681 CALIFORNIA AMERICAN WATER P.O. BOX 7150 PASADENA, CA 91109-7150  (888) 237-1333 N	601.32	ISLE WATER SERV	04/11/2017	17340803 PV-170519	601.32	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012079 CALIFORNIA CLEAR BOTTLED P.O. BOX 981 14410 W.G. THORNTON RD WALNUT GROVE, CA 95690  (916) 776-1544	293.75	ZWA010 WG DRINKING WATER ZRI007 RMS WATER ZBA006 BATES WATER	04/20/2017 04/20/2017 04/20/2017	17342475 PO-170023 17342499 PO-170055 17342499 PO-170740	156.25 68.00 69.50	7 7 7
002344 CALIFORNIA LABORATORY SERVICES 3249 FITZGERALD ROAD RANCHO CORDOVA, CA 95742  ( ) -	56.00	7041669 MAINT WATER TESTING 7041667 MAINT WATER TESTING	04/27/2017 04/27/2017	17343804 PO-170266 17343804 PO-170266	28.00 28.00	N N
013184 CALIFORNIA PUBLIC EMPLOYEE'S CASHIERING UNIT PO BOX 942703 SACRAMENTO, CA 94229-2703  ( ) -	3,273.20	MAY 2017 ADMIN COST RETIREES MAY 2017 ADMIN COST RETIREES MAY 2017 ADMIN COST RETIREES MAY 2017 ADMIN COST RETIREES MAY 2017 ADMIN COST ACTIVE MAY 2017 ADMIN COST ACTIVE MAY 2017 ADMIN COST ACTIVE	04/25/2017 04/25/2017 04/25/2017 04/25/2017 04/25/2017 04/25/2017 04/25/2017	17343112 PV-170542 17343112 PV-170542 17343112 PV-170542 17343112 PV-170542 17343112 PV-170543 17343112 PV-170543 17343112 PV-170543	1,350.40 42.79 30.22 1,536.00 2.23 133.41 178.15	N N N N N N N
010576 CAMACHO, REFUJIO 200 PRIMASING AVE P.O. BOX 553 COURTLAND, CA 95615  ( ) -	136.96	WG MILEAGE	04/11/2017	17340817 TC-170234	136.96	N
014553 CAMACHO, YESENIA PO BOX 553 COURTLAND, CA 95615  ( 0) - 0	17.20	ASP MILEAGE	04/20/2017	17342541 TC-170251	17.20	N
013882 CAPITAL CLUTCH & BRAKE 3100 DULUTH STREET WEST SACRAMENTO, CA 95691  (916) 371-5970	724.44	#8440 TRANS PARTS	04/20/2017	17342500 PO-170231	724.44	N

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014626 CAREER CRUISING TORONTO ON M4S 1Y5 CANADA,  (800) 965-8541	5,660.00	C1028706 ASSESSMNT PLAN C1028706 ASSESSMNT PLAN	04/20/2017 04/20/2017	17342476 PO-171027 17342476 PO-171027	3,560.00 2,100.00	N N
014082 CAS INSPECTION INC 373 PEBBLE BEACH DRIVE RIO VISTA, CA 94571Q  (707) 374-2481	5,950.00	2199 MAINT WG RESTROOM PR INSP 2202 WG RESTTOM PROJ INSP	04/06/2017 04/20/2017	17340226 PO-170752 17342539 PV-170536	3,400.00 2,550.00	N N
013175 CASAS 5151 MURPHY CANYON RD STE 220 SAN DIEGO, CA 92123-4339  ( ) -	495.00	7715 ADULT ED CASAS REG CASEY	04/27/2017	17343799 PO-170851	495.00	N
014547 CASEY, NICHOLAS 2318 Windy Springs LN BRENTWOOD, CA 94513  ( 0) - 0	58.85	DHW MILEAGE	04/20/2017	17342542 TC-170252	58.85	N
014492 CATA PO BOX 186 GALT, CA 95632  (209) 744-1614	351.00	DHS AG CATA REGIST	04/27/2017	17343785 PO-171089	351.00	N
002616 CDT INC 250 N GOLDEN CIRCLE DRIVE SUITE 210 SANTA ANA, CA 92705  (562) 986-4200	334.00	43717 DOT DRUG TESTING	04/27/2017	17343815 PV-170547	334.00	N

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003380 CENTRAL VALLEY WASTE SERVICE INC P.O. BOX 78251 PHOENIX, AZ 85062-8251  ( ) - N	3,557.86	ISLE GARBAGE MOKE GARBAGE WG GARBAGE BATES GARBAGE TRANS GARBAGE	04/06/2017 04/06/2017 04/06/2017 04/06/2017 04/06/2017	17340235 PV-170507 17340235 PV-170507 17340235 PV-170507 17340235 PV-170507 17340235 PV-170507	1,439.68 74.17 797.28 1,123.09 123.64	N N N N N
013908 CIT TECHNOLOGY FINANCING SERVICES INC PO BOX 1638 LIVINGSTON, NJ 07039  ( ) - N	262.76	30066329 CMS XEROX LEASE	04/04/2017	17339665 PO-170169	262.76	N
000201 CITY OF ISLETON P.O. BOX 716 101 SECOND STREET ISLETON, CA 95641  (916) 777-7770 N	411.05	60253 ISLE SEWER SERV	04/04/2017	17339666 PO-170017	411.05	N
000077 CITY OF RIO VISTA P.O. BOX 745 ONE MAIN STREET RIO VISTA, CA 94571  ( ) - N RIO VISTA FIRE	5,153.79	RVHS SEWER DHW SEWER RMS SEWER RVHS WATER DHW WATER RMS WATER DO WATER DO SEWER	04/11/2017 04/11/2017 04/11/2017 04/11/2017 04/11/2017 04/11/2017 04/11/2017 04/11/2017	17340804 PV-170520 17340804 PV-170520 17340804 PV-170520 17340804 PV-170520 17340804 PV-170520 17340804 PV-170520 17340804 PV-170520 17340804 PV-170520	1,235.97 592.01 167.74 1,140.34 308.68 1,382.13 178.30 148.62	N N N N N N N N
010687 CLASSROOM DIRECT W6316 DESIGN DRIVE GREENVILLE, WI 54942  (800) 248-9171 N SCHOOL SPECIAL	987.18	208117988354 RMS SUPPLIES 208117988259 RMS SUPPLIES 208117988309 RMS SUPPLIES 308102704131 RMS SUPPLIES 208118038356 RMS SUPPLIES 208118042332 RMS SUPPLIES	04/11/2017 04/20/2017 04/20/2017 04/20/2017 04/27/2017 04/27/2017	17340791 PO-170940 17342477 PO-170938 17342477 PO-170939 17342477 PO-170941 17343786 PO-170961 17343786 PO-170994	162.98 161.91 146.06 161.89 193.19 161.15	N N N N N N
014088 CLINE, SUZANNE 451 ANDERSON WAY	88.94	F5 SUPPLIES F5 MILEAGE	04/04/2017 04/11/2017	17339667 PO-170933 17340818 TC-170235	38.11 50.83	N N

RIO VISTA, CA 94571

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014215 CONTERRA ULTRA BROADBAND PO BOX 281357 ATLANTA, GA 30384-1357  (704) 936-1722	2,636.78	14975 DW NETWORK 14975 DW NETWORK	04/04/2017 04/04/2017	17339682 PV-170500 17339682 PV-170500	16,863.98 14,227.20	N N
001621 COURTLAND MARKET INC 11711 HWY 160 PO BOX 156 COURTLAND, CA 95615  ( ) -	162.72	BATES SUPPLIES MOKE SUPPLIES	04/20/2017 04/20/2017	17342501 PO-170361 17342501 PO-170375	67.41 95.31	N N
013476 CURRICULUM ASSOCIATES 153 RANGEWAY RD NORTH BILLERICA, MA 01862  (800) 225-0248	2,624.15	90462534 WG BOOKS	04/27/2017	17343787 PO-170988	2,624.15	Y
013302 D & S PRESS 1105 "A" AIRPORT ROAD RIO VISTA, CA 94571  (707) 374-2442	837.03	2069 BUS OFF PO'S 2074 PAULS BUSINESS CARDS	04/20/2017 04/20/2017	17342478 PO-170987 17342478 PO-171010	766.59 70.44	N N
013876 DATAPATH PO BOX 396009 SAN FRANCISCO, CA 94139  (888) 693-2827	23,023.78	134550 ED SV CHROMBOOKS 134550 ED SV CHRMBK CARTS ED SV DHS COMPUTER	04/04/2017 04/04/2017 04/27/2017	17339651 PO-170888 17339651 PO-170888 17343788 PO-170980	19,075.40 2,970.88 977.50	N N N
013722 DE LAGE LANDEN PUBLIC FINANCE 1111 OLD EAGLE SCHOOL ROAD WAYNE, PA 19087  (800) 736-0220	893.66	53892421 F5 PRINTER LEASE 53892394 WG COPIER LEASE 54109441 DO SAVIN PRINTER	04/04/2017 04/06/2017 04/20/2017	17339668 PO-170484 17340227 PO-170426 17342502 PO-170016	80.81 175.37 637.48	N N N

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012807 DELTA ELEMENTARY CHARTER SCHOOL 36230 N SCHOOL ST CLARKSBURG, CA 95612  (916) 995-1335	167,271.00	2015/16 APRIL TAX IN LIEU	04/04/2017 04/04/2017	17339683 PV-170501 17339683 PV-170501	22,875.00 144,396.00	N N
014067 DISCOVERY OFFICE SYSTEMS 1269 CORPORATE CENTER PARKWAY SANTA ROSA, CA 95407  (707) 570-1000	215.83	55E1370540 ISLE SERV CONTRACT 55E1369042 BATES MAINT AGRMNT 55E1370540 ISLE COPIER CONTRAC	04/20/2017 04/20/2017 04/20/2017	17342479 PO-170058 17342503 PO-170362 17342503 PO-170909	22.87 57.12 135.84	N N N
012757 DIVISION OF STATE ARCHITECT 1102 Q STREET SUITE 5200 SACRAMENTO, CA 95811  (916) 445-8730	170.00	SH16-1160 RMS ALRM PROJ	04/27/2017	17343824 PV-170548	170.00	N
000188 DOLK TRACTOR COMPANY 242 N. FRONT STREET RIO VISTA, CA 94571  ( ) -	1,421.58	546 MAINT REPAIRS	04/20/2017	17342480 PO-170970	1,421.58	N
000116 DS WATERS OF AMERICA INCS 5660 NEW NORTHSIDE DRIVE SUITE 500 ATLANTA, GA 30328  ( ) -	197.95	32317 DO WATER	04/06/2017	17340234 PV-170515	197.95	N DS WATERS OF A
010469 E.F. KLUDT & SONS INC P.O. BOX 166 LODI, CA 95241-0166  ( ) -	9,425.91	224520/224594/224391 TRANS FL 224336/223996 TRANS PETROLEUM 224112/223856/223811 FUEL	04/06/2017 04/20/2017 04/20/2017	17340228 PO-170271 17342504 PO-170236 17342504 PO-170271	4,470.86 465.57 4,489.48	N N N

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014624 ECMC PO BOX 64909 ST. PAUL, MN 55164-0909  ( 0) - 0 N	336.31	STALE DATE WARRANT #99503415	04/11/2017	17340805 PV-170521	336.31	N
010015 EDUCATIONAL DATA SYSTEMS INC 15850 CONCORD CIRCLE SUITE A MORGAN HILL, CA 95076  (408) 776-7646 N	38.59	111621249 ED SV CELDT TESTS	04/06/2017	17340236 PV-170512	38.59	N
013809 ESPERSON, CHRISTINA 178 EDGEWATER DRIVE RIO VISTA, CA 94571  ( ) - N	104.43	DHW CONF REIMB	04/11/2017	17340819 TC-170236	104.43	N
014622 FLETCHER, LEVI ROSEVILLE HIGH SCHOOL 6 TIGER WAY ROSEVILLE, C 95678  ( 0) - 0 N	106.11	WASC REIMB WASC REIMB WASC REIMB WASC REIMB	04/11/2017 04/11/2017 04/11/2017 04/11/2017	17340820 TC-170237 17340820 TC-170237 17340820 TC-170237 17340820 TC-170237	8.84 50.40 13.27 33.60	N N N N
013903 FREEPORT POWER EQUIPMENT 6235 BELLEAU WOOD LANE SITE 2 SACRAMENTO, CA 95822-5928  (916) 422-9238 Y FREEPORT GARDE	41.49	MAINT SUPPLIES	04/20/2017	17342505 PO-170124	41.49	7
011339 FRONTIER COMMUNICATIONS CORPORATION THREE HIGH RIDGE PARK STAMFORD, CT 06905  ( ) - N	8,515.49	MAINT LD RADIO RIO LD MOKE LD RVHS LD DHS LD SO TRANS LD	04/06/2017 04/06/2017 04/06/2017 04/06/2017 04/06/2017 04/06/2017	17340237 PV-170510 17340237 PV-170510 17340237 PV-170510 17340237 PV-170510 17340237 PV-170510 17340237 PV-170510	78.14 127.12 100.74 1,069.10 944.04 96.63	N N N N N N

MAINT LD	04/06/2017	17340237	PV-170510	150.91	N
CMS LD	04/06/2017	17340237	PV-170510	291.08	N
ISLE LD	04/06/2017	17340237	PV-170510	623.51	N
TRANS LD	04/06/2017	17340237	PV-170510	41.91	N
DHW LD	04/06/2017	17340237	PV-170510	382.43	N
BATES LD	04/06/2017	17340237	PV-170510	613.73	N
DO LD	04/06/2017	17340237	PV-170510	2,797.12	N

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011339 FRONTIER COMMUN (Continued...)		WG LD	04/06/2017	17340237 PV-170510	282.61	N
		MAINT LD	04/06/2017	17340237 PV-170510	134.49	N
		NO TRANS LD	04/06/2017	17340237 PV-170510	100.64	N
		BATES LD	04/06/2017	17340237 PV-170510	63.84	N
		RMS LD	04/06/2017	17340237 PV-170510	354.81	N
		RMS LD	04/06/2017	17340237 PV-170510	41.91	N
		RMS LD	04/06/2017	17340237 PV-170510	43.28	N
		RMS LD	04/06/2017	17340237 PV-170510	83.70	N
		CAFE LD	04/06/2017	17340246 PV-170510	52.25	N
		CAFE LD	04/06/2017	17340246 PV-170510	41.50	N
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013921 FUN & FUNCTION LLC	24.93	227505 SP ED SUPPLIES	04/04/2017	17339652 PO-170943	2.03	N
PO BOX 11		227505 SP ED SUPPLIES	04/04/2017	17339652 PO-170943	2.03	N
MERION STATION, PA 190066		227505 SP ED SUPPLIES	04/04/2017	17339652 PO-170943	24.93	7
(800) 231-6329						Y
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014234 GIRARD EDWARDS STEVENS & TUCKER LLP., ATTORNEYS AT LAW	4,709.50	425 ATTORNEY FEES	04/06/2017	17340238 PV-170505	2,169.50	Y
8801 FOLSOM BLVD STE 285		425 ATTORNEY FEES	04/06/2017	17340238 PV-170505	87.00	Y
SACRAMENTO, CA 95826		425 ATTORNEY FEES	04/06/2017	17340238 PV-170505	774.00	Y
		485 ATTORNEY FEES	04/27/2017	17343816 PV-170549	1,679.00	Y
(916) 706-1255						Y
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003354 GOPHER SPORT	241.79	9282969 ASP SUPPLIES	04/27/2017	17343789 PO-170901	241.79	N
2525 LEMOND ST SW						
OWATONNA, MN 55060-0998						
(800) 533-0446						N THE PROPHET CO
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014483 GOSS, HEATHER	242.89	F5 MILEAGE	04/11/2017	17340821 TC-170238	242.89	N
18158 COUNTY RD #96B						
WOODLAND, CA 95695						
( 0) - 0						N
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013897 GOV CONNECTION INC	2,179.31	54685282 DHS SURFACE PROS	04/27/2017	17343790 PO-170999	1,089.66	N
7503 STANDISH PLACE		54685282 DHS SURFACE PROS	04/27/2017	17343790 PO-170999	1,089.65	N
ROCKVILLE, MD 20855						



(800) 800-0019

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003598 GRAINGER 3691 INDUSTRIAL BLVD WEST SACRAMENTO, CA 95691-3479  (916) 372-7800 N W.W. GRAINGER	105.10	MAINT SUPPLIES	04/20/2017	17342506 PO-170125	105.10	N
014623 GRANADOS-ORDAZ, YAZMIN PO BOX 947 WALNUT GROVE, CA 95690  ( 0) - 0 N	8.03	CMS HEALTH MILEAGE	04/11/2017	17340822 TC-170239	8.03	N
013332 GREAT AMERICA FINANCIAL SERV PO BOX 660831 DALLAS, TX 752660831  ( 0) - 0 N	375.38	20480226 DHS PRINTER LEASE	04/20/2017	17342507 PO-170758	375.38	N
014449 GROWING HEALTHY CHILDREN THERAPY SERVICES, INC 3498 GREEN VALLEY RD RESCUE, CA 95672  (530) 391-8670 N JON CHU	300.00	RDUSD1703 SP ED ASST TECHNOLOG	04/20/2017	17342508 PO-170311	300.00	N
014464 GUTIERREZ, ELSIRA 2707 AMERADA RD RIO VISTA, CA 94571  ( 0) - 0 N	52.75	SP ED PARENT TRANS	04/20/2017	17342543 TC-170253	52.75	N
014072 H B & T ENVIORMENTAL 1828 TRIBUTE ROAD SUITE M SACRAMENTO, CA 95815  (916) 646-6076 N	910.00	17-5046 WG RESTROOM PROJECT	04/06/2017	17340248 PV-170508	910.00	N

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012288 HALL, JENNIFER PO BOX 1024 ISLETON, CA 95641  ( ) - N	96.19	ISLE MILEAGE	04/27/2017	17343825 TC-170259	96.19	N
014500 HAND IN HAND THERAPEUTICS 214 ELMWOOD AVE MODESTO, CA 95354  (209) 604-8533 N	4,900.00	SP ED OCC THERAPY W/E 3/30 SP ED OCC THERAPY W/E 3/9 SP ED OCC THERAPY 4/6 SP ED OCC THERAPY 3/23 SP ED OCC THERAPY 4/20	04/04/2017 04/04/2017 04/20/2017 04/20/2017 04/27/2017	17339669 PO-170092 17339669 PO-170092 17342509 PO-170092 17342509 PO-170092 17343805 PO-170092	1,200.00 1,150.00 600.00 800.00 1,150.00	N N N N N
011356 HANDWRITING WITHOUT TEARS 8001 MACARTHUR BOULEVARD CABIN JOHN, MD 20818  (301) 263-2700 N NO TEARS LEARN	453.40	11047191 ISLE SUPPLIES 1107442 ISLE WRKSHP REGIST	04/06/2017 04/11/2017	17340220 PO-170897 17340792 PO-170948	288.40 165.00	N N
003538 HOME DEPOT CREDIT SERVICES DEPT 32-2500439736 P.O. BOX 9055 DES MOINES, IA 50368-9055  ( ) - N	4,121.08	MAINT SUPPLIES FEB 17 RVHS SUPPLIES FEB 17 DHS AG SUPPLIES FEB 17 DHS AG SUPPLIES FEB 17 MAINT SUPPLIES RVHS SUPPLIES DHS AG SUPPLIES	04/04/2017 04/04/2017 04/04/2017 04/04/2017 04/20/2017 04/20/2017 04/20/2017	17339670 PO-170126 17339670 PO-170470 17339654 PO-170563 17339670 PO-170875 17342510 PO-170126 17342510 PO-170470 17342482 PO-170875	193.20 642.94 497.49 845.88 119.99 636.82 1,184.76	N N N N N N N
012272 HOUGHTON MIFFLIN HARCOURT PUBLISHING COMPANY 222 BERKELEY STREET BOSTON, MA 02116  (800) 225-5425 N	923.68	952944983 SP ED BOOKLETS 952981773 ED SV BOOKS	04/04/2017 04/20/2017	17339653 PO-170839 17342481 PO-170900	821.62 102.06	N N
014548 HUNTER, RENEE 10005 RIVER MIST WAY RANCHO CORDOVA, CA 95670  ( 0) - 0 N	25.68	SP ED MILEAGE	04/11/2017	17340823 TC-170240	25.68	N

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014496 IDENT-A-KID SERVICES 1780 102ND AVE NORTH STE 100 ST. PETERSBURG, FL 33716  (800) 890-1000 N	560.00	96168 DHW LICENSE	04/27/2017	17343791 PO-171051	560.00	N
011917 INDOFF 11816 LACKLAND AVENUE ST. LOUIS, MO 63146-4206  (707) 374-4037 N	1,772.99	2937622 ISLE SUPPLIES 2942591 RVHS CREDIT 2937073 RVHS SUPPLIES 2937623 BATES SUPPLIES 2937623 BATES SUPPLIES 2937623 BATES SUPPLIES 2936455/2930355 RVHS INK 2942184 ISLE SUPPLIES 2942184 ISLE SUPPLIES 2942184 ISLE SUPPLIES 2949368 ISLE SUPPLIES	04/06/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/27/2017	17340221 PO-170922 17342511 PO-170180 17342511 PO-170180 17342511 PO-170363 17342511 PO-170363 17342511 PO-170363 17342511 PO-170486 17342483 PO-170985 17342483 PO-170985 17342483 PO-170985 17343806 PO-170908	399.42 157.84 524.19 .19 .19 54.61 515.21 1.28 1.28 363.45 73.95	N N N N N N N N N N N
000107 INLAND BUSINESS SYSTEMS 1500 NO. MARKET SACRAMENTO, CA 95834-1912  (916) 928-0770 N	661.25	OFX354 RVHS MAINT AGRMNT 0G2987/0G3177 CMS PRINTER CHR	04/20/2017 04/27/2017	17342512 PO-170182 17343807 PO-170876	417.41 243.84	N N
013904 INTEGRITY GAMING INC 3101 N. FLOOD AVENUE NORMAN, OK 73069  (800) 749-1918 N	53.76	861935 DHW SUPPLIES	04/27/2017	17343792 PO-170064	53.76	N
013919 JACOBSEN WEST 1170 NATIONAL DRIVE SUITE 20 SACRAMENTO, CA 95834  (916) 419-2000 N	285.85	90109620 MAINT SUPPLIES	04/20/2017	17342513 PO-170128	285.85	N
014627 JAKE BALLENTINE 610 AUTUMN DRIVE	1,000.00	DHW BULLYING ASSEMBLY	04/20/2017	17342484 PO-171052	1,000.00	N

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003915 JOSTENS INC 21336 NETWORK PLACE CHICAGO, IL 60673-1213  (800) 413-3857 N	434.86	19841066 DHS DIPLOMAS	04/27/2017	17343793 PO-171029	434.86	N
001331 KAUZLARICH, BONNIE 818 THEREZA WAY RIO VISTA, CA 94571  ( ) - N	57.78	HR MILEAGE	04/04/2017	17339687 TC-170231	57.78	N
013940 KELLY MOORE PAINTS CO INC 10299 EAST STOCKTON BOULEVARD SUITE 101 ELK GROVE, CA 95758  (650) 610-4370 N	301.61	231496 MAINT SUPPLIES	04/20/2017	17342514 PO-170129	301.61	N
012005 KIRK KENNER DBA DELTA REFRIDG 5 HILL CT. RIO VISTA, CA 94571  (707) 374-6213 Y KENNER, KIRK	428.44	4698 MAINT REPARIS	04/20/2017	17342515 PO-170130	428.44	7
011311 LA RUE COMMUNICATIONS 521 E. MINER AVE STOCKTON, CA 95202  (209) 463-1900 Y LA RUE, KNOX J	550.06	9917 TRANS BATTERIES 10004 TRANS REPEATER SYSTEM	04/06/2017 04/20/2017	17340239 PV-170511 17342516 PO-170239	220.06 330.00	7 7
011595 LAND PARK ACADEMY 6400 FREEPORT BLVD SACRAMENTO, CA 95822  (916) 427-2273 N ADVANCE EDUCAT	6,568.08	808782J SP ED NPS DUES 808781 SP ED NPS DUES	04/20/2017 04/20/2017	17342517 PO-170309 17342517 PO-170310	3,453.67 3,114.41	N N
012149 LARIOS, MARIA	75.33	F5 MILEAGE	04/20/2017	17342544 TC-170254	75.33	N

12801 RIVER ROAD  
COURTLAND, CA 95615

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000548 LIRAS SUPERMARKET 609 HWY 12 RIO VISTA, CA 94571  (707) 374-5399	150.71	ED SV SUPPLIES	04/11/2017	17340806 PV-170522	150.71	N
014618 LOCKHART SEEDS, INC PO BOX 1361 STOCKTON, CA 95201  (209) 466-4401	619.88	170931 RVHS SPORTS TURF	04/25/2017	17343113 PV-170537	619.88	N
013206 LOWE'S 8369 POWER INN ROAD ELK GROVE, CA 95624-3464  (866) 232-7443	191.45	MAINT SUPPLIES MAINT SUPPLIES	04/06/2017 04/20/2017	17340229 PO-170132 17342518 PO-170132	120.91 70.54	N N
000711 LYMAN PARTS DEPOT 14301 RAILROAD AVE WALNUT GROVE, CA 95690-  (916) 776-1744	103.82	13112 MAINT SUPPLIES	04/20/2017	17342519 PO-170133	103.82	N
013102 MAD SCIENCE OF SACRAMENTO 1808 TRIBUTE RD STE #E SACRAMENTO, CA 95815  (916) 779-0390	675.00	ISLE SCIENCE NIGHT	04/04/2017	17339655 PO-170959	675.00	Y
014144 MARTINEZ, SANDRA PO BOX 298 ISLETON, CA 95641  ( ) -	304.80	F5 MILEAGE F5 CONF REIMB	04/11/2017 04/20/2017	17340824 TC-170242 17342545 TC-170255	173.34 131.46	N N
014355 MAXIM STAFFING SOLUTIONS 12558 COLLECTIONS CENTER DR	2,609.91	4661090262 SP ED NURSE STFFING	04/04/2017	17339671 PO-170917	2,609.91	N

CHICAGO, IL 60693

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014107 MCCARTY, MELADEE 12970 SELF-ESTEEM LANE GALT, CA 95632  (209) 601-2940 N	487.50	SP ED PROF SERVICES	04/04/2017	17339672 PO-170220	487.50	N
014231 MERIDIAN STUDENT PLANNERS 3131 W. MAIN SEDALIA, MO 65301  (888) 724-8512 N	1,801.00	787670 RVHS PLANNERS	04/27/2017	17343794 PO-171070	1,801.00	N
014245 MOEHLENBROCK, SUSAN 842 MITCHELL STREET RIO VISTA, CA 94571  (707) 330-8685 N	783.27	SP ED SUPPLIES SP ED MILEAGE	04/04/2017 04/11/2017	17339673 PO-170191 17340825 TC-170241	96.86 686.41	N N
000151 NASCO MODESTO P.O. BOX 3837 4825 STODDARD ROAD MODESTO, CA 95352-3837  (209) 545-1600 N	686.09	263487 DHS AG SUPPLIES	04/20/2017	17342520 PO-170325	686.09	N
002424 NATIONAL SCHOOL FORMS 16 MT. EBO RD S. STE#16 BREWSTER, NY 10509  (800) 431-1201 N	144.49	95128 MOKE FORMS 95128 MOKE FORMS 95128 MOKE FORMS	04/06/2017 04/06/2017 04/06/2017	17340222 PO-170952 17340222 PO-170952 17340222 PO-170952	11.74- 11.74 144.49	N N N
013877 NORRIS, CARRIE 4833 STEPPE COURT ELK GROVE, CA 95757  ( ) - N	1,212.43	WG STALEDATE #17310341 WG AVID LUNCHES F5 TSHIRTS WG ELAC SUPPLIES WG SUPPLIES WG CONF REIMB	04/20/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017	17342534 PV-170531 17343795 PO-170022 17343808 PO-170044 17343808 PO-170518 17343795 PO-170602 17343826 TC-170261	27.91 209.47 199.80 113.56 418.36 243.33	N N N N N N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014359 NORTH STATE TIRE CO 1610 KATHLEEN AVE SACRAMENTO, CA 95815  (916) 922-1075	636.56	K79999 TRANS TIRES	04/20/2017	17342521 PO-170240	636.56	N
014016 O'REILLY AUTO PARTS 233 S PATTERSON SPRINGFIELD, MO 65802  ( ) -	1,836.82	#23100 TRANS SUPPLIES	04/11/2017	17340798 PO-170242	1,836.82	N
		N O'REILLY AUTOM				
001590 OFFICE DEPOT P.O. BOX 630813 CINCINNATI, OH 45263-0813  ( ) -	106.43	DHS SUPPLIES	04/04/2017	17339674 PO-170730	106.43	N
000193 OILWELL MATERIALS & HARDWARE CO INC 506 STATE HIGHWAY 12 RIO VISTA, CA 94571  ( ) -	861.32	676 MAINT SUPPLIES	04/20/2017	17342522 PO-170134	861.32	N
011429 OLIVER WORLDCLASS LABS INC PO BOX 1686 BENICIA, CA 94510  (707) 747-1537	125.55	25291 RMS SMART SUBSCR. 25291 RMS SMART SUBSCR.	04/20/2017 04/20/2017	17342485 PO-170927 17342485 PO-170927	50.22 75.33	N N
		N				
014472 ORCER SERVICES 1731 OXFORD WAY STOCKTON, CA 95204  (209) 271-6103	4,400.00	32 WIND RIVER PROF SERV	04/04/2017	17339664 PO-170953	4,400.00	Y
		Y Francisco Orti				
003218 ORIENTAL TRADING CO INC	150.88	682758173 ASP SUPPLIES	04/20/2017	17342486 PO-170301	150.88	N

4206 SOUTH 108TH STREET  
OMAHA, NE 68137

(800) 228-0475

N OTC DIRECT INC

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014465 PARKER & COVERT LAW OFFICE 17862 EAST SEVENTEENTH ST#204 EAST BUILDING TUSTIN, CA 92780  (714) 573-0900	2,849.50	66868 ATTORNEY FEES	04/20/2017	17342535 PV-170532	2,849.50	Y
		Y PARKER & COVE				
013692 PATIN, ANGELA 633 MADERE WAY RIO VISTA, CA 94571  ( 0) - 0	158.37	ISLE NURSE MILEAGE	04/11/2017	17340826 TC-170243	158.37	N
		N				
013878 PEARSON CURRICULUM PO BOX 2500 LEBANON, IN 46052-3009  (800) 653-1918	40.00	11047822 SP ED SUPPLIES 11047822 SP ED SUPPLIES 11047822 SP ED SUPPLIES	04/04/2017 04/04/2017 04/04/2017	17339656 PO-170804 17339656 PO-170804 17339656 PO-170804	3.25 40.00 3.25-	N N N
		N				
013086 PEARSON EDUCATION INC 501 BOLYSTON STREET SUITE 900 BOSTON, MA 02116  (800) 848-9500	995.00	11102534 ED SV TESTS 11102534 ED SV TESTS 11102534 ED SV TESTS	04/04/2017 04/04/2017 04/04/2017	17339657 PO-170935 17339657 PO-170935 17339657 PO-170935	995.00 80.84- 80.84	N N N
		N				
003270 PG&E 685 EMBARCADERO DRIVE SACRAMENTO, CA 95605  ( ) -	137.20	RADIO RIO ELECT DHW ELECT	04/06/2017 04/11/2017	17340240 PV-170513 17340807 PV-170523	17.41 119.79	N N
		N PACIFIC GAS AN				
013458 PITNEY BOWES INC 1 ELMCROFT ROAD STAMFORD, CT 06926-0700  (800) 228-1071	280.20	3101190799 DO POSTAGE MACHINE	04/27/2017	17343809 PO-170115	280.20	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
002526 PITNEY BOWES RESERVE ACCOUNT 1245 EAST BRICKYARD ROAD SUITE 250 SALT LAKE CITY, UT 84106-4278  ( 0) - 0 N	5,000.00	DO POSTAGE	04/04/2017	17339658 PO-170197	5,000.00	N
013031 PM TRUCK REPAIR INC P.O. BOX 403 WEST SACRAMENTO, CA 95691  (916) 371-0666 N	1,125.00	58763/59561 TRANS TOWING	04/25/2017	17343114 PV-170545	1,125.00	N
013554 POINT QUEST 6600 44TH STREET SACRAMENTO, CA 95823  (916) 422-0571 N	23,907.13	201702 SP ED AIDE 16029983 NPS DUES 16029983 NPS DUES 16029983 NPS DUES 20170353 NPS DUES 20170312 SP ED AIDE	04/04/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017	17339675 PO-170934 17343810 PO-170339 17343810 PO-170341 17343810 PO-170342 17343810 PO-170569 17343796 PO-170934	2,832.00 3,652.71 3,289.44 3,030.88 4,588.50 6,513.60	N N N N N N
012857 PRISTINE REHAB CARE 706 N. DIAMOND BAR BLVD STE #B DIAMOND BAR, CA 91765  (317) 371-3866 Y	31,280.00	4520/4521 SP ED SP THERAPY	04/20/2017	17342523 PO-170158	31,280.00	7
001271 PRO-ED 8700 SHOAL CREEK BLVD AUSTIN, TX 78757  (800) 897-3202 N	123.20	2620445 SP ED FORMS 2620445 SP ED FORMS 2620445 SP ED FORMS	04/04/2017 04/04/2017 04/04/2017	17339659 PO-170802 17339659 PO-170802 17339659 PO-170802	123.20 10.01 10.01	N N N
001048 QUILL CORPORATION 100 SCHELTER ROAD LINCOLNSHIRE, IL 60094-0600  (800) 789-8965 N	169.13	5193696 BATES SUPPLIES 5193696 BATES SUPPLIES	04/20/2017 04/20/2017	17342487 PO-170374 17342487 PO-170374	122.13 47.00	N N

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012541 R.A. JONES CONSTRUCTION P.O. BOX 835 THORNTON, CA 95686  (209) 794-8185	57,438.00	WG RESTROOM MODERNIZATION PRJC WG RESTROOM MODERNIZATION PRJC	04/25/2017 04/25/2017	17343115 PV-170539 17343119 PV-170539	46,016.00 11,422.00	N N
014410 RAMBO, SONIA 9697 NATURE TRAIL WAY ELK GROVE, CA 95757  ( 0) - 0	73.33	RMS SUPPLIES RMS SUPPLIES	04/04/2017 04/27/2017	17339676 PO-170713 17343811 PO-170713	58.26 15.07	N N
014173 REIBENSCHUH, ROB 4638 CARMEN WAY UNION CITY, CA 94587  ( ) -	115.70	WASC REIMB WASC REIMB WASC REIMB WASC REIMB	04/11/2017 04/11/2017 04/11/2017 04/11/2017	17340827 TC-170244 17340827 TC-170244 17340827 TC-170244 17340827 TC-170244	56.82 12.60 8.40 37.88	N N N N
013081 REIS, MAUREEN 2962 CANRIGHT RD. RIO VISTA, CA 94571  ( 0) - 0	151.60	RVHS SUPPLIES	04/27/2017	17343797 PO-170379	151.60	N
010843 RILEY, GINA P.O. BOX 114 RIO VISTA, CA 94571  ( ) -	35.10	SP ED MILEAGE	04/11/2017	17340828 TC-170245	35.10	N
002751 RIO VISTA FORD 1010 STATE HWY 12 RIO VISTA, CA 94571  ( ) -	156.86	14984 TRANS PARTS	04/20/2017	17342524 PO-170244	156.86	N
010239 RIO VISTA SANITATION P.O. BOX 607	297.00	DO WASTE SERVICE DHW WASTE SERV	04/04/2017 04/11/2017	17339684 PV-170502 17340808 PV-170524	117.00 180.00	N N



RIO VISTA, CA 94571-0607

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
010846 RIOS, ESMERALDA 5075 RYER ROAD EAST WALNUT GROVE, CA 95690  ( ) - N	108.01	WG CONF REIMB	04/20/2017	17342546 TC-170256	108.01	N
000589 RISO PRODUCTS OF SACRAMENTO 3304 MONIER CIRCLE SUITE 110 RANCHO CORDOVA, CA 95742  (916) 638-7476 N RPSI ENTERPRIS	1,494.14	168089 CMS RISO SUPPLIES	04/20/2017	17342488 PO-170923	1,494.14	N
010048 RIVER DELTA REVOLVING FUND 445 MONTEZUMA ST RIO VISTA, CA 94571  ( ) - N	230.00	4067 HR CCAC MEMBERSHIP FEE 4066 DHS VEIRS CASMEC CONF 4066 CMS VEIRS CASMEC CONF	04/06/2017 04/06/2017 04/06/2017	17340241 PV-170516 17340241 PV-170516 17340241 PV-170516	40.00 95.00 95.00	N N N
014143 RODRIGUEZ, CLAUDIA PO BOX 62 COURTLAND, CA 95615  ( ) - N	256.80	SP ED PARENT MILEAGE	04/11/2017	17340829 TC-170246	256.80	N
014206 RODRIGUEZ, JENNIFER 110 JANEWOOD CT FOLSOM, CA 95630  (916) 833-7401 N	58.46	CMS SUPPLIES	04/06/2017	17340230 PO-170548	58.46	N
012796 ROSSI, MARCY 128 N SECOND STREET RIO VISTA, CA 94571  ( ) - N	143.38	ED SV MILEAGE	04/11/2017	17340830 TC-170247	143.38	N
010955 RUIZ, LETICIA	31.57	RVHS MILEAGE	04/04/2017	17339688 TC-170232	31.57	N

412 GARDINER WAY  
RIO VISTA, CA 94571

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012449 S AND S WORLDWIDE 75 MILL STREET COLCHESTER, CT 06415  (800) 288-9941	838.29	9558223 ASP SUPPLIES 9546445/9563180 ASP SUPPLIES	04/06/2017 04/20/2017	17340223 PO-170302 17342489 PO-170304	259.37 578.92	N N
000095 S M U D P.O. BOX 15555 SACRAMENTO, CA 95852  ( ) -	9,007.73	BATES ELECT TRANS ELECT TRANS ELECT WG ELECT WG ELECT WG ELECT BATES ELECT WG ELECT BATES ELECT	04/06/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017	17340242 PV-170514 17343817 PV-170550 17343817 PV-170550 17343817 PV-170550 17343817 PV-170550 17343817 PV-170550 17343817 PV-170550 17343817 PV-170550 17343817 PV-170550	28.34 179.03 13.60 27.22 20.00 3,905.62 3,773.37 567.64 492.91	N N N N N N N N N
000090 SACRAMENTO COUNTY UTILITIES 9700 GOETHE ROAD SUITE C SACRAMENTO, CA 95827  ( ) -	439.90	MOKE SEWER WG SEWER BATES SEWER	04/11/2017 04/27/2017 04/27/2017	17340809 PV-170525 17343818 PV-170552 17343818 PV-170552	116.29 171.13 152.48	N N N
013618 SACRAMENTO METROPOLITAN OFFICA OFFICIALS ASS. (SMOA) PO BOX 19210 SACRAMENTO, CA 95819  (916) 835-3825	3,127.80	RMS SPORTS OFFICIALS RMS SPORTS OFFICIALS	04/27/2017 04/27/2017	17343819 PV-170551 17343819 PV-170551	1,500.00 1,627.80	N N
012885 SALOMON, TRISHA 50 YOSEMITE DRIVE RIO VISTA, CA 94571  ( ) -	151.94	SP ED MILEAGE	04/11/2017	17340831 TC-170248	151.94	N
000316 SCHOOLS INSURANCE AUTHORITY P.O. BOX 276710 SACRAMENTO, CA 95827-6710	7,937.28	17SWAMP19 STRM WTR MONITORING	04/27/2017	17343820 PV-170553	7,937.28	N



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013193 SCOE P.O. BOX 269003 10474 MATHER BLVD SACRAMENTO, CA 95826	5,637.00	ISLE SLY PARK 171251 ED SV EMITS 171434 ED SV SCOE CONF REG 170898 RVHS ACADEMIC DECATHALN 170898 RVHS ACADEMIC DECATHALN	04/04/2017 04/11/2017 04/20/2017 04/25/2017 04/25/2017	17339660 PO-170964 17340810 PV-170526 17342490 PO-170800 17343109 PO-171054 17343109 PO-171054	440.00 4,167.00 400.00 309.00 321.00	N N N N N
( ) - N						
014602 SCOTT MACHINERY 4700 LANG AVE STE #D MCCLELLAN, CA 95652	7,108.14	13251 RVHS AG SUPPLIES 13251 RVHS AG SUPPLIES	04/11/2017 04/11/2017	17340793 PO-170779 17340793 PO-170779	3,430.00 3,678.14	N N
(916) 638-7718 N						
014450 SCOTT TECHNOLOGY GROUP PO BOX 2851 ROHNERT PARK, CA 94928	2,300.53	223922 WG PRINTER COSTS 228222 NAVARRO PRINTER 225689/5792/7900 WG PRINTER CS 228582/226044 F5 PRINTER CHRGS 227631 DO PRINTER CHARGES 227631 DO PRINTER CHARGES 227631 DO PRINTER CHARGES 227631 DO PRINTER CHARGES 227631 DO PRINTER CHARGES 227631 DO PRINTER CHARGES 227631 DO PRINTER CHARGES 227631 DO PRINTER CHARGES 227631 DO PRINTER CHARGES 227631 DO PRINTER CHARGES	04/04/2017 04/11/2017 04/11/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017	17339677 PO-170963 17340794 PO-170954 17340799 PO-170963 17343812 PO-170046 17343821 PV-170554 17343821 PV-170554 17343821 PV-170554 17343821 PV-170554 17343821 PV-170554 17343821 PV-170554 17343821 PV-170554 17343821 PV-170554 17343821 PV-170554 17343821 PV-170554	130.21 755.79 306.43 7.88 50.35 43.06 21.01 49.79 874.71 21.34 .88 22.72 16.36	N N N N N N N N N N N N N N
(707) 584-3995 N						
013891 SENTINEL FIRE EQUIPMENT CO INC 5702 BROADWAY SACRAMENTO, CA 95820	1,096.82	75261 MAINT EXT MAINT 75261 MAINT EXT MAINT 75261 MAINT EXT MAINT 75103 CAFE DHW EXT MAINT 75101 CAFE ISLE EXT MAINT 75102 CAFE RVHS EXT MAINT 75102 CAFE RVHS EXT MAINT 75102 CAFE RVHS EXT MAINT 75103 CAFE DHW EXT MAINT 75103 CAFE DHW EXT MAINT 75101 CAFE ISLE EXT MAINT 75101 CAFE ISLE EXT MAINT	04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017 04/20/2017	17342525 PO-170264 17342525 PO-170264 17342525 PO-170264 17342532 PO-170279 17342532 PO-170279 17342532 PO-170279 17342532 PO-170279 17342532 PO-170279 17342532 PO-170279 17342532 PO-170279 17342532 PO-170279 17342532 PO-170279	3.80 294.85 3.80 7.13 101.80 1.89 1.89 146.77 7.13 553.40 1.31 1.31	N N N N N N N N N N N N
(916) 455-5630 N						

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013480 SHELDON GAS COMPANY 1 HARBOR CENTER # 310 SUISUN CITY, CA 94585  (707) 425-2951	2,263.52	92838 TRANS PROPANE 93117 WG PROPANE 92838 TRANS PROPANE 93117 WG PROPANE 92838 TRANS PROPANE 93117 WG PROPANE 91867 MOKE PROPANE 92022 WG PROPANE 92022 WG PROPANE 91839 BATES PROPANE 91839 BATES PROPANE 91867 MOKE PROPANE 91839 BATES PROPANE 92022 WG PROPANE 91867 MOKE PROPANE	04/11/2017 04/11/2017 04/11/2017 04/11/2017 04/11/2017 04/11/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017 04/27/2017	17340811 PV-170527 17340811 PV-170527 17340811 PV-170527 17340811 PV-170527 17340811 PV-170527 17340811 PV-170527 17343822 PV-170555 17343822 PV-170555 17343822 PV-170555 17343822 PV-170555 17343822 PV-170555 17343822 PV-170555 17343822 PV-170555 17343822 PV-170555 17343822 PV-170555	2.94- 58.99 2.94 .21- 843.62 .21 315.89 1.88- 1.88 1.76- 504.60 1.10 1.76 540.42 1.10-	N N N N N N N N N N N N N N N
000055 SIA DELTA DENTAL P.O. BOX 276710 SACRAMENTO, CA 95827-6710  ( 0) - 0	3,708.37	APRIL 2017 PREMIUMS APRIL 2017 PREMIUMS APRIL 2017 PREMIUMS APRIL 2017 PREMIUMS	04/25/2017 04/25/2017 04/25/2017 04/25/2017	17343116 PV-170541 17343116 PV-170541 17343116 PV-170541 17343116 PV-170541	176.09 1,149.62 2,360.99 21.67	N N N N
014454 SINGH, PRITIKA 212 WEST HWY 220 RYDE, CA 95680  (916) 491-0657	616.32	SP ED PARENT MILEAGE	04/11/2017	17340832 TC-170249	616.32	N
014400 SLAGLE, ANTONIA 5811 14TH ST SACRAMENTO, CA 95822  ( 0) - 0	202.78	ISLE SUPPLIES ISLE SUPPLIES	04/04/2017 04/20/2017	17339661 PO-170354 17342526 PO-170950	76.51 126.27	N N
014628 SMARTSHEET INC DEPT 3421 PO BOX 123421 DALLAS, TX 75312-3421  ( 0) - 0	447.00	10254 ED SV TEAM PLAN LICENSE	04/25/2017	17343110 PO-171080	447.00	N

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012084 SODEXO INC & AFFILIATES DEPT. 43283 LOS ANGELES, CA 90088-3283	62,754.43	CAFE MARCH MEALS CAFE MARCH MEALS	04/20/2017 04/20/2017	17342537 PV-170534 17342537 PV-170534	51,805.17 10,949.26	N N
( ) -						N
014585 SOUTHWEST CONSTRUCTION 1213 SAN MATEO AVENUE SAN BRUNO, CA 94066	34,447.89	PAY APP #3 RVHS ROOF PROJECT RVHS ROOF PROJECT	04/20/2017 04/25/2017	17342538 PV-170535 17343118 PV-170538	13,705.10 20,742.79	N N
(650) 877-0717						N
011563 SPEARS, SHANAN 2436 MORAINNE CIRCLE RANCHO CORDOVA, CA 95670	160.00	DHS AG SUPPLIES	04/27/2017	17343813 PO-170322	160.00	N
(916) 744-1011						N
013858 SPURR 1850 GATEWAY BOULEVARD CONCORD, CA 94520	10,323.77	TRANS GAS ISLE GAS PREPAID GAS RVHS GAS DHS GAS DO GAS RMS GAS ISLE GAS DHW GAS CAFE CMS GAS	04/11/2017 04/11/2017 04/11/2017 04/11/2017 04/11/2017 04/11/2017 04/11/2017 04/11/2017 04/11/2017 04/11/2017	17340812 PV-170528 17340812 PV-170528 17340812 PV-170528 17340812 PV-170528 17340812 PV-170528 17340812 PV-170528 17340812 PV-170528 17340812 PV-170528 17340812 PV-170528 17340815 PV-170528	711.80 17.17 359.45 2,325.80 3,081.94 242.89 1,319.94 1,318.52 1,300.10 365.06	N N N N N N N N N N
(888) 400-2155						N
014069 STAPLES ADVANTAGE 500 STAPLES DRIVE FRAMINGHAM, MA 01702	1,482.05	3333461401 ASP SUPPLIES 3333461401 ASP SUPPLIES 3333461399 ASP SUPPLIES 3333461399 ASP SUPPLIES 3333461400 ASP SUPPLIES 3333461399 ASP SUPPLIES 3333461400 ASP SUPPLIES 3333461401 ASP SUPPLIES 3333461400 ASP SUPPLIES 3333021258 RDHS SUPPLIES 3334920412 ED SV SUPPLIES	04/04/2017 04/04/2017 04/04/2017 04/04/2017 04/04/2017 04/04/2017 04/04/2017 04/04/2017 04/04/2017 04/04/2017 04/04/2017	17339678 PO-170295 17339678 PO-170295 17339678 PO-170295 17339678 PO-170295 17339678 PO-170295 17339678 PO-170295 17339678 PO-170295 17339678 PO-170295 17339662 PO-170420 17339678 PO-170850	.11 30.28 1.38 1.38 .13 395.12 .13 .11 36.46 314.07 65.74	N N N N N N N N N N N
( ) -		N STAPLES CONTRA				N

3333992237	ASP SUPPLIES	04/06/2017	17340224	PO-170294	1.06	N
3333992237	ASP SUPPLIES	04/06/2017	17340224	PO-170294	1.06-	N
3333992237	ASP SUPPLIES	04/06/2017	17340224	PO-170294	303.82	N
3334060911	ASP SUPPLIES	04/06/2017	17340224	PO-170294	3.22	N
3334060911	ASP SUPPLIES	04/06/2017	17340224	PO-170294	.01	N
3334060911	ASP SUPPLIES	04/06/2017	17340224	PO-170294	.01-	N
3335855821	SPTNDT SUPPLIES	04/06/2017	17340231	PO-170330	47.33	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014069 STAPLES ADVANTA (Continued...)		3333021255 DHW SUPPLIES	04/11/2017	17340795 PO-170070	31.77	N
		3328152921 DHW SUPPLIES	04/11/2017	17340795 PO-170070	34.15	N
		3333021256 DHW SUPPLIES	04/11/2017	17340795 PO-170070	11.41	N
		3336186653 WIND RIVER SUPPLIES	04/11/2017	17340801 PO-170421	49.69	N
		3334920411 WIND RIVER SUPPLIES	04/20/2017	17342531 PO-170421	.17	N
		3334920411 WIND RIVER SUPPLIES	04/20/2017	17342531 PO-170421	.17	N
		3334779276 WIND RIVER SUPPLIES	04/20/2017	17342531 PO-170421	24.26	N
		3334920411 WIND RIVER SUPPLIES	04/20/2017	17342531 PO-170421	48.53	N
		3334779277 CAFE SUPPLIES	04/20/2017	17342533 PO-170564	86.20	N
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013504 STAT PADS LLC 13897 W. WAINWRIGHT BOISE, ID 93713  (208) 546-8914	225.00	RVHS DEFIBRILLATOR PROGRAM	04/04/2017	17339663 PO-170975	225.00	N
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013400 STATE BOARD OF EQUALIZATION PO BOX 942879 SACRAMENTO, CA 94279-8044  ( ) -	704.00	JAN-MAR 2017 QTR 1 USE TAX	04/25/2017	17343117 PV-170540	704.00	N
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013401 STATE BOARD OF EQUALIZATION FUEL TAXES DIVISION PO BOX 942879 SACRAMENTO, CA 94279-6155  (916) 322-9669	86.30	QTR 1 FUEL TAX JAN-MAR 2017	04/20/2017	17342536 PV-170533	86.30	N
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003646 STATE OF CALIFORNIA 1300 I STREET SUITE 810 SACRAMENTO, CA 95814  ( ) -	194.00	219042 HR FINGERPRINTING	04/06/2017	17340243 PV-170506	194.00	N
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000096 STEWART INDUSTRIAL SUPPLY INC 608 HWY 12 RIO VISTA, CA 94571	1,205.81	23100 TRANS PARTS	04/20/2017	17342527 PO-170251	1,205.81	N

(707) 374-5567

N



Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014549 STOCKTON WOOD SHAVINGS PO BOX 47 LODI, CA 95241	504.27	170150 MAINT PLAYGROUND FIBERS	04/06/2017	17340225 PO-170969	504.27	N
		170150 MAINT PLAYGROUND FIBERS	04/06/2017	17340225 PO-170969	40.97	N
		170150 MAINT PLAYGROUND FIBERS	04/06/2017	17340225 PO-170969	40.97	N
(209) 982-0552						N
013947 SUPPLY WORKS PO BOX 742056 LOS ANGELES, CA 90074-2056	4,945.40	393513536 DO SUPPLIES	04/04/2017	17339679 PO-170146	116.99	N
		394237440 CMS SUPPLIES	04/04/2017	17339679 PO-170146	190.72	N
		393513544 DHW SUPPLIES	04/04/2017	17339679 PO-170146	246.51	N
		3959333444 DHS CREDIT	04/06/2017	17340232 PO-170146	214.64	N
(877) 577-1114		395691397 RMS SUPPLIES	04/06/2017	17340232 PO-170146	311.11	N
		395691389 RVHS SUPPLIES	04/06/2017	17340232 PO-170146	749.04	N
		395417298 DHS SUPPLIES	04/06/2017	17340232 PO-170146	214.64	N
		395695026 DHS SUPPLIES	04/06/2017	17340232 PO-170146	902.47	N
		396443327 ISLE SUPPLIES	04/20/2017	17342528 PO-170146	1,164.84	N
		393490024 DO SUPPLIES	04/20/2017	17342528 PO-170146	13.72	N
		396203713 DHS SUPPLIES	04/20/2017	17342528 PO-170146	457.83	N
		3943683865 DO SUPPLIES	04/20/2017	17342528 PO-170146	14.86	N
		397042920 WG SUPPLIES	04/20/2017	17342528 PO-170146	106.25	N
		396205775 WG SUPPLIES	04/20/2017	17342528 PO-170146	671.06	N
011818 SURLA, DONALDA 349 CRESCENT DR. RIO VISTA, CA 94571	72.65	RVHS SUPPLIES	04/27/2017	17343798 PO-170380	72.65	N
( ) -						N
013763 TIM'S MUSIC 2812 MARCONI AVE SACRAMENTO, CA 95821	91.08	258080 WG MUSIC SERV	04/06/2017	17340233 PO-170427	7.40	N
		258080 WG MUSIC SERV	04/06/2017	17340233 PO-170427	7.40	N
		258080 WG MUSIC SERV	04/06/2017	17340233 PO-170427	91.08	N
(916) 925-9160						N
012694 U.S. BANK 221 SOUTH FIGUEROA ST, STE 210 LM-CA-F2TC LOS ANGELES, CA 90012	9,969.01	MARCH 2017 PAYROLL GASB 45	04/04/2017	17339685 PV-170503	9,969.01	N
( 0) - 0						N

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
001896 UNITED PARCEL SERVICE INC 55 GLENLAKE PARKWAY NE ATLANTA, GA 30328	407.85	DO SHIPPING	04/06/2017	17340244 PV-170517	172.32	N
		DO SHIPPING	04/11/2017	17340813 PV-170529	104.14	N
		DO SHIPPING	04/27/2017	17343823 PV-170556	131.39	N
( ) - N						
013419 US BANK NATIONAL ASSOCIATION 1310 MADRID ST SUITE 101 MARSHALL, MN 56258	820.11	327362281 RVHS XEROX LEASE	04/04/2017	17339680 PO-170184	324.38	N
		326227584 DHW PRINTER LEASE	04/20/2017	17342529 PO-170878	495.73	N
(800) 328-5371 N						
013997 VERIZON WIRELESS ONE VERIZON PLACE ALPHARETTA, GA 30004	1,732.68	DHW ADMIN CELL	04/06/2017	17340245 PV-170504	75.15	7
		DHW CUST CELL	04/06/2017	17340245 PV-170504	.22	7
		RMS SFTY CELL	04/06/2017	17340245 PV-170504	.22	7
		RMS CUST CELL	04/06/2017	17340245 PV-170504	.22	7
( ) - Y VERIZON WIRELE		WG CUST CELL	04/06/2017	17340245 PV-170504	.22	7
		ASES 2 CELL	04/06/2017	17340245 PV-170504	48.84	7
		ASES 1 CELL	04/06/2017	17340245 PV-170504	45.68	7
		ED SV 1 CELL	04/06/2017	17340245 PV-170504	30.90	7
		CMS CUST CELL	04/06/2017	17340245 PV-170504	12.37	7
		NURSE 2 CELL	04/06/2017	17340245 PV-170504	73.51	7
		NURSE 1 CELL	04/06/2017	17340245 PV-170504	32.06	7
		RVHS ADMIN CELL	04/06/2017	17340245 PV-170504	92.42	7
		ISLE ADMIN CELL	04/06/2017	17340245 PV-170504	25.21	7
		ASES 3 CELL	04/06/2017	17340245 PV-170504	43.98	7
		RVHS SFTY CELL	04/06/2017	17340245 PV-170504	.22	7
		WG SFTY CELL	04/06/2017	17340245 PV-170504	.22	7
		BATES SFTY CELL	04/06/2017	17340245 PV-170504	.22	7
		TRANS 2 CELL	04/06/2017	17340245 PV-170504	91.25	7
		GARDENERS CELL	04/06/2017	17340245 PV-170504	45.73	7
		DHS SFTY CELL	04/06/2017	17340245 PV-170504	.22	7
		TRANS 1 CELL	04/06/2017	17340245 PV-170504	102.15	7
		OPERATIONS CELL	04/06/2017	17340245 PV-170504	72.41	7
		GEN ADMIN CELL	04/06/2017	17340245 PV-170504	16.12	7
		COUNSELORS CELL	04/06/2017	17340245 PV-170504	164.32	7
		SP ED 1 CELL	04/06/2017	17340245 PV-170504	160.61	7
		SP ED 2 CELL	04/06/2017	17340245 PV-170504	65.47	7
		SP ED 3 CELL	04/06/2017	17340245 PV-170504	53.67	7
		ED SV 3 CELL	04/06/2017	17340245 PV-170504	46.41	7
		DO SFTY CELL	04/06/2017	17340245 PV-170504	.66	7

RVHS CUST CELL	04/06/2017	17340245	PV-170504	55.22	7
ISLE CUST CELL	04/06/2017	17340245	PV-170504	.22	7
BATES ADMIN CELL	04/06/2017	17340245	PV-170504	55.80	7
ED SV 2 CELL	04/06/2017	17340245	PV-170504	46.41	7
ISLE SFTY CELL	04/06/2017	17340245	PV-170504	.22	7
DHW SFTY CELL	04/06/2017	17340245	PV-170504	.22	7
BEHAVORIST CELL	04/06/2017	17340245	PV-170504	37.88	7



Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013997 VERIZON WIRELES (Continued...)		MAINT CELL	04/06/2017	17340245 PV-170504	225.28	7
		CAFE CELL	04/06/2017	17340247 PV-170504	10.75	7
000104 WARREN'S MACHINE & WELDING	100.51	15559 DHS AG SUPPLIES	04/20/2017	17342530 PO-170320	8.17	N
52270 CLARKSBURG ROAD		15559 DHS AG SUPPLIES	04/20/2017	17342530 PO-170320	8.17	N
P.O. BOX 398		15559 DHS AG SUPPLIES	04/20/2017	17342530 PO-170320	100.51	7
CLARKSBURG, CA 95612						
(916) 744-1667		Y WIGLEY, WARREN				
010906 WASTE MANAGEMENT OF WOODLAND	1,118.57	DHS AG WASTE SERV	04/11/2017	17340800 PO-170767	216.80	N
P.O. BOX 78251		DHS WASTE	04/11/2017	17340814 PV-170530	901.77	N
PHOENIX, AZ 85062-8251						
( ) -		N				
012528 WILLIAMS SCOTSMAN INC	3,858.85	RVHS PORTABLE	04/06/2017	17340249 PV-170509	936.99	N
4911 ALLISON PARKWAY		RMS PORTABLE	04/06/2017	17340249 PV-170509	936.99	N
VACAVILLE, CA 95688		DHW PORTABLE	04/06/2017	17340249 PV-170509	1,047.88	N
		RMS PORTABLE	04/06/2017	17340249 PV-170509	936.99	N
(707) 451-3000		N				
014388 WPS PUBLISH	771.90	161074 SP ED SUPPLIES	04/11/2017	17340796 PO-170831	771.90	N
625 ALASKA AVENUE						
TORRANCE, CA 90503-5124						
(800) 648-8857		N				
003308 WRIGHT, KATHERINE	1,046.29	ED SV MILEAGE	04/20/2017	17342547 TC-170257	823.90	N
400 SOUTH FRONT STREET		ED SV CONF REIMB	04/27/2017	17343827 TC-170260	222.39	N
RIO VISTA, CA 94571						
( ) -		N				
013999 YEPEZ, PATRICIA	16.05	BATES CONF REIMB	04/20/2017	17342548 TC-170258	16.05	N
PO BOX 293						
COURTLAND, CA 95615						

( 0) - 0

N

District total: 635,251.10

Report total: 635,251.10

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

**Meeting Date:** May 9, 2017

Attachments: \_\_\_\_\_

**From:** Kathy Wright, Director of Educational Services

Item #: \_\_\_\_\_ 10.4 \_\_\_\_\_

**SUBJECT**

Action: \_\_\_\_\_

Consent Action:  X \_\_\_\_\_

Rio Vista and Delta High School's Representatives to CIF Leagues for the 2017-2018 School year.

Information Only: \_\_\_\_\_

**Background:**

The education code gives the authority for high school athletics to high school governing boards. The code also requires that the board, after joining CIF, designate their representatives to CIF leagues. It is a legal requirement that league representatives be so designated.

**Status:**

Rio Vista High School would like board to appoint Vicky Turk, Brian Fonseca and Stacy Knisley as the RVHS representatives to league. Delta High School would like board to appoint Laura Uslan and Katherine Ingalls as representatives to league for the 2017-2018 school year.

**Presenter:**

Kathy Wright, Director of Educational Services

**Cost &/or Funding Sources (be specific)**

No cost to the district.

**Recommendation:**

The Board appoint Vicky Turk, Laura Uslan, Brian Fonseca, Katherine Ingalls and Stacy Knisley as RDUSD league representatives for the 2017-2018 school year.

Time: \_\_\_\_\_ 2 mins. \_\_\_\_\_

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

**Meeting Date:** May 9, 2017

Attachments: \_\_\_\_\_

**From:** Kathy Wright, Director of Educational Services

Item #:   10.5  

**SUBJECT**

Action: \_\_\_\_\_

Consent Action:   X  

Information Only: \_\_\_\_\_

Requesting the Board's approval to authorizing site principals at Delta HS and Rio Vista HS to authority to approve overnight travel within the state for athletic and academic programs for the 2017-2018 school year.

**Background & Status:**

Because of the many activities that require students to spend the night in the areas of athletics, FFA, JSA, and related events, it is sometimes impossible to get permission from the Board due to last minute changes by event organizers like FFA and CIF because of the timing of the Board meetings and notification of the changes. It is the intent of the principals to notify the office of the superintendent when all travel events requiring overnight travel are scheduled at least 24 hours in advance. This request is only for travel within the state of California, any travel outside the state will be brought before the Board as required by current policy.

Currently the Board requires approval of all overnight travel in the state of California.

**Presenter:**

Kathy Wright, Director of Educational Services

**Cost &/or Funding Sources (be specific)**

**Recommendation:**

That the board approve site principals to authorize overnight travel in the state of California for athletic and academic programs for the 2017-2018 school year.

Time:           2 mins.

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

**Meeting Date:** May 9, 2017 Attachments: \_\_\_x\_\_\_  
**From:** Elizabeth Keema-Aston, Chief Business Officer Item Number: \_10.6\_

**SUBJECT** Contract with Ryland School Business Consulting for various Financial and Business Office Services Action: \_\_\_  
Consent Action: \_\_\_X\_\_\_  
Information Only: \_\_\_

**Background:**

In the past the district has used the consulting firm of Ryland School Business Consulting for assistance with various projects. They are a well-known and respected firm that provides services to many districts throughout Northern California.

**Status:**

This is an open agreement with Ryland School Service Consulting for various business and financial services on an as needed basis for FY 2017-18 not to exceed \$8,000.

**Presenter:** Elizabeth Keema-Aston, Chief Business Officer

**Other People Who Might Be Present:** N/A

**Cost &/or Funding Sources**

Unrestricted General Fund

**Recommendation:**

Request the Board to approve the contract with Ryland School Business Consulting For FY 2017-18.

Time: \_\_5 mins.\_\_



SCHOOL BUSINESS SERVICES CONTRACT

This contract is made by and between STLR Corp, dba RYLAND SCHOOL BUSINESS CONSULTING (Contractor) and the RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT. Contractor will provide financial and business office services (described more specifically below) as needed and directed by District staff. In consideration of the services provided, the RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT will pay to Contractor hourly fees of \$145 for professional services and for travel time. All charges, including expenses, will be approved by the Superintendent of the RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT. Expenses are defined as actual, out-of-pocket expenses, such as lodging, meals, telephone charges, express or overnight mail charges, etc. The District will be billed on a monthly basis for fees and expenses, not to exceed \$8,000. The term of this contract is twelve months.

RYLAND SCHOOL BUSINESS CONSULTING will provide general financial planning and business services to RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT and its districts which may include but are not limited to the following: business office assistance and training; budget development; year-end closing of the books; general financial analysis as needed for negotiations; charter school petition evaluation and fiscal viability analysis; documentation of procedures; development of financial strategies and analysis related to growth or decline; recommendations for board policy; preparation or review of short-term and long-term cash flow schedules; and presentations to the governing board.

It is expressly understood and agreed to by both parties that the Contractor, while carrying out and complying with any of the terms and conditions of this agreement, is a corporation licensed in California and not an employee of the District. This contract may be terminated by either party with 30 days' notice. In the case of early termination, RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT will be entitled to completion of all work in progress at its option, and RYLAND SCHOOL BUSINESS CONSULTING will be entitled to payment in full of all expenses and fees incurred.

AGREED:

\_\_\_\_\_  
Don Beno, Superintendent  
RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT

\_\_\_\_\_  
*s/ Teresa R Ryland*  
President  
RYLAND SCHOOL BUSINESS CONSULTING

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

**Meeting Date:** May 9, 2017

Attachments:  X

**From:** Kathy Wright, Director of Educational Services

Item #:  9.3.3 & 10.7

**SUBJECT**

Receive the presentation and approve the District Schools' Single Plan for Student Achievement for school year 2017-2018 presented by Nick Casey, Principal of D.H. White Elementary School.

Action: \_\_\_\_\_  
Consent Action:  X  
Information Only: \_\_\_\_\_

**Background:**

D.H. White Elementary School has met with its Site Council and has approved the attached plan for the 2017-2018 school year.

**Status:**

Educational Services has reviewed D.H. White Elementary School's SPSA and recommends them for Board Approval.

**Presenter:**

Nick Casey, D.H. White Principal

**Cost &/or Funding Sources (be specific)**

No cost to the District.

**Recommendation:**

That the Board receives the presentation and approves the District Schools' Single Plan for Student Achievement for school year 2017-2018 presented by Nick Casey, Principal of D.H. White Elementary School.

Time: \_\_\_\_\_ 5 mins. \_\_\_\_\_

# SPSA 2017-18

SINGLE PLAN FOR STUDENT ACHIEVEMENT

River Delta Joint Unified District

## D. H. White Elementary

The District Governing Board approved this revision of the School Plan on :04/26/2016

CDS Code: 34674136033716

Principal: Mr. Nicholas Casey, Principal

Superintendent: Don Beno

Address: 500 Elm Way  
Rio Vista, CA 94571-1304

Phone: (707) 374-5335

Email: [ncasey@rdusd.org](mailto:ncasey@rdusd.org)

Web Site: <http://dhw-rdusd-ca.schoolloop.com/>





Goals and Actions	Start Date	Completion Date	Amount
<b>» LCAP Priority 1 - Basic Services</b>			
› Improve and support student learning to close achievement gaps			
• Provide textbooks, materials and technology in support of student learning	07/01/2017	06/30/2018	\$14,550.00
<b>» LCAP Priority 2 - Implementation of State Standards</b>			
› DHW staff will implement CCSS with fidelity			
• Curricular Needs	07/01/2017	06/30/2018	\$7,944.00
<b>» LCAP Priority 3 - Parent Involvement</b>			
› Provide opportunities for parents in support of student learning			
• PTC and School Interaction	07/01/2016	06/30/2017	\$200.00
• Communication with Parents and Community	07/01/2017	06/30/2018	\$8,900.00
• Parent Math and ELA nights	07/01/2017	06/30/2018	\$2,000.00
<b>» LCAP Priority 4 - Pupil Achievement</b>			
› Setting Individual Academic Goals for Students			
• Planned Improvement in Student Performance	07/01/2017	06/30/2018	\$1,450.00
<b>» LCAP Priority 5 - Pupil Engagement</b>			
› Foster school culture that ensures academic success			
• Differentiated Instruction	07/01/2017	06/30/2018	\$89,500.00
<b>» LCAP Priority 6 - School Climate</b>			
› Provide facilities that are safe and technology to support instruction			
• Safe learning and working environment	07/01/2017	06/30/2018	\$1,800.00
<b>» LCAP Priority 8 - Other Pupil Outcomes</b>			
› Ensure academic, social and emotional well-being for all students			
• Counseling Services/Positive Action	07/01/2017	06/30/2018	\$9,605.00
<b>Total Annual Expenditures for Current Site Plan: \$135,949.00</b>			

## GOALS

### » GOAL: IMPROVE AND SUPPORT STUDENT LEARNING TO CLOSE ACHIEVEMENT GAPS

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#### GOAL AREA: LCAP PRIORITY 1 - BASIC SERVICES

#### FORM A: PLANNED IMPROVEMENTS IN STUDENT PERFORMANCE

The school site council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet CAASPP growth targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of student groups not meeting state standards:

##### LEA Goal:

- Not Aligned

##### LCAP Priorities:

- 1 - Basic Services

##### LCAP Goal:

- Provide an instructional program that supports full implementation of the CCSS, NGSS and ELD Standards in grades K-12.

##### Goal Statement:

- ◊ Provide all the basic curricular needs, textbooks and materials, for students and teachers; educational software licenses needed to support the curriculum; technology required to deliver and support student learning of the Common Core State Standards.

##### What data did you use to form this goal (findings from data analysis)?

- ◊ Inventory of books, materials, and technology at school
- ◊ Curricular requirements for all subject matter

##### What did the analysis of the data reveal that led you to this goal?

- ◊ To be successful, each student needs to have all required textbook, ancillaries, materials and technology to access curricular.
- ◊ Integration of curriculum with up-to-date technology is required for student learning and success in all content areas

##### What process will you use to monitor and evaluate the data?

- ◊ Keep an current and actualized inventory of all textbooks, materials, ancillaries, and technology
- ◊ Professional development for all teachers

**Strategy:**

- ◊ School will ensure that all teachers have all Board adopted curriculum, textbooks, to ensure student learning
- ◊ Teachers will use all Board adopted curriculum, textbooks, to ensure student learning
- ◊ Teachers will use technology to support the curriculum
- ◊ School will ensure that the appropriate levels of materials and supplies are available for students and teachers

## > **ACTION: PROVIDE TEXTBOOKS, MATERIALS AND TECHNOLOGY IN SUPPORT OF STUDENT LEARNING**

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**Means of Achievement: Monitoring program implementation and results****Action Type: Form A: Planned Improvements in Student Performance**

- **Task:**

- ◊ Teachers will use district-adopted standards-based instructional materials to foster and support student learning
- ◊ Teachers in grades K-5 will use Common Core Standards in their daily lesson planning
- ◊ Implement pacing guides incorporate into the district adopted curriculum
- ◊ Teachers will incorporate the district adopted Step Up to Writing program in their instruction in Grades K-5
- ◊ Purchase subscriptions to Science and History magazines to supplement textbooks and enhance language and literacy development
- ◊ Surplus all outdated, unused curriculum being house on-site
- ◊ Purchase ancillary materials for a learning to typing program and writing in support of student success on SBAC
- ◊ Purchase materials and supplies in support of student learning
- ◊ Teachers will use required technology and educational technology programs to support the curriculum
- ◊ Purchase and use necessary materials and equipment to meet the needs of Physical Education requirements
- ◊ Purchase and use additional Chromebooks to meet the needs of the new ELA and Math programs

- **Measures:**

- ◊ Monitor student access to the district-adopted textbooks throughout the year
- ◊ Maintain an inventory of all textbooks being housed and used on-site
- ◊ Principal will complete formal and informal, on-site observations of basic services in classroom, including use of the Chromebooks during class
- ◊ Collect and grade writing samples from Step Up to Writing program
- ◊ Monitor the usage report from all educational technology programs, including the learning to type program
- ◊ Monitor that each class is getting 200 minutes of PE every 10 days

- **People Assigned:**

- ◊ Principal
- ◊ Teachers
- ◊ Instructional Assistants

Start Date: 07/01/2017

Completion Date: 06/30/2018

Funding Resources	Related Expenditures	Estimated Cost
Lottery: Unrestricted	Classroom Materials and Supplies	\$150.00
Discretionary	Replace used Physical Education materials and supplies	\$1,000.00
Discretionary	Scholastic News subscription in support of Science and History	\$1,000.00
Discretionary	Dell Latitude Laptops for teachers to support SMART software	\$6,000.00
Lottery: Unrestricted	Classroom supplies-teacher allowance	\$3,400.00
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	SMART Board software update	\$500.00
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Headphones and mice	\$500.00
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Materials and Supplies	\$2,000.00



## GOAL: DHW STAFF WILL IMPLEMENT CCSS WITH FIDELITY

### GOAL AREA: LCAP PRIORITY 2 - IMPLEMENTATION OF STATE STANDARDS

#### FORM A: PLANNED IMPROVEMENTS IN STUDENT PERFORMANCE

The school site council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet CAASPP growth targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of student groups not meeting state standards:

#### LEA Goal:

- Not Aligned

#### LCAP Priorities:

- 2 - Implementation of State Standards

#### LCAP Goal:

- Provide an instructional program that supports full implementation of the CCSS, NGSS and ELD Standards in grades K-12.

### Goal Statement:

- ◊ DH White Elementary will provide an instructional program that supports full implementation of the Common Core State Standards in every class, in every subject area.
- ◊ Provide for collaboration time for staff to share instructional practices and strategies
- ◊ Feedback to parents through Report Cards and SSTs
- ◊ Protect Core instructional time in the School-wide schedule; all ELA and Math classes will be scheduled prior to Lunch everyday
- ◊ Students receiving RTI, tier 2 and 3, support in the classroom will show growth towards narrowing/closing achievement gap based on multiple measures used at that grade-level

### What data did you use to form this goal (findings from data analysis)?

- ◊ SBAC, MAP, CST-Science results

### What did the analysis of the data reveal that led you to this goal?

- ◊ Every student will be provided with access, the basic services and tools necessary to bring about sustainable student learning.
- ◊ All teachers will be provided with the necessary tools and supports to foster student learning.

### What process will you use to monitor and evaluate the data?

- ◊ Teacher implementation of curriculum
- ◊ Principal observation
- ◊ Input from students, parents, teachers, staff

### Strategy:

- ◊ In coordination with the District Office, DH White will maintain the appropriate level of highly qualified teachers so as to meet the needs of students
- ◊ In coordination with the District Office, all DH White students will have the appropriate textbooks, technology and equipment, materials, and the facilities necessary to bring about student learning in a safe, secure, and nurturing environment
- ◊ In coordination with the District Office, DH White staff will have the necessary equipment and materials to meet the needs of their jobs in a safe and supportive environment



## ACTION: CURRICULAR NEEDS

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Means of Achievement: Alignment of instruction with content standards

Action Type: Form A: Planned Improvements in Student Performance

- **Task:**

- ◊ Principal, teachers, and staff will work together to ensure that all the curricular and material needs of every student is met
- ◊ Principal will ensure procurement of curriculum, materials, supplies, and technology needed for instruction.
- ◊ Teacher representatives will participate in all district-provided technology trainings
- ◊ Teachers will embed literacy in their Science and Social Science instruction to support Common Core standards on informational texts
- ◊ The school and PTC will support grade-level field trips to enhance Science and Social Science Curriculum
- ◊ To adhere to the Ed Code, student in grades 1-5 will receive 200-minutes of guided Physical Education instruction every 10 days; Teachers in grade 1-5 will plan and implement common Physical Education activities based on the California Physical Education Framework
- ◊ Based on the RDUSD EL Master Plan, all English Language Learners will receive 30-minutes of core ELD instruction every day
- ◊ School ELD coordinator will provide guidance and training to all staff regarding new ELD standards and appropriate curriculum
- ◊ Bilingual Instructional Assistant will provide support and intervention to students in a small group setting who are still developing proficiency in English
- ◊ All English Language Learners will participate in a CELDT Boot Camp and have a "Test Chat" with a school staff member in the Fall
- ◊ All teachers will incorporate ELD standards in all subjects throughout the day and use SDAIE strategies to enhance the learning experience.

- **Measures:**

- ◊ 70% of ELD students will be proficient in Math on District Benchmark/MAP and Math Topic Tests
- ◊ Students will have all the curriculum, and basic materials, supplies, technology needed for learning
- ◊ Teachers will have the appropriate level of materials, supplies, and technology needed for instruction
- ◊ Regular Principal/Teacher communication
- ◊ Regular Principal/District Office communication
- ◊ 5th Grade CAASPP Science CST scores
- ◊ Principal walk-through/ formal observations
- ◊ Improved scores on CELDT tests
- ◊ Increase in number of students who are redesignated English Learners
- ◊ Increase parent attendance and input during ELAC meetings
- ◊ Improved scores on the district benchmarks assessments (MAP)
- ◊ Improved proficiency on high frequency words assessment
- ◊ Student improvement on universal assessments: SIPPS, BPST, Wonders, Math Expressions, Accelerated Reader quizzes, STAR Reading, & STAR Early Literacy

- **People Assigned:**

- ◊ District Office personnel
- ◊ Principal
- ◊ Teachers
- ◊ ELD teacher
- ◊ Instructional Assistant
- ◊ DHW office staff

**Start Date:** 07/01/2017

**Completion Date:** 06/30/2018

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Materials and supplies	\$2,549.00
Site Supplemental & Concentration LCFF	Professional Development opportunities for teachers	\$2,895.00
Lottery: Unrestricted	Accelerated Reading supplies	\$500.00
Discretionary	professional development-new teachers	\$1,000.00
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	ELPAC materials	\$1,000.00

## » GOAL: PROVIDE OPPORTUNITIES FOR PARENTS IN SUPPORT OF STUDENT LEARNING

### GOAL AREA: LCAP PRIORITY 3 - PARENT INVOLVEMENT

#### FORM A: PLANNED IMPROVEMENTS IN STUDENT PERFORMANCE

The school site council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet CAASPP growth targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of student groups not meeting state standards:

#### LEA Goal:

- Not Aligned

#### LCAP Priorities:

- 3 - Parent Involvement

#### LCAP Goal:

- Provide meaningful and varied opportunities for parents to be involved with supporting their child's academic achievement.

### Goal Statement:

- ◊ Provide meaningful and varied opportunities for parents to be involved with supporting their child's academic achievement.
- ◊ Further improve upon a parent-friendly campus where families feel safe, welcomed, and involved. What data did you use to form this goal (findings from data analysis)? Parents familiarity/lack of familiarity with student curricula
- ◊ Sign-in/out sheets
- ◊ Parental presence on campus, on Field Trips, at school events?

### What data did you use to form this goal (findings from data analysis)?

- ◊ Parental participation in our school is beneficial to student learning, and to student socioemotional development.
- ◊ Parents would benefit in knowing more about what and how their students are learning in the classroom, as a mean to better assist, and guide them, at home.

### What did the analysis of the data reveal that led you to this goal?

- ◊ More parental involvement at school and at home improves student achievement

### What process will you use to monitor and evaluate the data?

- ◊ Review school sign-in logs
- ◊ Teacher feedback on volunteer

### Strategy:

- ◊ Implement Parent nights where teachers inform on what is being taught in the classroom, how it is taught, and how parents could be instrumental in student success (value of reading, importance of homework done well, online supports built into the curricula, additional technological supports)
- ◊ Ensure that parent participation mirrors the school's demographic makeup
- ◊ Develop clear and transparent policies regarding parents on campus and on field trips
- ◊ Improve upon school/home communication
- ◊ Develop a culture that fosters parental participation during school hours, on field trips, and at school events



## ACTION: PTC AND SCHOOL INTERACTION

### Means of Achievement: Alignment of instruction with content standards

### Action Type: Form A: Planned Improvements in Student Performance

- Task:
  - ◊ Utilize school Facebook page and website, letters, automated phone messaging system, and Remind to increase school-to-home communication, and school bulletin board
  - ◊ Increase activities for parents and families to come to school (Donuts for Dad, Muffins for Mom, Breakfast with Santa, Winter Movie night, Spring Egg Drop, Family Fitness Night, End-of-Year Carnival)
  - ◊ Provide multiple opportunities for parent and school communication



- **Measures:**

- ◊ Sign-in sheets
- ◊ Increase parent presence at PTC meeting and events

- **People Assigned:**

- ◊ Principal
- ◊ Staff
- ◊ Parents
- ◊ PTC officers

Start Date: 07/01/2016

Completion Date: 06/30/2017

Funding Resources	Related Expenditures	Estimated Cost
Lottery: Unrestricted	Coffee with Principal	\$200.00

## ACTION: COMMUNICATION WITH PARENTS AND COMMUNITY

Means of Achievement: Alignment of instruction with content standards

Action Type: Form A: Planned Improvements in Student Performance

- **Task:**

- ◊ Utilize homework folders, school website and Facebook page, newsletter, and automated Phone messaging system to increase school to home communication
- ◊ Schedule Student Support Team (SST) meetings and Response to Intervention (RTI) meetings to create individualized support for students and to monitor progress
- ◊ Progress reports will be mailed quarterly in support of struggling students
- ◊ Parents will be invited to participate in Student Success Team (SST) meetings
- ◊ Upcoming events will be posted on the outside marquee/bulletin board, school webpage/Facebook page, and Remind
- ◊ Principal will ensure that Site Council, PTC, and ELAC meetings are not scheduled at the same time

- **Measures:**

- ◊ Parent involvement in school related functions
- ◊ Sign-in sheets from parent meetings (Site Council, PTC, ELAC)
- ◊ SST notes
- ◊ Phone messenger logs

- **People Assigned:**

- ◊ Principal
- ◊ Teachers
- ◊ Office Staff
- ◊ Parents
- ◊ Counselor

Start Date: 07/01/2017

Completion Date: 06/30/2018

Funding Resources	Related Expenditures	Estimated Cost
Site Supplemental & Concentration LCFF	Postage	\$1,000.00
Discretionary	Material-Home/School Folders	\$700.00
Discretionary	postage	\$600.00
Discretionary	copy supplies/paper	\$1,000.00
Discretionary	Copier Lease	\$1,695.00
Lottery: Unrestricted	Copier Lease	\$3,905.00



## ACTION:PARENT MATH AND ELA NIGHTS

Means of Achievement: Alignment of instruction with content standards

Action Type:Form A: Planned Improvements in Student Performance

- **Task:**

- ◊ Develop a series of parent trainings in Math and ELA in support of student learning

- **Measures:**

- ◊ More parents being able to support their students while doing homework and providing a better understand of the CCSS

- **People Assigned:**

- ◊ Teachers
- ◊ Parents
- ◊ Principal

Start Date: 07/01/2017

Completion Date: 06/30/2018

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Staffing	\$1,500.00
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Materials and supplies	\$500.00

## » GOAL: SETTING INDIVIDUAL ACADEMIC GOALS FOR STUDENTS

### GOAL AREA: LCAP PRIORITY 4 - PUPIL ACHIEVEMENT

#### FORM A: PLANNED IMPROVEMENTS IN STUDENT PERFORMANCE

The school site council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet CAASPP growth targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of student groups not meeting state standards:

#### LEA Goal:

- Not Aligned

#### LCAP Priorities:

- 4 - Pupil Achievement

#### LCAP Goal:

- Not Aligned

#### Goal Statement:

Understanding, monitoring, adjusting, and differentiating instruction is the key to student success.

#### What data did you use to form this goal (findings from data analysis)?

Data gathered from student report cards, and AR, MAP, SBAC testing results

#### What did the analysis of the data reveal that led you to this goal?

Although students are making significant growth, student achievement is not equal across the board. More training is needed in the areas of data analysis and differentiation of instruction in the classroom.

#### What process will you use to monitor and evaluate the data?

Continue monitoring data throughout the school year, and between school years.

#### Strategy:

- ◊ Teachers will set academic goals for each student at the start of the school year
- ◊ Teachers will review data with the principal and within their grade level teams
- ◊ Instruction will be modified as needed to meet student needs (modality, intervention, GATE)
- ◊ Teachers will collaborate and visit other classrooms.

## ACTION: PLANNED IMPROVEMENT IN STUDENT PERFORMANCE

Means of Achievement: [Monitoring program implementation and results](#)

Action Type: [Form A: Planned Improvements in Student Performance](#)

- **Task:**

- ◊ Teachers will continue setting individual academic goals for each and every student, and provide additional, targeted, and differentiated intervention to struggling students
- ◊ School will maintain records of student academic data in support of instruction and student learning

- **Measures:**

- ◊ Comparing results with the 2015-16 school year: Number of students performing at grade level and obtaining 4s on their report cards will increase by 5%
- ◊ Number of students performing at level 4 on CASSPP testing in ELA and Math will increase by 5%
- ◊ Number of students scoring Proficient and Advanced on 5th Grade CST-Science test will increase by 5%
- ◊ Number of students showing growth on their 5th Grade Fitnessgram test results will increase by 10%
- ◊ Number of students making their Accelerated Reader goals and raising their ZPD levels will increase
- ◊ Student MAP testing RIT score will increase, and 65% of students will have made their yearly target growth by Spring
- ◊ Decrease in number of students referred for Special Education testing

- **People Assigned:**

- ◊ Teachers
- ◊ Students
- ◊ Principal
- ◊ RTI 3 teacher
- ◊ GATE coordinator

Start Date: [07/01/2017](#)

Completion Date: [06/30/2018](#)

Funding Resources	Related Expenditures	Estimated Cost
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	materials and supplies	\$1,450.00

## » GOAL: FOSTER SCHOOL CULTURE THAT ENSURES ACADEMIC SUCCESS

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### GOAL AREA: LCAP PRIORITY 5 - PUPIL ENGAGEMENT

#### FORM A: PLANNED IMPROVEMENTS IN STUDENT PERFORMANCE

The school site council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet CAASPP growth targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of student groups not meeting state standards:

#### LEA Goal:

- Not Aligned

#### LCAP Priorities:

- 5 - Pupil Engagement

#### LCAP Goal:

- Not Aligned

#### Goal Statement:

- ◊ By June 2018, DH White students will increase, by at least 5%, their score on all required testing, as measured by the CAASPP (SBAC, CST, CMA, CAPA), CELDT, District Benchmarks/MAP, Fluency Assessments, Theme Skills tests, Topic Tests, and Renaissance Learning Early STAR Literacy and Reading tests.
- ◊ Work towards eliminating disparity in student successes and closing achievement gap
- ◊ Provide enrichment programs for students designated as Gifted and Talented, or performing well above grade-level
- ◊ Students will receive differentiated instruction in the classroom during ELA/Math instruction and during Universal Access (UA) time
- ◊ Increase student attendance to 97%
- ◊ Reduce number of referrals to RTI 3 by effective interventions in the classroom
- ◊ Reduce number of referrals to Special Education by assuring student successes in RTI 3
- ◊ Reduce number of student referrals to office
- ◊ Reduce number of student suspensions

#### What data did you use to form this goal (findings from data analysis)?

- ◊ Achievement scores among school subgroups
- ◊ Attendance rate for 2015-16 and 2016-17 school years
- ◊ Number students referred to RTI 3
- ◊ Number students referred to Special Education for testing
- ◊ Number of students referred to the office and suspended in 2015-16 school year

### What did the analysis of the data reveal that led you to this goal?

- ◊ Disproportionate student achievement among school subgroups
- ◊ More staff training and collaboration needed with regard to differentiated instruction
- ◊ More staff training needed in support of RTI 1 and 2 in the classroom

### What process will you use to monitor and evaluate the data?

- ◊ Review student report cards
- ◊ Review RTI 3 referrals
- ◊ Review SST logs, RTI 3 results, before referring students for Special Ed testing
- ◊ Review attendance logs

### Strategy:

- ◊ Students will receive differentiated instruction in the classroom during ELA/Math instruction and during Universal Access (UA) time
- ◊ Provide intervention (RTI3) using SRA Corrective Reading, SIPPs, Read Naturally, Lexia Core 5 to increase mastery of the standards, increase fluency, and improve reading comprehension in grades K to 2
- ◊ Work collaboratively with parents to support learning at home
- ◊ Provide staff training during Faculty Meetings
- ◊ Provide for peer staff observation in other classrooms
- ◊ Each teacher will 'adopt' three families with the goal of fostering more parent support in their child's education
- ◊ Provide for a differentiated program to meet the needs of gifted and talented students



## ACTION:DIFFERENTIATED INSTRUCTION

### Means of Achievement: Alignment of instruction with content standards

#### Action Type:Form A: Planned Improvements in Student Performance

- Task:
  - ◊ Students will receive differentiated instruction in the classroom during ELA and Math instruction and during Universal Access time
  - ◊ Students in grade K to 2 will receive differentiated instruction level 3 (1:1 or very small group) outside the classroom in ELA in support of learning foundational skills
  - ◊ Students will have access to supplementary curricula to support student learning of Grade level Standards, i.e., Lexia Core 5, Language! SIPPs, BPST, Corrective Reading, Read Naturally, Step up to Writing.
  - ◊ Provide appropriate staffing to support program
  - ◊ In coordination with Rio Vista HS, student TAs will provide additional supports to K to 2 students.
  - ◊ Provide afterschool activities for students for enrichment.

- **Measures:**

- ◊ Number of students who are performing at 3s and 4s on grade level Standards
- ◊ Decrease in number of students referred for Special Education testing
- ◊ Increase in student Accelerated Reader ZPD levels
- ◊ Increase in student MAP testing RIT score

- **People Assigned:**

- ◊ Principal
- ◊ Teachers
- ◊ Instructional Assistants
- ◊ RSP/SDC teachers

Start Date: 07/01/2017

Completion Date: 06/30/2018

Funding Resources	Related Expenditures	Estimated Cost
Discretionary	Instructional Assistant (3 hours a day)	\$5,800.00
Site Supplemental & Concentration LCFF	Bilingual Instructional Assistant	\$7,800.00
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Instructional Assistant (3 hours a day)	\$5,450.00
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Bilingual Instructional Assistant	\$13,950.00
Discretionary	Bilingual Instructional Assistant	\$8,500.00
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Teacher - other	\$11,600.00
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	ELD teacher	\$26,000.00
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	ELA/Math Intervention	\$3,000.00
Lottery: Unrestricted	After school enrichment for gifted and talented, or students working above grade level	\$4,000.00
Discretionary	Testing Support Asst	\$200.00
Discretionary	Subs for Testing	\$1,200.00
Discretionary	ELA/Math Intervention	\$2,000.00

## » GOAL: PROVIDE FACILITIES THAT ARE SAFE AND TECHNOLOGY TO SUPPORT INSTRUCTION

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### GOAL AREA: LCAP PRIORITY 6 - SCHOOL CLIMATE

#### FORM A: PLANNED IMPROVEMENTS IN STUDENT PERFORMANCE

The school site council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet CAASPP growth targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of student groups not meeting state standards:

#### LEA Goal:

- Not Aligned

#### LCAP Priorities:

- 6 - School Climate

#### LCAP Goal:

- Not Aligned

#### Goal Statement:

- ◊ Principal and Maintenance & Operations (M&O) staff will ensure that all Site facilities are in good working order to meet the needs of students, teachers, and staff
- ◊ Custodians will inform Principal and M&O of facilities and maintenance needs
- ◊ Maintain appropriate inventory of technology
- ◊ District's Uniform Complaint Procedures, including Williams requirements, posted in every room
- ◊ Evacuation maps posted in every room
- ◊ Monthly Fire drills will be adhered to
- ◊ Evacuation drills will be implemented as prescribed in Safety Plan

#### What data did you use to form this goal (findings from data analysis)?

- ◊ Maintenance request logs
- ◊ Staff and parent surveys

#### What did the analysis of the data reveal that led you to this goal?

- ◊ There is a need for ongoing upkeep of the premises to provide for a safe learning and working environment

#### What process will you use to monitor and evaluate the data?

#### Strategy:



## > ACTION:SAFE LEARNING AND WORKING ENVIRONMENT

Means of Achievement: Alignment of instruction with content standards

Action Type:Form A: Planned Improvements in Student Performance

- **Task:**

- ◊ Provide additional sports/play opportunities for students during recess and lunch times
- ◊ Continue with and expand upon Bullying Prevention program
- ◊ Analyze the yard duties' supervision zone on the playground and adjust the supervision play accordingly

- **Measures:**

- ◊ Increase in student learning as measured on standardized tests
- ◊ Decrease disciplinary referrals
- ◊ Compare the decrease in disciplinary referrals with the student participation data of the Bullying Prevention programs

- **People Assigned:**

- ◊ Principal
- ◊ Custodians
- ◊ Teachers/Staff
- ◊ M&O staff

Start Date: 07/01/2017

Completion Date: 06/30/2018

Funding Resources	Related Expenditures	Estimated Cost
Site Supplemental & Concentration LCFF	Security Cameras, yearly maintenance agreement fees	\$1,100.00
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Materials and supplies	\$700.00

## » GOAL: ENSURE ACADEMIC, SOCIAL AND EMOTIONAL WELL-BEING FOR ALL STUDENTS

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### GOAL AREA: LCAP PRIORITY 8 - OTHER PUPIL OUTCOMES

#### FORM A: PLANNED IMPROVEMENTS IN STUDENT PERFORMANCE

The school site council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of the instructional program for students failing to meet CAASPP growth targets. As a result, it has adopted the following school goals, related actions, and expenditures to raise the academic performance of student groups not meeting state standards:

#### LEA Goal:

- Not Aligned

#### LCAP Priorities:

- 8 - Other Pupil Outcomes

#### LCAP Goal:

- Not Aligned

#### Goal Statement:

- ◊ Ensure that students attend school on a daily basis, arrive on time, and that the school's overall average daily attendance rate is above 97%
- ◊ Reduce with the goal of eliminating student suspensions
- ◊ Reduce referrals to Special Education by fostering a more effective RTI process
- ◊ Improving student, staff and family relationships and perception of safety on campus

#### What data did you use to form this goal (findings from data analysis)?

- ◊ Trends in student attendance, absenteeism, tardy, and truant tardy.
- ◊ Communications with parents
- ◊ Students referred to Special Education testing

#### What did the analysis of the data reveal that led you to this goal?

- ◊ Students who are habitually absent, or tardy, to school tend not to perform as well as those who are not.
- ◊ Student learning improves when they feel supported by staff and at home.

#### What process will you use to monitor and evaluate the data?

- ◊ Review student attendance records
- ◊ Review student referral notices

**Strategy:**

- ◊ Maintain communication with families of students who are habitually absent or tardy to school so as to provide solutions and to ensure sustained attendance in school.

**ACTION:COUNSELING SERVICES/POSITIVE ACTION**

Means of Achievement: **Alignment of instruction with content standards**

Action Type: **Form A: Planned Improvements in Student Performance**

- **Task:**

- ◊ Continue teaching Positive Action and Bullying Prevention Program "2nd Step" in the classroom
- ◊ Hold monthly Positive Action assemblies where students will be recognized for positive behaviors and character
- ◊ Facilitate collaboration through parent and staff meetings to improve upon behavioral successes in our students
- ◊ Continue to offer the Peacekeepers program during recess with afterschool training

- **Measures:**

- ◊ Students recognition at assemblies
- ◊ Reduction of inappropriate behaviors on campus and at recess
- ◊ Principal observation of bullying Prevention/Positive Action being taught in the classroom

- **People Assigned:**

- ◊ Principal
- ◊ Teachers/staff
- ◊ Peacekeeper Advisor(s)

Start Date: **07/01/2017**

Completion Date: **06/30/2018**

Funding Resources	Related Expenditures	Estimated Cost
Lottery: Unrestricted	Positive Action and Attendance Assemblies	\$500.00
NCLB: Title I, Part A, Basic Grants Low-Income and Neglected	Substitute teachers for RTI and SST meetings	\$1,000.00
Lottery: Unrestricted	Attendance-incentives/program	\$3,000.00
Site Supplemental & Concentration LCFF	Peacekeepers Materials and Supplies	\$1,000.00
Discretionary	Peacekeeper program	\$2,000.00
Discretionary	professional development	\$2,105.00

» **FUNDING PROGRAMS INCLUDED IN THIS PLAN**

- Each state and federal categorical program in which the school participates.

Total Site Plan Budget : **\$135,949.00**

Total Annual Expenditures for Current School Plan: **(\$135,949.00)**

Balance: **\$0.00**

Funding Resource Code	Funding Source	Allocation / Expenditure
<b>1100</b>	<b>Lottery: Unrestricted</b>	<b>\$15,655.00</b>
	Curricular Needs	(\$500.00)
	Provide textbooks, materials and technology in support of student learning	(\$150.00)
	Provide textbooks, materials and technology in support of student learning	(\$3,400.00)
	PTC and School Interaction	(\$200.00)
	Communication with Parents and Community	(\$3,905.00)
	Counseling Services/Positive Action	(\$500.00)
	Counseling Services/Positive Action	(\$3,000.00)
	Differentiated Instruction	(\$4,000.00)
	<b>Balance:</b>	<b>\$0.00</b>
<b>3010</b>	<b>NCLB: Title I, Part A, Basic Grants Low-Income and Neglected</b>	<b>\$71,699.00</b>
	Differentiated Instruction	(\$11,600.00)
	Differentiated Instruction	(\$26,000.00)
	Differentiated Instruction	(\$3,000.00)
	Planned Improvement in Student Performance	(\$1,450.00)
	Differentiated Instruction	(\$5,450.00)
	Differentiated Instruction	(\$13,950.00)
	Counseling Services/Positive Action	(\$1,000.00)
	Parent Math and ELA nights	(\$1,500.00)
	Parent Math and ELA nights	(\$500.00)
	Curricular Needs	(\$1,000.00)

Funding Resource Code	Funding Source	Allocation / Expenditure
	Safe learning and working environment	(\$700.00)
	Provide textbooks, materials and technology in support of student learning	(\$500.00)
	Provide textbooks, materials and technology in support of student learning	(\$500.00)
	Provide textbooks, materials and technology in support of student learning	(\$2,000.00)
	Curricular Needs	(\$2,549.00)
	<b>Balance:</b>	<b>\$0.00</b>
<b>0000</b>	<b>Discretionary</b>	<b>\$34,800.00</b>
	Curricular Needs	(\$1,000.00)
	Provide textbooks, materials and technology in support of student learning	(\$1,000.00)
	Provide textbooks, materials and technology in support of student learning	(\$1,000.00)
	Provide textbooks, materials and technology in support of student learning	(\$6,000.00)
	Communication with Parents and Community	(\$700.00)
	Communication with Parents and Community	(\$600.00)
	Communication with Parents and Community	(\$1,000.00)
	Communication with Parents and Community	(\$1,695.00)
	Differentiated Instruction	(\$8,500.00)
	Counseling Services/Positive Action	(\$2,000.00)
	Counseling Services/Positive Action	(\$2,105.00)
	Differentiated Instruction	(\$5,800.00)
	Differentiated Instruction	(\$200.00)
	Differentiated Instruction	(\$1,200.00)
	Differentiated Instruction	(\$2,000.00)
	<b>Balance:</b>	<b>\$0.00</b>
<b>740</b>	<b>Site Supplemental &amp; Concentration LCFF</b>	<b>\$13,795.00</b>
	Differentiated Instruction	(\$7,800.00)
	Counseling Services/Positive Action	(\$1,000.00)
	Curricular Needs	(\$2,895.00)
	Safe learning and working environment	(\$1,100.00)
	Communication with Parents and Community	(\$1,000.00)
	<b>Balance:</b>	<b>\$0.00</b>



## » SCHOOL SITE COUNCIL MEMBERSHIP

Education Code Section 64001(g) requires that the SPSA be reviewed and updated at least annually, including proposed expenditures of funds allocated to the School through the Consolidated Application, by the school site council. The current make-up of the school site council is as follows:

Name	Represents	Contact Info	Reviewed Plan Date
<b>Shannon Howe</b>	Parent or Community Member	707-374-5335	04/26/2016
<b>Kelli Mahoney</b>	Parent or Community Member	707-374-5335	04/26/2016
<b>Elvia Coronado</b>	Parent or Community Member	707-374-5335	04/26/2016
<b>Codi Agan</b>	Other School Staff	707-374-5335	04/26/2016
<b>Nick Casey</b>	Principal	707-374-5335	04/25/2017
<b>Lea Cates</b>	Classroom Teacher	707-374-5335	04/25/2017
<b>Mary Ann Ogo</b>	Classroom Teacher	707-374-5335	04/25/2017
<b>Sandy Gifford</b>	Classroom Teacher	707-374-5335	04/25/2017

### TOTAL NUMBER OF SCHOOL SITE COUNCIL MEMBERS

	Principal	ClassRoom Teacher	Other School Staff	Parent or Community Member	Secondary Student
<b>Number of members of each category</b>	1	3	1	3	0

» **RECOMMENDATIONS AND ASSURANCES**

The school site council (SSC) recommends this school plan and proposed expenditures to the district governing board for approval and assures the board of the following:

1. The SSC is correctly constituted and was formed in accordance with district governing board policy and state law.
2. The SSC reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the Single Plan for Student Achievement (SPSA) requiring board approval.
3. The SSC sought and considered all recommendations from the following groups or committees before adopting this plan:
4. The SSC reviewed the content requirements for school plans of programs included in this SPSA and believes all such content requirements have been met, including those found in district governing board policies and in the local educational agency plan.
5. This SPSA is based on a thorough analysis of student academic performance. The actions proposed here in form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.
6. This SPSA was adopted by the SSC at a public meeting on:

04/25/2017

Attested:

**Mr. Nicholas Casey, Principal**

\_\_\_\_\_  
Typed name of School Principal

\_\_\_\_\_  
Signature of School Principal

\_\_\_\_\_  
Date

**Elvia Coronado**

\_\_\_\_\_  
Typed name of SSC Chairperson

\_\_\_\_\_  
Signature of SSC Chairperson

\_\_\_\_\_  
Date





## ANALYSIS OF CURRENT EDUCATIONAL PRACTICE

### Use of state and local assessments to modify instruction and improve student achievement (ESEA):

D.H. White staff utilizes federal, state, and local assessment results to guide instruction and to improve student achievement. Monthly grade level collaboration meetings are held to analyze data and to make necessary curricular adjustments.

### Use of data to monitor student progress on curriculum-embedded assessments and modify instruction (EPC):

The following sources of data are analyzed during staff and grade level collaboration meetings in order to make curriculum and instruction modifications to improve student achievement:

- CAASPP results - schoolwide, grade level, and individual scores (current year and one year previous)
- CELDT results
- EL Re-designation rates
- MAP results
- Houghton-Mifflin Theme Test results
- enVision Math Topic Test results
- STAR Reading, STAR Math, and STAR Early Literacy test results
- District Benchmark Assessment data

### Status of meeting requirements for highly qualified staff (ESEA):

100% of teachers on staff meet highly-qualified teacher requirements.

### Principals' Assembly Bill (AB) 75 training on State Board of Education (SBE) adopted instructional materials (EPC):

AB 75 training is made available to all school principals to ensure compliance.

### Sufficiency of credentialed teachers and teacher professional development (e.g., access to AB 466 training on SBE-adopted instructional materials) (EPC):

All teachers at D.H. White School are fully credentialed teachers. AB 466 training has been completed by most teachers; those who have not completed the training will have it made available to them.

### Alignment of staff development to content standards, assessed student performance, and professional needs (ESEA):

River Delta Unified School District provides staff development days each year. The district Superintendent and leadership team select areas of focus for these days. Full day workshops are developed for teachers. Attendance is required and is monitored by sign-in/ sign-out sheets.

### Ongoing instructional assistance and support for teachers (e.g., use of content experts and instructional coaches) (EPC):

Teachers receive ongoing instructional support and assistance through: - Strategic Schooling consultant - GLAD coaching - Administrator observation and guidance - Other professional development, as indicated in the SPSA

### Teacher collaboration by grade level (K-8) and department (9-12) (EPC):

Teachers collaborate through monthly grade level and/or grade span meetings. These meetings are calendared by the site administrator and meeting notes are maintained as a monthly record.

### Alignment of curriculum, instruction, and materials to content and performance standards (ESEA):

D.H. White has acquired district-adopted materials in each of the curricular areas taught in the elementary school. All texts are on the current list of approved materials from the State of California; all materials are aligned with California content standards and/or Common Core.

### Adherence to recommended instructional minutes for reading/language arts and mathematics (K-8) (EPC):

All staff adhere to a schoolwide schedule, which includes the recommended instructional minutes for reading/language arts and mathematics.

### Lesson pacing schedule (K-8) and master schedule flexibility for sufficient numbers of intervention courses (EPC):

Grades K-5 follow district pacing guides in English/Language Arts and Mathematics. Universal Access time, Learning Center grouping, and RTI small group instruction are utilized for intervention courses.

### Availability of standards-based instructional materials appropriate to all student groups (ESEA):

Each student has access to a copy of the textbook and/or consumable materials required for each of the core subjects. Materials are ordered each summer according to estimated enrollment for the next year. Occasionally, enrollment is underestimated, but materials are ordered as soon as possible so that students have the necessary materials. This is an annual process occurring in June and September of each year.

### Use of SBE-adopted and standards-aligned instructional materials, including intervention materials, and for high school students, access to standards-aligned core courses (EPC):

D.H. White has acquired SBE-adopted materials in each of the curricular areas taught in the elementary school. All texts and support materials are aligned with California content standards and/or Common Core.

### Services provided by the regular program that enable underperforming students to meet standards (ESEA):

Teachers use standards-based materials in all core curriculum areas. Teachers use their Universal Access time (with support materials tied to adopted curriculum) to assist under-performing students to meet standard in the classroom. RTI (Response to Intervention) strategies are utilized to target specific students. English Learners have thirty minutes of ELD time daily. After school tutorials are offered at each grade level. Students who are performing at basic or below levels have the opportunity to attend summer school, when offered. The school uses Lexia, a computer assisted reading program in all classrooms. All teachers use GLAD and SDAIE techniques and strategies for second language learners.

### Research-based educational practices to raise student achievement at this school (ESEA):

Research-based educational practices include: GLAD methodologies; RTI interventions; sheltered ELD instruction; and Universal Access intervention time.

### Resources available from family, school, district, and community to assist under-achieving students (ESEA):

Resources in the community are limited. There are currently two preschools in town to provide a learning experience for three to five year olds. Girl Scouts, Boy Scouts, and 4H provide programs for students outside of the school day and there are active sports programs for both boys and girls. The PTC (Parent Teacher Club) provides several thousand dollars each year to make

field trips possible and provides additional materials and supplies to the classroom. Rio Vista CARE provides on campus and after school counseling as well as PALS volunteers to support students.

**Involvement of parents, community representatives, classroom teachers, other school personnel, and students in secondary schools, in the planning, implementation, and evaluation of consolidated application programs. (5 CCR 3932):**

Parents, community representatives, classroom teachers, and other school personnel plan, implement, and evaluate the Single Plan for Student Achievement as members of the School Site Council. Meetings are held on a monthly basis for this purpose. The plan is a living document that assures compliance with consolidated application programs.

**Services provided by categorical funds that enable underperforming students to meet standards (ESEA) :**

**Fiscal support (EPC):**

Fiscal support of educational programs is detailed in the budget designations throughout the Single Plan for Student Achievement.

**BOARD OF TRUSTEES  
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

Meeting Date: May 9, 2017

Attachments:  \_\_\_\_\_

From: Don Beno, Superintendent

Item Number: 10.8

**SUBJECT** Request approval of the Memorandum of Understanding for district participation in the Sly Park program for the 2017-18 school year

Action: \_\_\_\_\_  
Consent Action:  \_\_\_\_\_  
Information Only: \_\_\_\_\_

**Background:**

See attached contract

**Status:**

The District has participated in this program for many years. This agreement will allow schools within this district to schedule and participate in their program.

**Presenter:**

Don Beno

**Other People Who Might Be Present** Staff

**Cost &/or Funding Sources** None to District, costs are borne by schools/donations.

**Recommendation:**

That the Board approve the Memorandum of Understanding for participation by the District schools in the Sly Park Environmental Education Center for 2017-18.

Time: 3 mins.



Sly Park Environmental Education Center  
5600 Sly Park Rd.  
Pollock Pines, CA 95726  
916-228-2485  
slypark@scoe.net

Date: April 26, 2017

To: Superintendent Don Beno  
River Delta Unified School District

From: Kris Pamintuan, Director  
Sly Park Environmental Education Center

Please sign and return the enclosed Memorandum of Understanding (MOU) to allow schools in your district to participate in the Sly Park program for the 2017/18 school year. Additionally, the Sacramento County Office of Education (SCOE) requires that your district provide a copy of your Certificate of Liability Insurance for our records naming SCOE as the insured. We must receive both of these documents, no less than 60 days prior to your trip, in order for your district/school(s) to attend Sly Park.

Please return both of the documents as soon as possible. Send to:

Sly Park Environmental Education Center  
5600 Sly Park Road  
Pollock Pines, CA 95726

A copy of the signed MOU and all further correspondence regarding 2017/18 participation will be sent directly to the schools. If you have any questions please call me at (916) 228-2485.

Thank you!

## **Memorandum of Understanding**

*Between Sacramento County Office of Education's Sly Park Environmental Education Center and River Delta Unified School District*

*Whereas Sacramento County Office of Education (SCOE) runs the Sly Park Environmental Education Center (Sly Park), which is located approximately 60 miles East of Sacramento in the Sierra Nevada Mountains, at approximately 3500 feet in forested foothill terrain; and*

*Whereas Sly Park provides outdoor science learning experiences to thousands of elementary school students every year in all weather conditions (including rain, snow, and ice), and is certified by the California Outdoor School Association; and*

*Whereas, River Delta Unified School District desires to offer its students participation in such program;*

*Accordingly, SCOE and District agree as follows:*

### **Section I – District Responsibilities**

#### **The District shall:**

- A. Comply with the terms of this Agreement and the rules and regulations of SCOE and Sly Park, as well as the rules and regulations of the USDA Forest Service, and all applicable County, State, and Federal laws. The District shall also require participating District schools to comply with this Agreement, the rules and regulations of the USDA Forest Service, and all applicable County, State, and Federal laws.
- B. Arrange for transportation of program participants, staff, chaperones, and their belongings to and from the Sly Park Campus.
- C. Provide and maintain during the District schools' stay on the Sly Park Campus, one (1) Certificated Teacher for each 34 students from the participating school.
- D. Provide adequate adult supervision for any children in attendance by maintaining an Adult Chaperone to Child ratio of one (1) adult for every 12 children; this shall include 1 female chaperone for each 12 female participants and 1 male chaperone for each 12 male participants.
  - a. The District may utilize high school students, age 16-18, as Chaperones, but the minor Chaperones may not account for more than 50% of the 12:1 male or female chaperone ratio.
- E. Ensure that each District School Teacher, Adult Chaperone, and Minor Chaperone is available to assist in supervising students, at the direction of the Sly Park Director. In the event that a teacher or chaperone is not available, SCOE/Sly Park reserves the right to hire a SCOE approved individual to assist in supervision. Costs incurred for supervision services will be the responsibility of the District.

- F. Require District Employees and Adult Chaperones having contact with District Students participating in the Sly Park Program to be fingerprinted and pass a criminal record background check.
- G. Agree to pay full program rate for adults/chaperones residing on campus, who are not acting as a Visiting Teacher or Chaperone as outlined in Paragraphs C or D above or who are in excess of the appropriate ratio expressed therein.
- H. Ensure students are adequately prepared for resident life on the Sly Park Campus, including the possibility of inclement weather. Each Chaperone, Staff, and Student must furnish a sleeping bag, or blankets and sheets, as well as clothing appropriate for hiking activities and weather. Suggested supplies are included in **Exhibit A – Sly Park Packing List**.
- I. Ensure that the parent/guardian of each registered student completes and signs all required forms, included in **Exhibit B – Student Registration Form and Medication Authorization Form**.
- J. Provide Medical Care and/or Medication Administration to District Students while on the Sly Park Campus in accordance with District procedures. Sly Park staff will not be responsible for administration of medication to students.
- K. Adhere to the Sly Park Visitor Policy included in **Exhibit C – Sly Park Visitor Policy**.
- L. Refrain from bringing any alcohol, tobacco, weapons, or illegal substances onto Sly Park Campus.

## **Section II – SCOE/Sly Park Responsibilities**

### **SCOE/Sly Park shall:**

- A. Provide an open enrollment period for schools/districts wishing to reserve space at Sly Park which is equitable and on a first-requested, first-reserved basis.
- B. Provide an Outdoor Environmental Education Program, including Curriculum and Outdoor Activities led by certificated instructors.
- C. Provide lodging and food for Students, Chaperones, and District Teachers participating in accordance with the adult to student ratios outlined in Paragraphs C and D above.
- D. Through campus authority of Sly Park Director, maintain authority and responsibility with respect to the conduct of District schools and participants while attending Sly Park Environmental Education Program.
- E. Upon availability, accept requests to increase a District school's student attendance by an amount of up to 10% of the school's original reserved number of students when such request is made in writing ten (10) business days prior to arrival.

## **Section III – Campus Condition**

The District schools shall leave the Sly Park Campus in the same condition as when it arrived, reasonable wear and tear exempted and shall reimburse Sly Park for actual costs of any repairs necessitated by damage caused by the District's schools, pupils, chaperones, teachers, or other persons attending Sly Park in conjunction with the participating District School. Damage may also result in District or school being refused participation in the Sly Park Environmental Education Program in the future.

## **Section IV – Payment**

- A. Participating Districts/schools shall be responsible for payment of a non-refundable deposit of \$20.00 per reserved student (\$50.00 per student for programs taking place on a Saturday or Sunday). Deposit will secure reserved week. Deposits not paid by **January 30, 2017** for Sly Park visits occurring between August 1 and December 31, 2017 and by **April 30, 2017** for Sly Park visits

occurring between January 1 and June 15, 2018 or within 40 days of mailing of Deposit Invoice are subject to reservation cancellation by Sly Park. Deposit is applied to final invoice.

- B. Schools can make alterations to their reserved student number at any time prior to **May 1, 2017** for Sly Park visits occurring between August 1 and December 31, 2017 and prior to **September 30, 2017** for Sly Park visits occurring between January 1 and June 15, 2018.
- C. The District shall be billed, and agrees to pay, for the actual number of students who attend Sly Park, unless that number is less than 90% of the number of students reserved as of the established deadline for changes, in which case the District shall pay that amount (i.e., the amount equal to 90% of the number of students reserved as of the established deadline for changes).
- D. Programs receiving exclusive use of the facility will be billed an amount reflecting a minimum attendance of 75 persons, regardless of the number actually attending.
- E. Program costs for 2017/18 school year are to be as follows per student and adult/chaperone in excess of ratio outlined in Section I, Paragraph D:
  - a. 5 Day / 4 Night Program: \$235.00
  - b. 4 Day / 3 Night Program: \$200.00
  - c. 3 Day / 2 Night Program: \$165.00
- F. District agrees to approve and authorize to pay within 30 days all invoices submitted by Sly Park/SCOE for services rendered pursuant to this agreement.
- G. Send all deposits and payments to the following address:
  - Sacramento County Office of Education
  - Attn: Financial Services
  - PO Box 269003
  - Sacramento, CA 95826-9003

## **Section V – Indemnification**

- A. To the fullest extent allowed by law, District shall defend, indemnify, and hold harmless SCOE/Sly Park, its directors, officers, agents, employees, and guests against any claim or demand arising from any actual or alleged act, error, or omission by District or its directors, officers, agents, employees, volunteers, or guests arising from District's duties and obligations described in this Agreement or imposed by law.
- B. To the fullest extent allowed by law, SCOE/Sly Park shall defend, indemnify, and hold harmless District, its directors, officers, agents, employees, and guests against any claim or demand arising from any actual or alleged act, error, or omission by SCOE/Sly Park or its directors, officers, agents, employees, volunteers, or guests arising from SCOE/Sly Park's duties and obligations described in this Agreement or imposed by law.

## **Section VI – Insurance**

- A. District shall maintain in full force and effect during program and occupation of Sly Park a comprehensive general liability insurance policy in an amount not less than Two Million Dollars (\$2,000,000.00) per occurrence. All insurance policies shall name SCOE, its officers, employees, and agents, as additional insured.
- B. District shall furnish Sly Park with a copy of proof of insurance prior to District's occupancy of Sly Park.



**Section VII- Term, Termination, and Force Majeure:**

- A. This agreement shall be deemed effective upon execution by both parties. Should the District, or participating school, regardless of reason, make a decision to cancel a reservation which has been confirmed with a deposit, the District shall be billed and agrees to pay a cancellation fee equal to full program costs for 75% of the original number of reserved students. SCOE will try to accommodate requests to reschedule subject to availability.
  
- B. Notwithstanding the foregoing, neither party shall liable for any failure in the performance of this agreement when such failure is due to causes beyond its reasonable control, including but not limited to natural disasters, floods, fires, acts of God, government orders or any other force majeure event.

**Section VIII – Non-Assignment**

This Agreement may not be transferred or assigned without the express written consent of SCOE.

**Section IX – Nondiscrimination**

Any service provided by either party pursuant to this Agreement shall be without discrimination based on the actual or perceived race, religious creed, color, national origin, nationality, ethnicity, ethnic group identification, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, gender, gender identity, gender expression, sex, or sexual orientation, in accordance with all applicable Federal and State laws and regulations.

**Section X – Independent Agents**

District and its agents, employees, and volunteers, shall act as independent agents in the performance of this Agreement, and not as an agent of SCOE.

**Section XI – Entire Agreement and Amendment Thereto**

Exhibits A-C, the documents entitled Deposit Invoice and Reservation Confirmation are incorporated herein and are deemed part of this MOU. Including these incorporated documents, this MOU constitutes the entire agreement and understanding of the parties. All prior understandings, terms or conditions are deemed merged into this MOU. Any changes to this MOU must be agreed to in writing by both parties.

**Section XII - Notice**

All notices shall be deemed to have been given when made in writing and delivered, faxed or mailed to the respective representatives of District and SCOE at their respective addresses or fax numbers as follows:

Sly Park Environmental Education Center  
 5600 Sly Park Rd.  
 Pollock Pines, CA 95726  
 Tel: 916-228-2785  
 Fax: 530-644-2670  
 Email: slypark@scoe.net

River Delta Unified School District  
 445 Montezuma  
 Rio Vista, CA 94571-1651  
 Tel: 707-374-2995  
 Fax: 707-374-2995  
 Email: dbeno@rdsd.org

**Section XIII - Execution of Agreement**

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Photographic copies of such signed counterparts may be used in lieu of the originals for any purpose.

**Upon signature, the duly authorized representatives of each party agree to the above statements of understanding.**

Sacramento County Office of Education  
10474 Mather Blvd  
Sacramento, CA 95826

River Delta Unified School District  
445 Montezuma  
Rio Vista, CA 94571-1651

\_\_\_\_\_  
*Kris Pamintuan* Date  
Director  
Sly Park Environmental Education Center

\_\_\_\_\_  
*Don Beno* Date  
Superintendent

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

**Meeting Date:** May 9, 2017

Attachments:  X

**From:** Kathy Wright, Director of Educational Services

Item #: 10.9

**SUBJECT**

Request to approve the Professional Expert Agreement with Linda Van De Maele to provide health services and instruction for the 2017-2018 school year at a cost not to exceed \$9,000.

Action:   
Consent Action:  X   
Information Only:

**Background & Status:**

Name of Vendor: Linda Van DeMaele

Description of Service(s): To provide health services and instruction for district students.

Date(s) of Service(s): 2017-2018 school year

**Presenter:**

Kathy Wright, Director of Educational Services

**Cost &/or Funding Sources (be specific)**

Not to exceed \$9,000 paid by the General Fund.

**Recommendation:**

That the Board approve the Professional Expert Agreement with Linda Van De Maele to provide health services instruction and services for the 2017-2018 school year at a cost not to exceed \$9,000.

Time: 2 mins.

# River Delta Unified School District

445 Montezuma Street  
Rio Vista, CA 94571

## Professional Expert Agreement

Under Section 45103 of the *Education Code*, professional experts employed "on a temporary basis for a specific project" are exempt from classified service. Professional experts must have a special skill or knowledge of a particular subject matter, derived from specialized training or expertise, often involving intensive academic preparation, or representing mastery of that subject. This agreement is for services which do not meet the criteria for Independent Contract Services and will be paid through payroll. Reimbursement will be reported as taxable compensation on statements of earnings (W-2). Applicable payroll deductions when appropriate including STRS and PERS will be made at the time of earned payments. It is understood that this agreement provides for a temporary position having no employment rights or benefits.

River Delta Unified School District agrees to Contract with Linda Van DeMaele for the services performed from: July 1, 2017 to: June 30, 2018.

Services to be performed: To provide health services and reproductive health education for River Delta Unified School District students.

Amount to be paid:

Budget # 0000 \$ Not to exceed \$9,000.

Budget # \_\_\_\_\_ \$ \_\_\_\_\_

Payment will be made, with approval of certifying administrator, upon completion of services as follows:

Pay Rate: \$ 50.00 per hour (hour, day, week, month, flat rate, stipend)

Requested by: \_\_\_\_\_ / \_\_\_\_\_  
Title Date

Supervisor Approval: \_\_\_\_\_ / \_\_\_\_\_  
Title Date

Director of Personnel \_\_\_\_\_ Date \_\_\_\_\_

Assistant Superintendent, Business Services \_\_\_\_\_ Date \_\_\_\_\_

**NOTE: This form must be accompanied by the following:**

I-9 Copy of Social Security Card  
W-4 Copy of Driver's License  
DE 4

**Identify services completed and submit to payroll:**  
Completed: \_\_\_\_\_ Certifying Administrator

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

All obligations have been fulfilled   
Additional payment requests will be forwarded to Payroll

### Professional Expert Completes:

Name \_\_\_\_\_

S.S. # \_\_\_\_\_

Address \_\_\_\_\_

Telephone # \_\_\_\_\_

Professional Expert Signature \_\_\_\_\_ Date \_\_\_\_\_

Do you have a valid CA teaching credential?

Yes  No

Are you presently or have you been a member of

PERS Yes  No

STRS Yes  No

Are you presently an employee of RDUSD?

Yes  No

**BOARD OF TRUSTEES  
RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

**Meeting Date:** May 9, 2017

Attachments: \_\_\_\_\_

**From:** Kathy Wright, Director of Educational Services

Item #: 10.10

**SUBJECT:**

Action: \_\_\_\_\_

Approval for out of state travel for Kathy Wright and Noelle Gomes to travel to Orlando, Florida on June 26<sup>th</sup> until June 28<sup>th</sup>, 2017 to attend the AVID Summer Institute at a cost not to exceed \$3,000.

Consent Action: X

Information Only: \_\_\_\_\_

**Background & Status:**

Out of state travel for RDUSD employees requires board action.

**Presenter:** Kathy Wright, Director of Educational Services

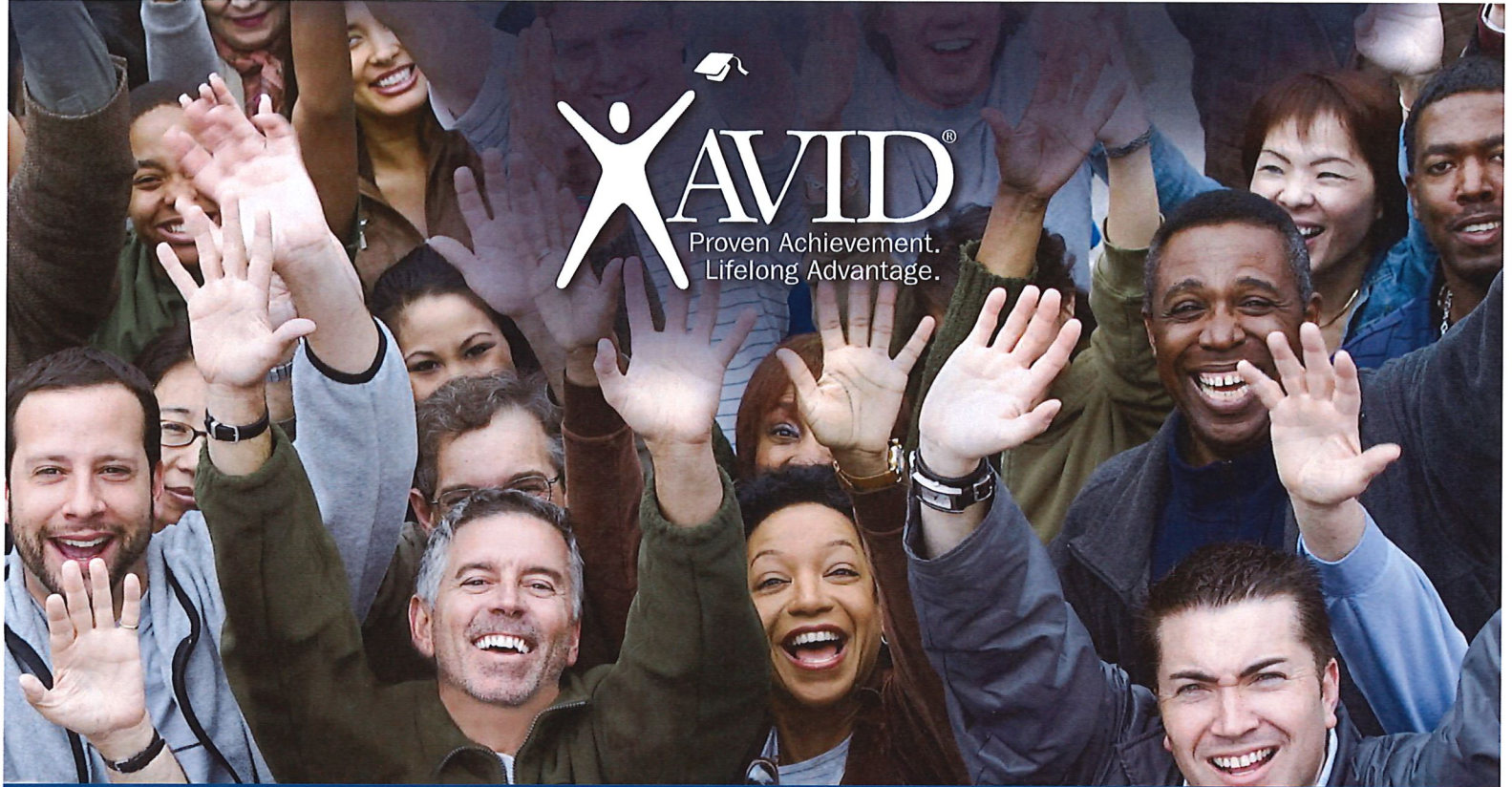
**Cost &/or Funding Sources (be specific)**

Airfare, hotel and other expenses such as food will not exceed \$3,000 paid by the general fund.

**Recommendation:**

That the board approve the out of state travel for Kathy Wright and Noelle Gomes to travel to Orlando, Florida on June 26<sup>th</sup> until June 28<sup>th</sup>, 2017 to attend the AVID Summer Institute at a cost not to exceed \$3,000.

Time: \_\_\_\_\_2 mins.\_\_\_\_



# THE AVID EFFECT

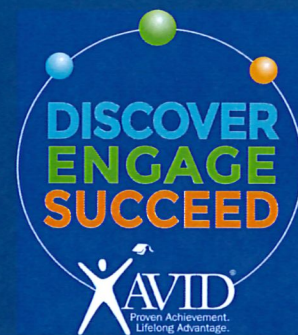
When teachers are engaged, students succeed.



[WWW.AVID.ORG](http://WWW.AVID.ORG)

“AVID can take your gift for teaching and turn it into a model for intentional, purposeful, repeatable student success.”

—AVID Educator



# 2017 SUMMER INSTITUTE STRANDS

## AVID Secondary

### AVID Academic Elective Teachers/ AVID Coordinators

- 1 Implementation: Middle School or High School
- 2 Tutorology
- 3 Advancing the AVID Elective: Middle School and High School
- 3 Essential Academic Skills for College Readiness
- 4 AVID Academic Language and Literacy: A Schoolwide Approach
- 4 Critical Reading 1
- 4 Critical Reading 2
- 4 Culturally Relevant Teaching: Transforming Educators
- 4 Culturally Relevant Teaching: Empowering Students
- 4 Leadership for AVID Schoolwide
- 4 Preparing for College
- 4 Student Success
- 4 Writing Across the MS/HS Content Areas (formerly Writing: Middle School and High School)

### Administrators/AVID Coordinators

- 1 Leadership for Implementation: Middle School/High School
- 2 Leadership for Advancing
- 3 Leadership for AVID Schoolwide
- 4 AVID Academic Language and Literacy: A Schoolwide Approach
- 4 Critical Reading 1
- 4 Critical Reading 2
- 4 Culturally Relevant Teaching: Transforming Educators
- 4 Culturally Relevant Teaching: Empowering Students
- 4 Preparing for College
- 4 Student Success
- 4 Tutorology

### Counselors

- 1 Counseling: Middle School or High School
- 2 Preparing for College
- 3 AVID Academic Language and Literacy: A Schoolwide Approach
- 3 Culturally Relevant Teaching: Transforming Educators
- 3 Culturally Relevant Teaching: Empowering Students
- 3 Leadership for AVID Schoolwide
- 3 Student Success
- 3 Tutorology

### AVID Excel

Please note that AVID Excel strands are for contracted AVID Excel sites only.

- 1 AVID Excel Implementation
- 2 AVID Excel Scholar Groups

### Subject Area Teachers

- 1 AVID Academic Language and Literacy: A Schoolwide Approach
- 1 AVID Career and Technical Education (CTE)
- 1 Critical Reading 1
- 1 English Language Arts: Exploring Texts with Strategic Reading
- 1 English Language Arts: Informing Ourselves and Others Through Writing and Speaking
- 1 History/Social Science Through High Engagement Strategies
- 1 History/Social Science Through Historical Inquiry
- 1 Mathematics 1
- 1 Science 1
- 1 Student Success
- 1 AVID Bridges
- 1 Writing Across the MS/HS Content Areas (formerly Writing: Middle School and High School)
- 2 AVID Academic Language and Literacy: A Schoolwide Approach
- 2 AVID Career and Technical Education (CTE)
- 2 Critical Reading 1
- 2 Critical Reading 2
- 2 Culturally Relevant Teaching: Transforming Educators
- 2 Culturally Relevant Teaching: Empowering Students
- 2 English Language Arts: Exploring Texts with Strategic Reading
- 2 English Language Arts: Informing Ourselves and Others Through Writing and Speaking
- 2 History/Social Science Through High Engagement Strategies
- 2 History/Social Science Through Historical Inquiry
- 2 Mathematics 2
- 2 Science 2
- 2 Student Success
- 2 AVID Bridges
- 2 Writing Across the MS/HS Content Areas (formerly Writing: Middle School and High School)
- 3 AVID Academic Language and Literacy: A Schoolwide Approach
- 3 AVID Career and Technical Education (CTE)
- 3 Critical Reading 1
- 3 Critical Reading 2
- 3 Culturally Relevant Teaching: Transforming Educators
- 3 Culturally Relevant Teaching: Empowering Students
- 3 Preparing for College
- 3 Student Success
- 3 AVID Bridges
- 3 Tutorology
- 3 Writing Across the MS/HS Content Areas (formerly Writing: Middle School and High School)

## AVID Elementary

Please note that AVID Elementary (AE) strands are for contracted AE sites only.

AVID Elementary District Directors: See District Directors K-12 section below for strand sequence.

### AVID Elementary Administrators

- 1 AE: Leadership for Implementation
- 2 AE: Leadership for Advancing
- 3 AE: Foundations Implementation (Grades K-2)
- 3 AE: Foundations Implementation (Grades 3-6)

### AVID Elementary Teachers

- 1 AE: Foundations Implementation (Grades K-2)
- 1 AE: Foundations Implementation (Grades 3-6)
- 1 AVID Bridges
- 2 AE: Just WICORize It!
- 2 AE: The Art of Inquiry
- 3 AE: Just WICORize It!
- 3 AE: The Art of Inquiry
- 3 AVID Academic Language and Literacy: A Schoolwide Approach
- 3 Critical Reading 1
- 3 Critical Reading 2
- 3 Culturally Relevant Teaching: Transforming Educators
- 3 Culturally Relevant Teaching: Empowering Students

## AVID for Higher Education

Please note that AVID for Higher Education (AHE) strands are for contracted AHE sites only. AHE strands will be offered only at the San Antonio Summer Institute.

- AHE: High Engagement Strategies for Academic Disciplines
- AHE: Teacher Preparation Leadership
- AHE: Collaborative Leadership
- AHE: Seminar Instructors
- AHE: Liaisons

## District Directors K-12

- 1 AVID District Leadership (ADL) 1
- 2 AVID District Leadership (ADL) 4
- 3 Advancing the District Director Role

### Attendee Key

- 1 1st Year and Beyond
- 2 2nd Year and Beyond
- 3 3rd Year and Beyond
- 4 4th Year and Beyond

## 2017 SCHEDULE

Dallas	June 21-23
Tampa	June 21-23
Orlando	June 26-28
San Diego 1 (Downtown)	June 28-30
Anaheim	July 5-7
Sacramento	July 10-12
San Antonio	July 12-14
Philadelphia	July 19-21
Denver	July 25-27
Minneapolis	July 25-27
San Diego 2 (Mission Valley)	August 1-3

## REGISTRATION

### Who Should Attend

Schools that have signed a 2017 contract with AVID may register online for Summer Institute. If you are not certain of the status of your contract, please contact your nearest AVID Division Office. Contact information is available at [www.avid.org](http://www.avid.org). Click on "Contact."

### Deadlines & Fees

Log in to MyAVID and click on "2017 AVID Summer Institutes" to download a payment coversheet that will assist you in registering yourself and/or your team. Register early! Space is limited and most strands fill quickly.

**Early Bird Registration:** \$760  
Through May 1, 2017

**Regular Registration:** \$835  
After May 1, 2017

**Late Registration:** \$940  
When registration occurs within three weeks of Institute start date

### Details

Log in to MyAVID and click on "2017 AVID Summer Institutes" to register and to obtain information on:

- Hotel rates and reservations
- Continuing education credit
- Strand offerings and descriptions
- Registration procedures
- Cancellations and refunds

Scan to Register!



Please note that not all strands will be offered at every Institute. Additionally, strands may be canceled due to low enrollment.

DISCOVER, ENGAGE, SUCCEED @ #AVIDSI17

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

**Meeting Date:** May 9, 2017

Attachments: \_\_\_x\_\_\_

**From:** Kathy Wright, Director of Educational Services

Item #: \_\_\_10.11\_\_\_

**SUBJECT:**

Request to approve the purchase of "Math and You" textbooks for the Practical Math class at Rio Vista High and Delta High School at a cost not to exceed \$16,500.

Action: \_\_\_\_\_  
Consent Action: \_\_\_x\_\_\_  
Information Only: \_\_\_\_\_

**Background & Status:**

The Math Curriculum Committee has met and approved the following textbooks:  
Math & You: The Power & Use of Mathematics by Larson Texts, Inc.

These textbooks have been approved for the Practical Math class at Rio Vista High School.

**Presenter:** Kathy Wright, Director of Educational Services

**Cost &/or Funding Sources (be specific)**

Educational Services (0480)

**Recommendation:**

Request to approve the purchase of "Math and You" textbooks for the Practical Math class at Rio Vista High and Delta High School at a cost not to exceed \$16,500.

Time: \_\_\_\_\_ mins. \_\_\_



**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

**Meeting Date:** May 9, 2017

Attachments:  X

**From:** Kathy Wright, Director of Educational Services

Item #: 10.12

**SUBJECT**

Action: \_\_\_\_\_

Consent Action:  X

Information Only: \_\_\_\_\_

Request to approve the purchase of 164 Chromebooks and 5 Chromebook carts at a cost not to exceed \$51,748.25.

**Background & Status:**

Name of Vendor: Datapath

Description of Service(s): 164 Chromebooks and 5 Chromebook carts for DH White, Riverview and Rio Vista High.

Date(s) of Service(s): 2016-2017 school year

**Presenter:**

Kathy Wright, Director of Educational Services

**Cost &/or Funding Sources (be specific)**

Not to exceed \$51,748.25 by Educational Services (0000).

**Recommendation:**

That the Board approve the purchase of 164 Chromebooks and 5 Chromebook carts at a cost not to exceed \$51,748.25

Time: \_\_\_\_\_ mins.\_\_\_\_



318 McHenry Ave.  
 Modesto, CA 95354  
 t. 209.521.0055 f. 888.499.1959

# QUOTE

Number DPQQ11600-01

Date May 3, 2017

### Prepared For

River Delta USD  
 445 Montezuma St.  
 Rio Vista, 94571

### Ship To

River Delta USD  
 445 Montezuma St.  
 Rio Vista, 94571

### Payment Terms

NET10

### Quote Valid Through

5/31/2017

Qty	Description	Unit Price	Ext. Price
	<b>ED SVS Chromebooks and Carts</b>		
164	Lenovo N42 14" Chromebook - Intel Celeron N3060 Dual-core (2 Core) 1.60 GHz - 4 GB - 32 GB Flash Memory Capacity - Chrome OS - 1366 x 768 - Black - Intel HD Graphics 400 - Bluetooth - English (US) Keyboard - Front Camera/Webcam - IEEE 802.11ac - 3-cell	\$215.00	\$35,260.00
164	California Electronic Waste Recycling Fee - Screen Less than 15 Inches	\$5.00	\$820.00
164	Chrome OS Management Software	\$30.00	\$4,920.00
4	Ergotron Laptop Cart <ul style="list-style-type: none"> <li>• Up to 36 Mini-Laptops</li> <li>• 4" Caster</li> <li>• Steel</li> <li>• 28.8" x 25" x 41.5"</li> <li>• Polar White</li> </ul>	\$1,450.00	\$5,800.00
1	Ergotron Laptop Cart <ul style="list-style-type: none"> <li>• Up to 20 Chromebook, Ultrabook and Netbook</li> <li>• 4" Caster</li> <li>• Steel</li> <li>• 24.3" x 27.8" x 42"</li> <li>• Polar White</li> </ul>	\$1,380.00	\$1,380.00

SubTotal	\$48,180.00
Tax	\$3,448.25
Shipping	\$120.00
<b>Total</b>	<b>\$51,748.25</b>

\* Shipping charges are estimated. Actual shipping charges will be applied at the time of order.

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

Meeting Date: May 9, 2017

Attachments: \_\_\_\_\_

From: Sonia Rambo, Principal of Riverview Middle School

Item Number: \_10.13\_

**SUBJECT**

Action: \_\_\_\_\_

Approval for Riverview Middle School Leadership to sell bottled water at the Promotion ceremony on June 1, 2017.

Consent Action:   X  

Information Only: \_\_\_\_\_

**Background:**

The gym becomes very hot during the Promotion ceremony each year. The Leadership class would like to take advantage of this opportunity to sell bottled water to families attending the event. The money raised through this fundraiser will go toward the CADA Leadership camp students are attending this summer and to other Leadership activities.

**Status:**

A new fundraiser requires Board approval.

**Presenter:** Sonia Rambo

**Other People Who Might Be Present:** Alyson Stiles

**Cost &/or Funding Sources:** ASB funds for initial purchase. We are hoping to also receive donated water bottles so save on initial costs.

**Recommendation:**

The Board approve the new fundraiser for selling bottled water at Riverview's promotion ceremony.

Time: \_\_\_\_\_2 mins.\_\_\_\_

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

Meeting Date: May 9, 2017

Attachments: \_\_\_\_\_

From: Don Beno, Superintendent

Item Number: 10.14

**SUBJECT**      Donations

Action: \_\_\_\_\_

Consent Action: x

Information Only: \_\_\_\_\_

**Background:**

**Donations to Receive and Acknowledge:**

**Riverview Middle School – AYSO Soccer League –** Miscellaneous soccer equipment

**Rio Vista High School – Joseph Turk Memorial Scholarship Fund**

Nancy Holt

Maria Elena Becerra

Loretta Abbott

**Rio Vista High School – Swimming Team**

Petals on Main - \$70

Rio Vista Lions Club - \$1500

**Presenter**      Don Beno

**Other People Who Might Be Present**      Staff

**Cost &/or Funding Sources**

**Recommendation:**

That the Board acknowledge and approve the receipt of these donations.

Time: 2 mins.\_\_\_\_

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651



**BOARD AGENDA BRIEFING**

Meeting Date: April 18, 2017

Attachments:  X

From: Don Beno, Superintendent

Item Number: 14

Action:  X

**SUBJECT**

Request to approve the *first reading* of the updated or new Board Policies, Administrative Regulation or Exhibits due to new legislation or mandated language and citation revisions as of December 2016.

Consent Action:

Information Only:

**Background:**

Changes in legislation and amendments to laws lead to necessary and or mandated changes in District policies, regulations and or Exhibits.

**Status:**

Attached are Board Policies, Administrative Regulations and Exhibits which have been affected by changes in law effective prior to December 2016 which need to be approved for *first reading*.

These policies, etc., will be submitted for second reading for final approval and adoption at the May 9, 2017 Board meeting.

**Presenter** Don Beno

**Other People Who Might Be Present** Jennifer Gaston, Recorder

**Cost &/or Funding Sources**

**Recommendation:**

That the Board approve the *first reading* of these policies and regulations resulting from legislation effective prior to December 2016.

Time: 5 mins.

**POLICY GUIDE SHEET**  
**December 2016**  
**Page 1 of 3**

Note: Descriptions below identify revisions made in CSBA's sample board policies, administrative regulations, board bylaws, and/or exhibits. Editorial changes have also been made. Districts should review the sample materials and modify their own policies accordingly.

**AR 1340 - Access to District Records**

(AR revised)

Regulation updated to reflect **NEW LAW** (AB 2843, 2016) which prohibits disclosure of employees' personal cell phone numbers and birth dates, and **NEW LAW** (AB 2853, 2016) which authorizes the district, in response to a public records request, to post public records on its web site and refer the requesting member of the public to the location of the records on the web site. Regulation also revised to clarify access to documents containing names, salaries, and pension benefits of district employees and to records pertaining to claims and litigation against the district.

**BP/AR 3311 - Bids**

(BP/AR revised)

Policy and regulation updated to move some material into new BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures, AR 3311.2 - Lease-Leaseback Contracts, AR 3311.3 - Design-Build Contracts, and AR 3311.4 - Procurement of Technological Equipment. Regulation also revises section on "Award of Contract" to expand the exceptions to awarding contracts based on lowest responsible bidder to include lease-leaseback contracts, which are based on "best value" as defined.

**BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures**

(BP/AR added)

New policy and regulation include material formerly in BP/AR 3311 - Bids pertaining to requirements of the Uniform Public Construction Cost Accounting Act (UPCCAA). Policy also adds prohibition against splitting a project or purchase into smaller work orders in order to evade requirements for competitive bidding, and legal authority to suspend the UPCCAA bidding process for the replacement or repair of a school facility in cases of emergency. Regulation also clarifies the requirement to disseminate the bid notice to the district's list of contractors.

**AR 3311.2 - Lease-Leaseback Contracts**

(AR added)

New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for awarding lease-leaseback contracts. Material significantly revised to reflect **NEW LAW** (AB 2316, 2016) which no longer permits the selection of a lease-leaseback contractor without advertising, and instead requires districts to use a comprehensive "best value" selection process.

**AR 3311.3 - Design-Build Contracts**

(AR added)

New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for awarding design-build contracts. Minor editorial changes made to clarify the process and more directly reflect law.

**AR 3311.4 - Procurement of Technological Equipment**

(AR added)

New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for the "competitive negotiation" process authorized for procurement of computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus.

**POLICY GUIDE SHEET**  
**December 2016**  
**Page 2 of 3**

**AR 3543 - Transportation Safety and Emergencies**

(AR revised)

Regulation updated to reflect **NEW LAW** (SB 1072, 2016) which (1) expands the required components of the transportation safety plan to include procedures to ensure that a student is not left unattended on the bus and procedures for designating an adult chaperone to accompany students on a student activity bus, and (2) requires installation of a child safety alert system on school buses by the beginning of the 2018-19 school year. Regulation also reflects **NEW LAW** (AB 1785, 2016) which prohibits a bus driver from using any electronic wireless communications device while driving, except when the device is voice-operated and used in hands-free mode or with a function that requires only a single swipe or tap of the driver's finger.

**BP/AR 4030 - Nondiscrimination in Employment**

(BP/AR revised)

Policy and regulation updated to reflect **NEW STATE REGULATIONS** (Register 2015, No. 50), as renumbered, which specify certain requirements to be included in district policy or regulation and extend protections against discrimination to unpaid interns and volunteers. Policy also adds requirement to post the California Department of Fair Employment and Housing publication on workplace discrimination and harassment, and reflects **NEW LAW** (SB 1063, 2016) which prohibits the payment of different wage rates based on race or ethnicity and prohibits the use of prior salary history by itself to justify any disparity in compensation. Regulation reflects provisions of new state regulations regarding training of supervisors and dissemination of the district's nondiscrimination policy to all employees.

**BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment**

(BP/AR revised)

Policy and regulation updated to reflect **NEW STATE REGULATIONS** (Register 2015, No. 50), as renumbered, which extend protections against sexual harassment to unpaid interns and volunteers, require districts to instruct supervisors to report complaints, and revise requirements pertaining to the training of supervisory employees.

**BP 5030 - Student Wellness**

(BP revised)

Policy updated to reflect **NEW FEDERAL REGULATIONS** (81 Fed. Reg. 50151) which address the content of the wellness policy, assurance of stakeholder participation in the development and updates of the policy, and periodic assessment and disclosure of compliance. Policy also reflects **NEW STATE LAW** (SB 1169, 2016) which no longer requires posting of district policy on nutrition and physical activity within cafeterias/eating areas, but does require annually informing the public of the content and implementation of the policy.

**AR 5111.1 - District Residency**

(AR revised)

Policy updated to reflect **NEW LAW** (SB 1455, 2016) which establishes residency within the district for enrollment purposes to students whose parent/guardian is transferred or pending transfer into a military installation within district boundaries. Policy also reflects **NEW LAW** (AB 2537, 2016) which indefinitely extends district authority to grant Allen Bill transfers for students whose parent/guardian is employed within district boundaries for a minimum of 10 hours during the school week.

**BP 5116.2 - Involuntary Student Transfers**

(BP added)

New policy reflects **NEW LAW** (SB 1343, 2016) which authorizes districts to involuntarily transfer a student who has been convicted of a specified violent felony or a misdemeanor associated with possession of a firearm, whenever the student is enrolled at the same school as the victim of the crime for which he/she was convicted. In order to exercise this authority, the district is mandated to adopt policy with specified components and provide notice of the policy to parents/guardians as part of the annual parental notification.

**POLICY GUIDE SHEET**  
**December 2016**  
**Page 3 of 3**

**BP/AR 5141.21 - Administering Medication and Monitoring Health Conditions**

(BP/AR revised)

Policy and regulation updated to delete requirements related to the administration of medication in cases of epileptic seizures, as Education Code 49414.7 repeals by its own terms on January 1, 2017, and to clarify that districts may continue to administer such medication under the general authority in state law. Policy and regulation also reflect **NEW LAW** (AB 1748, 2016) which authorizes districts to stock and administer medication in cases of opioid overdose. Regulation also revises definition of epinephrine auto-injector pursuant to **NEW LAW** (AB 1386, 2016).

**BP 6146.1 - High School Graduation Requirements**

(BP revised)

Policy updated to reflect **NEW LAW** (AB 2306, 2016) which generally exempts from district-established graduation requirements any student who transfers into a district school from a juvenile court school after the second year of high school, unless it is determined that the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school.

**BP/AR 6154 - Homework/Makeup Work**

(BP revised; AR deleted)

Policy updated for consistency with BP 5121 - Grades/Evaluation of Student Achievement and research on effective grading practices, as summarized in recent CSBA governance brief, including optional language providing for full credit to be given for makeup work satisfactorily completed within a reasonable time, regardless of whether the absence is due to an excused or unexcused absence. Policy also addresses guidelines for the assignment of homework, communication of homework expectations to students and parents/guardians, and resources to assist students in completing homework and developing good study habits. Regulation deleted and key concepts moved to BP.

**BP/AR 6164.6 - Identification and Education Under Section 504**

(BP/AR revised)

Policy updated to add requirement to address the needs of students with disabilities in the district's local control and accountability plan. Regulation updated to reflect **NEW FEDERAL REGULATIONS** (81 Fed. Reg. 53203) which primarily revise definitions used in the Americans with Disabilities Act.

**AR 6173.3 - Education for Juvenile Court School Students**

(AR added)

New regulation reflects educational rights of former juvenile court school students who transition into a district school, pursuant to **NEW LAW** (AB 2306, 2016). These include rights related to the immediate enrollment of such students, the immediate transfer of educational records, the transfer of coursework and credits, and exemption from district-established graduation requirements under certain conditions.

**BB 9240 - Board Training**

(BB revised)

Bylaw retitled and updated to address the purposes and importance of board training, recommended topics of training for new and first-term board members, and the district's process for selecting board training activities. The bylaw also reinforces the prohibition against a majority of the board members discussing district business of a specific nature while attending a conference or similar public gathering.

**BB 9323 - Meeting Conduct**

(BB revised)

Bylaw updated to reflect **NEW LAW** (AB 1787, 2016) which requires the board to provide a member of the public who uses a translator at least twice the allotted time to address the board during board meetings, unless simultaneous translation equipment is used. Bylaw also clarifies that the board may refer a member of the public to an appropriate complaint procedure, but cannot prohibit criticism of district employees, programs, or policies during a board meeting.



# CSBA Sample Administrative Regulation

Community Relations

AR 1340(a)

## ACCESS TO DISTRICT RECORDS

Note: Article I, 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 and** as confidential **to which there is no public access, and It** is not intended to provide an all-inclusive list of **all of the** records that may be **defined as either** public **and** or confidential.

### Definitions

Note: Pursuant to Government Code 6252, a "public record" includes any writing that relates to district business as defined below.

Emails discussing district business are considered public records. However, the law is unclear as to whether emails discussing district business sent from an employee's or Governing Board member's home computer or personal digital assistant would be considered a public record that is "retained in the normal course of business" and thus subject to disclosure. **Although an appellate court ruled that the California Public Records Act does not require public access to communications by public officials using exclusively private cell phones or email accounts, the case has been appealed to the California Supreme Court.** If a district receives a request for such records, legal counsel should be consulted, as appropriate. See 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 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-**415** 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

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)*

**ACCESS TO DISTRICT RECORDS** (continued)

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** ~~the documents initiating the lawsuit are not exempt from~~ disclosure. In Fairley v. Superior Court, a California Court of Appeal concurred and ~~further~~ 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 Board should consult legal counsel if it believes that **any tort claim or other** document related to litigation should not be disclosed.

11. **Records pertaining to claims and litigation against the district which have been adjudicated or settled** ~~Claims filed against the district and records pertaining to pending litigation~~ (Government Code **6254**, 6254.25; Fairley v. Superior Court; 71 Ops.Cal.Atty.Gen. 235 (1988))

(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)

Note: Generally, the names and salaries of public employees are subject to disclosure **under the Public Records Act. However, in International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, the California Supreme Court held that the salaries of public employees, linked to individual employee names (including peace officers), must be disclosed. the California Supreme Court** ~~The court~~ recognized that, in some circumstances **instances**, the salaries of certain employees might be exempt from disclosure, depending on the facts and circumstances. ~~of the particular individual (e.g., anonymity of an undercover police officer); however, the presumption is that salary records are open and the burden is on the district maintaining the record to demonstrate why the particular record would be exempt from disclosure. 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. Documents containing names, salaries, and pension benefits of district employees**

- 1314.** 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)

Note: ~~The following item reflects an Attorney General Opinion (64 Ops.Cal.Atty.Gen. 186 (1981)) which opined that, a person must, upon request, be provided a copy of a textbook or other written instructional material unless the provision would result in a copyright infringement or unreasonable burden to the district. In addition, pursuant to Education Code 49091.10, parents/guardians must be allowed to inspect all instructional materials. See BP/AR 5020 - Parent Rights and Responsibilities.~~

## ACCESS TO DISTRICT RECORDS (continued)

**1415.** Instructional materials including, but not limited to, textbooks (**Education Code 49091.10** ~~64 Ops. Cal. Atty. Gen. 186 (1981)~~)

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

Note: In accordance with Government Code 6252.5, Board members have the same access to public records of the district as do members of the public. When Board members are authorized to access public records, Government Code 6252.7 prohibits the district from discriminating between Board members as to when and which record, or portion of the record, will be made available. See BB 9322 – Agenda/Meeting Materials.

**Governing Board members shall have the ability to access public records permitted by law in the administration of their duties or open to inspection by members of the public. 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 Public Records Act 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.**

**The Superintendent or designee shall ensure that any public record containing personal information is redacted to ensure that such information is not disclosed to the public. 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, or 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 is not disclosed to the public. (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)*

## ACCESS TO DISTRICT RECORDS (continued)

*(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; ~~Fairley v. Superior Court, 71 Ops.Cal.Atty.Gen. 235 (1988)~~)
3. Personnel records, medical records, ~~student 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)*

*(cf. 5125 - Student Records)*

*(cf. 5125.1 - Release of Directory Information)*

The home addresses, home telephone numbers, personal cell phone numbers, or birthdate 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** ~~unless the~~ employee **who** performs law enforcement-related functions, **or the birth date of any employee, or** ~~requests in writing that the information 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)*

**ACCESS TO DISTRICT RECORDS** (continued)

- 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)*

- 4.5.** 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)*

- 5.6.** 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)

- 6.7.** 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)

~~Note: SB 445 (Ch. 80, Statutes of 2011) added Government Code 6267 to make the written and electronic records of library patrons confidential, except with regard to any person who is acting within the scope of his/her duties in the administration of the library, authorized in writing by the patron, or responding to an order of a court.~~

- 7.8.** 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)*

## 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.

- 8.9.** 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)*

- 9.10.** 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)*

- 10.11.** 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)*

- 11.12.** Minutes of Board meetings held in closed session (Government Code 54957.2)

*(cf. 9321 - Closed Session Purposes and Agendas)*

- 12.13.** Computer software developed by the district (Government Code 6254.9)

- 13.14.** 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)

- 14.15.** 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)*

- 15.16.** Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes

**ACCESS TO DISTRICT RECORDS** (continued)

Note: Item #16 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.

16. **Any other r**ecords 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 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



**ACCESS TO DISTRICT RECORDS** (continued)

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 <u>not</u> 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.
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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

**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)

(11/08 11/11) 12/16

# CSBA Sample Board Policy

## Business and Noninstructional Operations

BP 3311(a)

### BIDS

Note: Pursuant to Public Contract Code 20111 and 22002, public contracts for the lease or purchase of equipment, materials, supplies, or services or for "public projects," as defined, are required to be competitively bid when they involve expenditure of specified amounts.

An alternative procedure for public works projects is provided pursuant to the Uniform Public Construction Cost Accounting Act (UPCCAA) (Public Contract Code 2203022000-22045), as described below; see **BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures**. Also see **AR 3311.2 - Lease-Leaseback Contracts**, **AR 3311.3 - Design-Build Contracts**, and **AR 3311.4 - Procurement of Technological Equipment for procedures applicable to those contracts**.

The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. When leasing, purchasing, or contracting for equipment, materials, supplies, or services for the district, including when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such contracts shall be made using competitive bidding.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 3000 - Concepts and Roles)*

***(cf. 3230 - Federal Grant Funds)***

*(cf. 3300 - Expenditures and Purchases)*

***(cf. 3311.1 - Uniform Public Construction Cost Accounting Procedures)***

***(cf. 3311.2 - Lease-Leaseback Contracts)***

***(cf. 3311.3 - Design-Build Contracts)***

***(cf. 3311.4 - Procurement of Technological Equipment)***

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading legal requirements **regarding contracting after for** competitive bidding. (Public Contract Code 20116, **22033**)

Note: Requirements for competitive bidding, including notice and advertising, are specified in Public Contract Code 20110-20118.4. See the accompanying administrative regulation.

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

Note: Pursuant to Public Contract Code 20111.5, the district is permitted, but not required, to establish prequalification procedures for any contract for which bids are legally required; see the accompanying administrative regulation. However, pursuant to Public Contract Code 20111.6, a district with average daily attendance of 2,500 or greater is required to prequalify all general contractors and electrical, mechanical, and

**BIDS** (continued)

plumbing subcontractors for public projects of \$1 million or more awarded on or after January 1, 2014, if School Facilities Program funds (Education Code 17070.10-17079.30) or other future state school bonds are used. In addition, the Governing Board is required to adopt a uniform system of rating bidders based on completed questionnaires and financial statements which must address, at a minimum, the issues covered by the standardized questionnaire and model guidelines developed by the Department of Industrial Relations for such purpose.

For award of contracts which, by law or Board policy, require prequalification, the procedures shall identify a uniform system for rating bidders and shall address the issues covered by the standardized questionnaire and model guidelines developed by the Department of Industrial Relations pursuant to Public Contract Code 20101 on the basis of a completed questionnaire and financial statements.

(cf. 9270 - Conflict of Interest)

Note: Districts should be careful in crafting bid specifications, as a misleading specification that results in a lower bid than might have been made may make the district liable for the extra work done or expenses incurred by the contractor. In Los Angeles Unified School District v. Great American Insurance Co., the California Supreme Court held in favor of a contractor who was misled by the district's nondisclosure of material information that would have affected the contractor's bid.

When calling for bids, the Superintendent or designee shall ensure that the bid specifications clearly describes in appropriate detail the quality, delivery, and service required, and includes all information which the district knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

Note: Pursuant to Public Contract Code 20111, a contract required to be put out to bid must be awarded to the lowest responsible bidder. As defined in Public Contract Code 1103, a "responsible bidder" is one who possesses the quality, fitness, and capacity, and experience to satisfactorily perform the proposed work. (City of Inglewood Los Angeles County Civic Center Authority v. Superior Court)

However, a bid may be awarded to other than the lowest responsible bidder when conditions specified in law exist. For example, a district is permitted to give preference to minorities, women, veterans, and small businesses in accordance with Public Contract Code 2000-2002. In addition, Education Code 17250.10-17250.55, as added by AB 1358 (Ch. 752, Statutes of 2015), authorize the district to award a design-build contract for a public works project in excess of \$1 million on the basis of either low bid or "best value," as defined. See "Award of Contract" section in the accompanying administrative regulation.

Except as authorized by law and specified in the administrative regulation, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

Note: Pursuant to Public Contract Code 20118, districts may be exempt from the bidding requirements and may "piggyback" onto the bid of any public corporation or agency for specific items when the Board determines it is in the best interest of the district. See the accompanying administrative regulation for a list of those items that may be leased or purchased using this procedure.

**BIDS** (continued)

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase **equipment or supplies any personal property** to the extent authorized by law. (Public Contract Code 20118)

Note: The following **optional** paragraph is for use by districts that have elected to use the alternative contracting procedure for public works pursuant to the UPCCAA (Public Contract Code 22030-22045) and should be deleted by districts that have not elected to use such alternative procedure. Pursuant to Public Contract Code 22030, the district may participate in the UPCCAA only if the Board adopts a resolution requiring the use of the UPCCAA in district contracting and notifies the State Controller of that action. In the event of a conflict with any other provision of law relative to bidding procedures, the UPCCAA shall apply to any district that has adopted a resolution and so notified the Controller. According to the California Uniform Construction Cost Accounting Commission's "Frequently Asked Questions," available on its web site, withdrawal from the UPCCAA requires the Board to file a resolution of the election to withdraw with the State Controller.

In electing to be subject to the UPCCAA, a district thereby agrees to follow the cost accounting procedures set forth in the Cost Accounting Policies and Procedures Manual of the California Uniform Construction Cost Accounting Commission. According to the "Frequently Asked Questions" on the Commission's web site, school districts may use the statewide Standardized Account Code Structure to comply with tracking requirements.

Pursuant to Public Contract Code 22032, projects of \$45,000 or less may be performed by the district's own work force; projects of \$175,000 or less may use a more informal bidding procedure as specified; and projects over \$175,000 require formal bidding procedures. See the accompanying administrative regulation for related requirements.

In circumstances where the informal bidding procedure is authorized, Public Contract Code 22034 allows the Board to delegate the authority to award contracts to an appropriate district administrator. Public Contract Code 22039 allows the Board to delegate the adoption of plans, specifications, and working details for projects subject to formal bidding procedures. The following paragraph may be revised to reflect district practice.

For use in contracting for public works projects, the Board has, by resolution, adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act pursuant to Public Contract Code 22030-22045, including the required cost accounting procedures and the informal bidding procedures when allowed by law. The Board delegates to the Superintendent or designee the responsibilities to award any contract eligible for informal bidding procedures and to develop plans, specifications, and working details for all public projects requiring formal bidding procedures. **[MOVED TO BP 3111.1 - UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES]**

*Legal Reference: (see next page)*

**BIDS** (continued)

*Legal Reference:*

EDUCATION CODE

17070.10-17079.30 *Leroy F. Greene School Facilities Act*  
17250.10-17250.55 *Design-build contracts*  
17406 *Lease-leaseback contracts*  
17595 *Purchase of supplies through Department of General Services*  
17602 *Purchase of surplus property from federal agencies*  
38083 *Purchase of perishable foodstuffs and seasonable commodities*  
38110-38120 *Apparatus and supplies*  
39802 *Transportation services*

**BUSINESS AND PROFESSIONS CODE**

**7056 General engineering contractor**

**7057 General building contractor**

CODE OF CIVIL PROCEDURE

446 *Verification of pleadings*

GOVERNMENT CODE

4217.10-4217.18 *Energy conservation contracts*  
4330-4334 *Preference for California-made materials*  
6252 *Definition of public record*  
53060 *Special services and advice*  
54201-54205 *Purchase of supplies and equipment by local agencies*

PUBLIC CONTRACT CODE

1102 *Emergencies*

**1103 Definition, responsible bidder**

2000-2002 *Responsive bidders*  
3000-3010 *Roofing projects*  
3400 *Bids, specifications by brand or trade name not permitted*  
3410 *United States produce and processed foods*  
**4113 Prime contractor; subcontractor**

6610 *Bid visits*  
12200 *Definitions, recycled goods, materials and supplies*  
20101-20103.7 *Public construction projects, requirements for bidding*  
20103.8 *Award of contracts*

~~20107 Bidder's security~~

20110-20118.4 **Contracting by school districts Local Agency Public Construction Act; school districts**

20189 *Bidder's security, earthquake relief*

~~22002 Definition of public project~~

~~2203022000-22045 Alternative procedures for public projects (UPCCAA)~~

~~22050 Alternative emergency procedures~~

22152 *Recycled product procurement*

COURT DECISIONS

**McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)**

**Davis v. Fresno Unified School District, (2015) 237 Cal.App.4th 261**

*Los Angeles Unified School District v. Great American Insurance Co.*, (2010) 49 Cal.4th 739

*Great West Contractors Inc. v. Irvine Unified School District*, (2010) 187 Cal.App.4th 1425

*Marshall v. Pasadena Unified School District*, (2004) 119 Cal.App.4th 1241

*Konica Business Machines v. Regents of the University of California*, (1988) 206 Cal.App.3d 449

*City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court*, (1972) 7 Cal.3d 861

ATTORNEY GENERAL OPINIONS

89 *Ops. Cal. Atty. Gen. 1* (2006)

**BIDS** (continued)

*Management Resources:*

**CALIFORNIA UNIFORM CONSTRUCTION COST ACCOUNTING COMMISSION PUBLICATIONS**

*Cost Accounting Policies and Procedures Manual*

*Frequently Asked Questions*

**WEB SITES**

CSBA: [http:// www.csba.org](http://www.csba.org)

California Association of School Business Officials: <http://www.casbo.org>

**California Department of Education: <http://www.cde.ca.gov>**

**California Department of General Services: <https://www.dgs.ca.gov>**

~~California Uniform Construction Cost Accounting Commission:~~

~~[http://www.seo.ca.gov/ard\\_cuceae.html](http://www.seo.ca.gov/ard_cuceae.html)~~



# CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3311(a)

## BIDS

Note: Pursuant to Government Code 54202, districts are **mandated** to establish bidding procedures governing the purchase of equipment and supplies, ~~as specified in~~ **The following administrative regulation reflects the competitive bidding procedures applicable to these purchases, as well as contracts for certain services, public works projects, and repairs and maintenance, when the contract exceeds the amount specified in law.**

An alternative procedure for public works projects is provided pursuant to the Uniform Public Construction Cost Accounting Act (UPCCAA) (Public Contract Code 22000-22045), which allows public projects of \$45,000 or less to be performed by district employees and public projects of \$175,000 or less to be awarded through an informal bidding process. See BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures. Districts that have adopted the UPCCAA procedures should modify the following regulation to delete or revise conflicting provisions related to contracts for public works. Also see AR 3311.2 - Lease-Leaseback Contracts, AR 3311.3 - Design-Build Contracts, and AR 3311.4 - Procurement of Technological Equipment for procedures applicable to those contracts.

### Advertised/Competitive Bids

The district shall advertise for ~~competitive bids~~ **any of the following: (Public Contract Code 20111)**

- 1. ~~when any A~~ public project contract ~~that~~ involves an expenditure of \$15,000 or more, including a contract for construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, or repair work involving a district owned, leased, or operated facility**

~~Public project means construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, and repair work involving a district owned, leased, or operated facility. (Public Contract Code 20111, 22002)~~

~~(cf. 3311.1 - Uniform Public Construction Cost Accounting Procedures)~~

~~(cf. 3311.2 - Lease-Leaseback Contracts)~~

~~(cf. 3311.3 - Design-Build Contracts)~~

Note: For ~~items #1-3~~ **the contracts specified in item #2a-c** below, Public Contract Code 20111 requires the Superintendent of Public Instruction (SPI) to annually establish a bid limit that reflects U.S. Department of Commerce data. The following ~~optional~~ paragraph allows the amount to escalate automatically once the SPI has made the annual determination. For 2016, the bid limit is \$87,800.

- 2. ~~The district shall also advertise for competitive bids when a~~ A contract ~~that~~ exceeds the amount specified in law, as annually adjusted by the Superintendent of Public Instruction, for any of the following: ~~(Public Contract Code 20111)~~**

**BIDS** (continued)

- 1.a.** The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district

*(cf. 3230 - Federal Grant Funds)*

*(cf. 3311.4 - Procurement of Technological Equipment)*

- 2.b.** Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters

- 3.c.** Repairs that are not a public project, including maintenance

*Maintenance* means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. *Maintenance* includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. Maintenance does not include painting, repainting, or decorating other than touchup, or among other types of work, janitorial or custodial services and protection provided by security forces. (Public Contract Code 20115)

**Instructions and Procedures for Advertised Bids**

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation that is circulated in the county. The Superintendent or designee also may post the notice on the district's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. **The district may accept a bid that has been submitted electronically or on paper.** (Public Contract Code 20112)

*(cf. 1113 - District and School Web Sites)*

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting and details regarding when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice. (Public Contract Code 6610)

Bid instructions and specifications shall include the following requirements and information:

**BIDS** (continued)

1. All bidders shall certify **in writing** the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)

*(cf. 3510 - Green School Operations)*

2. All bids for construction work shall be presented under sealed cover. **The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20111, 20112)**

**The bid and shall be accompanied by one of the following a forms of bidder's security, including either cash, a cashier's check payable to the district, a certified check made payable to the district, or a bidder's bond executed by an admitted surety insurer and made payable to the district. The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded.** (Public Contract Code ~~20107,~~ 20111, 20112)

a. ~~Cash~~

b. ~~A cashier's check made payable to the district~~

c. ~~A certified check made payable to the district~~

d. ~~A bidder's bond executed by an admitted surety insurer and made payable to the district~~

~~The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111)~~

3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)
4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
5. When two or more identical lowest or highest bids are received, the Governing Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)

**BIDS** (continued)

Note: Public Contract Code 20103.8 specifies that, in those cases when the bid includes items that may be added to or deducted from the scope of the work in the contract, the bid solicitation must specify the method to be used to determine the lowest bid, as detailed below. Districts should consult with legal counsel, as appropriate, **if they have questions regarding as to** the applicability of this law **to school districts and other unclear provisions of this law.**

6. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #6a below shall be used. (Public Contract Code 20103.8)
  - a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.
  - b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
  - c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

Note: For a bid to be successful, it must conform to specifications (i.e., it must be "responsive") and the bidder must be determined to be able to perform the work (i.e., he/she must be "responsible" **as defined in Public Contract Code 1103**). **There is no right to a due process hearing when the district has merely found the bid to be nonresponsive. However, A the** district must be careful in making a determination on the "nonresponsiveness" of a bid based on **anything other than the documents submitted.** ~~investigation or information outside of the submitted bid. In addition, when relying on outside investigation or information to disqualify a bidder, the district must follow the hearing procedures applicable for a finding of "non-responsibility."~~ (Great West Contractors Inc. v. Irvine Unified School District) To avoid any confusion, the district should provide clear and comprehensive bid specifications to bidders.

**When rejecting the lowest responsive bid on the basis that the bidder is nonresponsible, the district must inform the bidder of the evidence used when making the determination and afford him/her a hearing with the right to present evidence that he/she is responsible. (City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court and Great West Contractors Inc. v. Irvine Unified School District)**

**BIDS** (continued)

7. **In determining the lowest bid, the district shall consider only responsive bids that conform to bid specifications and are submitted by from responsible bidders who have demonstrated trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the public works contract. in determining the lowest bid.**

**a.** When a bid is disqualified as determined to be nonresponsive based on district investigation or other information not obtained from the submitted bid, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the information determination.

**b.** When the lowest bidder is determined to be nonresponsive, the Superintendent or designee shall notify the bidder of his/her right to present evidence of his/her responsibility at a hearing before the Board.

8. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.

**9.8.** After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for public review pursuant to law, Board policy, and administrative regulation.

*(cf. 1340 - Access to District Records)*

*(cf. 3580 - District Records)*

10. When a bid is disqualified as nonresponsive based on district investigation or other information not obtained from the submitted bid, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the information.

**BIDS** (continued)**Award of Contract**

Note: The following **optional** section may be revised to reflect district practice. Pursuant to Public Contract Code 20111, the district is required to award a contract to the lowest responsible bidder except in the circumstances specified in items #1-3 below. In addition, Education Code 17250.15 and 17250.25, as added by AB 1358 (Ch. 752, Statutes of 2015), authorize the district to award a design build contract for a public works project in excess of \$1 million to either the low bid or best value, as provided in item #4 below.

The district shall award each contract to the lowest responsible bidder, except in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)
2. When the contract is for any transportation service which involves an expenditure of more than \$10,000 and which will be made with any person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of a student who **are is** to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)

Note: Pursuant to Public Contract Code 2000-2002, a district is permitted to establish bidding requirements that facilitate the participation of minority, women, disabled veteran, and small business enterprises in contracts. Though minorities and women are included in Public Contract Code 2000, Article 1, Section 31(a) of the California Constitution prohibits the granting of preferences based on race, sex, color, ethnicity, etc., in state employment and contracting. The district should consult legal counsel if there is any question about the granting of preferences to any such business.

3. When the contract is one for which the Board has established goals and requirements relating to participation of disabled veteran or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who submits a responsive bid and complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)
4. **When procuring a lease-leaseback contract, in which case the Board shall award the contract based on objective criteria for determining the best combination of price and qualifications in accordance with Education Code 17400 and 17406**

*(cf. 3311.2 - Lease-Leaseback Contracts)*

- 4.5. When procuring a design-build contract for a public works project in excess of \$1,000,000 in accordance with ~~the section "Design Build Contracts" below~~ **Education Code 17250.20**, in which case the Board may award the contract to either

**BIDS** (continued)

the low bid or the best value to the district, taking into consideration, at a minimum, price, technical design and construction expertise, and life-cycle costs (Education Code 17250.20, 17250.25)

***(cf. 3311.3 - Design-Build Contracts)***

**Protests by Bidders**

Note: The law does not specify a procedure for handling protests by bidders. The following **optional** section provides one such procedure and should be modified to reflect district practice.

A bidder may protest a bid award if he/she believes that the award is not in compliance with law, Board policy, or the bid specification. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

Note: The following paragraph provides a process for appealing a bid award to the Board. Although the law does not specify the notice to be given in this circumstance, CSBA recommends at least three business days which may be modified to reflect district practice.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide notice to the bidder of the date and time for Board consideration of the protest at least three business days before the Board meeting. The Board's decision shall be final.

**~~Alternative Bid Procedures for Technological Supplies and Equipment~~ [SECTION MOVED TO NEW AR 3311.4]**

**~~Design-Build Contracts~~ [SECTION MOVED TO NEW AR 3311.3]**

**BIDS** (continued)**Bids Not Required**

Note: The following paragraph lists those items that may be purchased through a "piggybacked" bid; see the accompanying Board policy. Many districts have used the piggyback procedure to purchase portable and relocatable buildings. The Attorney General has opined (89 Ops.Cal.Atty.Gen. 1, 2006) that a district may not rely on the piggyback exception to contract for the acquisition and installation of factory-built modular building components (i.e., roofs and walls) for installation on a permanent foundation. However, this opinion does not apply to typical portable or relocatable single-classroom buildings, because they lack a permanent foundation and building mobility. Districts considering using the piggyback process for relocatables, portables, modulares, and the like should consult district legal counsel. While Attorney General opinions are not binding, they are often given deference by the court and may also be considered by the State Allocation Board when making funding decisions.

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize another public corporation or agency, by contract, lease, requisition, or purchase order, to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

*(cf. 3300 - Expenditures and Purchases)*

*(cf. 3512 - Equipment)*

Note: The following **optional** paragraph reflects the authority granted to public agencies pursuant to Government Code 4217.10-4217.18 to enter into energy service contracts without competitive bidding when the agency's governing body determines that the contract is in the best interest of the agency based on the "costs-benefits" analysis specified in Government Code 4217.12.

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district **and meet the cost effectiveness requirements specified in Government Code 4217.12**. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on cost **and savings** comparison findings specified in Government Code 4217.12. (Government Code 4217.12)

*(cf. 3511 - Energy and Water Management)*

*(cf. 9320 - Meetings and Notices)*



**BIDS** (continued)

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

*(cf. 6161.11 - Supplementary Instructional Materials)*

*(cf. 6163.1 - Library Media Centers)*

Perishable foodstuffs and seasonal commodities needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

*(cf. 3551 - Food Service Operations/Cafeteria Fund)*

Bids shall not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

<p>Note: Pursuant to Public Contract Code 20113, a district may award contracts without competitive bidding in emergency situations, as specified below. In <u>Marshall v. Pasadena Unified School District</u>, a court held that the definition of "emergency" in Public Contract Code 1102 is applicable. Public Contract Code 1102 defines "emergency" as a "sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services."</p>
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In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 1102, 20113)

*(cf. 3517 - Facilities Inspection)*

The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids. (Education Code 17602)

(10/15 5/16) 12/16

# CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3311.2(a)

## LEASE-LEASEBACK CONTRACTS

Note: The following ~~optional section~~ administrative regulation addresses construction financing contracts that are commonly described as "lease-leaseback" contracts. **Education Code 17406, as amended by AB 2316 (Ch. 521, Statutes of 2016), no longer permits the selection of a lease-leaseback contractor without advertising, and instead requires districts to use a comprehensive "best value" selection process. Education Code 17406, as amended, mandates that any district choosing to award a lease-leaseback contract adopt and publish procedures and guidelines for evaluating the qualifications of proposers that ensure the fair and impartial selection of the "best value" for the district. In addition, for any project that will involve the use of preconstruction services, the request for sealed proposals must require proposers to include the fee to perform the preconstruction services as part of their sealed proposal to the district. Such procedures and guidelines must include, at a minimum, the provisions specified in Education Code 17406 as reflected in the following regulation.**

~~This construction~~ **The lease-leaseback** financing method should only be used in coordination with competent technical consultants and legal counsel to ensure all legal requirements are met. ~~Pursuant to Education Code 17407.5, as added by AB 566 (Ch. 214, Statutes of 2015), the contractor must provide an enforceable commitment to the district that it will use a certain percentage of skilled and trained workers to complete project related work that is within an "apprenticeable occupation" as defined in Labor Code 3075.~~

~~Upon a determination that it is in the best interest of the district and without advertising for bids, the Board~~ **The district** may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year, as long as the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). **(Education Code 17406)**

*(cf. 3280 - Sale or Lease of District-Owned Real Property)*

*(cf. 3312 - Contracts)*

**Any lease-leaseback contract shall be awarded through a competitive "best value" procurement process whereby a person, firm, or corporation is selected on the basis of objective criteria for evaluating the qualifications of proposers, with the resulting selection representing the best combination of price and qualifications. To make this determination, the district shall use the following procedures: (Education Code 17400, 17406)**

- 1. Request for Sealed Proposals: The Superintendent or designee shall prepare a request for sealed proposals which shall include:**
  - a. An estimate of the project's price**
  - b. A clear, precise description of any preconstruction services that may be required and the facilities to be constructed**

**LEASE-LEASEBACK CONTRACTS (continued)**

- c. The key elements of the contract to be awarded**
  - d. A description of the format that proposals shall follow and the elements they shall contain**
  - e. The standards the district will use in evaluating proposals**
  - f. The date on which proposals are due**
  - g. The timetable the district will follow in reviewing and evaluating proposals**
- 2. Notice: At least 10 days before the date for receipt of the proposals, the Superintendent or designee shall give notice of the request for sealed proposals using both of the following methods:**
- a. Providing notice at least once a week for two weeks in a local newspaper of general circulation pursuant to Public Contract Code 20112**
  - b. Providing notice in a trade paper of general circulation published in the county where the project is located**

**Note: The following paragraph is optional and may be revised to reflect district practice.**

**The Superintendent or designee also may post the notice on the district's web site or through an electronic portal.**

Note: Pursuant to Education Code 17406, the prequalification requirements for contracts that meet the criteria specified in Public Contract Code 20111.6 are also applicable to lease-leaseback contracts. ~~As amended by AB 566 (Ch. 214, Statutes of 2015), Education Code 17406 requires prequalification for such projects irrespective of whether or not they are funded locally or through state sources. and makes the provision applicable to all districts, not just those with ADA of 2,500 or more. See "Prequalification Procedure" section above.~~

- 3. Prequalification: A proposer shall be prequalified in accordance with Public Contract Code 20111.6(b)-(m) in order to submit a proposal. Any electrical, mechanical, and plumbing subcontractors shall be subject to the same prequalification requirements.**

*(cf. 3311 - Bids)*

- 4. Evaluation Criteria: The request for sealed proposals shall identify all criteria that the district will consider in evaluating the proposals and qualifications of**

**LEASE-LEASEBACK CONTRACTS (continued)**

- the proposers, including relevant experience, safety record, price proposal, and other factors specified by the district. The price proposal shall include, at the district's discretion, either a lump-sum price for the contract to be awarded or the proposer's proposed fee to perform the services requested, including the proposer's proposed fee to perform preconstruction services or any other work related to the facilities to be constructed, as requested by the district.
- The request for sealed proposals shall specify whether each criterion will be evaluated on a pass-fail basis or will be scored as part of the "best value" score, and whether proposers must achieve any minimum qualification score for award of the contract. For each scored criterion, the district shall identify the methodology and rating or weighting system that will be used by the district in evaluating the criterion, including the weight assigned to the criterion and any minimum acceptable score.
5. **Evaluation of Proposals:** All proposals received shall be reviewed to determine whether they meet the format requirements and the standards specified in the request for sealed proposals. The district shall evaluate the qualifications of the proposers based solely upon the criteria and evaluation methodology set forth in the request for sealed proposals, and shall assign a best value score to each proposal. Once the evaluation is complete, all responsive proposals shall be ranked from the highest best value to the lowest best value to the district.
6. **Award of Contract:** The award of the contract shall be made by the Governing Board to the responsive proposer whose proposal is determined, in writing by the Board, to be the best value to the district.
- If the selected proposer refuses or fails to execute the tendered contract, the Board may award the contract to the proposer with the second highest best value score, if deemed in the best interest of the district. If that proposer then refuses or fails to execute the tendered contract, the Board may award the contract to the proposer with the third highest best value score.
- Upon issuance of a contract award, the district shall publicly announce its award, identifying the entity to which the award is made, along with a statement regarding the basis of the award. The statement regarding the contract award and the contract file shall provide sufficient information to satisfy an external audit.
7. **Rejection of Proposals:** At its discretion, the Board may reject all proposals and request new proposals.

**LEASE-LEASEBACK CONTRACTS** (continued)

Prior to entering into a lease-leaseback agreement, the Superintendent or designee shall have on file the contractor's enforceable commitment that the contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (Education Code ~~17406~~, 17407.5)

Any lease-leaseback agreement shall be reviewed by the district's legal counsel to ensure that all required terms, including a lease term that provides for the district's occupancy of the building or improved property during the lease and an appropriate financing component, are included in the agreement.

(cf. 9124 - Attorney)

*Legal Reference:*

EDUCATION CODE

17400 Definitions

17406 Lease-leaseback contract

17407.5 Use of a skilled and trained workforce

PUBLIC CONTRACT CODE

20111.6 Prequalification procedures

20112 Notices

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)

Davis v. Fresno Unified School District, (2015) 237 Cal.App.4th 261

*Management Resources:*

WEB SITES

CSBA: <http://www.csba.org>

California Association of School Business Officials: <http://www.casbo.org>

# CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3311.3(a)

## DESIGN-BUILD CONTRACTS

Note: As an alternative to the more traditional design-bid-build process (see BP/AR 3311 - Bids) or a lease-leaseback process (see AR 3311.2 - Lease-Leaseback Contracts), the district may enter into a design-build contract for a public works project in excess of \$1 million pursuant to Education Code 17250.10-17250.55, as added by AB 1358 (Ch. 752, Statutes of 2015). As defined by Education Code 17250.15, "design-build" means a project delivery process in which both the design and construction of a project are procured from a single entity. Education Code 17250.15 and 17250.25 provide that such contracts may be awarded to either the low bid or best value, as defined. Pursuant to Education Code 17250.50 and 17250.55, this authority applies to bid requests issued on or after July 1, 2016 and will be repealed January 1, 2025 unless legislation is enacted to delete or extend that date.

~~When it is in the best interest of the district, t~~The Governing Board may approve a contract with a single entity for both design and construction of any school facility in excess of \$1,000,000, awarding the contract to either the low bid or the best value as determined by evaluation of objective criteria. (Education Code 17250.20)

*(cf. 3311 - Bids)*

*(cf. 3312 - Contracts)*

*(cf. 7110 - Facilities Master Plan)*

*(cf. 7140 - Architectural and Engineering Services)*

**Design-build documents shall not include provisions for long-term project operations, but** ~~The documents may include operations during a training or transition period, but shall not include long term operations for a project.~~ **(Education Code 17250.25)**

The procurement process for design-build projects shall be as follows: (Education Code 17250.25, **17250.35**)

1. The district shall prepare a set of documents setting forth the scope and estimated price of the project. The documents may include, but are not limited to:
  - a. ~~t~~The size, type, and desired design character of the project;
  - b. ~~p~~Performance specifications **that** covering the quality of materials, equipment, **and** workmanship
  - c. Preliminary plans or building layouts
  - d. ~~a~~Any other information deemed necessary to describe adequately the district's needs;

~~The documents may include operations during a training or transition period, but shall~~

**DESIGN-BUILD CONTRACTS** (continued)

~~not include long term operations for a project.~~ The performance specifications and any plans shall be prepared by a design professional who is duly licensed and registered in California.

2. The district shall prepare and issue a request for qualifications in order to prequalify, or develop a short list of, the design-build entities whose proposals shall be evaluated for final selection. The request for qualifications shall include, but is not limited to, all of the following elements:
  - a. Identification of the basic scope and needs of the project or contract, the expected cost range, the methodology that will be used by the district to evaluate proposals, the procedure for final selection of the design-build entity, and any other information deemed necessary by the district to inform interested parties of the contracting opportunity
  - b. Significant factors that the district reasonably expects to consider in evaluating qualifications, including technical design and construction ~~experience~~ **expertise**, acceptable safety record, and all other non-price-related factors
  - c. A standard template request for statements of qualifications prepared by the district, which shall contain all of the information required pursuant to Education Code 17250.25

The district also may identify specific types of subcontractors that must be included in the statement of qualifications and proposal.

A design-build entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the district that the entity and its subcontractors at every tier will use a skilled and trained workforce, as defined in Education Code 17250.25, to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. The entity may demonstrate such commitment through a project labor agreement, by becoming a party to the district's project labor agreement, or through an agreement with the district to provide evidence of compliance on a monthly basis during the performance of the project or contract. ~~(Education Code 17250.25)~~

3. The district shall prepare a request for proposals **(RFP)** that invites prequalified or short-listed entities to submit competitive sealed proposals in a manner prescribed by the district. The ~~request for proposals~~ **RFP** shall include the information identified in items #2a and 2b above and the relative importance or weight assigned to each of the factors. If the district uses a best value selection method **for a project**, the district may reserve the right to request proposal revisions and hold discussions and

**DESIGN-BUILD CONTRACTS** (continued)

- negotiations with responsive proposers, in which case the district shall so specify in the request for proposals and shall publish separately or incorporate into the request for proposals applicable procedures to be observed by the district to ensure that any discussions or negotiations are conducted in good faith.
4. For those projects utilizing low bid as the final selection method, the bidding process shall result in lump-sum bids by the prequalified or short-listed design-build entities, and the contract shall be awarded to the lowest responsible bidder.
  5. For those projects utilizing best value as a selection method, the following procedures shall be used:
    - a. Competitive proposals shall be evaluated using only the criteria and selection procedures specifically identified in the request for proposals. Criteria shall be weighted as deemed appropriate by the district and shall, at a minimum, include price, unless a stipulated sum is specified; technical design and construction experience; and life-cycle costs over 15 or more years.
    - b. Following any discussions or negotiations with responsive proposers and completion of the evaluation process, the responsive proposers shall be ranked on a determination of value provided, provided that no more than three proposers are required to be ranked.
    - c. The contract shall be awarded to the responsible entity whose proposal is determined by the district to have offered the best value to the public.
    - d. The district shall publicly announce the contract award, identifying the entity to which the award is made and the basis of the award. This statement and the contract file shall provide sufficient information to satisfy an external audit.

*Legal Reference:*EDUCATION CODE*17250.10-17250.55 Design-build contracts**Management Resources:*WEB SITES*CSBA: <http://www.csba.org>**California Association of School Business Officials: <http://www.casbo.org>**California Department of Education, Facilities: <http://www.cde.ca.gov/ls/fa>*



# CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3311.4(a)

## PROCUREMENT OF TECHNOLOGICAL EQUIPMENT

**Note: The following administrative regulation is optional. As an alternative to competitive bidding procedures (see BP/AR 3311 - Bids), Public Contract Code 20118.2 authorizes the issuance of a request for proposals for district procurement of electronic equipment and apparatus, with the contract being awarded to the proposal that is most beneficial to the district considering price and all other factors.**

Rather than seek competitive bids, the district may use competitive negotiation when it makes a finding that a district procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus. Competitive negotiation shall not be used to contract for ~~construction or for the procurement of~~ any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

*(cf. 0440 - District Technology Plan)*

***(cf. 3230 - Federal Grant Funds)***

*(cf. 3311 - Bids)*

*(cf. 3312 - Contracts)*

~~The competitive negotiation process shall include, but not be limited to, the following requirements:~~ **Whenever the competitive negotiation process is determined to be appropriate for such procurements, the district shall use the following procedures:** (Public Contract Code 20118.2)

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The Superintendent or designee shall make every effort to generate the maximum feasible number of proposals from qualified sources, and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The Superintendent or designee shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.

## PROCUREMENT OF TECHNOLOGICAL EQUIPMENT

6. The **Governing** Board shall award the contract to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district, **with considering** price and all other factors **considered**.
7. If the Board does not award the contract to the bidder whose proposal contains the lowest price, then the Board shall make a finding setting forth the basis for the award to another bidder.
8. The Board, at its discretion, may reject all proposals and request new RFPs.
9. —Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer. (Public Contract Code 20118.2)

*Legal Reference:*

PUBLIC CONTRACT CODE

20118.2 Contracting by school districts; technological equipment

# CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3543(a)

## TRANSPORTATION SAFETY AND EMERGENCIES

**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 ~~2015 (AB 93, Ch. 10, Statutes of 2015)~~ **2016 (SB 826, Ch. 23, Statutes of 2016)** extends the suspension of these requirements through the ~~2015-16~~ **2016-17** fiscal year. As a result, certain provisions of the following administrative regulation related to transportation safety plans and safety instruction for students may be suspended.

Note: The following regulation is for use by districts that provide school bus transportation services and employ their own school bus drivers. Districts that contract out for all transportation services may revise this regulation as appropriate to ensure that the contracting firm meets all legal requirements regarding transportation safety.

Each day, prior to driving a school bus, each school bus driver shall inspect the bus to ensure that it is in safe operating condition and equipped as required by law and that all equipment is in good working order. At the completion of each day's work, the driver shall prepare and sign a written report of the condition of the equipment ~~listed specified~~ in 13 CCR 1215., ~~including~~ **The report shall indicate** any defect or deficiency discovered by or reported to ~~him/her~~ **the driver** which would affect safe operation or result in mechanical breakdown of the bus; or, ~~indicating that if~~ no defect or deficiency was discovered or reported, **shall so indicate**. Any defect or deficiency that would affect safe operation shall be repaired prior to operating the bus. (13 CCR 1215)

*(cf. 3540 - Transportation)*

*(cf. 3541.1 - Transportation for School-Related Trips)*

*(cf. 3542 - School Bus Drivers)*

~~In the event of a school bus accident, the driver shall immediately notify the California Highway Patrol, the Superintendent or designee, and, if the bus is operated under contract, the driver's employer. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219) [MOVED DOWN]~~

~~The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures. [MOVED DOWN]~~

~~*(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)*~~

## Passenger Restraint Systems

Note: Pursuant to Vehicle Code 27316 and 27316.5, any school bus or student activity bus purchased or leased for use in California must be equipped with a passenger restraint system if the bus was manufactured on or after the dates specified in law, as described below. Although it is the manufacturer's responsibility to

**TRANSPORTATION SAFETY AND EMERGENCIES** (continued)

ensure installation of appropriate passenger restraint systems, the district should be aware that buses manufactured or purchased from outside California may need to be modified to comply with the state's requirements. In addition, according to the California Department of Education's (CDE) Passenger Restraints Frequently Asked Questions, districts may, but are not required to, retrofit older school buses with passenger restraint systems ~~with the original equipment manufacturer's approval~~. In determining whether to retrofit buses, the CDE recommends that districts consider the age of the bus, the total cost of the retrofit, and the required reinspection of the bus by the California Highway Patrol.

The Superintendent or designee shall ensure that any school bus or student activity bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)

1. Is a Type 1 school bus manufactured on or after July 1, 2005 which is designed for carrying more than 16 passengers and the driver
2. Is a Type 2 school bus or student activity bus manufactured on or after July 1, 2004 which meets one of the following criteria:
  - a. Is designed for carrying 16 or fewer passengers and the driver
  - b. Has a manufacturer's vehicle weight rating of 10,000 pounds or less and is designed for carrying not more than 20 passengers and the driver

Note: The following **optional** paragraph reflects legislative intent of Vehicle Code 27316.

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)

Note: Pursuant to Vehicle Code 27316, no person, district, or organization may be held criminally liable if a passenger improperly uses or fails to use the passenger restraint system. However, the CDE's Passenger Restraints Frequently Asked Questions encourages districts to develop procedures to enforce disciplinary actions for nonuse or improper use of the passenger restraint system.

The following **optional** paragraph may be expanded to specify the steps that should be taken by the driver to reasonably ensure that all passengers are properly restrained (e.g., verbal instructions to students, visual inspection), which may vary depending on the age/grade levels of the students. Such steps also may be incorporated in district regulations adopted pursuant to 5 CCR 14103 related to student conduct on buses, bus driver authority, and the suspension of riding privileges; see BP/AR 5131.1 - Bus Conduct.

**TRANSPORTATION SAFETY AND EMERGENCIES** (continued)

Bus drivers shall be instructed regarding procedures to enforce the proper use of the passenger restraint system. Students who fail to follow instructions of the bus driver may be subject to discipline, including suspension of riding privileges, in accordance with Board policy and administrative regulations.

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5144 - Discipline)*

**Fire Extinguishers**

Each school bus shall be equipped with at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. In addition, a wheelchair school bus shall have another fire extinguisher placed at the wheelchair loading door or emergency exit. All fire extinguishers shall be regularly inspected and serviced in accordance with regulations adopted by the State Fire Marshal. (Education Code 39838; 13 CCR 1242; 19 CCR 574-575.3)

**Electronic Communications Devices**

Note: ~~Vehicle Code 23123 prohibits any person from driving a motor vehicle while using a wireless telephone, except under the conditions described below. Pursuant to the definitions in Vehicle Code 415 and 545, a "motor vehicle" would include a school bus or student activity bus. In addition, Vehicle Code 23125 prohibits a person from driving a school bus while using a wireless telephone except for work-related or emergency purposes. Vehicle Code 23123.5, as amended by AB 1785 (Ch. 660, Statutes of 2016), prohibits the driver of a motor vehicle (including a school bus or school activity bus pursuant to Vehicle Code 415 and 545) from using an electronic wireless communications device for any purpose, including, but not limited to, text-based communication, but provides an exception for voice-operated and hands-free operation or for a function that requires only a single swipe or tap of the driver's finger as long as the device is mounted on the windshield, dashboard, or center console of the vehicle. The following paragraph limits the use of any electronic communications device to work-related or emergency purposes. The district should consult legal counsel if it is considering allowing broader use of such devices.~~

A bus driver ~~shall not drive~~ **is prohibited from driving** a school bus or student activity bus while using a wireless telephone ~~except under the following conditions: (Vehicle Code 23123, 23125)~~ **or other electronic wireless communications device except for work-related or emergency purposes, including, but not limited to, contacting a law enforcement agency, health care provider, fire department, or other emergency service agency or entity. In any such permitted situation, the driver shall only use a wireless telephone or device that is specifically designed and configured to allow voice-operated and hands-free operation or a function that requires only a single swipe or tap of the driver's finger provided the device is mounted on the windshield, dashboard, or center console of the bus. (Vehicle Code 23123.5, 23125)**

**TRANSPORTATION SAFETY AND EMERGENCIES** (continued)

1. When he/she uses a wireless telephone that is specifically designed and configured to allow hands free listening and talking, provided it is used in that manner while driving
2. For emergency purposes, including, but not limited to, a call to a law enforcement agency, health care provider, fire department, or other emergency service agency or entity
3. For work related purposes

*(cf. 3513.1 - Cellular Phone Reimbursement)*

Note: Vehicle Code 23123.5 generally prohibits any person from driving a motor vehicle while using an electronic wireless communications device for text based communication. AB 1536 (Ch. 92, Statutes of 2012) amended Vehicle Code 23123.5 to add an exception for the use of voice operated and hands free operation of an electronic wireless communications device. At its discretion, the district may establish conditions that are more restrictive than law and should revise the following paragraph accordingly.

A bus driver shall not drive while using an electronic wireless communications device to write, send, or read a text based communication, including, but not limited to, text messages, instant messages, and email, unless the device is specifically designed and configured to allow voice operated and hands-free operation and is used in that manner. This prohibition does not include reading, selecting, or entering a telephone number or name in an electronic wireless communications device for the purpose of making or receiving a telephone call. (Vehicle Code 23123.5)

**Safe Bus Operations**

Note: Pursuant to Education Code 39834, any Governing Board member, employee, or other person who knowingly operates or permits operation of a school bus in excess of its seating capacity is guilty of a misdemeanor. However, the Board is authorized to adopt policy that allows seating capacities to be exceeded in cases of emergency; see BP/AR 3516 - Emergencies and Disaster Preparedness Plan.

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety. (Education Code 39834)

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

Note: Vehicle Code 34501.6 **mandates** any district that provides student transportation to adopt procedures that limit bus operation when atmospheric conditions reduce visibility, as described below, and that give drivers for school activity trips discretionary authority to discontinue operation when it is unsafe.

**TRANSPORTATION SAFETY AND EMERGENCIES** (continued)

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips may discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

**Unauthorized Entry**

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)

(cf. 3515.2 - Disruptions)

**Transportation Safety Plan for Boarding and Exiting Buses**

Note: The district should modify items #1-2 below to reflect grade levels offered by the district. A district that does not maintain any of grades prekindergarten through 8 should delete items #1-2.

The Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall **include address** all of the following: (Education Code 39831.3)

1. **Procedures for d**Determining if students in grades prekindergarten through 8 require an escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112
2. Procedures for all students in grades prekindergarten through 8 to follow as they board and exit the bus at their bus stops
3. **Procedures for b**Boarding and exiting a school bus at a school or other trip destination

Note: SB 1072 (Ch. 721, Statutes of 2016) amended Education Code 39831.3 to require that the transportation plan include the procedures specified in items #4-5 below.

4. **Procedures to ensure that a student is not left unattended on a school bus, student activity bus, or youth bus**

Note: The procedures included in the transportation safety plan to ensure that a student is not left unattended on a bus may include the requirements of Vehicle Code 28160, as added by SB 1072 (Ch. 721, Statutes of 2016). Pursuant to Vehicle Code 28160, on or before the beginning of the 2018-19 school year, each school bus, school activity bus, youth bus, and child care motor vehicle (i.e., vehicle designed, used, or maintained for more than eight persons, including the driver, that is used by a child

**TRANSPORTATION SAFETY AND EMERGENCIES** (continued)

care provider to transport children) must be equipped with a "child safety alert system" (i.e., a device located at the interior rear of a vehicle that requires the driver to either manually contact or scan the device before exiting the vehicle). Student activity buses may be exempt from this requirement if certain procedures are followed, as specified in Vehicle Code 28160.

Such procedures shall include, on or before the beginning of the 2018-19 school year, the installation of a child safety alert system at the interior rear of each bus 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. A student activity bus may be exempt from this requirement under the conditions specified in Vehicle Code 28160.

**5. Procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus**

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol (CHP). (Education Code 39831.3)

### Parental Notifications

Note: The following section is for use by districts that offer any of grades prekindergarten through 6 and should be revised to reflect the grade levels offered by the district.

The Superintendent or designee shall provide written safety information to the parents/guardians of all students in grades prekindergarten through 6 who have not previously been transported in a district school bus or student activity bus. This information shall be provided upon registration and shall contain: (Education Code 39831.5)

1. A list of school bus stops near each student's home
2. General rules of conduct at school bus loading zones
3. Red light crossing instructions
4. A description of the school bus danger zone
5. Instructions ~~for safety while~~ **safely** walking to and from school bus stops

(cf. 5145.6 - Parental Notifications)



**TRANSPORTATION SAFETY AND EMERGENCIES** (continued)**Student Instruction**

Students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety as follows: (Education Code 39831.5; 5 CCR 14102)

1. Each year, all students who receive home-to-school transportation in a school bus shall be provided appropriate instruction in safe riding practices and emergency evacuation drills.

Note: Item #2 below is for use by districts that offer any of grades prekindergarten through 8 and should be revised to reflect the grade levels offered by the district.

2. At least once each school year, all students in grades prekindergarten through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to:
  - a. Proper loading and unloading procedures, including escorting by the driver
  - b. How to safely cross the street, highway, or private road
  - c. In school buses with passenger restraint systems, instruction in the use of such systems as specified in 5 CCR 14105, including, but not limited to, the proper fastening and release of the passenger restraint system, acceptable placement of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use
  - d. Proper passenger conduct
  - e. Bus evacuation procedures
  - f. Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit.

Each time the above instruction is given, the following information shall be documented:

- a. District name

**TRANSPORTATION SAFETY AND EMERGENCIES** (continued)

- b. School name and location
- c. Date of instruction
- d. Names of supervising adults
- e. Number of students participating
- f. Grade levels of students
- g. Subjects covered in instruction
- h. Amount of time taken for instruction
- i. Bus driver's name
- j. Bus number
- k. Additional remarks

This documentation shall be kept on file at the district office or the school for one year and shall be available for inspection by the **California Highway Patrol CHP**.

**(cf. 3580 - District Records)**

Note: Item #3 below applies to all students in grades prekindergarten through 12 **and may be revised to reflect grade levels offered by the district.**

- 3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to, the location of emergency exits and the location and use of emergency equipment. This instruction also may include responsibilities of passengers seated next to an emergency exit.

**Bus Accidents**

**In the event of a school bus accident, the driver shall immediately notify the CHP, and the Superintendent or designee, and, if the bus is operated under contract, the driver's employer. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219)**

**TRANSPORTATION SAFETY AND EMERGENCIES** (continued)

**The Superintendent or designee shall maintain a report of each accident that occurred on public or private property involving a school bus with students aboard. The report shall contain pertinent details of the accident and shall be retained for 12 months from the date of the accident. If the accident was not investigated by the CHP, the Superintendent or designee shall forward a copy of the report to the local CHP within five work days of the date of the accident. (13 CCR 1234)**

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

*Legal Reference:*

EDUCATION CODE

39830-398423 Transportation, school buses

**39860 Contract for transportation; requirement that student not be left unattended**

51202 Instruction in personal and public health and safety

PENAL CODE

241.3 Assault against school bus driver

243.3 Battery against school bus driver

VEHICLE CODE

415 Definition of motor vehicle

545-546 Definition of school bus and student activity bus

22112 Loading and unloading passengers

~~23123 Use of wireless telephone prohibited while driving motor vehicle~~

23123.5 ~~Text communications prohibited while driving motor vehicle~~ **Use of wireless telephone or communications device while driving; exceptions**

23125 Use of wireless telephone prohibited while driving school bus

27316-27316.5 Passenger restraint systems

**28160 Child safety alert system**

34500 California Highway Patrol responsibility to regulate safe operation of school buses

34501.5 California Highway Patrol responsibility to adopt rules re: safe operation of school buses

34501.6 School buses; reduced visibility

34508 California Highway Patrol responsibility to adopt rules re: equipment and bus operations of school buses

CODE OF REGULATIONS, TITLE 5

14100-14105 School buses and student activity buses

CODE OF REGULATIONS, TITLE 13

1200-1293 Motor carrier safety

2480 Airborne toxic control measure; limitation on bus idling

CODE OF REGULATIONS, TITLE 19

574-575.3 Inspection and maintenance of fire extinguishers

CODE OF FEDERAL REGULATIONS, TITLE 49

571.1-571.500 Motor vehicle standards, including school buses

*Management Resources: (see next page)*

**TRANSPORTATION SAFETY AND EMERGENCIES** (continued)

*Management Resources:*

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

**Passenger Restraints Frequently Asked Questions**

**WEB SITES**

*California Association of School Business Officials: <http://www.casbo.org>*

***American School Bus Council: <http://www.americanschoolbuscouncil.org>***

*California Association of School Transportation Officials: <http://www.castoways.org>*

*California Department of Education, Office of School Transportation: <http://www.cde.ca.gov/ls/tn>*

*California Highway Patrol: <http://www.chp.ca.gov>*

***National Coalition for School Bus Safety: <http://www.ncsbs.org>***

*National Transportation Safety Board: <http://www.nts.gov>*

*U.S. Department of Transportation, National Highway Traffic Safety Administration:  
<http://www.nhtsa.dot.gov>*

(11/08 11/12) 12/16

# 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 from discriminating against employees and job applicants on the basis of actual or perceived race, color, ancestry, national origin, age, sex, sexual orientation, gender, gender identity, 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.**

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 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)*

~~The Board prohibits~~ **No** district employees ~~from discriminating~~ **shall be discriminated** against or ~~harassing~~ **harassed by** any **coworker, supervisor, manager, or** other ~~district employee or job applicant~~ **person with whom the employee comes in contact in the course of employment,** on the basis of the ~~person's~~ **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)*

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

Note: The following paragraph 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 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 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.

The Board also prohibits discrimination against any employee or job applicant. 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. ~~and the t~~ Taking of ~~any an~~ adverse employment action, ~~including, but not limited to,~~ **such as** termination or the denial of employment, promotion, job assignment, or training, ~~against an employee or job applicant based on any of the categories listed above.~~

*(cf. 4151/4251/4351 - Employee Compensation)*

*(cf. 4154/4254/4354 - Health and Welfare Benefits)*

3. ~~Harassment consists of a~~ Unwelcome **conduct, whether** verbal, physical, or visual, ~~conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe or pervasive that it as to~~ adversely affects an individual's **employee's** employment opportunities, **or that** has the purpose or effect of unreasonably interfering with the individual's work performance, or ~~creating~~ **ing** 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. ~~Prohibited s~~ Sex discrimination ~~includes discrimination~~ based on an employee's ~~or job applicant's~~ pregnancy, childbirth, breastfeeding, or any related medical condition **or on an employee's gender, gender expression, or gender identity, including transgender status**

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

*(cf. 4033 - Lactation Accommodation)*  
*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*

- b. Prohibited discrimination on the basis of religious creed includes Religious creed** discrimination based on an employee's or job applicant's religious belief or observance, including his/her religious dress or grooming practices, ~~In accordance with Government Code 12940, prohibited discrimination on the basis of religious creed also includes~~ **or based on** the district's failure or refusal to use reasonable means to accommodate an employee's or job applicant's religious belief, observance, or practice which conflicts with an employment requirement. ~~However, the district shall not accommodate an employee's religious dress practice or religious grooming practice if it requires segregation of the individual from other employees or the public or if it would result in a violation of this policy or any law prohibiting discrimination.~~
- 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)*

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, ~~as amended by AB 987 (Ch. 122, Statutes of 2015),~~ provides that an employee ~~or job applicant~~ who requests accommodation for his/her 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 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 ~~or job applicant~~ who opposes any discriminatory employment practice by the district or its employees, agents, or

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

representatives or who complains, testifies, assists, or in any way participates in the district's complaint ~~procedures~~ **process** pursuant to this policy. No employee ~~or job applicant~~ 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.

Note: Pursuant to 2 CCR 11019, in certain instances, an employee's (especially a supervisor's) knowledge or notice of ~~harassment~~ **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 provides that an employer may be responsible for the sexual harassment of employees by nonemployees where the employer knows or should have known of the conduct and failed to take immediate and corrective action. See 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 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 ~~does~~ **reports** such incidents from retaliation.

Note: Government Code 12940 requires districts to take all reasonable steps, including training, to prevent prohibited discrimination and harassment. **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.** The U.S. Equal Employment Opportunity Commission, in its April 2006 New Compliance Manual Section 15: Race and Color Discrimination, suggests proactive preventive measures for employers, including the adoption of transparent recruitment, hiring, and promotion processes; provision of training to employees; and periodic review of employment practices. 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 training and information to employees about how to recognize harassment, ~~and~~ 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.



**NONDISCRIMINATION IN EMPLOYMENT** (continued)

**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

*Legal Reference continued: (see next page)*

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

*Legal Reference: (continued)*

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

Shepard 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>

# 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 any person who serves in an unpaid internship or other limited-duration program to gain unpaid work experience, on any basis protected by Government Code 12940.**

**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.**

Note: Many nondiscrimination laws and regulations require identification of an employee who will be responsible for compliance with the nondiscrimination laws, ~~as provided in the following paragraph~~. 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 Human Resources  
445 Montezuma Street  
Rio Vista, CA 94571  
HR@rdusd.org

## 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** ~~requires districts~~ 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. The following section reflects "best practices" for preventing unlawful harassment or discrimination, as identified in the California Department of Fair Employment and Housing**

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

(DFEH) and the U.S. Equal Employment Opportunity Commission (EEOC) informational publications. Examples of such publications are the DFEH's California Law Prohibits Workplace Discrimination and Harassment and the EEOC's New Compliance Manual Section 15: Race and Color Discrimination. Districts should investigate these and other relevant publications and determine which practices to adopt.

To prevent unlawful discrimination, harassment, and retaliation ~~against district employees, volunteers, interns, and job applicants~~ **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, ~~to employees, volunteers, interns, job applicants, and the general public~~ 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 district 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)*

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

- 23.** 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
- 34.** 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.**

**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)*

- 45.** 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**

Note: 34 CFR 106.8 and 110.25 ~~mandate~~ any district that receives federal financial assistance to adopt and publish grievance procedures providing for prompt and equitable resolution of employee complaints alleging discrimination on the basis of sex or age **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

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

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, 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 DFEH.

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 ~~by an employee or job applicant~~ alleging **unlawful** discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** A complainant ~~who is an employee shall~~ **may** inform his/her **direct** supervisor, ~~However, if the supervisor is the person against whom the employee is complaining, the employee shall inform, another supervisor, the coordinator, or the Superintendent; or, if available, a complaint hotline or an ombudsman.~~ ~~A job applicant shall inform the coordinator or the Superintendent or designee.~~

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.

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

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 **allegations 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 **do not occur 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 **complainant 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, **correct the effect on provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment does not occur is prevented**.

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

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**

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 time frames 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 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)



**NONDISCRIMINATION IN EMPLOYMENT** (continued)

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)

# CSBA Sample Board Policy

All Personnel

BP 4119.11(a)

4219.11

**SEXUAL HARASSMENT**

4319.11

Note: Education Code 231.5 **mandates** the district to have a written policy on sexual harassment. As part of this mandate, the district also should adopt a sexual harassment policy related to students; see BP/AR 5145.7 - Sexual Harassment.

Generally, courts recognize two types of conduct as constituting sexual harassment. "Quid Pro Quo" ("this for that") sexual harassment is considered to have occurred when a person in a position of authority makes another individual's educational or employment benefits conditional upon that other person's willingness to engage in unwanted sexual behavior (e.g., promising a promotion for sex). "Hostile environment" sexual harassment, on the other hand, is conduct by the perpetrator that is so severe, persistent, or pervasive that it creates a hostile, intimidating, or abusive educational or professional environment for another. Sexual harassment also covers retaliatory behavior against a complainant, witness, or other participant in the complaint process. **Pursuant to Government Code 12940 and 2 CCR 11009, as amended by Register 2015, No. 50, interns, volunteers, and job applicants are entitled to the same protection against sexual harassment as applicable to employees.**

Sexual harassment ~~may be a violation of~~ **is prohibited pursuant to** Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17) and/or Title IX of the Education Amendments of 1972 (42 USC 2000h-2-2000h-6), as well as the California Fair Employment and Housing Act, Government Code 12900-12996.

~~Government Code 12940 and 34 CFR 106.9 extend protection against sexual harassment to job applicants. In addition, p~~**Pursuant to Government Code 12940, employers may be held liable for sexual harassment committed against their workers by clients, customers, or other third parties if they knew or should have known of the harassment and failed to take immediate and appropriate corrective action to stop the harassment.**

The Governing Board prohibits sexual harassment of district employees ~~and job applicants~~. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify, or otherwise participate in the complaint process established pursuant to this policy and **accompanying** administrative regulation. **This policy shall apply to all district employees and, when applicable, to interns, volunteers, and job applicants.**

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 4030 - Nondiscrimination in Employment)*

Note: Federal and state courts have provided guidance that may help employers avoid liability or mitigate damages in sexual harassment cases. In Department of Health Services v. Superior Court (McGinnis), the California Supreme Court outlined **ways in which measures that may enable** employers ~~may be able~~ to reduce damages, including establishing anti-harassment policies, communicating those policies to employees, consistently enforcing their policies, preserving the confidentiality of employees who report harassment, and preventing retaliation against reporting employees. The ~~United States~~ **U.S.** Supreme Court has held, in Burlington Industries v. Ellerth, that, for certain claims under federal law, an employer may defend against sexual harassment claims by proving that: (1) reasonable care was exercised to prevent and promptly correct any sexually harassing behavior, and (2) the employee (victim) failed to take advantage of the preventive and corrective opportunities provided by the employer.

## SEXUAL HARASSMENT (continued)

Pursuant to Government Code 12950.1, employers with 50 or more employees are required to provide two hours of sexual harassment training to supervisory employees. See the accompanying administrative regulation for timelines and training requirements.

Items #1-4 below reflect the courts' guidance and Government Code 12950.1, and should be modified to reflect district practice.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to staff

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (§ **CCR 4964.2 CCR 11023**)

Note: ~~Because an employee's (especially a supervisor's) knowledge or notice of sexual harassment may subject the district to liability, it is recommended that the district require its employees with knowledge or notice of sexual harassment to report the harassment to the appropriate authorities. Pursuant to 2 CCR 11034, as amended by Register 2015, No. 50, the district may be liable for sexual harassment committed by a supervisor, coworker, or a third party. In addition, as part of its affirmative duty to prevent sexual harassment, the district is required pursuant to 2 CCR 11023, as amended by Register 2015, No. 50, to instruct supervisors to report complaints.~~

Any district employee **or job applicant** who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee, **a job applicant or a student**, shall immediately report the incident to his/her supervisor, the principal, district administrator, or Superintendent.

A supervisor, principal, or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

## **SEXUAL HARASSMENT** (continued)

Note: In Faragher v. City of Boca Raton, one of the factors relied on by the U.S. Supreme Court in finding liability for harassment by a supervisor was the failure of the policy to provide an assurance to its employees that harassing supervisors may be bypassed in registering complaints.

Complaints of sexual harassment shall be filed in accordance with AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment ~~against a district employee, job applicant, or student is~~ in violation of this policy and is subject to disciplinary action, up to and including dismissal.

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

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

Note: In addition to district sanction against employees who engage in sexual harassment, Government Code 12940 provides that such employees may be held personally liable in a court of law for any damage to the victim(s).

*Legal Reference: (see next page)*

## SEXUAL HARASSMENT (continued)

### Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

#### GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

#### LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

#### CODE OF REGULATIONS, TITLE 2

**7287.8 Retaliation**

**7288.0 Sexual harassment training and education**

**11009 Employment discrimination**

**11021 Retaliation**

**11023 Harassment and discrimination prevention and correction**

**11024 Sexual harassment training and education**

**11034 Terms, conditions, and privileges of employment**

#### CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

#### UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

#### CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy

#### COURT DECISIONS

*Department of Health Services v. Superior Court of California*, (2003) 31 Cal.4<sup>th</sup> 1026

*Faragher v. City of Boca Raton*, (1998) 118 S.Ct. 2275

*Burlington Industries v. Ellreth*, (1998) 118 S.Ct. 2257

*Gebser v. Lago Vista Independent School District*, (1998) 118 S.Ct. 1989

*Oncale v. Sundowner Offshore Serv. Inc.*, (1998) 118 S.Ct. 998

*Meritor Savings Bank, FSB v. Vinson et al.*, (1986) 447 U.S. 57

### Management Resources:

#### OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

*Protecting Students from Harassment and Hate Crime*, January, 1999

#### WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/index.html>

(7/05 12/15) 12/16

### Policy Reference UPDATE Service

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# CSBA Sample Administrative Regulation

All Personnel

AR 4119.11(a)

4219.11

**SEXUAL HARASSMENT**

4319.11

Note: The following administrative regulation is **mandated** pursuant to Education Code 231.5 and includes reasonable steps for preventing the occurrence of discrimination and harassment as required pursuant to Government Code 12940 (California Fair Employment and Housing Act). **The focus of this administrative regulation is on sexual harassment by and of employees. Pursuant to Government Code 12940 and 2 CCR 11009, as amended by Register 2015, No. 50, interns, volunteers, and job applicants are entitled to the same protection against sexual harassment as applicable to employees.**

~~The focus of this administrative regulation is on sexual harassment of employees.~~ For information related to the sexual harassment ~~of involving~~ students, see BP/AR 5145.7 - Sexual Harassment.

**This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.**

## Definitions

Note: In *Oncale v. Sundowner Offshore Services, Inc.*, the U.S. Supreme Court held that same-sex sexual harassment could be actionable under Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17).

*Prohibited sexual harassment* includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; **5 CCR 4916 2 CCR 11034**)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of ~~such the~~ conduct ~~by the individual~~ is used as the basis for an employment decision affecting ~~him/her~~ **the individual**.
- 4.3.** Submission to or rejection of the conduct ~~by the other individual~~ is used as the basis for any decision affecting ~~him/her~~ **the individual** regarding benefits, services, honors, programs, or activities available at or through the district.

Note: Pursuant to Government Code 12940, conduct **may meet the definition of sexual harassment specified in item #3 below** constitutes sexual harassment if it is sufficiently severe, pervasive, or offensive to create a hostile or abusive work environment for the victim, regardless of whether or not the alleged harasser is motivated by sexual desire for the victim.

## SEXUAL HARASSMENT (continued)

3. ~~The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. Regardless of whether or not the alleged harasser was motivated by sexual desire, the conduct is sufficiently severe, persistent, pervasive, or objectively offensive as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.~~ **Prohibited sexual harassment also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.**

Note: Pursuant to Government Code 12940, the district may be held liable for sexual harassment committed against employees by clients, customers, or other third parties if the district knew, or should have known, of the harassment and failed to take immediate and appropriate corrective action to stop the harassment. The following paragraph clarifies that sexual harassment may include acts by supervisors, co-workers, or other parties and should be modified to reflect district practice.

~~Other e~~Examples of actions that might constitute sexual harassment **in the work or educational setting**, whether committed by a supervisor, a co-worker, or a non-employee, ~~in the work or educational setting~~ include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

## Training

Note: The following ~~optional~~ paragraph is consistent with a district's ~~obligation~~ **affirmative duty** to protect its employees from **sex discrimination, including** sexual harassment, **pursuant to 2 CCR 11023, as added by Register 2015, No. 50.** ~~and may be modified to reflect district practice. Although training is not legally required for all employees, Government Code 12940 requires districts to take reasonable steps to prevent harassment.~~ In addition, since ~~the language of~~ BP/AR 5145.7 - Sexual Harassment requires employees to

## SEXUAL HARASSMENT (continued)

report sexual harassment against students, training such employees to recognize **and address** sexual harassment ~~and address reports of~~ incidents furthers the district's interest in protecting both employees and students against prohibited conduct. Thus, it is strongly recommended that districts periodically provide sexual harassment training or information to all their employees, especially those who work at school sites.

Provision of periodic training to all district employees could also help foster a positive work environment and mitigate damages against a district in the event of sexual harassment litigation. In Department of Health Services v. Superior Court (McGinnis), the California Supreme Court held that employers that have taken reasonable steps to prevent and correct workplace sexual harassment may be able to reduce damages in the event of a lawsuit. Such steps may include establishing anti-harassment policies and communicating those policies to employees.

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. ~~Such~~ **The** training shall include the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee.

*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 4030 - Nondiscrimination in Employment)*  
*(cf. 5145.7 - Sexual Harassment)*

**Note: The remainder of this section is for use by districts with 50 or more employees. Although the law does not require districts with fewer than 50 employees to provide sexual harassment training to supervisors, court decisions have held that providing training may help mitigate damages in sexual harassment suits. Additionally, provision of supervisor training may be a factor in determining whether a district has taken reasonable steps to prevent discrimination and harassment pursuant to Government Code 12940.**

Government Code 12950.1 requires such districts to provide two hours of sexual harassment training and education once every two years to every supervisory employee, defined as any employee with the authority to take employment action, including hiring, transferring, suspending, and disciplining other employees, or recommend such action if the exercise of that authority is not merely routine or clerical in nature. All newly hired supervisors or employees promoted to a supervisory position must receive the training within six months of their hire or assumption of the supervisory position. Compliance with this law does not insulate the district from any liability for harassment.

Governing Board members, as elected officials, are not usually considered "supervisors"; however, since Board members have the authority to hire, reward, or discipline the Superintendent and other employees, Board members may also be required to receive sexual harassment training. Districts should consult with legal counsel to ensure that the appropriate individuals receive training.

~~Although the law does not require districts with fewer than 50 employees to provide sexual harassment training to supervisors, court decisions have held that providing training may help mitigate damages in sexual harassment suits. Districts with fewer than 50 employees may delete or modify the remainder of this section to reflect district practice.~~



## SEXUAL HARASSMENT (continued)

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired or promoted employees shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A *supervisory employee* is any employee ~~with~~ **having** the authority, **in the interest of the district**, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, **or the responsibility to direct them, adjust their grievances, or to effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment.** (Government Code 12926)

*(cf. 4300 - Administrative and Supervisory Personnel)*

Note: Government Code 12950.1 and 2 CCR ~~11023~~ **11024**, as amended and renumbered by Register **2015, No. 50**, require that the training for supervisory employees contain specified components and be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

The district's sexual harassment training and education program for supervisory employees shall ~~include the provision of~~ **be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following:** (Government Code 12950.1; 2 CCR ~~11023~~ **11024**)

1. Information and practical guidance regarding federal and state laws on the prohibition, ~~against and the~~ **prevention**, and correction of sexual harassment, ~~and the remedies available to the victims of~~ **victims in employment-civil actions, and potential district and/or individual exposure or liability**
2. ~~Practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation~~ **The types of conduct that constitute sexual harassment and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources**

Note: Pursuant to Government Code 12950.1, ~~the prevention of abusive conduct must be included as a component of the sexual harassment training for supervisors.~~

## SEXUAL HARASSMENT (continued)

- ~~3. A component on the prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance~~
- 3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment**
- 4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint**
- 5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed**
- 4.6.** A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
- 3.7.** ~~A component on t~~The **definition and** prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance
- ~~5. All other contents of mandated training specified in 2 CCR 11023~~

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR ~~11023~~ **11024**)

### Notifications

Note: Education Code 231.5 requires that the district provide copies of its policy on sexual harassment to staff, as specified below. In addition, 2 CCR 1102 <del>3</del> <b>4</b> requires that supervisory employees undergoing mandatory training receive a copy of the district's policy and acknowledge receipt of the policy; see item # <b>6</b> in the section "Training" above.
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A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

**SEXUAL HARASSMENT** (continued)

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

Note: Government Code 12950 requires the Department of Fair Employment and Housing (DFEH) to develop posters and information sheets on employment discrimination and the illegality of sexual harassment. These documents are available on DFEH's web site.
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All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of district information sheets that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

AR 4119.11(g)  
4219.11  
4319.11

**SEXUAL HARASSMENT** (continued)

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

(3/08 10/15) 12/16

# CSBA Sample Board Policy

Students

BP 5030(a)

## STUDENT WELLNESS

Note: The Healthy, Hunger-Free Kids Act of 2010 (42 USC 1758b) **mandates** each district participating in the National School Lunch Program (42 USC 1751-1769) or any program in the Child Nutrition Act of 1966 (42 USC 1771-1794), including the School Breakfast Program, to adopt a districtwide school wellness policy. The following policy fulfills this mandate and should be revised to reflect district practice. Other policies in the district's policy manual will likely contain additional provisions supporting this wellness policy, such as BP 3312 - Contracts, BP/AR 3550 - Food Service/Child Nutrition Program, BP/AR 3552 - Summer Meal Program, BP/AR 3553 - Free and Reduced Price Meals, BP/AR 3554 - Other Food Sales, BP/AR 6142.7 - Physical Education and Activity, and BP/AR 6142.8 - Comprehensive Health Education.

Although the Governing Board has discretion under 42 USC 1758b to determine specific policies appropriate for its schools, ~~the U.S. Department of Agriculture (USDA) is required to develop regulations 7 CFR 210.30, as added by 81 Fed. Reg. 50151, that provides a framework and guidelines to assist districts in establishing their student wellness policies, including minimum content requirements, assurance of stakeholder participation in the development and updates, and periodic assessment and disclosure of compliance with the district's wellness policy, and to provide technical assistance through the Centers for Disease Control and Prevention (CDC). Currently, the U.S. Department of Agriculture (USDA) and Centers for Disease Control and Prevention (CDC) provide resources and implementation tools on their web sites.~~ In addition, CSBA's Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide summarizes research on the relationship between nutrition and physical activity and student achievement, provides worksheets for policy development, and contains other resources that may be useful in the development of the wellness policy.

The following paragraph links student wellness with the components of a coordinated school health approach recommended in the California Department of Education's (CDE) Health Framework for California Public Schools and may be revised to reflect district practice.

The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall coordinate and align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

*(cf. 1020 - Youth Services)*  
*(cf. 3513.3 - Tobacco-Free Schools)*  
*(cf. 3514 - Environmental Safety)*  
*(cf. 5131.6 - Alcohol and Other Drugs)*  
*(cf. 5131.61 - Drug Testing)*  
*(cf. 5131.62 - Tobacco)*  
*(cf. 5131.63 - Steroids)*  
*(cf. 5141 - Health Care and Emergencies)*  
*(cf. 5141.22 - Infectious Diseases)*

**STUDENT WELLNESS** (continued)*(cf. 5141.3 - Health Examinations)**(cf. 5141.31 - Immunizations)**(cf. 5141.32 - Health Screening for School Entry)**(cf. 5141.6 - School Health Services)**(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)**(cf. 6164.2 - Guidance/Counseling Services)***School Health Wellness Council/Committee**

Note: 42 USC 1758b and 7 CFR 210.30, as added by 81 Fed. Reg. 50151, requires that districts permit specified stakeholders be permitted to participate in the development, implementation, and periodic review and update of the district's wellness policy. One method to achieve continuing involvement of those groups and other key stakeholders is ~~could be~~ through the creation of a school wellness health council, as recommended in the CDE's Health Framework for California Public Schools. Pursuant to Government Code 54952, committees created by formal action of the Board are subject to open meeting laws (the Brown Act); see AR 1220 - Citizen Advisory Committees.

The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b; 7 CFR 210.30)

Note: The remainder of this section is **optional** and may be revised to reflect district practice.

To fulfill this requirement, the Superintendent or designee may appoint a school wellness health council or other district committee, ~~whose membership shall include representatives of these groups and a wellness council coordinator. The council may include representatives of the groups listed above, as well as~~ He/she also may invite participation of other groups or individuals, such as health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

*(cf. 1220 - Citizen Advisory Committees)**(cf. 9140 - Board Representatives)*

**The Superintendent or designee may make available to the public and school community a list of the names, position titles, and contact information of the wellness council members.**

The ~~school health wellness~~ council/~~committee~~ shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council/~~committee~~ may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

**STUDENT WELLNESS** (continued)**Goals for Nutrition, Physical Activity, and Other Wellness Activities**

Note: 42 USC 1758b **and 7 CFR 210.30, as added by 81 Fed. Reg. 50151, mandates** that the district's wellness policy include goals for the activities specified below.

The Board shall adopt **specific** goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. **In developing such goals, the Board shall review and consider evidence-based strategies and techniques.** (42 USC 1758b; **7 CFR 210.30**)

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

Note: The remainder of this section provides policy language to address this mandated topic and should be revised to reflect district practice.

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

*(cf. 6011 - Academic Standards)*

*(cf. 6142.7 - Physical Education and Activity)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 6177 - Summer Learning Programs)*

**To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, free give-aways, or other means.**

*(cf. 1325 - Advertising and Promotion)*

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical

## STUDENT WELLNESS (continued)

education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

*(cf. 5142.2 - Safe Routes to School Program)*  
*(cf. 6145 - Extracurricular and Cocurricular Activities)*  
*(cf. 6145.2 - Athletic Competition)*

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

*(cf. 1330.1 - Joint Use Agreements)*

Professional development ~~shall may~~ be regularly offered to **the nutrition program director, managers, and staff, as well as** health education **teachers, and** physical education teachers, coaches, activity supervisors, ~~food services staff,~~ and other staff as appropriate to enhance their ~~health~~ knowledge and skills **related to student health and wellness.**

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

~~The Superintendent or designee may disseminate health information and/or the district's student wellness policy to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.~~

~~*(cf. 1100 - Communication with the Public)*~~  
~~*(cf. 1112 - Media Relations)*~~  
~~*(cf. 1113 - District and School Web Sites)*~~  
~~*(cf. 1114 - District Sponsored Social Media)*~~  
~~*(cf. 6020 - Parent Involvement)*~~

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.



**STUDENT WELLNESS** (continued)

*(cf. 5131.2 - Bullying)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

**Nutritional Guidelines for All Foods Available at School**

Note: 42 USC 1758b **mandates** that the district's wellness policy include nutritional guidelines that are consistent with federal nutrition standards, as specified below. Also see AR 3550 - Food Service/Child Nutrition Program.

For all foods **and beverages** available on each campus during the school day, the district shall adopt nutritional guidelines which are consistent with 42 USC **1758, 1766, 1773, and 1779** and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

Note: The remainder of this section provides policy language to address this mandated topic and should be revised to reflect district practice.

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

*(cf. 3550 - Food Service/Child Nutrition Program)*

*(cf. 3552 - Summer Meal Program)*

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

Note: Pursuant to 42 USC 1758, schools participating in the National School Lunch Program are required to make free drinking water available for consumption at locations where meals are served during meal service. In addition, Education Code 38086 requires all California schools to make free drinking water available during school meal times, unless the Board adopts a resolution demonstrating that the district is unable to comply due to fiscal constraints or health or safety concerns. See AR 3550 - Food Service/Child Nutrition Program for policy language related to these requirements. Also see CSBA's policy brief [Increasing Access to Drinking Water in Schools](#) for further information and sample strategies for providing water and encouraging consumption. **Information on potential funding sources to comply with the potable water requirement is available on the CDE web site.**

The Superintendent or designee shall provide access to free, potable water **during meal times** in the food service area **during meal times** in accordance with Education Code 38086 and 42

**STUDENT WELLNESS** (continued)

USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and **by** serving water in an appealing manner.

Note: Pursuant to 7 CFR 210.30, as added by 81 Fed. Reg. 50151, districts are mandated to include, within the wellness policy, standards for all foods and beverages which are made available to students outside the district's food services program (e.g., sales through vending machines, student stores, and fundraisers). Nutrition standards and other requirements pertaining to such food sales outside the food services program (e.g., sales through vending machines, student stores, and fundraisers) are addressed in AR 3554 - Other Food Sales. Pursuant to 42 USC 1758b, the USDA is required to establish nutrition standards for all foods sold and served in school at any time during the school day, although exemptions may be allowed for school sponsored fundraisers if the fundraisers are approved by the school and are infrequent. Districts will be required to implement the standards beginning one school year following the approval of the federal rule.

The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's **reimbursable** food services program, should support the health curriculum and promote optimal health. Nutritional standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutritional standards.

*(cf. 3312 - Contracts)*

*(cf. 3554 - Other Food Sales)*

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes.

He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

Note: Pursuant to 7 CFR 210.30, as added by 81 Fed. Reg. 50151, only those foods and beverages that are allowed for sale on campus during the school day may be marketed within the district. The Analysis of Comments to the federal regulations, 81 Fed. Reg. 50151 pg. 50159-50160, clarifies that this includes, but is not limited to, marketing by way of signage, vending machine exteriors, menu boards, coolers, trash cans, cups and scoreboards, but does not apply to materials for educational purposes. It also states that existing items do not need to be immediately replaced, but as new contracts are signed and/or durable equipment replaced, these guidelines should be followed.

**To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of foods and beverages that do not meet nutrition standards for the sale of foods and beverages on campus during the school day. (7 CFR 210.30)**

## STUDENT WELLNESS (continued)

*(cf. 1325 - Advertising and Promotion)*

### Program Implementation and Evaluation

**Note: 42 USC 1758b and 7 CFR 210.30 require the district to identify an individual with the authority and responsibility to ensure that each district school complies with the wellness policy. The Analysis of Comments to the federal regulations, 81 Fed. Reg. 50151 pg. 50155, recommends that districts provide a means of contacting the designated individual by providing a district or school phone number and/or email address.**

The Superintendent shall designate **the individual(s) identified below as the individual(s) responsible for ensuring** one or more district or school employees, as appropriate, to ensure that each school site complies with **this the district's wellness** policy. (42 USC 1758b; 7 CFR 210.30)

**Director of Educational Services  
(707) 374-1700  
Edservices@rdusd.org**

*(cf. 0500 - Accountability)*

*(cf. 3555 - Nutrition Program Compliance)*

**Note: 42 USC 1758b requires assessment of the implementation of the wellness policy but does not define any specific timeline. CSBA's publication Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies recommends that a report on the implementation of the wellness policy be provided to the Board at least once every two years. The following **optional** paragraph may be revised to reflect district practice. 42 USC 1758b and 7 CFR 210.30, as added by 81 Fed. Reg. 50151, require an assessment of the implementation and compliance of the wellness policy as specified in the paragraph below. At its discretion, the district may revise the following paragraph to reflect a more frequent schedule.**

The Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every **two three** years. (42 USC 1758b; 7 CFR 210.30)

**Note: 42 USC 1758b requires that the district assessment include a comparison of the district's policy with model wellness policies. See the USDA's web site for model policies and best practices recommended by federal and state agencies and nongovernmental organizations.**

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

**STUDENT WELLNESS** (continued)

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the ~~school health~~ **wellness** council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

Note: Items #1-~~89~~ below are **optional** and may be revised to reflect district practice. For further information about the following indicators and a list of other possible indicators, see CSBA's Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies. The guide also describes possible data sources that may be used for each indicator and includes a sample report format. Indicators selected by the district may include a mix of process measures (e.g., level of student participation, number of classes, staffing, and costs) as well as outcome measures that assess the policy's impact on students (e.g., physical fitness test results, Body Mass Index, and food choices).

The Board and the Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:

1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements
2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records
3. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program
4. Extent to which foods **and beverages** sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutritional standards
- 5. Extent to which other foods and beverages that are available on campus during the school day, such as foods and beverages for classroom parties, school celebrations, and rewards/incentives, comply with nutrition standards**
- 5.6.** Results of the state's physical fitness test at applicable grade levels
- 6.7.** Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity
- 7.8.** A description of district efforts to provide additional opportunities for physical activity outside of the physical education program

**STUDENT WELLNESS** (continued)

- 8.9.** A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate

~~The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the school health council, parents/guardians, students, teachers, before and after school program staff, and/or other appropriate persons.~~[MOVED UP]

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

~~The Superintendent or designee shall inform and update the public, including parents/guardians, students, and others in the community, about the content and implementation of this policy and assessment results. (42 USC 1758b)~~[MOVED TO "NOTIFICATIONS" SECTION]

**Note:** In addition to the district self-assessment described above, 7 CFR 210. 18, as amended by 81 Fed. Reg. 50151, requires that the CDE conduct administrative reviews of all districts at least once every three years to ensure that districts are complying with their wellness policy. See section "Records" below for information about records that may be required for this assessment. The USDA's Food and Nutrition Service may grant a one-year extension to the CDE's three-year review cycle if needed for efficient state management of the program.

**In addition, the Superintendent or designee shall prepare and maintain the proper documentation and records needed for the administrative review of the district's wellness policy conducted by the California Department of Education (CDE) every three years.**

~~In addition,~~ ~~the~~ assessment results **of both the district and state evaluations** shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

**Posting Requirements**

~~Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (Education Code 49432)~~

**STUDENT WELLNESS** (continued)**Notifications**

**Note:** Pursuant to Education Code 49432, as amended by SB 1169 (Ch. 280, Statutes of 2016), 42 USC 1758b, and 7 CFR 210.30, as added by 81 Fed. Reg. 50151, the district is required to inform the public of the content and implementation of the wellness policy and the district's progress towards meeting the goals of the policy, as described below.

**The Superintendent or designee shall inform the public about the content and implementation of the district's wellness policy and shall make the policy, and any updates to the policy, available the public on an annual basis. He/she shall also inform the public of the district's progress towards meeting the goals of the wellness policy, including the availability of the triennial district assessment. (Education Code 49432; 42 USC 1758b; 7 CFR 210.30)**

*(cf. 5145.6 - Parental Notifications)*

**Note:** The following optional paragraph may be revised to reflect district practice.

The Superintendent or designee ~~may disseminate health information and/or the district's student wellness policy to parents/guardians through~~ **shall distribute this information through the most effective methods of communication, including** district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health **and wellness** and academic performance.

*(cf. 1100 - Communication with the Public)*

*(cf. 1112 - Media Relations)*

*(cf. 1113 - District and School Web Sites)*

*(cf. 1114 - District-Sponsored Social Media)*

*(cf. 6020 - Parent Involvement)*

**Note:** As amended by SB 1169 (Ch. 280, Statutes of 2016), Education Code 49432 no longer requires schools to post the district's policies and regulations on nutrition and physical activity in public view **within all school cafeterias or other central eating areas.** Education Code 49432 **continues to authorize**, but does not require, schools to post a summary of nutrition and physical activity laws and regulations. The following paragraph is **optional**.

Each school ~~shall also~~ **may** post a summary of nutrition and physical activity laws and regulations prepared by the ~~California Department of Education~~ **CDE**.

**Records**

**Note:** 7 CFR 210.30, as added by 81 Fed. Reg. 50151, requires the district to retain records to document compliance with the federal regulation. The following paragraph outlines the records that, at a minimum, must be retained by the district.

**STUDENT WELLNESS** (continued)

**The Superintendent or designee shall retain records that document compliance with 7 CFR 210.30, including, but not limited to, the written student wellness policy, documentation of the triennial assessment of the wellness policy for each school site, and documentation demonstrating compliance with the community involvement requirements, including requirements to make the policy and assessment results available to the public. (7 CFR 210.30)**

*Legal Reference: (see next page)*

**STUDENT WELLNESS (continued)***Legal Reference:*EDUCATION CODE

33350-33354 CDE responsibilities re: physical education

**38086 Free fresh drinking water**

49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001

49490-49494 School breakfast and lunch programs

49500-49505 School meals

49510-49520 Nutrition

49530-49536 Child Nutrition Act

49540-49546 Child care food program

49547-49548.3 Comprehensive nutrition services

49550-49564.2 Meals for needy students

49565-49565.8 California Fresh Start pilot program

49570 National School Lunch Act

51210 Course of study, grades 1-6

**51210.1-51210.2 Physical education, grades 1-6****51210.4 Nutrition education**

51220 Course of study, grades 7-12

51222 Physical education

51223 Physical education, elementary schools

51795-51796.58 School instructional gardens

51880-51921 Comprehensive health education

CODE OF REGULATIONS, TITLE 5

15500-15501 Food sales by student organizations

15510 Mandatory meals for needy students

15530-15535 Nutrition education

15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769j National School Lunch Program, especially:

1758b Local wellness policy

1771-1794.3 Child Nutrition Act, especially:

1773 School Breakfast Program

1779 Rules and regulations, Child Nutrition Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.34.3 National School Lunch Program, especially:

**210.30 Wellness policy**

220.1-220.22 National School Breakfast Program

COURT DECISIONS*Frazer v. Dixon Unified School District*, (1993) 18 Cal.App.4th 781*Management Resources:*CSBA PUBLICATIONS**Integrating Physical Activity into the School Day, Governance Brief, April 2016***Increasing Access to Drinking Water in Schools, Policy Brief, March/April 2013**Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies*, rev. 2012*Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief*, rev. April 2012*Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide*, rev. 2012**Physical Activity and Physical Education in California Schools, Research Brief, April 2010***Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement*, 2009*Management Resources continued: (see next page)*



**STUDENT WELLNESS (continued)***Management Resources: (continued)*CSBA PUBLICATIONS (continued)

Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009

Physical Education and California Schools, Policy Brief, rev. October 2007

School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Physical Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2009

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

CALIFORNIA PROJECT LEAN PUBLICATIONS

Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

CENTER FOR COLLABORATIVE SOLUTIONS

Changing Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in Healthy Eating, Physical Activity and Food Security in Afterschool Programs, ~~March 2010~~ **January 2015**

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide, ~~2005 rev. 2012~~

FEDERAL REGISTER

Rules and Regulations, ~~January 26, 2012, Vol. 77, Number 17, pages 4088-4167~~ **July 29, 2016, Vol. 81, Number 146, pages 50151-50170**

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

Fit, Healthy and Ready to Learn, ~~2000~~ **rev. 2012**

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Dietary Guidelines for Americans, ~~2005~~ **2016**

Changing the Scene, Improving the School Nutrition Environment: A Guide to Local Action, 2000

WEB SITES

CSBA: <http://www.csba.org>

Action for Healthy Kids: <http://www.actionforhealthykids.org>

**Alliance for a Healthier Generation: <http://www.healthiergeneration.org>**

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California Department of Public Health: <http://www.cdph.ca.gov>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

Center for Collaborative Solutions: <http://www.ccscenter.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Dairy Council of California: <http://www.dairycouncilofca.org>

National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>

National Association of State Boards of Education: <http://www.nasbe.org>

School Nutrition Association: <http://www.schoolnutrition.org>

Society for Nutrition Education: <http://www.sne.org>

U.S. Department of Agriculture, Food Nutrition Service, wellness policy:

<http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html>

**U.S. Department of Agriculture, Healthy Meals Resource System: <http://healthymeals.fns.usda.gov>**

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# CSBA Sample Administrative Regulation

Students

AR 5111.1(a)

## DISTRICT RESIDENCY

### Criteria for Residency

A student shall be deemed to have complied with district residency requirements for enrollment in a district school if he/she meets any of the following criteria:

1. The student's parent/guardian resides within district boundaries. (Education Code 48200)
2. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to a court-ordered commitment or placement. (Education Code 48204)

Note: State law provides a number of options under which a student may attend school in a district other than the district where he/she resides. For instance, 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 subject to certain conditions, pursuant to Education Code 48350-48361; see BP/AR 5118 - Open Enrollment Act Transfer. If the district chooses to enter into an interdistrict attendance agreement pursuant to Education Code 46600-46611, a student may request a permit to attend school in a different district when both the district of residence and the district of proposed attendance have agreed to allow interdistrict attendance. If the Governing Board has declared the district to be a "school district of choice" pursuant to Education Code 48300-48316, the district may accept a specific number of interdistrict transfers into the district through a random, unbiased selection process. See BP/AR 5117 - Interdistrict Attendance for further information about these options. Pursuant to Education Code 48204, 48301, and 48356, students admitted under any of these options are deemed to have met district residency requirements. The district should revise item #3 as appropriate to reflect options provided by the district.

3. The student **has been is** admitted through an interdistrict attendance option, such as an interdistrict attendance agreement, "school district of choice" transfer, or Open Enrollment Act transfer. (Education Code 46600, 48204, 48301, 48356)

*(cf. 5117 - Interdistrict Attendance)*

*(cf. 5118 - Open Enrollment Act Transfers)*

4. The student is an emancipated minor residing within district boundaries. (Education Code 48204)
5. The student lives with a caregiving adult within district boundaries and the caregiving adult submits an affidavit to that effect. (Education Code 48204)
6. The student resides in a state hospital located within district boundaries. (Education Code 48204)

**DISTRICT RESIDENCY** (continued)

7. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. (Education Code 48204, 48207)

*(cf. 6183 - Home and Hospital Instruction)*

Note: Education Code 48204, as amended by SB 200 (Ch. 174, Statutes of 2015) and AB 224 (Ch. 554, Statutes of 2015), provides that a student can meet residency requirements based on the location of his/her parent/guardian's employment under the circumstances described in item #8 below.

8. The student's parent/guardian resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week. (Education Code 48204)

Note: Pursuant to Education Code 48204.3, as added by SB 1455 (Ch. 312, Statutes of 2016), a student will be deemed to meet district residency requirements if his/her parent/guardian is transferred or is pending transfer to a military installation (i.e., a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense or the U.S. Coast Guard) within district boundaries.

9. The student's parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within district boundaries. (Education Code 48204.3)

*(cf. 6173.2 - Education of Children of Military Families)*

**Residency Based on Parent/Guardian Employment (Allen Bill Transfers)**

Note: The following section is **optional**. Education Code 48204 permits, but does not require, districts to admit a student whose parent/guardian is employed within district boundaries for a minimum of 10 hours during the school week (so-called "Allen bill transfers"). If the district chooses to grant residency status to such students, it may nevertheless deny enrollment to students under the circumstances identified in items #1-3 below. SB 200 (Ch. 174, Statutes of 2015) and AB 224 (Ch. 554, Statutes of 2015) amended Education Code 48204 to provide that this option will become inoperative on July 1, 2017 unless extended by future legislation. AB 2537 (Ch. 106, Statutes of 2016) amended Education Code 48204 to indefinitely extend the district's authority to grant residency under these circumstances.

District residency status may be granted to a student if at least one of his/her parents/guardians is physically employed within district boundaries for a minimum of 10 hours during the school week. No student seeking residency on this basis shall be denied enrollment based on race, ethnicity, sex, parental income, scholastic achievement, or any of the individual characteristics set forth in Education Code 220. However, the Superintendent or designee may deny enrollment into the district if any of the following circumstances is present: (Education Code 48204)

**DISTRICT RESIDENCY** (continued)

1. The additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer.
2. Enrollment of the student would adversely affect the district's court-ordered or voluntary desegregation plan as determined by the Governing Board.
3. Other circumstances exist that are not arbitrary.

Note: The following paragraph is **optional**. In 84 Ops.Cal.Atty.Gen. 198 (2001), the Attorney General opined that overcrowding is not an "arbitrary consideration" within the meaning of Education Code 48204. Therefore, a district may deny an application when the district's school facilities are overcrowded at the relevant grade level. The Attorney General also clarified that, once a student is admitted, he/she must be allowed to continue to attend school in the district through the highest grade level offered by the district, even if the school subsequently becomes overcrowded at the relevant grade level. Although Attorney General opinions are not binding on the courts, they are generally afforded deference when there is no specific statutory or case law to the contrary. The following paragraph is based on this Attorney General opinion.

Such circumstances may include, but are not limited to, overcrowding of school facilities at the relevant grade level.

Once a student establishes residency on this basis, he/she shall not be required to reapply for enrollment in subsequent years. The student may continue to attend school in the district through the highest grade level offered by the district if the parent/guardian so chooses and if at least one parent/guardian of the student continues to be physically employed by an employer situated within district boundaries, subject to the exceptions in items #1-3 above. (Education Code 48204)

Note: Education Code 48204 prescribes limits on the number of net Allen bill transfers out of the district (the difference between the number of students entering and exiting the district) that a district may allow each fiscal year, unless waived by the sending district. The limits are based on the average daily attendance (ADA) of the district, as follows: five percent of ADA for districts with 500 or less ADA; three percent of ADA or 25 students, whichever is greater, for districts with an ADA of 501-2,500; and one percent of ADA or 75 students, whichever is greater, for districts with an ADA of 2,501 or more. The following paragraph may be modified to specify the percentage that applies to the district's ADA.

Even if the district has not authorized Allen bill transfers into the district, Education Code 48204 provides that the district may disallow transfers out of the district, within the specified limits, by students whose parent/guardian is employed within the boundaries of another district.

The Superintendent or designee may deny a transfer out of the district by a student whose parent/guardian is employed within the boundaries of another district if the difference between the number of students entering and exiting the district on the basis of parent/guardian employment exceeds the limits prescribed in Education Code 48204. (Education Code 48204)

**DISTRICT RESIDENCY** (continued)

**Proof of Residency**

Evidence of residency may be established by documentation showing the name and address of the parent/guardian within the district, including, but not limited to, any of the following: (Education Code 48204.1)

1. Property tax payment receipt
2. Rental property contract, lease, or payment receipt
3. Utility service contract, statement, or payment receipt
4. Pay stub
5. Voter registration
6. Correspondence from a government agency
7. Declaration of residency executed by the student's parent/guardian
8. If the student is an unaccompanied youth as defined in 42 USC 11434a, a declaration of residency executed by the student

Note: Pursuant to Education Code 48204, a student shall be deemed a resident of the district if he/she lives with a caregiving adult within district boundaries; see item #5 in section "Criteria for Residency" above. Family Code 6552 provides an affidavit which authorizes a caregiver 18 years of age or older to enroll a minor in school and requires the caregiver's attestation that the student lives with the caregiver. If the student stops living with the caregiver, Family Code 6550 requires the caregiver to so notify the school.

9. If the student is residing in the home of a caregiving adult within district boundaries, an affidavit executed by the caregiving adult in accordance with Family Code 6552

*(cf. 5141 - Health Care and Emergencies)*

A parent/guardian seeking residency status on the basis of his/her employment within district boundaries shall submit proof of the employment which may include, but not be limited to, a paycheck stub or letter from his/her employer listing a physical address within district boundaries. Such evidence shall also indicate the number of hours or days per school week that the parent/guardian is employed at that location.

Note: The following paragraph is for use by districts in which there is a military installation within district boundaries. Pursuant to Education Code 48204.3, as added by SB 1455 (Ch. 312, Statutes of

**DISTRICT RESIDENCY** (continued)

2016), a parent/guardian who is seeking residency status based on his/her transfer or pending transfer to a military installation within district boundaries may provide any of the following types of proof of residence.

A parent/guardian who is transferred or pending transfer into a military installation within district boundaries shall provide proof of residence within 10 days after the published arrival date provided on official documentation. For this purpose, he/she may use as his/her address a temporary on-base billeting facility, a purchased or leased home or apartment, or federal government or public-private venture off-base military housing. (Education Code 48204.3)

Note: Federal and state law require the immediate enrollment of homeless youth (Education Code 48852.7; 42 USC 11432), and foster youth (Education Code 48853.5), or student who has had contact with the juvenile justice system (Education Code 48645.5), regardless of their his/her ability to provide the school with records normally required for enrollment, including proof of residency. If a dispute arises over the enrollment of a homeless or foster youth, the student must be allowed to attend school while the district liaison conducts a dispute resolution process. See BP/AR/E 6173 - Education for Homeless Children and AR 6173.1 - Education for Foster Youth.

The California Department of Education's web site provides sample forms to obtain a declaration and affidavit from the parent/guardian or other qualified adult relative of a homeless child attesting that the family does not have a fixed, regular, adequate nighttime residence and indicating the current location where the family lives.

~~The Superintendent or designee shall make a reasonable effort to secure evidence that a homeless or foster youth resides within the district, including, but not limited to, a utility bill, letter from a homeless shelter, hotel/motel receipt, or affidavit from the student's parent/guardian or other qualified adult relative.~~

However, ~~a~~Any homeless or foster youth or student who has had contact with the juvenile justice system shall ~~not be required~~ immediately enrolled in school even if he/she is unable to provide proof of residency as a condition of enrollment in district schools. (Education Code 48645.5, 48852.7, 48853.5; 42 USC 11432)

*(cf. 6173 - Education for Homeless Children)*

*(cf. 6173.1 - Education for Foster Youth)*

*(cf. 6173.3 - Education for Juvenile Court School Students)*

~~A parent/guardian seeking residency status on the basis of his/her employment within district boundaries shall submit proof of the employment which may include, but not be limited to, a paycheck stub or letter from his/her employer listing a physical address within district boundaries. Such evidence shall also indicate the number of hours or days per school week that the parent/guardian is employed at that location.~~[MOVED UP]

**DISTRICT RESIDENCY** (continued)**Safe at Home/Confidential Address Program**

Note: Government Code 6205-6210 authorize the Secretary of State to provide victims of domestic violence, stalking, or sexual assault with a substitute address to use in place of their residence, work, or school address in all public records. Under this program, the Secretary of State receives any mail sent to the substitute address and forwards it to the program participant's confidential address. Pursuant to Government Code 6207, the district must accept and use the substitute address designated by the Secretary of State as a participant's substitute address for all communication and correspondence with program participants. The participant will present a laminated identification card containing his/her substitute address and a four-digit authorization number. The district may verify the enrollment of a student in the program by contacting the Safe At Home program.

Program participants have been advised by the Secretary of State to provide administrators with their actual residence location only for school emergency purposes and to establish residency within the district.

When a student or parent/guardian participating in the Safe at Home program requests that the district use the substitute address designated by the Secretary of State, the Superintendent or designee may request the actual residence address for the purpose of establishing residency within district boundaries but shall use the substitute address for all future communications and correspondence and shall not include the actual address in the student's file or any other public record. (Government Code 6206, 6207)

*(cf. 3580 - District Records)*

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# CSBA Sample Board Policy

Students

BP 5116.2(a)

## INVOLUNTARY STUDENT TRANSFERS

The Governing Board desires to enroll students in the school of their choice, but recognizes that circumstances sometimes necessitate the involuntary transfer of some students to another school or program in the district. The Superintendent or designee shall develop procedures to facilitate the transition of such students into their new school of enrollment.

*(cf. 5113.1 - Chronic Absence and Truancy)*

*(cf. 5116.1 - Intradistrict Open Enrollment)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

*(cf. 6173.3 - Education for Juvenile Court School Students)*

As applicable, when determining the best placement for a student who is subject to involuntary transfer, the Superintendent or designee shall review all educational options for which the student is eligible, the student's academic progress and needs, the enrollment capacity at district schools, and the availability of support services and other resources.

Whenever a student is involuntarily transferred, the Superintendent or designee shall provide timely written notification to the student and his/her parent/guardian and an opportunity for the student and parent/guardian to meet with the Superintendent or designee to discuss the transfer.

### Students Convicted of Violent Felony or Misdemeanor

Note: Education Code 48929, as added by SB 1343 (Ch. 154, Statutes of 2016), authorizes a district to involuntarily transfer a student who has been convicted of a violent felony as defined in Penal Code 667.5(c) (including, but not limited to, attempted murder, rape, assault, kidnapping, and robbery) or a misdemeanor associated with possession of a firearm as specified in Penal Code 29805, whenever the student is enrolled at the same school as a student who was a victim of the crime.

In order to exercise this authority, Education Code 48929 **mandates** the Governing Board to adopt, at a regularly scheduled meeting, policy that contains the following provisions: (1) a requirement that the student and his/her parent/guardian be notified of the right to request a meeting with the principal or designee; (2) a requirement that the school first attempt to resolve the conflict using restorative justice, counseling, or other services; (3) whether the decision to transfer a student is subject to periodic review and the procedure for conducting the review; and (4) the process to be used by the Board to consider and approve or disapprove the recommendation of the principal or designee to transfer the student. Education Code 48929 also requires the district to provide notice of the policy to parents/guardians as part of the annual parental notification required by Education Code 48980.

A student may be transferred to another district school if he/she is convicted of a violent felony, as defined in Penal Code 667.5(c), or a misdemeanor listed in Penal Code 29805 and is enrolled at the same school as the victim of the crime for which he/she was convicted. (Education Code 48929)



## **INVOLUNTARY STUDENT TRANSFERS** (continued)

Before transferring such a student, the Superintendent or designee shall attempt to resolve the conflict using restorative justice, counseling, or other such services. He/she shall also notify the student and his/her parents/guardians of the right to request a meeting with the principal or designee. (Education Code 48929)

*(cf. 5138 - Conflict Resolution/Peer Mediation)*  
*(cf. 5144 - Discipline)*  
*(cf. 6164.2 - Guidance and Counseling Services)*

Participation of the victim in any conflict resolution program shall be voluntary, and he/she shall not be subjected to any disciplinary action for his/her refusal to participate in conflict resolution.

Note: The following paragraph may be revised to reflect district practice. Education Code 48929 **mandates** that the Board adopt policy describing the process to be used by the Board to consider and take action on the recommendation to transfer a student under this law, but does not prescribe any such process.

Education Code 35146 provides that the Board must meet in closed session to address any student matter that may involve disclosure of confidential student information, or to consider a suspension, disciplinary action, or any other action against a student except expulsion. If a written request for open session is received from the parent/guardian or adult student, it will be honored to the extent that it does not violate the privacy rights of any other student. See BB 9321 - Closed Session Purposes and Agendas.

The principal or designee shall submit to the Superintendent or designee a recommendation as to whether or not the student should be transferred. If the Superintendent or designee determines that a transfer would be in the best interest of the students involved, he/she shall submit such recommendation to the Board for approval.

The Board shall deliberate in closed session to maintain the confidentiality of student information, unless the parent/guardian or adult student submits a written request that the matter be addressed in open session and doing so would not violate the privacy rights of any other student. The Board's decision shall be final.

*(cf. 9321 - Closed Session Purposes and Agendas)*

The decision to transfer a student shall be subject to periodic review by the Superintendent or designee.

The Superintendent or designee shall annually notify parents/guardians of the district's policy authorizing the transfer of a student pursuant to Education Code 48929. (Education Code 48980)

*(cf. 5145.6 - Parental Notifications)*

## **INVOLUNTARY STUDENT TRANSFERS (continued)**

### **Other Involuntary Transfers**

Students may be involuntarily transferred under either of the following circumstances:

Note: Item #1 below is for use by districts that maintain high schools. Education Code 48432 requires such districts to establish and maintain continuation education schools or classes whenever there are any students residing in the district who are subject to compulsory continuation education. Pursuant to Education Code 48432.5, districts that assign students to continuation schools are mandated to adopt rules and regulations governing procedures for involuntary transfer of students to continuation schools. See BP/AR 6184 - Continuation Education for language fulfilling this mandate.

1. If a high school student commits an act enumerated in Education Code 48900 or is habitually truant or irregular in school attendance, he/she may be transferred to a continuation school. (Education Code 48432.5)

*(cf. 6184 - Continuation Education)*

Note: Education Code 48660-48666 authorize districts to establish community day schools for expelled students, certain probation-referred students pursuant to Welfare and Institutions Code 300 or 602, and students referred by a school attendance review board or through another formal district process. Pursuant to Education Code 48662, districts establishing a community day school are mandated to adopt policy that provides procedures for the involuntary transfer of students to the school. See BP/AR 6185 - Community Day Schools for language fulfilling this mandate.

2. If a student is expelled from school for any reason, is probation-referred pursuant to Welfare and Institutions Code 300 or 602, or is referred by a school attendance review board or another formal district process, he/she may be transferred to a community day school. (Education Code 48662)

*(cf. 6173 - Education for Homeless Children)*

*(cf. 6173.1 - Education for Foster Youth)*

*(cf. 6185 - Community Day School)*

*Legal Reference: (see next page)*

## **INVOLUNTARY STUDENT TRANSFERS (continued)**

*Legal Reference:*

EDUCATION CODE

35146 *Closed sessions; student matters*

48430-48438 *Continuation classes, especially:*

48432.5 *Involuntary transfer to continuation school*

48660-48666 *Community day schools, especially:*

48662 *Involuntary transfer to community day school*

48900 *Grounds for suspension and expulsion*

48929 *Transfer of student convicted of violent felony or misdemeanor*

48980 *Notice at beginning of term*

PENAL CODE

667.5 *Violent felony, definition*

29805 *Misdemeanors involving firearms*

WELFARE AND INSTITUTIONS CODE

300 *Minors subject to jurisdiction*

602 *Minors violating laws defining crime; ward of court*

*Management Resources:*

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

# CSBA Sample Board Policy

Students

BP 5141.21(a)

## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

Note: The following **optional** policy and accompanying administrative regulation apply to the administration of medication to students pursuant to Education Code 49414, **49414.3**, 49414.5, **49414.7**, 49423, and 49423.1; **and the** permissive guidelines in 5 CCR 600-611.; ~~and guidelines related to the training and supervision of nonmedical employees providing emergency medical assistance to students who suffer epileptic seizures (5 CCR 620-627).~~ **Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016), authorizes districts to make emergency naloxone hydrochloride or another opioid antagonist available to school nurses or trained personnel who have volunteered to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose.**

**Education Code 49414.7, which authorized trained, unlicensed school personnel to administer medication to students with epilepsy suffering from seizures, is repealed on its own terms effective January 1, 2017. Although the procedures in Education Code 49414.7 are no longer required, health providers may train unlicensed school personnel to administer medication, including emergency anti-seizure medication, pursuant to the general authority in Education Code 49423 and 5 CCR 600-611, as interpreted by the California Supreme Court in American Nurses Association v. Torlakson.**

~~For students identified as qualified for services under the Individuals with Disabilities Education Act (20 USC 1400 1482) or Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794), prescribed medication must be administered in accordance with the student's individualized education program or Section 504 services plan. See also BP/AR 5141.24 - Specialized Health Care Services, BP/AR 6159 - Individualized Education Program, and BP/AR 6164.6 - Identification and Education Under Section 504.~~

This policy and regulation do not address situations in which a district might be engaged in a collaborative arrangement with another entity for the provision of school health services to students; see BP/AR 5141.6 - School Health Services.

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should have an opportunity to participate in the educational program.

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

***(cf. 5141.24 - Specialized Health Care Services)***

*(cf. 6159 - Individualized Education Program)*

*(cf. 6164.6 - Identification and Education Under Section 504)*

## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Note: 5 CCR 604 authorizes a parent/guardian to administer medication to his/her child or designate an individual to administer the medication, as specified below. In addition, California law allows students to carry and self-administer medication needed for the treatment or management of certain medical conditions, when the district has received a written request from the student's parent/guardian and written authorization from the student's authorized health care provider, as specified in the accompanying administrative regulation. Students have legal authorization to self-administer diabetes medication pursuant to Education Code 49414.5, auto-injectable epinephrine for anaphylactic reactions pursuant to Education Code 49423, and inhaled asthma medication pursuant to Education Code 49423.1. Pursuant to 5 CCR 605, districts may choose to allow students to carry and self-administer other types of medication beyond those specifically authorized by the Education Code.

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing a parent/guardian to administer medication to his/her child at school, designate other individuals to do so on his/her behalf, and, with the child's authorized health care provider's approval, request the district's permission for his/her child to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

*(cf. 1250 - Visitors/Outsiders)*

*(cf. 5141 - Health Care and Emergencies)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5141.23 - Asthma Management)*

*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*

*(cf. 6116 - Classroom Interruptions)*

**The Superintendent or designee shall make available epinephrine auto-injectors at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)**

Note: The following **optional** paragraph may be revised to reflect district practice. The U.S. Department of Health and Human Services and the Centers for Disease Control and Prevention recommend that a district's emergency and disaster preparedness plan include procedures for dealing with medical emergencies, such as a pandemic flu outbreak or public disaster. **See CSBA's fact sheet Pandemic Influenza.**

## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

~~In addition, t~~The Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

### Administration of Medication by School Personnel

Note: Various provisions of state law allow districts to train nonmedical district employees (i.e., those who do not possess a medical license) to provide medical assistance to students at school when a credentialed school nurse or other licensed individual is unavailable. For example, Education Code 49414, **49414.3, 49414.5, 49423, and 49423.1, and 49414.7 specifically** authorize the use of trained, unlicensed school employees to administer ~~emergency~~ medications to students suffering from allergic reactions, **opioid overdose, severe hypoglycemia, or asthma, and epileptic seizures.** Moreover, in American Nurses Association v. Torlakson, the California Supreme Court held that, as with other prescription medications, **state law permits trained, unlicensed school personnel to administer insulin to students in school in accordance with a written health care provider statement and parental consent where a physician has determined that unlicensed school personnel may safely and appropriately administer the medication. The medication must be administered in accordance with a written health care provider statement and parental consent.**

~~Any medication prescribed by an authorized health care provider, including, but not limited to, emergency antiseizure medication for a student who suffers epileptic seizures, auto-injectable epinephrine, insulin, or glucagon, may be administered by the school nurse or other designated school personnel only when the Superintendent or designee has received written statements from both the student's parent/guardian and authorized health care provider. (Education Code 49414.7, 49423; 5 CCR 600)~~

**When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, and administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. and Such personnel shall be afforded appropriate liability protection.**

*(cf. 3530 - Risk Management/Insurance)*

*(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)*

*(cf. 4119.43/4219.43/4319.43 - Universal Precautions)*

## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Note: Certain medication specific statutes that authorize unlicensed district employees to administer medication to students require that such employees be trained. For example, Education Code 49414.7 requires training by qualified medical personnel for unlicensed district employees who volunteer to administer emergency antiseizure medications to students who suffer epileptic seizures. Guidelines for the training and supervision of such unlicensed school employees have been adopted as 5 CCR 620-627 and are specified in the accompanying administrative regulation.

When medically unlicensed school personnel are authorized by law to administer any medication to students, such as emergency antiseizure medication, auto-injectable epinephrine, insulin, or glucagon, the Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual. (Education Code 49414, **49414.3**, 49414.5, **49414.7**, 49423, 49423.1)

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

### Legal Reference:

#### EDUCATION CODE

48980 Notification at beginning of term

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto-injectors

**49414.3 Emergency medical assistance; administration of medication for opioid overdose**

49414.5 Providing school personnel with voluntary emergency training

~~49414.7 Emergency medical assistance; administration of epilepsy medication~~

49422-49427 Employment of medical personnel, especially:

49423 Administration of prescribed medication for student

49423.1 Inhaled asthma medication

49480 Continuing medication regimen; notice

Legal Reference continued: (see next page)

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

*Legal Reference: (continued)*

BUSINESS AND PROFESSIONS CODE

2700-2837 Nursing, especially:

2726 Authority not conferred

2727 Exceptions in general

3501 Definitions

4119.2 Acquisition of epinephrine auto-injectors

**4119.8 Acquisition of naloxone hydrochloride or another opioid antagonist**

CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

**620-627 Administration of emergency antiseizure medication by trained volunteer nonmedical school personnel**

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

COURT DECISIONS

*American Nurses Association v. Torlakson*, (2013) 57 Cal. App. 4th 570

*Management Resources:*

CSBA PUBLICATIONS

**Pandemic Influenza, Fact Sheet, September 2007**

AMERICAN DIABETES ASSOCIATION PUBLICATIONS

*Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes*, May 2006

*Training Standards for the Administration of Epinephrine Auto-Injectors*, **December 2004 rev. 2015**

*Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools*, August 2007

**Program Advisory on Medication Administration, 2005**

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

*Helping the Student with Diabetes Succeed: A Guide for School Personnel*, June 2003

WEB SITES

CSBA: <http://www.csba.org>

American Diabetes Association: <http://www.diabetes.org>

California Department of Education, Health Services and School Nursing:

<http://www.cde.ca.gov/ls/he/hn>

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma

information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

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**Policy Reference UPDATE Service**

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# CSBA Sample Administrative Regulation

Students

AR 5141.21(a)

## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

Note: The following administrative regulation reflects requirements for the administration of medication to students on a continuing medication regimen or in emergency medical situations at school or a school-related activity. The district should consult legal counsel as necessary to ensure that all legal requirements are met.

Education Code 49414.7, which authorized trained, unlicensed school personnel to administer anti-seizure medication to students with epilepsy, repealed on its own terms effective January 1, 2017. However, districts may choose to continue to train unlicensed school personnel to administer anti-seizure medication under the general authority in Education Code 49423 and 5 CCR 600-611, as interpreted by the California Supreme Court in American Nurses Association v. Torlakson. Such administration must be contingent upon a physician's written authorization for unlicensed personnel to administer the medication to the particular student. The district may revise the following regulation to reflect any district requirements related to the administration of such medication.

### Definitions

*Authorized health care provider* means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician or physician assistant. (Education Code 49423; 5 CCR 601)

*Other designated school personnel* means any individual employed by the district, including a nonmedical school employee, who has volunteered or consented to administer medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR 601, 621)

*Medication* may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies. (5 CCR 601)

~~*Emergency medical assistance for a student suffering an epileptic seizure* means the administration of an emergency antiseizure medication such as diazepam rectal gel and other emergency medications approved by the federal Food and Drug Administration for patients suffering from epileptic seizures. (Education Code 49414.7; 5 CCR 621)~~

Note: Education Code 49414, as amended by AB 1386 (Ch. 374, Statutes of 2016), defines "epinephrine auto-injector" as follows.

~~*Epinephrine auto-injector* means a disposable drug-delivery system with a spring-activated needle that is designed for emergency administration of epinephrine to provide rapid, convenient first aid for persons suffering a potentially fatal reaction to anaphylaxis device~~

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

**designed for the automatic injection of a premeasured dose of epinephrine into the human body to prevent or treat a life-threatening allergic reaction.** (Education Code 49414)

*Anaphylaxis* means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

(cf. 5141.23 - *Asthma Management*)

(cf. 5141.27 - *Food Allergies/Special Dietary Needs*)

**Notifications to Parents/Guardians**

Note: Pursuant to Education Code 48980, districts must notify parents/guardians, at the beginning of each school year, of their rights and responsibilities (see section "Parent/Guardian Responsibilities" below) under Education Code 49423 pertaining to the administration of medication by school employees and self-administration of epinephrine by students. Though notification is not required for self-administration of any medication other than epinephrine, it is recommended that the annual notification include other medications to facilitate implementation by school personnel.

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options. (Education Code 49480)

(cf. 5145.6 - *Parental Notifications*)

In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a nonepisodic condition of the following requirements: (Education Code 49480)

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.
2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

**Parent/Guardian Responsibilities**

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

Note: Education Code 49423 and 5 CCR 600 authorize districts to administer prescribed medication only upon receipt of written statements from the student's authorized health care provider and parent/guardian. ~~Education Code 49414.7 and 5 CCR 626 require similar statements before school personnel may administer emergency antiseizure medication to students. In addition, a~~ appropriate statements must be received before students are allowed to carry and self-administer diabetes medication pursuant to Education Code 49414.5, auto-injectable epinephrine pursuant to Education Code 49423, or asthma medication pursuant to Education Code 49423.1. Districts may choose to allow students to carry and self-administer other types of medication beyond those authorized by the Education Code. If so, the district should modify the following section accordingly. See the accompanying Board policy.

1. P  
roviding parent/guardian and authorized health care provider written statements each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. (Education Code 49414.5, 49414.7, 49423, 49423.1; 5 CCR 600, 626)

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician and updating the information when needed. (Education Code 49480)

Note: Pursuant to Education Code 49414.7, if the district chooses to participate in a program to train nonmedical school employees who volunteer to provide emergency medical assistance to students suffering from epileptic seizures when licensed health care professionals are not available onsite, it must establish a district plan that includes item #3 below.

- ~~3. If the student suffers from epilepsy, notifying the principal or designee whenever the student has had an emergency antiseizure medication administered to him/her within the past four hours on a school day. (Education Code 49414.7)~~

Note: Pursuant to 5 CCR 606, the district is authorized to establish rules for the delivery and storage of medication on a school site.

- 4.3.** Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. (5 CCR 606)

**Parent/Guardian Statement**

Note: 5 CCR 603 authorizes the district to establish specific requirements regarding the parent/guardian's written statement. The following list should be modified to reflect the district's requirements.

When district employees are to administer medication to a student, the parent/guardian's written statement shall:

1. Identify the student
2. Grant permission for an authorized district representative to communicate directly with the student's authorized health care provider and pharmacist, as may be necessary, regarding the health care provider's written statement or any other questions that may arise with regard to the medication
3. Contain an acknowledgment that the parent/guardian understands how district employees will administer the medication or otherwise assist the student in its administration

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

4. Contain an acknowledgment that the parent/guardian understands his/her responsibilities to enable district employees to administer or otherwise assist the student in the administration of medication, including, but not limited to, the parent/guardian's responsibility to provide a written statement from the authorized health care provider, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment
5. Contain an acknowledgment that the parent/guardian understands that he/she may terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time

In addition to the requirements in items #1-5 above, if a parent/guardian has requested that his/her child be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall: (Education Code 49423, 49423.1)

1. Consent to the self-administration
2. Release the district and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the district to administer medication to his/her child, the parent/guardian's written statement shall clearly identify the individual and shall state:

1. The individual's willingness to accept the designation
2. That the individual is permitted to be on the school site
3. Any limitations on the individual's authority

**Health Care Provider Statement**

Note: Education Code 49423 and 49423.1 and 5 CCR 602 list items that the authorized health care provider's written statement must contain, as specified in items #1-45 below. ~~Education Code 49414.7 and 5 CCR 626 contain requirements similar to items #1-3 for the administration of emergency epilepsy medication.~~ Districts that request additional information in the statement should modify the following list accordingly.

## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

When any district employee is to administer prescribed medication to a student, or when a student is to be allowed to carry and self-administer ~~auto-injectable epinephrine or diabetes or asthma~~ medication during school hours, the authorized health care provider's written statement shall include:

1. Clear identification of the student (Education Code ~~49414.7~~, 49423, 49423.1; 5 CCR 602, ~~626~~)
2. The name of the medication (Education Code ~~49414.7~~, 49423, 49423.1; 5 CCR 602, ~~626~~)
3. The method, amount, and time schedules by which the medication is to be taken (Education Code ~~49414.7~~, 49423, 49423.1; 5 CCR 602, ~~626~~)
4. If a parent/guardian has requested that his/her child be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (Education Code ~~49414.5~~, 49423, 49423.1; 5 CCR 602)
- 5. For medication that is to be administered by unlicensed personnel, confirmation by the student's health care provider that the medication may safely and appropriately be administered by unlicensed personnel (Education Code 49423, 49423.1; 5 CCR 602)**

Note: Items <del>#5-7</del> <b>6-8</b> below may be revised to reflect district practice.
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- 5-6.** For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency for administration, and indications for referral for medical evaluation
- 6-7.** Possible side effects of the medication
- 7-8.** Name, address, telephone number, and signature of the student's authorized health care provider

~~When authorizing a district employee to administer emergency antiseizure medication to a student, the authorized health care provider's written statement shall also include the following: (Education Code 49414.7; 5 CCR 626)~~

- ~~1. Detailed seizure symptoms, including frequency, type, or length of seizures that identify when the administration of the medication becomes necessary~~

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

2. ~~Any potential adverse responses by the student and recommended mitigation actions, including when to call emergency services~~
3. ~~A protocol for observing the student after a seizure, including, but not limited to, whether he/she should rest in the school office or return to his/her class and the length of time he/she should be under direct observation~~
4. ~~A statement that, following a seizure, a school administrator or other staff member shall contact the school nurse and the student's parent/guardian to continue the observation plan~~

**District Responsibilities**

Note: The following section should be modified to reflect district practice.

**The Superintendent or designee shall ensure that any unlicensed school personnel authorized to administer medication to a student receives appropriate training from the school nurse or other qualified medical personnel.**

The school nurse or other designated school personnel shall:

1. Administer or assist in administering medication in accordance with the authorized health care provider's written statement
2. Accept delivery of medications from parents/guardians and count and record them upon receipt
3. Maintain a list of students needing medication during the school day, including those authorized to self-administer medication, and note on the list the type of medication and the times and dosage to be administered

Note: 5 CCR 601 specifies items that districts may, but are not required to, include in the medication log, as provided in item #4 below.

4. Maintain for each student a medication log which may:
  - a. Specify the student's name, medication, dose, method of administration, time of administration during the regular school day, date(s) on which the student is required to take the medication, and the authorized health care provider's name and contact information

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

- b. Contain space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication

Note: 5 CCR 601 specifies items that may be included in the medication record, as detailed below. In addition, 5 CCR 607 authorizes the district to establish policies regarding documentation of medication, including the maintenance of the medication record.

5. Maintain for each student a medication record which may include the authorized health care provider's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student

6. Ensure that student confidentiality is appropriately maintained

*(cf. 5125 - Student Records)*

7. Coordinate and, as appropriate, ensure the administration of medication during field trips and other school-related activities

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 6145.2 - Athletic Competition)*

*(cf. 6153 - School-Sponsored Trips)*

8. Report to a student's parent/guardian and the site administrator any refusal by the student to take his/her medication

9. Keep all medication to be administered by the district in a locked drawer or cabinet

10. As needed, communicate with a student's authorized health care provider and/or pharmacist regarding the medication and its effects

11. Counsel other designated school personnel regarding the possible effects of a medication on a student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose

Note: 5 CCR 609 authorizes the district to establish policies regarding unused, discontinued, or outdated medication.

12. Ensure that any unused, discontinued, or outdated medication is returned to the student's parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and local ordinances



**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

- 13. In the event of a medical emergency requiring administration of medication, provide immediate medical assistance, directly observe the student following the administration of medication, contact the student's parent/guardian, and determine whether the student should return to class, rest in the school office, or receive further medical assistance**
- 14. Provide immediate medical assistance if needed, r** Report to the site administrator, the student's parent/guardian, and, if necessary, the student's authorized health care provider any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement

**Additional Requirements for Management of Epileptic Seizures [SECTION DELETED]**

**Emergency Epinephrine Auto-Injectors**

Note: ~~As amended by SB 1266 (Ch. 321, Statutes of 2014),~~ Education Code 49414 requires districts to provide epinephrine auto-injectors to school nurses or other employees who volunteer and receive training, which they may use to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction. ~~SB 1266 deleted the requirement to develop a district plan related to the use of epinephrine auto-injectors.~~

The Superintendent or designee shall provide epinephrine auto-injectors to school nurses or other employees who have volunteered to administer them in an emergency and have received training. The school nurse, or a volunteer employee when a school nurse or physician is unavailable, may administer an epinephrine auto-injector to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. (Education Code 49414)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer an epinephrine auto-injector and describing the training that the volunteer will receive. (Education Code 49414)

**(cf. 4112.9/4212.9/4312.9 - Employee Notifications)**

Note: Education Code 49414 specifies topics to be included in training for employees who volunteer to be trained in the use of epinephrine auto-injectors. ~~As amended by SB 1266 (Ch. 321, Statutes of 2014),~~ Education Code 49414 requires the Superintendent of Public Instruction (**SPI**), in consultation with specified agencies and organizations, to review the minimum standards for the training at least every five years. These standards are available on the California Department of Education's web site.

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

The principal or designee at each school may designate one or more volunteers to receive initial and annual refresher training, which shall be provided by a school nurse or other qualified person designated by a physician and surgeon authorized pursuant to Education Code 49414, and shall be based on the standards developed by the Superintendent of Public Instruction (SPI). Written materials covering the required topics for training shall be retained by the school for reference. (Education Code 49414)

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

Note: Education Code 49414, as amended by SB 1266 (Ch. 321, Statutes of 2014), specifies the type of epinephrine auto-injectors that must be provided to each school and the district personnel authorized to obtain the prescriptions. The following paragraphs may be revised to reflect the position(s) assigned to fulfill this responsibility and the grade levels maintained by the district.

A school nurse or other qualified supervisor of health, or a district administrator if the district does not have a qualified supervisor of health, shall obtain a prescription for epinephrine auto-injectors for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or epinephrine auto-injector manufacturers. Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine auto-injector. Secondary schools shall be provided at least one adult (regular) epinephrine auto-injector, unless there are any students at the school who require a junior epinephrine auto-injector. (Education Code 49414)

If an epinephrine auto-injector is used, the school nurse or other qualified supervisor of health shall restock the epinephrine auto-injector as soon as reasonably possible, but no later than two weeks after it is used. In addition, epinephrine auto-injectors shall be restocked before their expiration date. (Education Code 49414)

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering epinephrine auto-injectors shall be provided to each volunteer and retained in his/her personnel file. (Education Code 49414)

*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*

A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code 49414, including, but not limited to, the acceptance of epinephrine auto-injectors from a manufacturer or wholesaler. (Education Code 49414)

*(cf. 3290 - Gifts, Grants and Bequests)*

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of epinephrine auto-injectors for a period of three years from the date the records were created. (Business and Professions Code 4119.2)

*(cf. 3580 - District Records)*

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# Board Policy

Instruction

BP 6146.1(a)

## HIGH SCHOOL GRADUATION REQUIREMENTS

The Governing Board ~~of Trustees~~ desires to prepare all students to obtain a high school diploma to enable them to take advantage of opportunities for postsecondary education and employment.

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5147 - Dropout Prevention)

~~(cf. 5149 - At Risk Students)~~ (cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.3 - Reciprocity of Academic Credit)

### Course Requirements

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified (totals 245 credits plus 15 hours community service):

1. Four years of English (Education Code 51225.3) (40 credits plus successful completion of CAHSEE)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Three years in Mathematics (Education Code 51225.3) (30 credits)

At least one mathematics course, or a combination of the two mathematics courses required for completion in grades 9-12, shall meet or exceed state academic content standards for Algebra I. (Education Code 51224.5)

Completion, prior to grade 9, of algebra coursework that meets or exceeds state academic content standards shall satisfy the algebra coursework requirement, but shall not exempt a student from the requirement to complete three mathematics courses in grades 9-12. (Education Code 51224.5)

(cf. 6011 - Academic Standards)

(cf. 6142.92 - Mathematics Instruction)

3. Three years in Science, including Biology and Physical Science (Education Code 51225.3) (10 credits in Life Science and 10 credits in Physical Science). Additional 10 credits of Life and/or Physical Science elective.

(cf. 6142.93 - Science Instruction)

4. Three and ½ years in Social Studies, including World History (10 credits); a one-semester course in World Geography (5 credits); United States History (10 credits); a one-semester course in American Government and Civics (5 credits); and a one-semester course in Economics (5 credits) (Education Code 51225.3)

(cf. 6142.3 - Civic Education)

(cf. 6142.93 - History-Social Science Instruction)

5. One year in Visual or Performing Arts, Foreign Language, or American Sign Language, or career technical education (Education Code 51225.3)(10 credits: 2 semesters of same the language and/or visual performing arts)

To be counted towards meeting graduation requirements, a course in career technical education shall be aligned to the career technical model curriculum standards and framework adopted by the State Board of Education.

(cf. 6142.2 - World/Foreign Language Instruction)

(cf. 6142.6 - Visual and Performing Arts Education)

(cf. 6178 - Career Technical Education)

(cf. 6178.2 - Regional Occupational Center/Program)

6. Two years in Physical Education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3) (20 credits)

(cf. 6142.7 - Physical Education Activity))

**In addition, pursuant to Education Code 51225.6, as added by AB 1719 (Ch. 556, Statutes of 2016), a district that requires a course in health education for graduation is required to include instruction in compression-only cardiopulmonary resuscitation beginning in the 2018-19 school year. See AR 6143 - Courses of Study.**

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

*(cf. 6142.4 - Service Learning/Community Service Classes)*

*(cf. 6142.8 - Comprehensive Health Education)*

7. One semester of "Technology"

8. The equivalent of 75 credits of elective credits.

9. 15 hours of prior approved Community Service (this is in addition to the 245 credit graduation requirement and successfully passed the CAHSEE).

(cf. 6142.4 - Service Learning/Community Service Classes)

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in

accordance with law.

(cf. 6146.11 - Alternative Credits Toward Graduation)  
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

The Superintendent or designee shall exempt or waive specific course requirements for foster youth or children of military families in accordance with Education Code 51225.3 and 49701.

(cf. 6173.1 - Education for Foster Youth)  
(cf. 6173.2 - Education for Children of Military Families)  
*(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)*

### High School Exit Examination

~~As a condition of high school graduation, each student completing grade 12 shall have successfully passed the state exit examination in language arts and mathematics unless he/she receives a waiver or exemption. (Education Code 60851, 60859)~~

~~(cf. 6146.4—Differential Graduation and Competency Standards for Students with Disabilities)  
(cf. 6159—Individualized Education Program)  
(cf. 6162.52—High School Exit Examination)~~

~~Supplemental instruction shall be offered to any student in grade 7–12 who does not demonstrate "sufficient progress," as defined in BP 6179—Supplemental Instruction, toward passing the exit exam. (Education Code 37252, 60851)~~

~~(cf. 5148.2—Before/After School Programs)  
(cf. 6176—Weekend/Saturday Classes)  
(cf. 6177—Summer School)  
(cf. 6179—Supplemental Instruction)~~

~~Students who have not passed one or both parts of the exit exam by the end of grade 12 shall have the opportunity to receive intensive instruction and services for up to two consecutive academic years after completion of grade 12 or until they have passed both parts of the exam, whichever comes first. (Education Code 37254)~~

~~(cf. 1312.4—Williams Uniform Complaint Procedures)  
(cf. 6164.2—Guidance/Counseling Services)~~

~~In addition to intensive remedial instruction, the district shall offer students who have passed all state and local graduation requirements except one or both parts of the exit exam the following options for two years beyond their regular senior year or until they pass the exam, whichever occurs first:~~

~~Intensive CAHSEE remedial instruction through RDUSD's adult school, Wind River Summer School, After-School, and Extended Day Programs~~

~~(cf. 0420.4—Charter Schools)  
(cf. 6158—Independent Study)  
(cf. 6184—Continuation Education)~~

~~The Superintendent or designee shall regularly report to the Board regarding the number of students who have fulfilled all local and state graduation requirements except for the passage of the exit exam and the resources that have been offered to such students.~~

### ~~Certificates of Completion~~

~~Students who have passed all the district's course requirements by the end of their senior year but are unable to pass the high school exit exam shall receive a certificate of completion. Students can participate in graduation ceremonies if they who have passed all the district's course requirements by the end of their senior year but are unable to pass the high school exit exam.~~

~~The Superintendent or designee shall regularly report to the Board regarding the number of students receiving a certificate of completion and the resources that have been offered to such students.~~

### ~~Awarding Diplomas and Updating Transcripts~~

~~1. — Students who have met all graduation requirements with the exception of passing one or both parts of the CAHSEE shall be encouraged to attend the Wind River adult school. Students attending Wind River who pass the CAHSEE within the two years will receive a diploma from their original high school.~~

~~2. — Student requiring more than two years to pass one or both parts of the CAHSEE will receive a diploma from Wind River adult school.~~

~~3. — Students who have not met all graduation requirements and have not passed one or both parts of the CAHSEE will become an adult school student and shall receive a diploma from Wind River adult school upon completion of all requirements.~~

~~4. — Wind River will notify the district's AERIES specialist when a student passes CAHSEE within two years. The transcript will be modified to indicate "met requirement" by CAHSEE ELA and/or CAHSEE Math. The AERIES specialist will notify the site registrar of the change in status.~~

~~5. — The site registrar will change the graduation code to Standard High School Diploma/Waiver or to Standard High School Diploma.~~

~~6. — The high school will provide the diploma to the student. The student's transcript will reflect the original senior class graduation date.~~

**A foster youth, homeless student, or former juvenile court school student who transfers into the district any time after completing his/her second year of high school shall be required to complete all graduation requirements specified in Education Code 51225.3 but shall be exempt from any additional district-adopted graduation requirements, unless the Superintendent or designee**

**makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school. Within 30 days of the transfer, any such student shall be notified of the availability of the exemption and whether he/she qualifies for it. (Education Code 51225.1)**

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 5145.6 - Parental Notifications)*

*(cf. 6173 - Education for Homeless Children)*

*(cf. 6173.1 - Education for Foster Youth)*

*(cf. 6173.3 - Education for Juvenile Court School Students)*

**Note: Education Code 49701 requires district officials to help facilitate the on-time graduation of children of military families by waiving specific course requirements for graduation if the student has satisfactorily completed similar coursework in another district. If the district does not grant such a waiver, then "best efforts" must be used to provide the student with alternative means to acquire the required coursework so that he/she can graduate on time. See BP/AR 6173.2 - Education of Children of Military Families for additional language implementing this requirement.**

**In addition, the Superintendent or designee shall facilitate the on-time graduation of children of military families by waiving specific course requirements for graduation if the student has satisfactorily completed similar coursework in another district. (Education Code 49701)**

*(cf. 6173.2 - Education for Children of Military Families)*

#### Retroactive Diplomas

Until July 31, 2018, any student who completed grade 12 in the 2003-04 school year or a subsequent school year and has met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 60851.6)

The district may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. (Education Code 51430)

The district also may retroactively grant a diploma to a deceased former student who satisfies the above conditions. The diploma shall be received by the deceased student's next of kin. (Education Code 51430)

In addition, the district may grant a diploma to a veteran who entered the military service of the United States while he/she was a district student in grade 12 and who had completed the first half of the work required for grade 12. (Education Code 51440)

#### Legal Reference:

*EDUCATION CODE*



47612 Enrollment in charter school  
48200 Compulsory attendance  
48412 Certificate of proficiency  
48430 Continuation education schools and classes  
48645.5 Acceptance of coursework  
48980 Required notification at beginning of term  
49701 Interstate Compact on Educational Opportunity for Military Children  
51224 Skills and knowledge required for adult life  
51224.5 Algebra instruction  
51225.1 Exemption from district graduation requirements  
51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course  
51225.3 High school graduation  
51225.35 Mathematics course requirements; computer science  
51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation  
51225.5 Honorary diplomas; foreign exchange students  
**51225.6 Compression-only cardiopulmonary resuscitation**  
51228 Graduation requirements  
51240-51246 Exemptions from requirements  
51250-51251 Assistance to military dependents  
51410-51412 Diplomas  
51420-51427 High school equivalency certificates  
**51430 Retroactive high school diplomas**  
**51440 Retroactive high school diplomas**  
51450-51455 Golden State Seal Merit Diploma  
51745 Independent study restrictions  
56390-56392 Recognition for educational achievement, special education  
60851.5 Suspension of high school exit examination  
60851.6 Retroactive diploma; completion of all graduation requirements except high school exit examination  
66204 Certification of high school courses as meeting university admissions criteria  
67386 Student safety; affirmative consent standard  
CODE OF REGULATIONS, TITLE 5  
1600-1651 Graduation of students from grade 12 and credit toward graduation  
**4600-4687 Uniform complaint procedures**  
COURT DECISIONS  
O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

## EDUCATION CODE

~~35186 Williams Uniform Complaint Procedures~~  
~~37252 Supplemental instructional programs~~  
~~37254 Supplemental instruction based on failure to pass exit exam by end of grade 12~~  
~~37254.1 Required student participation in supplemental instruction~~  
~~47612 Enrollment in charter school~~  
~~48200 Compulsory attendance~~  
~~48412 Certificate of proficiency~~  
~~48430 Continuation education schools and classes~~  
~~48645.5 Acceptance of coursework~~  
~~48980 Required notification at beginning of term~~  
~~49701 Interstate Compact on Educational Opportunity for Military Children~~  
~~51224 Skills and knowledge required for adult life~~  
~~51224.5 Algebra instruction~~  
~~51225.3 Requirements for graduation~~  
~~51225.5 Honorary diplomas; foreign exchange students~~  
~~51228 Graduation requirements~~  
~~51240-51246 Exemptions from requirements~~

~~51250-51251 Assistance to military dependents~~  
~~51410-51412 Diplomas~~  
~~51420-51427 High school equivalency certificates~~  
~~51450-51455 Golden State Seal Merit Diploma~~  
~~51745 Independent study restrictions~~  
~~52378 Supplemental school counseling program~~  
~~56390-56392 Recognition for educational achievement, special education~~  
~~60850-60859 High school exit examination~~  
~~66204 Certification of high school courses as meeting university admissions criteria~~  
~~CODE OF REGULATIONS, TITLE 5~~  
~~1600-1651 Graduation of students from grade 12 and credit toward graduation~~  
~~COURT DECISIONS~~  
~~O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452~~

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, High School: <http://www.cde.ca.gov/ci/gs/hs>

University of California, List of Approved a-g Courses:

<http://www.universityofcalifornia.edu/admissions/freshman/requirements>

~~Policy RIVER DELTA UNIFIED SCHOOL DISTRICT~~

~~adopted: January 15, 2013 — Rio Vista, California~~

# CSBA Sample Board Policy

Instruction

BP 6154(a)

## HOMEWORK/MAKEUP WORK

Note: ~~In its policy statement on homework, the State Board of Education encourages every Board to establish a strong homework policy to serve as the foundation for school-based homework plans. The SBE's parent involvement policy further urges schools to give parents/guardians techniques for assisting children in learning at home.~~ The following **optional** policy ~~and regulation~~ may be revised ~~as desired to reflect district practice.~~

~~The Governing Board recognizes that homework contributes toward building responsibility, self-discipline, and life-long learning habits, and that time spent on homework directly influences students' ability to meet the district's academic standards. The Board expects students, parents/guardians and staff to view homework as a routine and important part of students' daily lives.~~ **The Governing Board recognizes that meaningful homework assignments can be a valuable extension of student learning time and assist students in developing good study habits. Homework shall be assigned when necessary to support classroom lessons, enable students to complete unfinished assignments, or review and apply academic content for better understanding.**

~~(cf. 6011 - Academic Standards)~~

~~The principal and staff at each school~~ **Superintendent or designee shall collaborate with school administrators and teachers to develop and regularly review a school-site homework plan which includes guidelines for the assignment of homework and describes the related responsibilities of students, staff, and parents/guardians.**

Note: The following optional paragraph may be revised to specify the average number of minutes of homework that may be expected per day at each grade level, or the district may adopt an administrative regulation that contains such guidelines.

**Homework assignments shall be reasonable in length and appropriate to the grade level and course. The Board expects that the number, frequency, and degree of difficulty of homework assignments will increase with the grade level and the maturity of students. Teachers shall assign homework only as necessary to fulfill academic goals and reinforce current instruction.**

~~(cf. 6011 - Academic Standards)~~

~~The Superintendent or designee shall ensure that administrators and teachers develop and implement an effective homework plan at each school site.~~ ~~As needed, teachers may receive training in designing relevant, challenging and meaningful homework assignments that reinforce classroom learning objectives.~~ **Teachers' expectations related to homework may be addressed in their evaluations.**

**HOMEWORK/MAKEUP WORK** (continued)

*(cf. 4115 - Evaluation/Supervision)*  
*(cf. 4131 - Staff Development)*

**Note: The following optional paragraph may be revised to reflect district practice.**

**Although on-time completion of homework is important to maintain academic progress, the Board recognizes that students learn at different rates. Students shall receive credit for work that is completed late in order to encourage their continued learning.**

**Age-appropriate instruction may be given to help students allocate their time wisely, meet their deadlines, and develop good personal study habits.**

**At the beginning of the school year, teachers shall communicate homework expectations to students and their parents/guardians. Homework guidelines also shall be included in student and/or parent handbooks. These communications shall include the manner in which homework relates to achievement of academic standards and course content, the impact of homework assignments on students' grades, any school resources and programs that are available to provide homework support, and ways in which parents/guardians may appropriately assist their children.**

Although it is the student's responsibility to ~~do most~~ **undertake** assignments independently, the Board ~~expects teachers at all grade levels to use parents/guardians as a contributing resource.~~ **parents/guardians may serve as a resource and are encouraged to ensure that their child's homework assignments are completed.** When a student repeatedly fails to ~~do their~~ **complete his/her** homework, the teacher shall **notify** the student's parents/guardians as soon as possible so that **corrective action can be taken prior to the release of any final grades or report cards.** ~~shall be notified and asked to contact the teacher.~~

*(cf. 5020 - Parent Rights and Responsibilities)*  
*(cf. 6020 - Parent Involvement)*

**Note: The following paragraph should be revised to reflect local district practice.** ~~In some communities, the city or county helps to fund after-school centers that provide diverse activities for students, including homework assistance. Districts should also be aware that by implementing an after-school tutoring and homework assistance program pursuant to Education Code 58700-58702, they may credit program hours of homework and tutorial assistance towards their summer school apportionments.~~ **Pursuant to Education Code 8482.3, before-school and after-school programs operated under the After School Education and Safety Program (Education Code 8482-8484.65) and/or the federal 21st Century Community Learning Center program (Education Code 8484.7-8484.9; 20 USC 7171-7176) are required to include an educational and literacy component in which tutoring or homework assistance is provided in language arts, mathematics, history-social science, computer training, and/or science. If the district offers a before-school or after-school program under the 21st Century High School After School Safety and Enrichment for Teens program for grades 9-12 (Education Code 8420-8428; 20 USC 7171-7176), the program must include an academic assistance program, which may include homework assistance. See AR 5148.2 - Before/After School Programs.** In addition, some districts offer a supervised study hall elective which high school students can take instead of other electives.

**HOMEWORK/MAKEUP WORK** (continued)

To further support students' homework efforts, the Superintendent or designee may establish and maintain telephone help lines, **provide access to school library media centers and technological resources**, and/or **provide before-school and after-school centers programs** where students can receive ~~encouragement and clarification about homework assignments~~ **assistance** from teachers, volunteers, and/or **student tutors** ~~more advanced students who are performing community service~~. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.

*(cf. 1240 - Volunteer Assistance)*

*(cf. 1700 - Relations between Private Industry and the Schools)*

*(cf. 3541 - Transportation Routes and Services)*

*(cf. 5148 - Child Care and Development)*

***(cf. 5148.2 - Before/After School Programs)***

*(cf. 6112 - School Day)*

*(cf. 6142.4 - Service Learning/Community Service Classes)*

***(cf. 6163.1 - Library Media Centers)***

**Teachers shall review all completed homework to assess the student's understanding of academic content and shall provide timely feedback to the student.**

**Makeup Work**

**Note: Pursuant to Education Code 48205, students who miss school work because of an excused absence must be given full credit for makeup work satisfactorily completed within a reasonable period of time. State law does not require districts to give full credit for makeup work following an unexcused absence. However, CSBA's governance brief Research-Supported Strategies to Improve the Accuracy and Fairness of Grades recommends that student absence be dealt with separately from determining students' academic understanding and progress. Thus, the following paragraph provides for full credit to be awarded for satisfactory completion of makeup work regardless of the reason for the absence, an approach which is consistent with BP/AR 5121 - Grades/Evaluation for Student Achievement. Also see BP/AR 5113.1 - Chronic Absence and Truancy for strategies to address excessive excused and/or unexcused absences. The district may revise the following paragraph to reflect district practice, provided that it ensures compliance with Education Code 48205.**

Students who miss school work ~~because of an excused absence~~ shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time. ~~(Education Code 48205)~~

*(cf. 5113 - Absences and Excuses)*

## **HOMEWORK/MAKEUP WORK** (continued)

The Superintendent or designee shall notify parents/guardians that no student may have his/her grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (Education Code 48980)

*(cf. 5121 - Grades/Evaluation of Student Achievement)*

*(cf. 5145.6 - Parental Notifications)*

Note: ~~Either of the following options regarding unexcused absences may be selected and/or modified as desired.~~

~~**OPTION 1:** Students who miss school work because of unexcused absences shall be given the opportunity to make up missed work. Teachers shall assign such makeup work as necessary to ensure academic progress, not as a punitive measure.~~

~~**OPTION 2:** Students who miss school work because of unexcused absences may be given the opportunity to make up missed work for full or reduced credit. Teachers shall assign such makeup work as necessary to ensure academic progress, not as a punitive measure.~~

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension. (Education Code 48913)

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*Legal Reference: (see next page)*

## **HOMEWORK/MAKEUP WORK (continued)**

*Legal Reference:*

EDUCATION CODE

**8420-8428 21st Century High School After School Safety and Enrichment for Teens**

**8482-8484.65 After School Education and Safety Program**

**8484.7-8484.9 21st Century Community Learning Centers**

48205 Absences for personal reasons

48913 Completion of work missed by suspended student

48980 Parental notifications

~~58700-58702 Tutoring and homework assistance program; summer school apportionment credit~~

UNITED STATES CODE, TITLE 20

**7171-7176 21st Century Community Learning Centers**

*Management Resources:*

SBE POLICIES

*Parent Involvement in the Education of Their Children, 1994*

*Policy Statement on Homework, 1995*

CSBA PUBLICATIONS

***Research-Supported Strategies to Improve the Accuracy and Fairness of Grades, Governance Brief, July 2016***

WEB SITES

**CSBA: <http://www.csba.org>**

**California State PTA: <http://www.capta.org>**

# CSBA Sample Board Policy

Instruction

BP 6164.6(a)

## IDENTIFICATION AND EDUCATION UNDER SECTION 504

Note: The following policy and accompanying administrative regulation address the identification and education of students who may be eligible for services under the provisions of Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794; **34 CFR 104.1-104.39**). Pursuant to 34 CFR 104.33, eligible students are entitled to a free appropriate public education (FAPE) which is designed to meet the student's individual educational needs as adequately as the needs of ~~nondisabled~~ students **without disabilities** are met. Enforcement of Section 504 requirements is the responsibility of the U.S. Department of Education's Office for Civil Rights (OCR), which monitors districts' policies, processes, and practices to ensure legal compliance.

A ~~Student~~ may be identified as ~~disabled~~ **a student with a disability** under Section 504 even though ~~they do not require services pursuant to~~ **he/she is not identified as a child with a disability under** the federal Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482). The identification of students eligible for **special education and related** services under ~~the~~ IDEA is addressed at BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education.

The Governing Board believes that all children, including children with disabilities, should have ~~an~~ **the** opportunity to learn in a safe and nurturing environment. The ~~district~~ **Superintendent or designee** shall work to identify children with disabilities who reside within ~~its~~ **the** jurisdiction **of the district** in order to ensure that they receive educational and related services required by law.

Note: Section 504 of the Rehabilitation Act of 1973 and its implementing regulations (34 CFR 104.1-104.39) prohibit discrimination on the basis of disability in district programs and activities; see BP 0410 - Nondiscrimination in District Programs and Activities.

The Superintendent or designee shall provide ~~identified~~ **qualified** students with disabilities with a free appropriate public education (**FAPE**), as defined under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of ~~nondisabled~~ students **without disabilities** are met. (34 CFR 104.33)

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 0430 - Comprehensive Local Plan for Special Education)*

*(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5141.23 - Asthma Management)*

*(cf. 5141.24 - Specialized Health Care Services)*

*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*

Note: Pursuant to 34 CFR 104.33, as interpreted by OCR in its January 2013 Dear Colleague Letter, a district's responsibility under Section 504 **requirements** extends to providing students with disabilities equal opportunity to participate in extracurricular athletics and other nonacademic programs or activities that constitute the overall educational program.



**IDENTIFICATION AND EDUCATION UNDER SECTION 504** (continued)

In addition, qualified students with disabilities shall be provided an equal opportunity to participate in programs and activities that are integral components of the district's basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities. (34 CFR 104.37)

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6145.2 - Athletic Competition)*

*(cf. 6145.5 - Student Organizations and Equal Access)*

**Note: The following optional paragraph may be revised to reflect district practice. Education Code 52060 requires that the district adopt a local control and accountability plan (LCAP) that includes annual goals, aligned with specified state priorities, to be achieved for all students and for each numerically significant subgroup as defined in Education Code 52052. Pursuant to Education Code 52052, students with disabilities are one of the numerically significant subgroups whose needs must be addressed in the LCAP, when there are at least 30 students with disabilities in the district or a school. See BP/AR 0460 - Local Control and Accountability Plan.**

**The district's local control and accountability plan shall include goals and specific actions to improve student achievement and other outcomes of students with disabilities. At least annually, the Superintendent or designee shall assess the district's progress in attaining the goals established for students with disabilities and shall report these results to the Board. (Education Code 52052, 52060)**

*(cf. 0460 - Local Control and Accountability Plan)*

In providing services to students with disabilities under Section 504, the Superintendent or designee shall ensure district compliance with law, including providing the students and their parents/guardians with applicable procedural safeguards and required notifications. Any dispute as to the identification, evaluation, or placement of any student with a disability shall be resolved in accordance with the processes specified in the "Procedural Safeguards" section of the accompanying administrative regulation.

**Note: The following optional paragraph ensures the availability of hearing officers to conduct impartial hearings to resolve disagreements about the provision of FAPE, pursuant to 34 CFR 104.36.**

The Superintendent or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with the district in any other capacity except as hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

*Legal Reference: (see next page)*

## IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

### Legal Reference:

#### EDUCATION CODE

49423.5 *Specialized physical health care services*

**52052 Numerically significant student subgroups**

**52060-52077 Local control and accountability plan**

**56043 Special education, timelines**

**56321 Assessment; development of IEP; parental notifications, consent**

#### CODE OF REGULATIONS, TITLE 5

3051.12 *Health and Nursing Services*

#### UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act of 1974*

1400-1482 *Individuals with Disabilities Education Act*

#### UNITED STATES CODE, TITLE 29

705 *Definitions; Vocational Rehabilitation Act*

794 *Rehabilitation Act of 1973, Section 504*

#### UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

#### **CODE OF REGULATIONS, TITLE 28**

**35.101-35.190 Nondiscrimination on the basis of disability in state and local government services**

#### CODE OF FEDERAL REGULATIONS, TITLE 34

104.1-104.61 *Nondiscrimination on the basis of handicap, especially:*

104.1 *Purpose to effectuate Section 504 of the Rehabilitation Act of 1973*

104.3 *Definitions*

104.32 *Location and notification*

104.33 *Free appropriate public education*

104.34 *Educational setting*

104.35 *Evaluation and placement*

104.36 *Procedural safeguards*

**104.37 Nonacademic services**

**104.7 Responsible employee; grievance procedures**

#### COURT DECISIONS

*Christopher S. v. Stanislaus County Office of Education, (2004) 384 F.3d 1205*

### Management Resources:

#### CSBA PUBLICATIONS

*Rights of Students with Diabetes Under IDEA and Section 504, Policy Brief, ~~November~~ December 2007*

#### CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

*Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007*

#### U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS

***Dear Colleague Letter and Resource Guide on Students with ADHD, July 2016***

***Protecting Students with Disabilities: Frequently Asked Questions About Section 504 and the Education of Children with Disabilities, October 2015***

*Dear Colleague Letter*, January 2013

*Dear Colleague Letter and Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools*, January 2012

*Free Appropriate Public Education for Students with Disabilities: Requirements under Section 504 of the Rehabilitation Act of 1973, September 2007*

Management Resources continued: (see next page)

**IDENTIFICATION AND EDUCATION UNDER SECTION 504** (continued)

*Management Resources: (continued)*

WEB SITES

*CSBA: <http://www.csba.org>*

*California Department of Education: <http://www.cde.ca.gov>*

*U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>*

(11/07 4/13) 12/16

# CSBA Sample Administrative Regulation

Instruction

AR 6164.6(a)

## IDENTIFICATION AND EDUCATION UNDER SECTION 504

Note: Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794) prohibits discrimination on the basis of disability. Pursuant to 34 CFR 104.7, the district is required to designate the person(s) responsible for the overall implementation of the requirements of Section 504, as specified below:

The U.S. Department of Education Office for Civil Rights (OCR), which is responsible for enforcing the provisions of Section 504 and also for receiving and handling complaints from parents/guardians, students, and advocates, has issued guidance on Section 504 requirements. In its Dear Colleague Letter issued in January 2012, and the attached Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools, OCR clarifies the extent to which 29 USC 705, which was amended by the Americans with Disabilities Amendments Act (ADA) of 2008, affects the definition of "disability" and "substantially limits" for Section 504 purposes. In addition, in January 2013, OCR issued another Dear Colleague Letter to clarify districts' obligations under Section 504, particularly as they relate to providing students with disabilities an opportunity to participate in extracurricular athletics and other nonacademic activities that are a part of the overall education program.

The following **optional** administrative regulation focuses on district procedures for identifying and evaluating students who are eligible to receive a free appropriate public education (FAPE) under Section 504 and is consistent with OCR guidance from the U.S. Department of Education Office for Civil Rights (OCR), which is responsible for enforcing the provisions of Section 504 and also for receiving and handling complaints from parents/guardians, students, and advocates.

Pursuant to 34 CFR 104.7, the district is required to designate the person(s) responsible for the overall implementation of the requirements of Section 504. The district should fill in the blanks below to specify the position title and contact information of the designated employee(s).

The Superintendent designates the following position as the district's 504 Coordinator to implement the requirements of Section 504 of the federal Rehabilitation Act of 1973: (34 CFR 104.7)

Director of Educational Services & Special Education  
445 Montezuma Street  
Rio Vista, CA 94571  
(707) 374-1700

## Definitions

Note: The following definitions are consistent with 42 USC 12101-12213, the Americans with Disabilities Act (ADA) Amendments Act of 2008 (42 USC 12101-12213), and its implementing regulations (28 CFR 35.101-35.190, as amended by 81 Fed. Reg. 53203).

For the purpose of implementing Section 504 of the Rehabilitation Act of 1973, the following terms and phrases shall have only the meanings specified below:

AR 6164.6(b)

## IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

*Free appropriate public education* (FAPE) means the provision of regular or special education and related aids and services designed to meet the individual educational needs of a student with disabilities as adequately as the needs of ~~nondisabled~~ students **without disabilities** are met, ~~without~~ **at no** cost to the student or his/her parent/guardian except when a fee is ~~imposed on nondisabled students~~ **specifically authorized by law for all students.** (34 CFR 104.33)

(cf. 3260 - Fees and Charges)

Note: Pursuant to ~~34 CFR 104.3~~ **28 CFR 35.108**, a student is considered **disabled to have a disability** when he/she has a physical or mental impairment that substantially limits a major life activity, has a record of such impairment, or is regarded as having such impairment. ~~According to OCR, a district is required to provide FAPE only to those students whose impairment currently limits a major life activity. Accordingly, a student may have a disability and technically meet eligibility requirements under Section 504, but not actually need any services. A Dear Colleague Letter issued by OCR in July 2016 clarifies that a district is not required to provide additional services to a student with a disability if the student does not need any special education or related service as a result of the disability.~~ However, Section 504 **still** requires districts to protect a student who has a record of or is regarded as having such an impairment from discriminatory treatment. For example, it would be discriminatory and thus illegal to prohibit a student who has a record of bone cancer, ~~but is even if~~ currently in remission, from trying out for the basketball team based on his/her history of cancer.

**As added by 81 Fed. Reg. 53203, 28 CFR 35.108 expands and clarifies the definition of "disability" and its associated terms. In general, the term "disability" must be interpreted broadly, in favor of providing "expansive coverage" to the maximum extent permitted by the ADA.**

*Student with a disability* means a student who has a physical or mental impairment which substantially limits one or more major life activities. (**28 CFR 35.108** ~~34 CFR 104.3~~)

Note: ~~Examples of physical or mental impairments that may constitute disabling conditions under Section 504 if they substantially limit a major life activity may include, but are not limited to, diabetes; communicable diseases such as HIV/AIDS; tuberculosis; attention deficit disorder (ADD) or attention deficit hyperactivity disorder (ADHD); chronic asthma and severe allergies; physical disabilities such as spina bifida or hemophilia; and temporary disabilities depending on the anticipated length of disability, the seriousness of the illness/injury, and the needs of the student (e.g., students injured in accidents or suffering short term illnesses).~~ **As added by 81 Fed. Reg. 53203, 28 CFR 35.108 defines "physical and mental impairment" and provides a nonexhaustive list of conditions that qualify as physical and mental impairments, updated to include dyslexia, attention deficit hyperactivity disorder (ADHD), and disorders and conditions affecting the immune and circulatory systems.** In the event that these conditions fall within the disabilities categories specified in the Individuals with Disabilities Education Act (IDEA), then the student may need to be considered for services under that law; see BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education.

*Physical impairment* means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more ~~of the following~~ body systems, **such as:** neurological; musculoskeletal, special sense organs; respiratory; (including speech organs); cardiovascular; reproductive, digestive, genito-urinary; **immune**, hemic, ~~and~~ lymphatic; skin; and endocrine. (**28 CFR 35.108** ~~34 CFR 104.3~~)

## IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

*Mental impairment* means any mental or psychological disorder, such as ~~mental retardation~~ **intellectual disability**, organic brain syndrome, emotional or mental illness, and specific learning disabilities. (**28 CFR 35.108** ~~34 CFR 104.3~~)

Note: 28 CFR 35.108, as added by 81 Fed. Reg. 53203, requires the term "substantially limits" to be construed broadly. An impairment is a disability if it substantially limits the ability of an individual to perform a major life activity as compared to most people in the general population. Such comparison usually does not require scientific, medical, or statistical evidence. An impairment need not prevent or significantly or severely restrict the performance of a major life activity in order to qualify as substantially limiting.

28 CFR 35.108 also provides that (1) in determining whether or not an impairment substantially limits a major life activity, the ameliorative effects of mitigating measures, other than ordinary eyeglasses or contact lenses, may not be considered; (2) an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active; and (3) an impairment that substantially limits one major life activity need not substantially limit other major life activities in order to be considered a substantially limiting impairment.

Additionally, 28 CFR 35.108 expands the definition of "major life activities" to include the operation of specific major bodily functions.

*Substantially limits major life activities* means limiting a person's ability to perform functions, **as compared to most people in the general population**, such as caring for himself/herself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, **writing**, communicating, and working. *Major life activities* also includes major bodily functions such as functions of the immune system, **special sense organs and skin**, normal cell growth, ~~and~~ digestive, bowel, bladder, neurological, brain, respiratory, circulatory, **cardiovascular**, endocrine, **hemic, lymphatic, musculoskeletal**, and reproductive functions, **as well as the operation of an individual organ within a body system. The determination of whether an impairment** ~~substantially limits a student's major life activities~~ shall be ~~determined~~ **made** without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. *Mitigating measures* **are measures that an individual may use to eliminate or reduce the effects of an impairment**, including, but ~~are~~ not limited to, medications, **medical supplies or equipment**, prosthetic devices, assistive devices, **reasonable modifications or auxiliary aids or services**, learned behavioral, or adaptive neurological modifications, **psychotherapy, behavioral therapy, or physical therapy**. ~~which an individual may use to eliminate or reduce the effects of an impairment.~~ (42 USC 12102; **28 CFR 35.108** ~~34 CFR 104.3~~)

### Referral, Identification, and Evaluation

Note: 34 CFR 104.35 requires the district to conduct an evaluation of any student who needs or is believed to need special education or related services under Section 504. However, the law does not require a specific procedure for referral of a student for the evaluation. Items #1-2 below provide such a procedure and should be modified to reflect district practice.

## IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Any action or decision to be taken by the district involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. A parent/guardian, teacher, other school employee, student success team, or community agency may refer a student to the principal or 504 Coordinator for identification as a student with a disability under Section 504.

(cf. 6164.5 - Student Success Teams)

2. Upon receipt of any such referral, the principal, 504 Coordinator, or other qualified individual with expertise in the area of the student's suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including those in academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.

If it is determined that an evaluation is unnecessary, the principal or 504 Coordinator shall inform the parents/guardians in writing of this decision and of the procedural safeguards available, as described in the "Procedural Safeguards" section below.

3. If ~~it is determined that~~ the student needs or is believed to need special education or related services under Section 504, the district shall conduct an evaluation of the student prior to his/her initial placement. (34 CFR 104.35)

Note: OCR has interpreted Section 504 to require districts to obtain ~~parental~~parent/guardian permission for initial evaluations. Although the law is silent on the form of ~~parental~~parent/guardian consent, it is recommended that the district obtain such consent in writing. The following paragraph should be modified to reflect district practice.

Prior to conducting an initial evaluation of a student for eligibility under Section 504, the district shall obtain written parent/guardian consent.

Note: 34 CFR 104.35 requires that the district's evaluation and placement procedures include the elements specified in items #a-c below.

The district's evaluation procedures shall ensure that the tests and other evaluation materials: (34 CFR 104.35)

- a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
- b. Are tailored to assess specific areas of educational need and are not merely designed to provide a single general intelligence quotient

AR 6164.6(e)

## IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

- c. Reflect the student's aptitude or achievement or whatever else the tests purport to measure rather than his/her impaired sensory, manual, or speaking skills, except where those skills are the factors that the tests purport to measure

### Section 504 Services Plan and Placement

Services and placement decisions for students with disabilities shall be determined as follows:

1. A multidisciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions.

The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35)

In interpreting evaluation data and making placement decisions, the team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34. (34 CFR 104.35)

Note: While there is no specific requirement that a Section 504 services plan (sometimes called an accommodation plan) be in writing, it is strongly recommended that the district develop a written plan for each student detailing the regular and/or special education and related services that the student will be provided in order to ensure that the student is receiving FAPE in accordance with 34 CFR 104.33.

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

The parents/guardians shall be invited to participate in the meeting and shall be given an opportunity to examine all relevant records.

*(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5141.23 - Asthma Management)*

*(cf. 5141.24 - Specialized Health Care Services)*

*(cf. 5141.26 - Tuberculosis Testing)*

*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*



## IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a ~~disabled~~ person **with a disability** under Section 504 and shall state the basis for the determination that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.
4. The student shall be placed in the regular educational environment, unless the district can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)

Note: The law does not specify a time frame for completion of the evaluation and placement process, but OCR requires completion within "a reasonable amount of time." Generally, compliance with the timelines in **the IDEA** will be considered "reasonable" and thus in compliance with Section 504. However, Section 504 does not provide for an automatic suspension of the timelines during extended breaks or when schools are not in session, **as is permitted for the IDEA-associated timelines pursuant to Education Code 56043 and 56321**. For timelines under **the IDEA**, see AR 6164.4 - Identification and Evaluation of Individuals for Special Education.

5. The district shall complete the identification, evaluation, and placement process within a reasonable time frame. **The district shall adhere to this time frame regardless of any extended school breaks or times that school is otherwise not in session.**
6. A copy of the student's Section 504 services plan shall be kept in his/her student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the plan's requirements.

If a student transfers to another school within the district, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

***(cf. 5116.1 - Intradistrict Open Enrollment)***

*(cf. 5125 - Student Records)*

### Review and Reevaluation

Note: 34 CFR 104.35 requires a district to establish procedures for the periodic reevaluation of a student who has been identified as needing services under Section 504. A reevaluation procedure consistent with the IDEA is one means of meeting this requirement. The following section should be modified to reflect district practice.

## IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of ~~nondisabled~~ students **without disabilities are met**. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

Note: As part of its responsibilities pursuant to 34 CFR 104.35, the district is required to reevaluate a student's needs before a significant change in his/her placement. Examples of actions that might constitute a "significant change in placement" triggering a reevaluation include, but are not limited to, expulsions; suspensions that exceed 10 school days within a school year; or removal from a fully integrated curriculum to a resource room, home instruction, independent study, or continuation school.

A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

### Procedural Safeguards

Note: 34 CFR 104.36 requires districts to adopt a system of procedural safeguards which must include the rights of parents/guardians to receive notice, examine relevant records, have an impartial hearing in which they would have an opportunity to participate and be represented by legal counsel, and a process for review of the hearing and decision as detailed in the following section.

Timelines suggested in this section should be revised to reflect district practice; however, OCR requires that the due process hearing procedures be completed within a "reasonably prompt time frame."

The Superintendent or designee shall notify the parents/guardians of students with disabilities of all actions and decisions by the district regarding the identification, evaluation, or educational placement of their children. He/she also shall notify the parents/guardians of all the procedural safeguards available to them if they disagree with the district's action or decision, including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. (34 CFR 104.36)

*(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)*

Note: 34 CFR 104.36 requires that the district's procedural safeguards for Section 504 include an impartial hearing to resolve disagreements about the provision of FAPE. This Section 504 due process hearing is separate from the due process hearing procedures under **the** IDEA and from the district's uniform complaint procedures, which are used to resolve complaints regarding discriminatory treatment (e.g., harassment or accessibility issues). See BP/AR 1312.3 - Uniform Complaint Procedures.

If a parent/guardian disagrees with any district action or decision regarding the identification, evaluation, or educational placement of his/her child under Section 504, he/she may request a Section 504 due process hearing within 30 days of that action or decision.

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## IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Note: According to OCR, the parent/guardian cannot be required to participate in an administrative review prior to exercising his/her right to a Section 504 due process hearing. Districts with questions should consult legal counsel, as appropriate.

Prior to requesting a Section 504 due process hearing, the parent/guardian may, at his/her discretion, but within 30 days of the district's action or decision, request an administrative review of the action or decision. The Coordinator shall designate an appropriate administrator to meet with the parent/guardian to attempt to resolve the issue and the administrative review shall be held within 14 days of receiving the parent/guardian's request. If the parent/guardian is not satisfied with the resolution of the issue, **or if the parent/guardian did not request an administrative review**, he/she may request a Section 504 due process hearing.

**A** Section 504 due process hearing shall be conducted in accordance with the following procedures:

1. The parent/guardian shall submit a written request to the Coordinator within 30 days of receiving the district's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:
  - a. The specific nature of the decision with which he/she disagrees
  - b. The specific relief he/she seeks
  - c. Any other information he/she believes is pertinent to resolving the disagreement
2. Within 30 days of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.
3. Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.
4. The parties to the hearing shall be afforded the right to:
  - a. Be accompanied and advised by **legal** counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504
  - b. Present written and oral evidence

## **IDENTIFICATION AND EDUCATION UNDER SECTION 504** (continued)

- c. Question and cross-examine witnesses
- d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

### **Notifications**

The Superintendent or designee shall ensure that the district has taken appropriate steps to notify students and parents/guardians of the district's duty under Section 504. (34 CFR 104.32)

*(cf. 5145.6 - Parental Notifications)*

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# CSBA Sample Board Bylaw

Board Bylaws

BB 9240(a)

## BOARD ~~DEVELOPMENT~~ TRAINING

Note: The following **optional** bylaw may be ~~amended~~ revised to reflect district practice.

CSBA's Professional Governance Standards include expectations that each individual Governing Board member will participate in professional development and commit the time and energy necessary to be an informed and effective leader. See CSBA's web site for education opportunities available through CSBA, including, but not limited to, CSBA's Institute for New and First-Term Board Members, Masters in Governance program, Annual Education Conference and Trade Show, Legal Symposium for Experienced Board Members, Board Presidents Workshop, Brown Act Workshop, Back-to-School Webcast, other workshops and webinars on specific topics, and in-district governance consulting services.

~~Citizens elected to the Governing Board are entrusted with the responsibility of governing district schools. The Board recognizes that its members need training~~ **The Governing Board believes that the Board's ability to effectively and responsibly govern the district is essential to promoting student achievement, building positive community relations, and protecting the public interest in district schools. Board members shall be provided sufficient opportunities for professional development** that helps them understand their responsibilities, stay abreast of new developments in education, and develop boardsmanship skills.

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

**The Board and/or the Superintendent or designee shall provide an orientation to newly elected or appointed Board members which includes comprehensive information regarding Board roles, policies, and procedures and the district's vision and goals, operations, and current challenges. Throughout their first term, Board members shall continue to participate in additional educational opportunities designed to assist them in understanding the principles of effective governance, including, but not limited to, information on school finance and budgets, student achievement and assessment, labor relations, community relations, program evaluation, open meeting laws (the Brown Act), conflict of interest laws, and other topics necessary to govern effectively and in compliance with law.**

*(cf. 9230 - Orientation)*

**All Board members are encouraged to continuously participate in advanced training offered by the California School Boards Association in order to reinforce boardsmanship skills and build knowledge related to key education issues. Such activities may include online courses, webinars, webcasts, and in-person attendance at workshops and conferences. In addition, workshops and consultations may be held within the district on issues that involve the entire governance team.**

**BOARD DEVELOPMENT TRAINING** (continued)

Note: CSBA recommends that **inservice board** training and travel expenses be budgeted as separate items. While **inservice** training is essential to maintain an effective, well-informed Board, travel expenses are incurred for a variety of reasons.

**It is also recommended that the Board determine the manner in which board training activities that require the use of district funds will be selected or approved. Districts may allocate funds equally to each Board member and allow each member discretion to select activities that meet his/her needs, or may require that all activities or activities over a specified cost be approved by the full Board. The following paragraph may be revised to reflect district practice.**

Funds for **Board development training** shall be budgeted annually for **the Board and** each Board member. **In selecting appropriate activities, the Board and/or individual Board members shall consider activities that are aligned with the district's vision and goals and the needs of the Board or individual member to obtain specific knowledge and skills. The Board shall annually develop a board training calendar in order to schedule and track board training activities and to schedule opportunities for Board members to report on the activities in which they participated.**

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 3100 - Budget)*

*(cf. 9250 - Remuneration, Reimbursement, and Other Benefits)*

Note: Pursuant to Government Code 54952.2, **added by SB 36 (Ch. 1137, Statutes of 1993)**, a "meeting" subject to Brown Act requirements does not include the attendance of a majority of the Board's members at a conference or similar public gathering, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the Board. **Also see BB 9320 - Meetings and Notices.**

~~All Board members may attend conferences for the purpose of Board development. Board business shall not be discussed at conferences.~~ **Board members may attend a conference or similar public gathering with other Board members and/or with the Superintendent or designee in order to develop common knowledge and understanding of an issue or engage in team-building exercises. In such cases, a majority of the Board members shall not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the district's jurisdiction, so as not to violate the Brown Act open meeting laws pursuant to Government Code 54952.2.**

*(cf. 9320 - Meetings and Notices)*

Board members shall report **to the Board**, orally or in writing, **as soon as possible** on the ~~inservice board training~~ activities they attend, **for the purpose of sharing the acquired knowledge or skills with the full Board and enlarging the benefit of the activity to the Board and district.**

*Legal Reference: (see next page)*

**BOARD DEVELOPMENT TRAINING** (continued)

*Legal Reference:*

EDUCATION CODE

*33360 Department of Education and statewide association of school district boards; annual workshop*

GOVERNMENT CODE

*54950-54963 The Ralph M. Brown Act, especially:*

*54952.2 Meeting*

**Management Resources:**

CSBA PUBLICATIONS

*Professional Governance Standards for School Boards*

WEB SITES

*CSBA: <http://www.csba.org>*

*California County Boards of Education: <http://www.thecbce.org>*

*National School Boards Association: <http://www.nsba.org>*

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# CSBA Sample Board Bylaw

Board Bylaws

BB 9323(a)

## MEETING CONDUCT

Note: Education Code 35010 **mandates** the **Governing** Board to "prescribe and enforce" rules for its own governance. These rules must not be inconsistent with law or with regulations prescribed by the State Board of Education. The following bylaw provides suggested rules and procedures for meeting conduct and reflects provisions of law as applicable.

### Meeting Procedures

All Governing Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

*(cf. 9322 - Agenda/Meeting Materials)*

Note: The law does not specify that a particular set of procedures must govern Board meetings. Although Robert's Rules of Order can serve as a useful guide, the Board may adopt any procedure that allows for the efficient and consistent conduct of meetings.

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

*(cf. 9121 - President)*

Note: The following **optional** paragraph limits the length of Board meetings and should be revised to reflect district practice.

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board meetings shall be adjourned at 10:30 p.m. unless extended to a specific time determined by a majority of the Board. The meeting shall be extended no more than once and subsequently may be adjourned to a later date.

*(cf. 9320 - Meetings and Notices)*

Note: In Rubin v. City of Burbank, an appellate court held that inclusion of "sectarian prayer" at city council meetings, which communicated a preference for a particular religious faith and advanced one faith over another, was unconstitutional by directing the prayer "in the name of Jesus." The court held that it would be constitutional to require the city to advise those people conducting the prayer of this limitation. This opinion is consistent with an unpublished 9th circuit federal court opinion which stated that an invocation "in the name of Jesus" was unconstitutional in that it displayed allegiance to a particular faith.



**MEETING CONDUCT** (continued)

Some general guidelines for invocations can be found in an Attorney General's opinion (76 Ops.Cal.Atty.Gen. 281 (1993)) which stated that a county board of supervisors could open its sessions with an invocation when the invocation is (1) not required by law as a condition to the official proceedings, (2) not part of the deliberative agenda, (3) not offered, supervised, or approved as to content by a public officer, (4) not officially limited to a particular religion, (5) not disparaging of others, and (6) not directed towards proselytizing. However, because this is an unsettled area of law that is subject to frequent litigation, it is strongly recommended that districts consult legal counsel if they wish to open meetings with an invocation. Note that a different legal analysis applies to student-led or student-initiated prayer; see BP 5127 - Graduation Ceremonies and Activities.

**Quorum and Abstentions**

The Board shall act by majority vote of all of the membership constituting the Board. (Education Code 35164)

(cf. 9323.2 - *Actions by the Board*)

Note: According to an Attorney General opinion (61 Ops.Cal.Atty.Gen. 243 (1978)), members of a public body have a duty to vote on issues before them so that the public is represented and receives the services which the public body was created to provide. Issues arise when a motion is tied and one Board member has abstained. The general parliamentary rule is that an abstention is counted as agreeing with the action taken by the majority of those who vote, whether affirmatively or negatively (66 Ops.Cal.Atty.Gen. 336 (1983)). However, a stronger argument could be made that the parliamentary rule is in conflict with Education Code 35164 which requires a majority vote of all of the membership of the Board in order for the Board to act (i.e., a majority of all of the membership of the Board must vote affirmatively in order to approve any action). In 55 Ops.Cal.Atty.Gen. 26 (1972), the Attorney General opined that, when a statutory requirement exists that requires an affirmative action of at least a majority of the members of the Board, the general rule that members not voting were deemed to have agreed with the action taken by the majority of those that voted is not applicable.

The following **optional** paragraph is consistent with CSBA's opinion that a majority of the Board must vote affirmatively for a motion to carry, but the law is not settled and contrary legal opinions may exist. It is strongly recommended that the district consult with legal counsel and modify the following **optional** paragraph to ensure consistency with district practice.

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, his/her abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

(cf. 9270 - *Conflict of Interest*)

Note: The following paragraph applies only to districts with seven member boards and **should be deleted by districts with a three or five member board.**

~~If a Board consists of seven members and not more than two vacancies occur on the Board,~~

**MEETING CONDUCT** (continued)

**Provided the Board typically has seven members and there are no more than two vacancies on the Board,** the vacant position(s) shall not be counted for purposes of determining how many members of the Board constitute a majority. In addition, **if a vacancy exists on the Board,** whenever any provisions of the Education Code require unanimous action of all or a specific number of the members, the vacant position(s) shall be not be counted for purposes of determining the total membership constituting the Board. (Education Code 35165)

**Public Participation**

Note: Pursuant to Government Code 54953.3, a member of the public cannot be required to register his/her name, complete a questionnaire, or provide other information as a condition of attending a Board meeting. If an attendance list or similar document is posted near the entrance or circulated during the meeting, it must clearly state that signing or completing the document is voluntary.

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. So as not to inhibit public participation, persons attending Board meetings shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting.

In order to conduct district business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

Note: Education Code 35145.5 **mandates** the Board to adopt regulations which ensure that the public can address the Board regarding agenda items, as specified below.

**District employees have the same right as members of the public to address the Board during a public Board meeting. In 90 Ops.Cal.Attv.Gen. 47 (2007), the Attorney General opined that, under the Ralph M. Brown Act, an administrative district employee cannot be prohibited from attending a Board meeting or from speaking during the public comment period, including comments on an employment-related issue.**

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5; Government Code 54954.3)
2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5; Government Code 54954.2)

**MEETING CONDUCT** (continued)

3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a Board or staff member may ask a question for clarification, make a brief announcement, or make a brief report on his/her own activities. (Government Code 54954.2)

Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item, the Board shall provide an opportunity for the public to speak. (Government Code 54954.3)

*(cf. 9130 - Board Committees)*

5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

Note: Government Code 54954.3 authorizes regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. The following paragraph should be revised to reflect district practice.

**If the Board limits the time for public comment, Government Code 54954.3, as amended by AB 1787 (Ch. 507, Statutes of 2016), requires the Board to provide at least twice the allotted time to a member of the public who utilizes a translator, as provided below.**

Individual speakers shall be allowed three minutes to address the Board on each agenda or nonagenda item. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the **Board** president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.

**In order to ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation equipment is used to allow the Board to hear the translated public testimony simultaneously. (Government Code 54954.3)**

**MEETING CONDUCT** (continued)

6. The Board president may rule on the appropriateness of a topic, **subject to the following conditions:**
- a.** If a topic would be suitably addressed at a later time, the Board president may indicate the time and place when it should be presented.
  - b.** The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3) **In addition, the Board may not prohibit public criticism of district employees.**

Note: The following **optional** item addresses the issue of specific charges or complaints against district employees in open Board meetings. ~~The Board president must first determine that the speech in question is a specific complaint or charge against a specific employee or employees before invoking the following provision. Although the Board may inform the speaker of appropriate district complaint procedures, it cannot prohibit general~~ criticisms of the district and its employees, no matter how harsh, ~~may not be prohibited.~~ Board members and staff may briefly respond to the concerns raised by the complainant at the meeting.

In Baca v. Moreno Valley Unified School District, a federal district court issued a preliminary injunction against the district prohibiting it from enforcing its policy barring criticism of employees at public Board meetings. The court found that the district's policy violated the plaintiff's First Amendment rights by restricting the content of her speech. The court further noted that the district could not legally prevent a person from speaking in open session, even if the speech was clearly defamatory. **It is recommended that the Board consult legal counsel if a question arises regarding public criticism of a district employee.** Districts should note that this decision does not apply to any district other than the Moreno Valley Unified School District at this time. However, a different federal court has also reached the same result in a case involving the Vista Unified School District. Districts should be very cautious in implementing this policy and be guided by the advice of their legal counsel.

~~For a district to be safe from litigation, the only option is for the Board to place no content restriction on public comments during the Board meeting. This option, however, would permit accusations to be made against an employee without notice or opportunity for employee response.~~

- c.** ~~In addition, t~~**The Board shall not prohibit public criticism of district employees. However, w**Whenever a member of the public initiates specific complaints or charges against an **individual** employee, the Board president shall inform the complainant **of the appropriate complaint procedure.** ~~that in order to protect the employee's right to adequate notice before a hearing of such complaints and charges, and also to preserve the ability of the Board to legally consider the complaints or charges in any subsequent evaluation of the employee, it is the policy of the Board to hear such complaints or charges, in closed session unless otherwise requested by the employee pursuant to Government Code 54957. The Board president shall also encourage the complainant to file a complaint using the appropriate district complaint procedure.~~

**MEETING CONDUCT** (continued)

Note: As provided in item #7 below, Government Code 54957.9 authorizes the Board to remove persons who willfully disrupt or disturb a meeting. Examples of disruptive conduct might include conduct that is extremely loud, disturbing, or creates a health or safety risk. In McMahon v. Albany Unified School District, the court held that a speaker's constitutional rights were not violated when he was removed from a Board meeting after dumping a substantial amount of garbage on the floor of the meeting room. ~~The speaker had come to the Board meeting to complain about high school students littering, but did not stop dumping garbage when admonished by the Board president.~~ Because ~~he~~ **the speaker** was not removed based on the content of his speech, the court upheld his conviction for a willful disruption of a public meeting. **In City of San Jose v. Garbett, the court held that a legislative body may exclude from a meeting a person who has expressed a credible threat of violence that would place a reasonable person in fear for his/her safety or the safety of his/her immediate family and that serves no legitimate purpose.**

**However, the courts have found that a person's conduct must actually disrupt the meeting in order to warrant ejection. In Norse v. City of Santa Cruz, the court held that the city council improperly ejected a member of the public who gave the council a silent Nazi salute, on the grounds that the action did not interfere with the proceedings of the meeting.**

7. The Board president shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group **or any conduct or statements that threaten the safety of any person(s) at the meeting** shall be grounds for the president to terminate the privilege of addressing the Board.

The Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When such disruptive conduct occurs, the Superintendent or designee shall contact local law enforcement **as necessary**.

**Recording by the Public**

Note: Government Code 54953.5 provides that any person attending an open meeting may record it with an audio or video ~~tape~~ recorder or a still or ~~movie~~ **motion picture** camera unless the Board makes a reasonable finding that the recording cannot continue without noise, illumination, or obstruction of view which would persistently disrupt the meeting. Government Code 54953.6 requires a similar finding before the Board can prohibit or restrict a broadcast of its meetings.

**The following paragraph extends the right to record an open meeting to include recordings made by other devices such as a cell phone.**

**MEETING CONDUCT** (continued)

**Members of the public may record an open Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting.** The Superintendent or designee shall **may** designate locations from which members of the public may ~~broadcast, photograph, or tape record open meetings~~ **make such recordings** without causing a distraction.

*(cf. 9324 - Board Minutes and Recordings)*

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6)

*Legal Reference: (see next page)*

## MEETING CONDUCT (continued)

### Legal Reference:

#### EDUCATION CODE

- 5095 Powers of remaining board members and new appointees
- 32210 Willful disturbance of public school or meeting a misdemeanor
- 35010 Prescription and enforcement of rules
- 35145.5 Agenda; public participation; regulations
- 35163 Official actions, minutes and journal
- 35164 Vote requirements
- 35165 Effect of vacancies upon majority and unanimous votes by seven member board

#### **CODE OF CIVIL PROCEDURE**

#### **527.8 Workplace Violence Safety Act**

#### GOVERNMENT CODE

#### **54953.3 Prohibition against conditions for attending a board meeting**

- 54953.5 Audio or video ~~tape~~ recording of proceedings
- 54953.6 Broadcasting of proceedings
- 54954.2 Agenda; posting; action on other matters
- 54954.3 Opportunity for public to address legislative body; regulations
- 54957 Closed sessions
- 54957.9 Disorderly conduct of general public during meeting; clearing of room

#### PENAL CODE

- 403 Disruption of assembly or meeting

#### COURT DECISIONS

**City of San Jose v. Garbett, (2010) 190 Cal.App.4th 526**

**Norse v. City of Santa Cruz, (9th Cir. 2010) 629 F3d 966**

McMahon v. Albany Unified School District, (2002) 104 Cal.App.4th 1275

Rubin v. City of Burbank, (2002) 101 Cal.App.4th 1194

Baca v. Moreno Valley Unified School District, (1996) 936 F.Supp. 719

#### ATTORNEY GENERAL OPINIONS

**90 Ops. Cal. Atty. Gen. 47 (2007)**

76 Ops. Cal. Atty. Gen. 281 (1993)

66 Ops. Cal. Atty. Gen. 336 (1983)

63 Ops. Cal. Atty. Gen. 215 (1980)

61 Ops. Cal. Atty. Gen. 243, 253 (1978)

59 Ops. Cal. Atty. Gen. 532 (1976)

55 Ops. Cal. Atty. Gen. 26 (1972)

### Management Resources:

#### CSBA PUBLICATIONS

**Call to Order: A Blueprint for Great Board Meetings, 2015**

The Brown Act: School Boards and Open Meeting Laws, rev. 2005**2014**

Board Presidents' Handbook, rev. 2002

Maximizing School Board Governance: Boardmanship

#### ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for **Local** Legislative Bodies, 2003

#### WEB SITES

CSBA: <http://www.csba.org>

California Attorney General's Office: <http://www.caag.state.ca.us>**<https://oag.ca.gov>**

(10/97 11/06) 12/16

### Policy Reference UPDATE Service

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**POLICY GUIDE SHEET**  
**Special Release**  
**December 20, 2016**



Note: Descriptions below identify revisions made in CSBA's sample board policies, administrative regulations, board bylaws, and/or exhibits. Districts should review the sample materials and modify their own policies accordingly.

**BP 3470 - Debt Issuance and Management**

(BP added)

New policy reflects **NEW LAW** (SB 1029, 2016) which mandates that boards adopt a debt management policy prior to issuing any debt, including, but not limited to, general obligation bonds, tax and revenue anticipation notes, and certificates of participation. Policy addresses the components mandated by law, including (1) the purposes for which the debt proceeds may be used; (2) the types of debt that may be issued; (3) the relationship of the debt to, and integration with, the district's capital improvement program or budget, if applicable; (4) policy goals related to the district's planning goals and objectives; and (5) internal control procedures to ensure that the proceeds of the proposed debt issuance will be directed to the intended use.

**BB/E 9270 - Conflict of Interest**

(BB/E revised)

Bylaw reorganized and updated to reflect requirement to submit the conflict of interest code to the code reviewing body (i.e., county board of supervisors or Fair Political Practices Commission, as appropriate) by the deadline established by the code reviewing body, merge material on the "rule of necessity" into the section "Conflict of Interest under the Political Reform Act," expand material on "noninterests" in the section "Conflict of Interest under Government Code 1090 - Financial Interest in a Contract" to include additional examples of noninterests, and include the exceptions to the gift limitation. Exhibit revised to update legal citations.



# CSBA Sample Board Policy

Business and Noninstructional Operations

BP 3470(a)

## DEBT ISSUANCE AND MANAGEMENT

Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), **mandates** that the Governing Board adopt a debt management policy prior to issuing any debt, such as general obligation bonds, tax and revenue anticipation notes (TRANS), and certificates of participation. The policy must include (1) the purposes for which the debt proceeds may be used; (2) the types of debt that may be issued; (3) the relationship of the debt to, and integration with, the district's capital improvement program or budget, if applicable; (4) policy goals related to the district's planning goals and objectives; and (5) internal control procedures to ensure that the proceeds of the proposed debt issuance will be directed to the intended use. SB 1029 declares the intent of the Legislature that, consistent with the recommendation of the Government Finance Officers Association (GFOA), local agencies adopt comprehensive written debt management policies that are reflective of local, state, and federal laws and regulations. Districts are encouraged to consult legal counsel and their financial advisor in developing this policy. The following policy should be revised to reflect district practice.

The Governing Board is committed to long-term capital and financial planning and recognizes that the issuance of debt is a key source for funding the improvement and maintenance of school facilities and managing cash flow. Any debt issued by the district shall be consistent with law and this policy.

*(cf. 3000 - Concepts and Roles)*

*(cf. 3460 - Financial Reports and Accountability)*

*(cf. 7110 - Facilities Master Plan)*

*(cf. 7210 - Facilities Financing)*

Note: Article 16, Section 18 of California Constitution contains the basic "debt limitation" (i.e., the constraints on discretionary borrowing) applicable to school districts. Under so-called "traditional authority," a measure authorizing the issuance of general obligation bonds may be approved by two-thirds of the electorate; under Proposition 39, a measure authorizing the issuance of general obligation bonds may be approved by 55 percent of the electorate (see BP/AR 7214 - General Obligation Bonds). Lease financings, such as certificates of participation, are not considered "indebtedness" for purposes of the Constitutional debt limitation and are not subject to voter approval. For further information, see the California Debt and Investment Advisory Commission's (CDIAC) [California Debt Issuance Primer](#).

The district shall not enter into indebtedness or liability that in any year exceeds the income and revenue provided for such year, unless two-thirds of the voters approve the obligation or one of the exceptions specified in law applies. (California Constitution, Article 16, Section 18)

When the Board determines that it is in the best interest of the district, the Board may issue debt or order an election to issue debt. The Superintendent or designee shall make recommendations to the Board regarding appropriate financing methods for capital projects or other projects that are authorized purposes for debt issuance. When approved by the Board and/or the voters as applicable, the Superintendent or designee shall administer and

**DEBT ISSUANCE AND MANAGEMENT** (continued)

coordinate the district's debt issuance program and activities, including the timing of issuance, sizing of issuance, method of sale, structuring of the issue, and marketing strategies.

Note: Pursuant to 15 USC 78o-4 (Section 15B of Securities Exchange Act of 1934), any financial advisor retained by the district must be duly registered with both the Securities Exchange Commission (SEC) and the Municipal Securities Rulemaking Board (MSRB) and must also hold any certifications and/or licenses required by the SEC and/or MSRB.

The Superintendent or designee shall retain a financial advisor, municipal advisor, investment advisor, and other financial services professionals as needed to assist with the structuring of the debt issuance and to provide general advice on the district's debt management program, financing options, investments, and compliance with legal requirements. Contracts for services provided by such advisors may be for a single transaction or for multiple transactions, consistent with the contracting requirements in Education Code 17596. In the event that the district issues debt through a negotiated sale, underwriters may be selected for multiple transactions if multiple issuances are planned for the same project. In addition, the district shall select a legal team on an as-needed basis to assist with debt issuances or special projects.

*(cf. 3312 - Contracts)*

*(cf. 3600 - Consultants)*

*(cf. 9270 - Conflict of Interest)*

**Goals**

Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), **mandates** that the district's debt management policy include policy goals related to the district's planning goals and objectives. The following section should be revised to reflect district goals.

The district's debt issuance activities and procedures shall be aligned with the district's vision and goals for providing adequate facilities and programs that support student learning and well-being. When issuing debt, the district shall ensure that it:

1. Maintains accountability for the fiscal health of the district, including prudent management and transparency of the district's financing programs
2. Attains the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements
3. Takes all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues

**DEBT ISSUANCE AND MANAGEMENT** (continued)

4. Maintains effective communication with rating agencies and, as appropriate, credit enhancers such as bond insurers or other providers of credit or liquidity instruments in order to enhance the creditworthiness, liquidity, or marketability of the debt
5. Monitors the district's statutory debt limit in relation to assessed valuation within the district and the tax burden needed to meet long-term debt service requirements
6. When determining the timing of debt issuance, considers market conditions, cash flows associated with repayment, and the district's ability to expend the obtained funds in a timely, efficient, and economical manner consistent with federal tax laws
7. Determines the amortization (maturity) schedule which will fit best within the overall debt structure of the district at the time the new debt is issued
8. Considers the useful lives of assets funded by the debt issue, as well as repair and replacement costs of those assets to be incurred in the future
9. Preserves the availability of the district's general fund for operating purposes and other purposes that cannot be funded by the issuance of voter-approved debt
10. Meets the ongoing obligations and accountability requirements associated with the issuance and management of debt under state and federal tax and securities laws

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 7000 - Concepts and Roles)*

**Authorized Purposes for the Issuance of Debt**

<p>Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), <b>mandates</b> that the district's debt management policy include the purposes for which debt proceeds may be used. The following section should be revised to reflect purposes that the Board has determined may be appropriate purposes for issuing debt in the district.</p>
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The district may issue debt for any of the following purposes:

1. To pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, and/or equipping district facilities
2. To refund existing debt
3. To provide for cash flow needs

**DEBT ISSUANCE AND MANAGEMENT** (continued)*(cf. 3100 - Budget)**(cf. 3110 - Transfer of Funds)*

Pursuant to Government Code 53854, general operating costs, including, but not limited to, items normally funded in the district's annual operating budget, shall not be financed from debt payable later than 15 months from the date of issuance. The district may deem it desirable to finance cash flow requirements under certain conditions so that available resources better match expenditures within a given fiscal year. To satisfy both state constitutional and statutory constraints, such cash flow borrowing shall be payable from taxes, income, revenue, cash receipts, and other moneys attributable to the fiscal year in which the debt is issued.

**Authorized Types of Debt**

Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), **mandates** that the district's debt management policy include the types of debt that may be issued. The following section should be revised to reflect the types of debt instruments authorized by the Board.

The Superintendent or designee shall recommend to the Board potential financing method(s) that result in the highest benefit to the district, with the cost of staff and consultants considered. Potential financing sources may include:

1. Short-Term Debt
  - a. Short-term debt, such as tax and revenue anticipation notes (TRANs), when necessary to allow the district to meet its cash flow requirements (Government Code 53850-53858)
  - b. Bond anticipation notes (BANs) to provide interim financing for capital bond projects that will ultimately be paid from general obligation bonds (Education Code 15150)
  - c. Grant anticipation notes (GANs) to provide interim financing pending the receipt of grants and/or loans from the state or federal government that have been appropriated and committed to the district (Government Code 53859-53859.08)
2. Long-Term Debt

Note: The California Constitution, Article 13A, Sections 1(b)(2) and 1(b)(3), Education Code 15100-15262 and 15264-15276, and Government Code 53506-53509.5 authorize the district to issue general obligation bonds requiring either two-thirds voter approval or 55 percent voter approval, subject to specific accountability requirements. Voter-approved general obligation bonds typically provide the lowest cost of

**DEBT ISSUANCE AND MANAGEMENT** (continued)

borrowing and, by providing for the levy of additional ad valorem property taxes to service the debt, do not impact the district's general fund. See BP/AR 7214 - General Obligation Bonds for requirements pertaining to the issuance of general obligation bonds.

- a. General obligation bonds for projects approved by voters (California Constitution, Article 13A, Section 1; Education Code 15100-15262, 15264-15276; Government Code 53506-53509.5)

*(cf. 7214 - General Obligation Bonds)*

Note: Districts may establish a community facilities district for school facility purposes in accordance with the Mello-Roos Community Facilities Act (Government Code 53311-53368.3). The boundaries of the Mello-Roos district may include the entire school district, but usually include only a portion of the district, such as an area with new housing developments. The bonds sold by the community facilities district are paid for by a special tax on the properties within that community facilities district's boundaries. See BP 7212 - Mello Roos Districts.

- b. Special tax bonds issued pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code 53311-53368.3)

*(cf. 7212 - Mello Roos Districts)*

3. Lease financing, including certificates of participation (COPs)
  - a. Lease financing to fund the highest priority capital equipment purchases when pay-as-you-go financing is not feasible (Education Code 17450-17453.1)

Note: Authority for lease financings is based in part on judicial rulings finding that leases that meet certain conditions do not constitute indebtedness subject to a vote of the electorate.

- b. Lease financing to fund facilities projects when there is insufficient time to obtain voter approval or in instances where obtaining voter approval is either not feasible or unavailable (Education Code 17400-17429)
4. Special financing programs or structures offered by the federal or state government, such as Qualified Zone Academy Bonds or other tax credit obligations or obligations that provide subsidized interest payments, when the use of such programs or structures is determined to result in sufficiently lower financing costs compared to traditional tax-exempt bonds and/or COPs
5. Temporary borrowing from other sources such as the County Treasurer

**DEBT ISSUANCE AND MANAGEMENT** (continued)

Note: Education Code 42133 prohibits the issuance of non-voter approved debt when the district has a qualified or negative certification regarding the district's ability to meet its fiscal obligations, except as provided below. Pursuant to Education Code 42131, a "qualified certification" indicates that the district may not meet its financial obligations for the current fiscal year and two subsequent fiscal years, and a "negative" certification indicates that the district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year. See BP 3460 - Financial Reports and Accountability for further information about such certifications.

COPs, TRANs, revenue bonds, or any other non-voter approved debt instrument shall not be issued by the district in any fiscal year in which the district has a qualified or negative certification, unless the County Superintendent of Schools determines, pursuant to criteria established by the Superintendent of Public Instruction, that the district's repayment of that indebtedness is probable. (Education Code 42133)

**Relationship of Debt to District Facilities Program and Budget**

Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), **mandates** that the district's debt management policy include the relationship of the debt to, and integration with, the district's capital improvement program or budget, if applicable. The following section should be revised to reflect district practice.

Decisions regarding the issuance of debt for the purpose of financing capital improvement shall be aligned with current needs for acquisition, development, and/or improvement of district property and facilities as identified in the district's facilities master plan or other applicable needs assessment, the projected costs of those needs, schedules for the projects, and the expected resources.

Note: The following paragraph is **optional**.

When considering a debt issuance, the Board and the Superintendent or designee shall evaluate both the short-term and long-term implications of the debt issuance and additional operating costs associated with the new projects involved. Such evaluation may include, but is not limited to, the projected ratio of annual debt service to the tax burden on the district's taxpayers and the ratio of annual debt service secured by the general fund to general fund expenditures.

The district may enter into credit enhancement agreements such as municipal bond insurance, surety bonds, letters of credit, and lines of credit with commercial banks, municipal bond insurance companies, or other financial entities when their use is judged to lower borrowing costs, eliminate restrictive covenants, or have a net economic benefit to the financing.

## **DEBT ISSUANCE AND MANAGEMENT (continued)**

### **Structure of Debt Issues**

The district shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.

The district shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, ensure cost effectiveness, provide flexibility, and, as practical, recapture or maximize its debt capacity for future use. Principal amortization will be structured to meet debt repayment, tax rate, and flexibility goals.

<p>Note: Education Code 15106 limits the district's total outstanding bonded debt (i.e., the principal portion only) to 1.25 or 2.5 percent of the assessed valuation of the taxable property of a non-unified and unified district, respectively. Consequently, Education Code 15106 limits the issuance of new debt when the district has total bonded indebtedness in excess of the applicable percentage of the assessed valuation in the district. TRANs and lease payment obligations in support of COPs generally do not count against this limit except as provided in Education Code 17422.</p>
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For new money debt issuances for capital improvements, the district shall size the debt issuance with the aim of funding capital projects as deemed appropriate by the Board, as long as the issuance is consistent with the overall financing plan, does not exceed the amount authorized by voters, and, unless a waiver is sought and received from the state, will not cause the district to exceed the limitation on debt issuances specified in the California Constitution or Education Code 15106.

To the extent practicable, the district shall also consider credit issues, market factors, and tax law when sizing the district's bond issuance. The sizing of refunding bonds shall be determined by the amount of money that will be required to cover the principal of, any accrued interest on, and any redemption premium for the debt to be paid on the call date and to cover appropriate financing costs.

Any general obligation bond issued by the district shall mature within 40 years of the issuance date or as otherwise required by law. (California Constitution, Article 16, Section 18; Government Code 53508.6)

The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed but, with respect to a lease purchase of equipment, no longer than a period of 10 years. (Education Code 17452)

### **Method of Sale**

For the sale of any district-issued debt, the Superintendent or designee shall recommend the method of sale with the potential to achieve the lowest financing cost and/or to generate other benefits to the district. Potential methods of sale include:

## **DEBT ISSUANCE AND MANAGEMENT (continued)**

1. A competitive bidding process through which the award is based on, among other factors, the lowest offered true interest cost
2. Negotiated sale, subject to approval by the district to ensure that interest costs are in accordance with comparable market interest rates
3. Private placement sale, when the financing can or must be structured for a single or limited number of purchasers or where the terms of the private placement are more beneficial to the district than either a negotiated or competitive sale

### **Investment of Proceeds**

The district shall actively manage the proceeds of debt issued for public purposes in a manner that is consistent with state law governing the investment of public funds and with the permitted securities covenants of related financing documents executed by the district. Where applicable, the district's official investment policy and legal documents for a particular debt issuance shall govern specific methods of investment of bond-related proceeds. Preservation of principal shall be the primary goal of any investment strategy, followed by the availability of funds and then by return on investment.

*(cf. 3430 - Investing)*

Note: Pursuant to Education Code 15146, the proceeds of the sale of bonds, exclusive of any premium received, must be deposited in the county treasury to the credit of the building fund of the district. As amended by AB 2738 (Ch. 472, Statutes of 2016), Education Code 15146 prohibits districts from withdrawing proceeds from the sale of bonds at any time for purposes of making investments outside the county treasury.

With regard to general obligation bonds, the district shall invest new money bond proceeds in the county treasury pool as required by law. (Education Code 15146)

The management of public funds shall enable the district to respond to changes in markets or changes in payment or construction schedules so as to ensure liquidity and minimize risk.

### **Refunding/Restructuring**

Note: The following section may be revised to reflect district practice. The GFOA's Analyzing and Issuing Refunding Bonds states that a test often used to assess the appropriateness of a refunding is the achievement of a minimum net present value savings. According to the GFOA, a common threshold is that the savings, as a percentage of the refunding bonds, should be at least 3-5 percent. However, the GFOA recognizes that it may be appropriate to approve refunding that results in lower anticipated savings in some circumstances, such as when interest rates are at low levels or the time remaining to maturity is limited and thus future opportunities to achieve greater savings are not likely to occur.



## DEBT ISSUANCE AND MANAGEMENT (continued)

The district may consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility. When doing so, the district shall consider the maximization of the district's expected net savings over the life of the debt issuance and, when using a general obligation bond to refund an existing bond, shall ensure that the final maturity of the refunding bond is no longer than the final maturity of the existing bond.

### Internal Controls

Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), **mandates** that the district's debt management policy include the internal control procedures that the district has implemented or will implement to ensure that the proceeds of the proposed debt issuance will be directed to the intended use. Examples of internal control standards for the management of bond funds are contained in the U.S. Government Accountability Office's Internal Control System Checklist. These include factors related to the internal control environment, risk assessment, control activities, information and communications, and monitoring. Because internal controls and accountability measures may be lengthy, districts may choose to develop an administrative regulation, exhibit, or other document that provides further details and that may be updated as needed. Also see BP 3400 - Management of District Assets/Accounts. The following section should be revised to reflect district practice.

The Superintendent or designee shall establish internal control procedures to ensure that the proceeds of any debt issuance are directed to the intended use. Such procedures shall assist the district in maintaining the effectiveness and efficiency of operations, properly expending funds, reliably reporting debt incurred by the district and the use of the proceeds, complying with all laws and regulations, preventing fraud, and avoiding conflict of interest.

*(cf. 3314 - Payments for Goods and Services)*  
*(cf. 3400 - Management of District Assets/Accounts)*

The district shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred as defined in the text of the voter-approved bond measure. (Government Code 53410)

When feasible, the district shall issue debt with a defined revenue source in order to preserve the use of the general fund for general operating purposes.

The district shall annually conduct a due diligence review to ensure its compliance with all ongoing obligations applicable to issuers of debt. Such a review may be conducted by general legal counsel or bond counsel. Any district personnel involved in conducting such reviews shall receive periodic training regarding their responsibilities.

In addition, the Superintendent or designee shall ensure that the district completes, as applicable, all performance and financial audits that may be required for any debt issued by the district, including disclosure requirements applicable to a particular transaction.

## DEBT ISSUANCE AND MANAGEMENT (continued)

### Records/Reports

Note: Government Code 8855 requires that the district report any proposed issuance of debt to the CDIAC at least 30 days prior to the sale of the debt issue. Typically, bond counsel will file the report on behalf of the district. As amended by SB 1029 (Ch. 307, Statutes of 2016), Government Code 8855 requires that the report include a certification that the district has adopted a debt policy and that the issuance is consistent with that policy.

At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). Such report shall include a self-certification that the district has adopted a policy concerning the use of debt that complies with law and that the contemplated debt issuance is consistent with that policy. (Government Code 8855)

Note: SB 1029 (Ch. 307, Statutes of 2016) amended Government Code 8855 to add the following requirement for an annual report of debt issuance, applicable to any final sale of debt on or after January 21, 2017. The report covers the period from July 1 to June 30, and must be submitted electronically on a form provided by CDIAC within seven months of the end of the reporting period (January 31).

On or before January 31 of each year, the Superintendent or designee shall submit a report to the CDIAC regarding the debt authorized, the debt outstanding, and the use of proceeds of the issued debt for the period from July 1 to June 30. (Government Code 8855)

Note: Pursuant to 17 CFR 240.15c2-12, most financings are required to have official disclosure statements which include the terms of the bond, security, risk factors, financial and operating information concerning the issuer, and background information. In addition, districts must provide ongoing disclosure in the form of annual reports and event notices pursuant to 17 CFR 240.15c2-12. Such disclosures must be made to the MSRB through its Electronic Municipal Market Access repository or any successor repository, as well as to investors and other persons or entities entitled to disclosure. For further information, see CDIAC's [California Debt Issuance Primer](#) and the GFOA's [Understanding Your Continuing Disclosure Requirements](#).

The Superintendent or designee shall provide initial and any annual or ongoing disclosures required by 17 CFR 240.10b-5 and 240.15c2-12 to the Municipal Securities Rulemaking Board, investors, and other persons or entities entitled to disclosure, and shall ensure that the district's disclosure filings are updated as needed.

Note: 26 CFR 1.6001-1 requires districts to retain records for as long as the contents thereof are material in the administration of any internal revenue law. Records related to debt issuance may affect tax liability in both past and future tax years. In order to be consistent with specific record retention requirements, the Internal Revenue Service (IRS) publication [Tax Exempt Bond FAQs Regarding Record Retention Requirements](#), available on the IRS web site, recommends that material records should be kept for as long as the debt is outstanding, plus three years after the final payment of the debt. Although the IRS recommendation is specific to tax-exempt bonds, districts should also retain records related to other forms debt issuance for the same length of time.

## **DEBT ISSUANCE AND MANAGEMENT (continued)**

The Superintendent or designee shall maintain transaction records of decisions made in connection with each debt issuance, including the selection of members of the financing team, the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products. Each transaction file shall include the official transcript for the financing, interest rates and cost of issuance on the day when the debt was sold ("final number runs"), and a post-pricing summary of the debt issue. In addition, documentation evidencing the expenditure of proceeds, the use of debt-financed property by public and private entities, all sources of payment or security for the debt, and investment of proceeds shall be kept for as long as the debt is outstanding, plus the period ending three years after the financial payment date of the debt or the final payment date of any obligations or series of bonds issued to refund directly or indirectly all of any portion of the debt, whichever is later.

The Superintendent or designee shall annually report to the Board regarding debts issued by the district, including information on actual and projected tax rates, an analysis of bonding capacity, ratings on the district's bonds, market update and refunding opportunities, new development for California bond financings, and the district's compliance with post-issuance requirements.

### *Legal Reference:*

#### EDUCATION CODE

- 5300-5441 *Conduct of elections*
- 15100-15262 *Bonds for school districts and community college districts*
- 15264-15276 *Strict accountability in local school construction bonds*
- 15278-15288 *Citizen's oversight committees*
- 15300-15425 *School Facilities Improvement Districts*
- 17150 *Public disclosure of non-voter-approved debt*
- 17400-17429 *Leasing of district property*
- 17450-17453.1 *Leasing of equipment*
- 17456 *Sale or lease of district property*
- 17596 *Duration of contracts*
- 42130-42134 *Financial reports and certifications*

#### ELECTIONS CODE

- 1000 *Established election dates*

#### GOVERNMENT CODE

- 8855 *California Debt and Investment Advisory Commission*
- 53311-53368.3 *Mello-Roos Community Facilities Act*
- 53410-53411 *Bond reporting*
- 53506-53509.5 *General obligation bonds*
- 53550-53569 *Refunding bonds of local agencies*
- 53580-53595.55 *Bonds*
- 53850-53858 *Tax and revenue anticipation notes*
- 53859-53859.08 *Grant anticipation notes*

#### CALIFORNIA CONSTITUTION

- Article 13A, Section 1 Tax limitation*
- Article 16, Section 18 Debt limit*

*Legal Reference continued: (see next page)*

## DEBT ISSUANCE AND MANAGEMENT (continued)

### *Legal Reference: (continued)*

#### UNITED STATES CODE, TITLE 15

78o-4 Registration of municipal securities dealers

#### UNITED STATES CODE, TITLE 26

54E Qualified Zone Academy Bonds

#### CODE OF FEDERAL REGULATIONS, TITLE 17

240.10b-5 Prohibition against fraud or deceit

240.15c2-12 Municipal securities disclosure

#### CODE OF FEDERAL REGULATIONS, TITLE 26

1.103 Interest on state and local bonds

1.141 Private activity bonds

1.148 Arbitrage and rebate

1.149 Hedge bonds

1.6001-1 Records

### *Management Resources:*

#### CALIFORNIA DEBT AND INVESTMENT ADVISORY COMMISSION PUBLICATIONS

California Debt Issuance Primer

#### GOVERNMENT FINANCE OFFICERS ASSOCIATION PUBLICATIONS

An Elected Official's Guide to Debt Issuance, 2nd Ed., 2016

Understanding Your Continuing Disclosure Responsibilities, Best Practice, September 2015

Investment of Bond Proceeds, Best Practice, September 2014

Selecting and Managing Municipal Advisors, Best Practice, February 2014

Debt Management Policy, Best Practice, October 2012

Analyzing and Issuing Refunding Bonds, Best Practice, February 2011

#### INTERNAL REVENUE SERVICE PUBLICATIONS

Tax Exempt Bond FAQs Regarding Record Retention Requirements

Tax-Exempt Governmental Bonds, Publication 4079, rev. 2016

#### U.S. GOVERNMENT ACCOUNTABILITY OFFICE PUBLICATIONS

Internal Control System Checklist

#### WEB SITES

California Debt and Investment Advisory Commission: <http://www.treasurer.ca.gov/cdiac>

Government Finance Officers Association: <http://www.gfoa.org>

Internal Revenue Service: <https://www.irs.gov>

Municipal Security Rulemaking Board, Electronic Municipal Market Access (EMMA):

<http://www.emma.msrb.org>

U.S. Government Accountability Office: <http://www.gao.gov>

U.S. Securities and Exchange Commission: <https://www.sec.gov>

# CSBA Sample Board Bylaw

Board Bylaws

BB 9270(a)

## CONFLICT OF INTEREST

Note: The determination as to whether a conflict of interest exists must be analyzed under two separate sets of statutes: (1) the conflict of interest provisions of the Political Reform Act (PRA) (Government Code 87100-87505), detailed in the section below entitled "Conflict of Interest under the Political Reform Act," and (2) Government Code 1090-1098, detailed in the section below entitled "~~Financial Interest in Contracts~~**Conflict of Interest**" under Government Code 1090 **- Financial Interest in a Contract.**" ~~However,~~ Even when a conflict does not exist pursuant to those statutes, ~~the Attorney General has found that special situations may still exist~~ **a violation might still occur** under the common law doctrine against conflict of interest; see the section below entitled "Common Law Doctrine Against Conflict of Interest."

**Because the law and definitions are quite complex, it is strongly recommended that districts consult with legal counsel and staff from the Fair Political Practices Commission (FPPC) as soon as a potential conflict is presented.**

The Governing Board desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. ~~In accordance with law, Board members and designated employees shall disclose any conflict of interest and, as necessary, shall abstain from participating in the decision.~~ **Accordingly, no Board member, district employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by his/her financial, family, or other personal interest or consideration.**

*(cf. 9005 - Governance Standards)*

Even if ~~there is not~~ a prohibited conflict of interest **does not exist**, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. *Relative* means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

Note: The following paragraph reflects the common law definition of "relative within the third degree."

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

Note: The Governing Board is required to adopt a conflict of interest code in compliance with Government Code 87300-87313. Board members and employees designated in the district's conflict of interest code are required by Government Code 87500 to annually file a Statement of Economic Interest/Form 700 to

**CONFLICT OF INTEREST** (continued)

disclose any assets and income which may be materially affected by official actions. Under the PRA, there are two separate categories of Form 700 disclosure requirements. For the first category pursuant to Government Code 87302, which is applicable to most school districts, the disclosure requirements are determined by the district and set forth in the district's conflict of interest code. The second category, pursuant to Government Code 87200, is only applicable to Board members and designated employees who "manage public investments"; see section below entitled "Additional Requirements for Boards that Manage Public Investments." Those Board members and designated employees, referred to by the FPPC as Government Code 87200/Article 2 filers, must file broader disclosure statements pursuant to the disclosure requirements specified in law and FPPC regulation.

Pursuant to Government Code 87303, the district's conflict of interest code must be approved by the appropriate code reviewing body. For districts located entirely in one county, the code reviewing body is the board of supervisors of the county in which the district is located. The FPPC is the code reviewing body for those school districts located in more than one county.

Pursuant to 2 CCR 18730, the requirements of the Government Code are satisfied if a district adopts a conflict of interest code that incorporates 2 CCR 18730 by reference, along with a list of designated positions and disclosure categories. The accompanying exhibit (E 9270) contains a sample resolution that includes an appendix with designated positions and disclosure categories which, once adopted by the Board, will comprise the terms of the district's conflict of interest code that should be submitted to the code reviewing body. ~~Districts that do not wish to adopt a resolution as their conflict of interest code should modify the following paragraph accordingly.~~

The Board shall adopt ~~a resolution that specifies the terms of~~ **for** the district's **a** conflict of interest code; **that incorporates the provisions of 2 CCR 18730 by reference, specifies** the district's designated positions, and **provides** the disclosure categories required for each position. **The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body. (Government Code 87303)**

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body **or, if no change is required, the Board shall submit a written statement to that effect. (Government Code 87306.5)**

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days **after the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)**

When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

(cf. 9320 - Meetings and Notices)

**CONFLICT OF INTEREST** (continued)

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last **required** statement and the date of leaving office or district employment. (Government Code 87302, **87500-87302.6**)

(cf. 4117.2/4217.2/4317.2 - Resignation)

(cf. 9222 - Resignation)

**Conflict of Interest under the Political Reform Act**

Note: The FPPC has adopted an eight-step analysis, detailed in Government Code 87100-87500, 2 CCR 18700-18755, and interpretive opinions, to determine whether a conflict of interest exists under the PRA. When such a conflict exists, the affected Board member must disclose the interest and disqualify himself/herself from participating in the decision, as specified below. Because Family Code 297.5 grants a registered domestic partner the same rights, protections, and benefits as a spouse under state law, analysis of a conflict of interest with regards to a Board member's spouse is also applicable to a registered domestic partner.

A Board member, **or** designated employee, **or other person in a designated position** shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A **disqualifying** conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," **which is distinguishable from the effect on the public generally, on one or more of the Board member, ~~or~~ designated employee's, or other person in a designated position, his/her immediate family, or any financial interest described in 2 CCR 18700."economic interests," unless the effect is indistinguishable from the effect on the public generally or the Board member's or designated employee's participation is legally required.** (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A Board member, **or** designated employee, **or other person in a designated position** makes a governmental decision when, **he/she**, acting within the authority of his/her office or position, **he/she votes on a matter, appoints a person, obligates or commits the district to any course of action, or enters into any contractual agreement on behalf of the district. (2 CCR 18702.1) authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before a district official for the purpose of affecting the decision, or takes any other action specified in 2 CCR 18704.**

Note: 2 CCR 18705 permits a Board member who is financially interested in a contract to participate in making a decision on the contract if (1) he/she discloses the existence of the conflict and describes with particularity the nature of his/her economic interest in the contract; (2) gives a summary description of the circumstances under which he/she believes the conflict may arise; and (3) either

**CONFLICT OF INTEREST** (continued)

he/she, another Board member, or a district employee discloses the legal basis for concluding that no alternative source of decision exists for the district. In general, this rule will permit a district to acquire an essential supply or service. CSBA strongly recommends that legal counsel be consulted when situations arise involving the rule of necessity, as strict compliance is required.

**However, a Board member shall participate in the making of a contract in which he/she has a financial interest if his/her participation is required by the rule of necessity or legally required participation pursuant to Government Code 87101 and 2 CCR 18705.**

~~A Board member who has a disqualifying conflict of interest on an agenda item that will be heard in an open meeting of the Board shall abstain from voting on the matter. He/she may remain on the dais, but his/her presence shall not be counted towards achieving a quorum for that matter. A Board member with a disqualifying conflict of interest shall not be present during a closed session meeting of the Board when the decision is considered and shall not obtain or review a recording or any other nonpublic information regarding the issue. (2 CCR 18702.1)~~

**Conflict of Interest under Government Code 1090 - Financial Interest in a Contract**

Note: Pursuant to Government Code 1090, if a Board member has a financial interest in a contract, it is an absolute bar for that district to enter into the contract. The Attorney General has opined in 69 Ops.Cal.Atty.Gen. 255 (1986) that, unlike the PRA, the prohibitions in Government Code 1090 cannot be resolved by having the financially interested Board member abstain from participating in the matter. However, there are two categories of exceptions. If a financial interest meets the definition of a "noninterest" as specified in Government Code 1091.5, then the restrictions in Government Code 1090 do not apply and the district can enter into the contract. Secondly, if a Board member's interest is deemed a "remote interest" pursuant Government Code 1091, then the district can enter into the contract as long as certain conditions are satisfied, as specified below.

While the prohibitions in the PRA only apply to designated employees, the prohibitions in Government Code 1090 apply to all district employees and consultants. **California appellate courts have ruled in**



**CONFLICT OF INTEREST** (continued)

**McGee v. Balfour Beatty Construction LLC and Davis v. Fresno Unified School District that Government Code 1090 applies to consultants, including corporate consultants, who fill the roles and positions of officers, employees, and agents of the district.** However, the Attorney General has opined in 63 Ops. Cal. Atty. Gen. 868 (1980) that an employee's financial interest would not prohibit the district from entering into a contract as long as the employee has not participated in the making of the contract, such as in discussions and planning, as detailed below.

Government Code 1090 does not define financial interest, but courts have held that, for the purposes of this statute, the definition of "financial interest" is not the same as the definition in the PRA which requires a "material financial effect" in order for a conflict to exist. Because the determination of whether a financial interest exists involves a review of statutes, court decisions, and Attorney General opinions as they apply to the particular facts at issue, the analysis can be complex and legal counsel should be consulted as appropriate.

Board members, employees, or district consultants shall not be financially interested in any contract made by the Board on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest **in a contract made by the Board, the district is barred from entering into the contract is void.** (Government Code 1090; **Klistoff v. Superior Court, (2007) 157 Cal.App. 4th 469**)

Note: The district may enter into a contract when a Board member's interest is a "remote interest" as defined in Government Code 1091. Generally, this issue arises when the district wishes to enter into a contract with the Board member's employer. When the conditions specified in Government Code 1091 are satisfied (e.g., Board member is an employee of a nonprofit organization, the employer has at least 10 employees, and the Board member has been employed more than three years), then the district may enter into the contract as long as the affected Board member discloses the remote interest and abstains from the matter.

Board members who willfully fail to disclose a remote interest in a contract may be subject to a fine or imprisonment pursuant to Government Code 1097.

A Board member shall not be considered to be financially interested in a contract in which he/she has only a "remote interest," as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member **or district official** to enter into the contract. (Government Code 1091)

Note: Pursuant to Government Code 1091.5, certain financial interests are defined as "noninterests," meaning a conflict of interest does not exist and the district can enter into the contract. One of the noninterests listed in Government Code 1091.5 is when a Board member's spouse has been employed by the district for at least one year prior to the Board member's election or appointment. If the spouse has not been employed by the district for at least one year prior to the Board member's election or appointment, the exception does not apply and Government Code 1090 prohibits the district from entering into a new contract to hire the spouse. (80 Ops. Cal. Atty. Gen. 320 (1997))

Attorney General opinions and case law have further clarified the application of this noninterest exception when a previously employed spouse changes to a different position during the Board member's term. Generally, these opinions have held that a lateral transfer or change of classification that does not require

**CONFLICT OF INTEREST** (continued)

Board approval (e.g., second year probationary teacher automatically achieving permanent status, step increase) is the same employment not requiring a new contract and thus constitutes a noninterest. (92 Ops.Cal.Atty.Gen. 26 (2009), 87 Ops.Cal.Atty.Gen. 23 (2004)) However, when a new contract is involved (e.g., promotion from classroom teacher to principal, substitute employee becoming a probationary employee), the exception in Government Code 1091.5 does not apply and the action would be prohibited under Government Code 1090 because Board approval of the contract is required. (Thorpe v. Long Beach Community College District, 69 Ops.Cal.Atty.Gen. 255 (1986))

Because this area of law is complex, it is strongly recommended that district legal counsel be consulted if a Board member's spouse is an employee of the district or when analyzing whether an interest is a noninterest or remote interest.

**In addition**, a Board member shall not be considered to be financially interested in a contract **if-in which** his/her interest is a "noninterest" as defined in Government Code 1091.5. ~~One such~~ Noninterest **includes a Board member's interest in being reimbursed for his/her actual and necessary expenses incurred in the performance of his/her official duties, is when a Board member's in the employment of his/her** spouse/registered domestic partner **who** has been a district employee for at least one year prior to the Board member's election or appointment, **or in any other applicable circumstance specified in** (Government Code 1091.5).

**Common Law Doctrine Against Conflict of Interest**

Note: Even when there is not a conflict pursuant to the PRA (Government Code 87100-~~87505~~) or Government Code 1090, the Attorney General has found that special situations may still exist under the common law doctrine against conflict of interest which, unlike the statutes, extends to noneconomic interests. In 92 Ops.Cal.Atty.Gen. 19 (2009), the Attorney General opined that a redevelopment board member should abstain from voting on a loan agreement where the recipient of the loan was a corporation owned by the board member's adult son. Although the board member was not financially interested in the contract under the PRA or Government Code 1090, the Attorney General determined that abstention was necessary in order to avoid a conflict between the member's official and personal interests and to avoid the appearance of impropriety.

**Districts are encouraged to consult legal counsel if situations arise that raise the question as to whether such a conflict exists.**

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

**Rule of Necessity or Legally Required Participation**

Note: Pursuant to Government Code 87101, when a conflict exists under the PRA, the district may still enter into a contract if the rule of necessity or legally required participation applies. In general, this rule will

permit a district to acquire an essential supply or service. The rule also permits a Board member to carry out an essential duty of his/her office in accordance with 2 CCR 18708, where he/she is the only one who may legally act and there is no alternative source of decision making authority. **It is recommended that legal counsel be consulted when situations arise involving the rule of necessity.**

**CONFLICT OF INTEREST** (continued)

~~On a case-by-case basis and upon advice of legal counsel, a Board member with a financial interest in a contract may participate in the making of the contract if the rule of necessity or legally required participation applies pursuant to Government Code 87101 and 2 CCR 18708.~~

**Incompatible Offices and Activities**

Note: Government Code 1099 and 1126 prohibit Board members and employees from engaging in any employment or activity which is inconsistent, incompatible, in conflict with, or inimical to their duties with the district. Government Code 1126 **mandates** the district to adopt procedures regarding this prohibition. See BP 4136/4236/4336 - Nonschool Employment for language implementing this mandate relative to employees.

Attorney General opinions have indicated that it would be incompatible for Board members to serve on other elected or appointed boards, councils, or commissions that have interests which may conflict with the interests of the district (85 Ops.Cal.Atty.Gen. 60 (2002); 68 Ops.Cal.Atty.Gen. 171 (1985); 65 Ops.Cal.Atty.Gen. 606 (1982)). If a Board member is sworn into an incompatible office, then his/her position in the prior office is automatically terminated.

Pursuant to Education Code 35107, an employee of a school district may not be sworn into office as an elected or appointed member of that district's Board unless he/she resigns as an employee. If the employee does not resign, the employment automatically terminates when he/she is sworn into office. See BB 9220 - Governing Board Elections.

The determination as to whether an activity or office is incompatible is complex and requires a case-by-case analysis of the particular activities or duties of the office; therefore, it is recommended that district legal counsel be consulted as appropriate.

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district. (Government Code 1099, 1126)

*(cf. 4136/4236/4336 - Nonschool Employment)*

**Gifts**

Note: Pursuant to 2 CCR 18730, the gift limitation is currently \$460. This amount is adjusted in odd-numbered years by the FPPC. ~~However, this limit may not be applicable to gifts from every source.~~ **Pursuant to Government Code 89503, Board members and candidates are subject to gift limitation for gifts from all sources except when exempted by law or regulation.** For those Board members who file a Form 700 based on the disclosure categories specified in the district's conflict of interest code pursuant to Government Code 87302 (see the accompanying exhibit), the gift limit is only applicable as to those individuals and entities that are disclosed on the Form 700.

**Several** exceptions exist within the Government Code's definitions of gifts, income, interest in real property, and investment; see Government Code 82028, 82030, 82033, and 82034. **If questions arise as to such exceptions, the district may seek clarification from the FPPC through email to [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov) or consult legal counsel.**

**CONFLICT OF INTEREST** (continued)

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitation on gifts does not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

**In addition, the limitation on gifts does not apply to informational materials such as books, reports, pamphlets, calendars, and periodicals. (Government Code 82028)**

**Note: Board members and designated employees may, in the circumstances described in Government Code 89506, receive payments, advances, or reimbursements for travel and related lodging and subsistence, which will not be subject to the gift limit set in Government Code 89503.**

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation, ~~except as described in Government Code 89506~~ **except when: (Government Code 89506)**

- 1. The travel is in connection with a speech given by a Board member or designated employee, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech and the travel is within the United States.**
- 2. The travel is provided by a person or agency specified in Government Code 89506, including a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.**

**Gifts of travel exempted from the gift limitation, as described in items #1 and 2 above, shall nevertheless be reportable on the recipient's Statement of Economic Interest/Form 700 as required by law.**

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

**Honoraria**

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private **conference, convention, meeting, social event, meal, or like gathering.** ~~in accordance with law~~ (Government Code 89501, 89502)

The term *honorarium* does not include: (Government Code 89501)

**CONFLICT OF INTEREST** (continued)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession, unless the sole or predominant activity of the business, trade, or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

*Legal Reference:*

EDUCATION CODE

1006 *Qualifications for holding office*

35107 *School district employees*

35230-35240 *Corrupt practices, especially:*

35233 *Prohibitions applicable to members of governing boards*

41000-41003 *Moneys received by school districts*

**41015 Investments**

FAMILY CODE

297.5 *Rights, protections, and benefits of registered domestic partners*

GOVERNMENT CODE

1090-1099 *Prohibitions applicable to specified officers*

1125-1129 *Incompatible activities*

81000-91014 *Political Reform Act of 1974, especially:*

82011 *Code reviewing body*

**82019 Definition, designated employee**

**82028 Definition, gift**

**82030 Definition, income**

**82033 Definition, interest in real property**

**82034 Definition, investment**

87100-87103.6 *General prohibitions*

87200-87210 *Disclosure*

87300-87313 *Conflict of interest code*

87500 *Statements of economic interests*

89501-89503 *Honoraria and gifts*

**89506 Ethics; travel**

91000-91014 *Enforcement*

PENAL CODE

85-88 *Bribes*

**REVENUE AND TAXATION CODE**

**203 Taxable and exempt property - colleges**

CODE OF REGULATIONS, TITLE 2

18110-18997 *Regulations of the Fair Political Practices Commission, especially:*

**18702.5 Public identification of a conflict of interest for Section 87200 filers**

**18700-18707 General prohibitions**

**18722-18740 Disclosure of interests**

**18750.1-18756 Conflict of interest codes**

**CONFLICT OF INTEREST (continued)**

Legal Reference: (continued)

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)

Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261

Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469

Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655

Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

ATTORNEY GENERAL OPINIONS

92 Ops.Cal.Atty.Gen. 26 (2009)

92 Ops.Cal.Atty.Gen. 19 (2009)

89 Ops.Cal.Atty.Gen. 217 (2006)

86 Ops.Cal.Atty.Gen. 138(2003)

85 Ops.Cal.Atty.Gen. 60 (2002)

82 Ops.Cal.Atty.Gen. 83 (1999)

81 Ops.Cal.Atty.Gen. 327 (1998)

80 Ops.Cal.Atty.Gen. 320 (1997)

69 Ops.Cal.Atty.Gen. 255 (1986)

68 Ops.Cal.Atty.Gen. 171 (1985)

65 Ops.Cal.Atty.Gen. 606 (1982)

63 Ops.Cal.Atty.Gen. 868 (1980)

Management Resources:

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009

Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

WEB SITES

CSBA: <http://www.csba.org>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute of Local Government: <http://www.ca-ilg.org>

# CSBA Sample Exhibit

Board Bylaws

E 9270(a)

## CONFLICT OF INTEREST

### RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE

Note: The Governing Board is required to adopt a conflict of interest code in compliance with Government Code 87300-87313 of the Political Reform Act (PRA). Pursuant to 2 CCR 18730, the requirements of the Government Code are satisfied if a district adopts a conflict of interest code that incorporates 2 CCR 18730 by reference along with a list of designated positions and disclosure categories. Board members and designated employees must annually file a Statement of Economic Interest/Form 700 pursuant to the disclosure requirements of the district's conflict of interest code.

Government Code 87303 requires a district's conflict of interest code to be approved by a code reviewing body. For school districts located entirely in one county, the code reviewing body is the board of supervisors of the county in which the district is located. The Fair Political Practices Commission (FPPC) is the code reviewing body for school districts with jurisdiction in more than one county.

The code reviewing body needs to review only the portion of the district's conflict of interest code that specifies the district's designated positions and the disclosure categories as detailed in the following sample Resolution, including its Appendix, and not the other legal requirements related to conflict of interest reflected in the accompanying sample bylaw. The Resolution, including the Appendix, should be adopted by the Board and, as necessary, forwarded to the code reviewing body. Pursuant to Government Code 87306.5, the code reviewing body is required to notify the district in even-numbered years of the need to review the district's conflict of interest code. Upon such notification, the district should review the Appendix and make any necessary changes. In some counties, the code reviewing body requires that a resolution be adopted during each review and that the Board's resolution and amended appendix be submitted to that body. In other counties, only the appendix needs to be submitted. In both cases, districts need not submit BB 9270 - Conflict of Interest to the code reviewing body. In addition to the biannual review, districts should modify the Appendix and submit it, and the resolution if required, to the code reviewing body when any changed circumstances within the district require amendments to the Appendix, such as the creation of new designated positions or a change of duties assigned to existing positions.

The following resolution should be modified to reflect district practice as well as any specific requirements of the district's code reviewing body.

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Governing Board of the \_\_\_\_\_ School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

**CONFLICT OF INTEREST** (continued)

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the \_\_\_\_\_ School District has recently reviewed its positions, and the duties of each position, and has determined that (changes/no changes) to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the \_\_\_\_\_ School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at a meeting, by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary/President



**CONFLICT OF INTEREST** (continued)**Conflict of Interest Code of the  
River Delta Unified School District**

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

**APPENDIX****Disclosure Categories**

Note: The following list must be modified to reflect the specific disclosure categories in the district.
--

1. **Category 1:** A person designated Category 1 shall disclose:
  - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
  - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.
  
2. **Category 2:** A person designated Category 2 shall disclose:
  - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
  - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

**CONFLICT OF INTEREST** (continued)**Designated Positions**

Note: The following list must be modified to reflect the specific designated positions and applicable disclosure categories in the district. For districts in which the Board and Superintendent "manage public investments," the disclosure category for Board members and the Superintendent in the list below must be modified to "Full Disclosure."

<u>Designated Position</u>	<u>Disclosure Category</u>
Superintendent	1
Members of the Board of Trustees	Mandated**
Chief Business Officer	Mandated**
Athletic Director (2 positions)	2
Consultants*	**
Coordinator, After School Program	2
Coordinator, First 5 Readiness Program	2
Coordinator, Healthy Start Program	2
Coordinators, Secondary Education	2
Director, Accounting Dept.	2
Director, Personnel Dept.	2
Director, Special Education and Educational Services	2
Directors, Maintenance, Operations & Transportation Dept.	2
District Nurses	2
ExecutiveAssistant to the Superintendent and Board of Trustees	2
School Principals	2
Director, Food Services Dept.	2
Transportation Assistant, Transportation Dept	2

**CONFLICT OF INTEREST** (continued)**Disclosures for Consultants**

Note: The definition of designated employees in Government Code 82019 includes consultants. To preclude amending the code whenever retaining a consultant in a decision-making capacity, the following section provides that the Superintendent or designee shall make case-by-case determinations of the disclosures necessary, depending on the range of duties to be performed by the consultant.

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR ~~18701~~**18700.3**)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke **a any** permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR ~~18702.2~~ **18704, subsections (a) and (b)**, or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR ~~18701~~**18700.3**)

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**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

Meeting Date: May 9, 2017

Attachments:   X  

From: Elizabeth Keema-Aston, Chief Business Officer and Craig Hamblin, Dir. Of  
Maintenance, Operations and Transportation

Item Number:   12  

**SUBJECT: Walnut Grove Elementary School – Restroom Accessibility  
Upgrades 2016**

Action:   X  

Consent Action: \_\_\_\_\_  
Information Only: \_\_\_\_\_

Request approval of Change Orders #1 for the Walnut Grove Elementary School –  
Restroom Accessibility Upgrades 2016

**Background:**

The Contract was awarded to R.A. Jones Construction, Thornton, CA in the amount of \$159,000.00. A Notice to Proceed was issued effective January 30, 2017. Total Contract Increase by this Change Order is: \$6,702.00.

This action is to approve/ratify the changes made to the project pursuant to the procedures established by the Board.

**Contract Summary**

Contract Amount:	\$159,000.00	Awarded January 10, 2017
<u>Total Change Order item:</u>	<u>6,702.00</u>	(See Attachment)
Revised Contract Amount:	\$165,702.00	

**Status:**

This is the final change order.

**Presenter:** Don Beno

**Other People Who Might Be Present:**

**Cost &/or Funding Sources**

ERP Funds Received:	\$ 96,899.00	
SFID 2 Bond Funds:	\$ 13,101.00	
<u>Unrestricted FD</u>	<u>\$100,000.00</u>	
Total	\$210,000.00	Approved March 8, 2016
<u>Increase</u>	<u>\$ 10,000.00</u>	Approved January 10, 2017
Rev Total	\$220,000.00	

**Recommendation:**

Request that the Board approves Change Order #1 for the Walnut Grove Elementary School – Restroom Accessibility Upgrades 2016.

Time:       5 mins.

# CHANGE ORDER #1

Distribution to:  
 OWNER   
 ARCHITECT   
 CONSTRUCTION MANAGER   
 CONTRACTOR   
 OTHER

PROJECT:  
 Walnut Grove ES – Restroom Accessibility Upgrades 2016  
 14181 Grove Street, Walnut Grove, CA 95690

CHANGE ORDER NUMBER: 1  
 INITIATION DATE: April 12, 2017  
 ARCHITECT'S PROJECT No.: #16-1249  
 CONSTRUCTION MANAGER'S  
 PROJECT No.: RVD021  
 CONTRACT FOR: Restroom Accessibility Upgrades  
 CONTRACT DATE: January 10, 2017

TO (Contractor):  
 R.A. Jones Construction

You are directed to make the following changes in this Contract: **Replace existing under-slab sewer lines at boys and girls restrooms. Furnish and install a new floor drain and associated piping at the boys restroom. Delete toilet accessories that will be provided by the Owner. See attached.**

Not valid until signed by the Owner, the Architect and the Construction Manager.  
 Signature of the Contractor indicates agreement herewith, including any adjustment in the Contract Sum or the Contract Time

The original Contract Sum was .....	\$	159,000.00
Net change by previously authorized Change Orders .....	\$	0.00
The Contract Sum prior to this Change Order .....	\$	159,000.00
The (Contract Sum) ( <del>Guaranteed Maximum Cost</del> ) will be (increased) ( <del>decreased</del> ) ( <del>unchanged</del> ) by this Change Order.....	\$	6,702.00
The new (Contract Sum) ( <del>Guaranteed Maximum Cost</del> ) including this Change Order will be .	\$	165,702.00
The Contract Time will be (increased) ( <del>decreased</del> ) (unchanged) by this Change Order	(0)	Days
The Date of Substantial Completion as of the date of this Change Order therefore is		<u>April 7, 2017</u>

Recommended:  
RGM and Associates  
 CONSTRUCTION MANAGER  
3230 Monument Way  
 ADDRESS  
Concord, CA 94518  
 BY *Dennis Pannone*  
 DATE 4/12/17  
R.A. Jones Construction  
 CONTRACTOR  
P.O. Box 835  
 ADDRESS  
Thornton, CA 95686  
 BY *W.A. Jones*  
 DATE 4-12-17

Approved:  
Rainforth Grau Architects  
 ARCHITECT  
2407 J Street, Suite 300  
 ADDRESS  
Sacramento, CA 95816  
 BY *[Signature]*  
 DATE 4.11.17  
River Delta Unified School District  
 OWNER  
445 Montezuma Street  
 ADDRESS  
Rio Vista, CA 94571  
 BY \_\_\_\_\_  
 DATE \_\_\_\_\_

## CHANGE ORDER No. 1

**Project Name:** Walnut Grove ES – Restroom Accessibility Upgrades 2016      **Date:** 04/12/17

**District:** River Delta Unified School District

**Contractor:** R.A. Jones Construction

### DESCRIPTION:

<b>Item</b>	<b>Description</b>	<b>Requested</b>	<b>Contract Time Increased by</b>	<b>Add/Deduct</b>	<b>Amount</b>
PCO 1	Replace existing under-slab sewer lines at boys and girls restrooms. Furnish and install a new floor drain and associated piping at the boys restroom.	Unforeseen	0 days	Add	\$7,488.00
PCO 2	Delete toilet accessories that will be provided by the Owner.	District	0 days	Deduct	(\$786.00)
<b>TOTAL</b>			0 days		<b>\$6,702.00</b>

# PROPOSED CHANGE ORDER

Distribution to:  
OWNER   
ARCHITECT   
CONSTRUCTION MANAGER   
CONTRACTOR   
FIELD   
OTHER

PROJECT: Walnut Grove Elem. Restrooms  
(Name, address)

PCO NUMBER: 1

TO: River Delta Unified School Dist.

DATE: 2-21-17

PROJECT No.: 16-1249.00

Reference: RFI # 3 PR # \_\_\_\_\_ ASI# \_\_\_\_\_  
CCA # \_\_\_\_\_ CCD # \_\_\_\_\_

CONTRACT FOR: Walnut Grove Elem. Restrooms Mod 2016

CONTRACT DATE: 1-10-17

Description of work: Replace existing sewer lines RFI #3

## 1. Subcontractor Work (mark-up not to exceed 10%)

(Please attached all required backup, quantities, unit cost, etc., associated with work performed.)

- 1. Subcontractor Quote \$ 6992<sup>00</sup>
- 2. Subcontractor Quote \$ \_\_\_\_\_
- 3. Subcontractor Quote \$ \_\_\_\_\_

SUBTOTAL \$ 6992<sup>00</sup>

Contractor mark-up on Sub work (not to exceed 5%) \$ 349<sup>60</sup>

TOTAL - 1 \$ 7341.60

## 2. Work Performed by Prime Contractor

(Please attached all required backup, quantities, unit cost, etc., associated with work performed.)

Materials \$ \_\_\_\_\_

Labor \$ \_\_\_\_\_

Equipment \$ \_\_\_\_\_

SUBTOTAL \$ \_\_\_\_\_

Prime Contractor OH&P (not to exceed 15%) \$ \_\_\_\_\_

TOTAL - 2 \$ \_\_\_\_\_

TOTAL - 1 & 2 \$ 7341.60

Bond Premium (actual rate, not to exceed 2%) \$ 146.83

TOTAL PROPOSED CHANGE \$ 7488<sup>00</sup>

Extension of Contract Time proposed 5 Days.

Prepared by Robert A. Jones

Date 2-21-17

**R.A. JONES CONSTRUCTION**  
P.O. BOX 835  
THORNTON, CA. 95866  
(209) 794-8185 LIC. 694892



## Ramon Parocua

---

**From:** Robert Jones <rajonesco@att.net>  
**Sent:** Tuesday, February 14, 2017 8:52 AM  
**To:** Ramon Parocua  
**Cc:** Janis Perry  
**Subject:** Change order breakdown  
**Attachments:** IMG.pdf

Attached is Martinez sheet metal's breakdown.

Breakdown as follows.

The plans called for 45 Sq. Ft. to be removed, took out 136 Sq. Ft.

91 Sq. Ft. extra at \$20/Sq. Ft. for removal and replacing of new concrete. \$1,820.00

Deletion of wall bump out in both bathrooms, 2 men at \$100/Hr for 8 hours, \$1,600 plus \$200 material. \$1800.

That was the first change order to move the toilet flanges away from the wall to get clearance. The cost of modifying flanges is included in Martinez's breakdown.

The breakdown for the 2nd change is as follows.

Martinez Sheet Metal, Materials \$2125.00, Labor 31.75 hours at \$140/hr, \$4867.00. Total, \$6992.00.

This also includes adding new floor drain. An additional 14 sf of concrete needs to come out to replace sewer lines, There will be no extra charge on my end for that. Also, the water supply line for the old urinals needs to be framed around in the north east corner to conceal, there will be new extra charge for that. If there is continued scrutiny for these changes, there will be no more freebies moving forward.

Thanks,  
Robert

# PROPOSED CHANGE ORDER

R.A. JONES CONSTRUCTION  
P.O. BOX 835  
THORNTON, CA. 95686  
PH. (925) 427-7639  
LIC #694892

Distribution to:  
OWNER   
ARCHITECT   
CONSTRUCTION MANAGER   
CONTRACTOR   
FIELD   
OTHER

PROJECT: Walnut Grove Elem. Restrooms PCO NUMBER: 2  
(Name, address)

TO: River Delta Unified School Dist. DATE: 4-11-17  
PROJECT No.: 16-1249.00

Reference: RFI # \_\_\_\_\_ PR # \_\_\_\_\_ ASI# \_\_\_\_\_ CONTRACT FOR: W.G. Elem. Restrooms  
CCA # \_\_\_\_\_ CCD # \_\_\_\_\_ CONTRACT DATE: 1-10-17

Description of work: Credit for Deleted Bathroom Accessories

### 1. Subcontractor Work (mark-up not to exceed 10%)

(Please attached all required backup, quantities, unit cost, etc., associated with work performed.)

- 1. Subcontractor Quote \$ <786<sup>00</sup>>
- 2. Subcontractor Quote \$ \_\_\_\_\_
- 3. Subcontractor Quote \$ \_\_\_\_\_

SUBTOTAL \$ \_\_\_\_\_

Contractor mark-up on Sub work (not to exceed 5%) \$ \_\_\_\_\_

TOTAL - 1 \$ <786<sup>00</sup>>

### 2. Work Performed by Prime Contractor

(Please attached all required backup, quantities, unit cost, etc., associated with work performed.)

- Materials \$ \_\_\_\_\_
- Labor \$ \_\_\_\_\_
- Equipment \$ \_\_\_\_\_

SUBTOTAL \$ \_\_\_\_\_

Prime Contractor OH&P (not to exceed 15%) \$ \_\_\_\_\_

TOTAL - 2 \$ 0

TOTAL - 1 & 2 \$ <786<sup>00</sup>>

Bond Premium (actual rate, not to exceed 2%) \$ \_\_\_\_\_

TOTAL PROPOSED CHANGE \$ <786<sup>00</sup>>

Extension of Contract Time proposed \_\_\_\_\_ Days. Credit

Prepared by Robert Jones Date 4-11-17

R.A. JONES CONSTRUCTION  
P.O. BOX 835  
THORNTON, CA. 95686  
(209) 794-8185 LIC. 694892



8120 Berry Avenue, Ste. B  
Sacramento, CA 95828  
Tel: 916.381.5155  
Fax: 916.381.5746  
License# 418396 / DIR# 1000005991  
specialtiesdirect.com

# Quote

To: RA Jones Construction

From: Michael Eubling

Attn: Walnut Grove

Date: April 10, 2017

E-mail: [rajonesco@att.net](mailto:rajonesco@att.net)

Pages: 1 (Including cover sheet)

Re: Credit for Accessories

Job: Walnut Grove

Urgent

for Review

Please Comment

Please Reply

● Comments:

Credit for deleting the following materials only:

(4) B288 toilet paper holder	\$148.00
(4) B4063 soap dispenser	\$548.00
(2) B262 paper towel dispenser	\$58.00
(2) 262-130 towel mate	\$32.00
Total material credit	<\$786.00>

Global will install the owner provided items as long as they are onsite prior to our installation.

**WRITTEN AUTHORIZATION IS REQUIRED PRIOR TO ANY ORDERING OF MATERIALS.**  
**IF MULTIPLE PRICES ARE LISTED, PLEASE SPECIFY WHICH PRICE(S) YOU ARE APPROVING.**  
**PLEASE PRINT, SIGN, DATE & CHECK THE "APPROVED" BOX BEFORE RETURNING.**

Print: \_\_\_\_\_

Sign: \_\_\_\_\_

Date: \_\_\_\_\_

Approved:

Denied:

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

Meeting Date: May 09, 2017

Attachments:   X  

From: – Elizabeth Keema-Aston, Chief Business Officer and Craig Hamblin,  
Dir. Of Maintenance, Operations and Transportation

Item Number:   13  

**SUBJECT: Walnut Grove Elementary School – Restroom Accessibility  
Upgrades 2016**

Action:   X  

Consent Action:           

Information Only:           

Request Board Approval to file a Notice of Completion for the Walnut Grove  
Elementary School, Restroom Accessibility Upgrades 2016.

**Background:**

Final completion for the accessibility upgrades at the restrooms and appurtenant work was completed on April 18, 2017. This Notice of Completion and recording at the County Recorder’s Office sets in motion the 35 day hold period before final retention can be released.

**Status:**

**Presenter:** Don Beno

**Other People Who Might Be Present:**

**Cost &/or Funding Sources**

ERP Funds Received:	\$ 96,899.00	
SFID 2 Bond Funds:	\$ 13,101.00	
<u>Unrestricted FD</u>	<u>\$100,000.00</u>	
Total	\$210,000.00	Approved March 8, 2016
<u>Increase</u>	<u>\$ 10,000.00</u>	Approved January 10, 2017
Rev Total	\$220,000.00	

**Recommendation:**

Request Board Approval to file a Notice of Completion for the Restroom Accessibility Upgrades 2016 at Walnut Grove Elementary School.

Time:           5 mins.

RECORDING REQUESTED BY  
**River Delta Unified School District**  
WHEN RECORDED MAIL TO

Craig Hamblin  
River Delta Unified School District  
445 Montezuma Street  
Rio Vista, CA  
94571

*In accordance with Government Code 6103, no fee shall be paid for filing this document.* SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

**NOTICE OF COMPLETION**

NOTICE IS HEREBY GIVEN: That the work of improvements on the real property hereinafter described, consisting of the construction of Walnut Grove Elementary School - Restroom Modernization 2016

was completed on the 18th day of April 2017.

That the name and address of the Owner of said property are as follows:

River Delta Unified School District  
445 Montezuma Street  
Rio Vista, CA 94571

**The APN# is 14601700590000**  
that the nature of its title to said property is a fee simple,

that the name of the original Contractor for the work of improvement as a whole is R. A. Jones Construction, of Thornton, California,

that the name of the Surety for said Contractor is American Contractors Indemnity Company., incorporated under the laws of the State of CA, and authorized to do business in the State of California under the laws of the State of California.

The property herein referred to is located in the County of Sacramento, California, and is a portion of the River Delta Unified School District property.

River Delta Unified School District  
State of California

By \_\_\_\_\_

STATE OF CALIFORNIA     )  
  )SS  
COUNTY OF SACRAMENTO    )

being first duly sworn, deposes and says:

That he/she is the Authorized School Official of the River Delta Unified School District of Sacramento County, a political subdivision of the State of California, who executed the foregoing Notice of Completion and that he/she has read the same and knows the contents thereof and the same is true of his/her own knowledge, that he/she makes this affidavit for and on behalf of the River Delta Unified School District of Sacramento County, a political subdivision of the State of California.

Subscribed and sworn before me, \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the County of  
Sacramento, State of California.

\_\_\_\_\_  
Authorized School Official

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

**Meeting Date:** May 9, 2017

**Attachments:**

**From:** Elizabeth Keema-Aston, Chief Business Officer

\_\_\_x\_\_\_ Item

Number: 14

**SUBJECT**

Amendment #2 for Agreement with Head Start (SETA) to continue with the increase the space with an additional classroom for the operation of the Preschool Program at Walnut Grove Elementary School.

Action: x  
Consent Action: \_\_\_  
Information Only: \_\_\_

**Background:**

RDUSD has entered into an agreement with SETA to run the preschool program starting August 1, 2016. After a meeting with the community it was desirable to increase the space by one classroom to accommodate 20 more preschool children. The first year for Amendment #1 identified the space as in-kind match by the district and the following years the space would also be leased.

SETA has requested that the agreement continue in a cost neutral basis for August 1, 2017 through July 30, 2018.

**Status:** The district wishes to continue with this agreement with Amendment #2.

**Presenter:** Elizabeth Keema-Aston, Chief Business Officer

**Other People Who Might Be Present:** N/A

**Cost &/or Funding Sources** No cost to the district.

**Recommendation:**

That the Board approve the agreement with Head Start (SETA) beginning August 1, 2017.

Time: 5 mins.

**SECOND AMENDMENT  
TO  
RIVER DELTA UNIFIED SCHOOL DISTRICT LEASE**

This SECOND AMENDMENT TO RIVER DELTA UNIFIED SCHOOL DISTRICT LEASE (the "Second Amendment") is made and entered into this 9 day of MAY, 2017, between **RIVER DELTA UNIFIED SCHOOL DISTRICT** hereinafter called "Lessor," and the **SACRAMENTO EMPLOYMENT AND TRAINING AGENCY (SETA)**, a Joint Powers Agency, hereinafter called "Lessee."

**RECITALS**

A. Lessor and Lessee previously entered into a River Delta Unified School District Lease (the "Lease") dated August 1, 2016 for certain premises located at 14181 Grove Street, Walnut Grove, California totaling approximately one thousand one hundred and fifty-one (1,151) square feet, including Classroom #6 and related adjacent areas (the "Premises"); and

B. Lessor and Lessee subsequently entered into a First Amendment to the Lease (the First Amendment) dated June 14, 2016, to add additional space to the Lease consisting of approximately nine hundred and twenty (920) square feet of classroom space identified as Classroom #1 on the Plan attached to the First Amendment as Exhibit A-1 and incorporated therein by reference (the "Additional Premises") and to provide for Lessee's use of the Additional Premises as an In-kind Contribution for the period of one year at no additional cost; and

C. Lessor and Lessee now desire to further amend the Lease to provide for a second year of use of the Additional Premises as an In-Kind Contribution at no additional cost to Lessee.

**NOW THEREFORE, IT IS HEREBY MUTUALLY AGREED AS FOLLOWS:**

1. Paragraph 2 of the First Amendment is hereby deleted and replaced with the following:
2. Additional In-Kind Contribution/Rent for Additional Premises. For the first two years of the Lease, commencing on August 1, 2016 and ending on July 31, 2018, the Additional Premises shall be considered an In-Kind Contribution to the SETA Head Start Program valued at \$1.19/ sq. ft. (\$1,094.80) per month) and no additional rent shall be required. If both parties desire to continue to include the Additional Premises as part of the Lease beyond July 31, 2018, the parties shall, no later than May 1, 2018, negotiate a rental rate for the Additional Premises and execute a subsequent amendment to the Lease to memorialize the rental rate for the Additional Premises commencing with Year Three of the Lease on August 1, 2018. If, for any reason, the parties do not agree upon the appropriate rental rate for the Additional Premises in subsequent years, then the Additional Premises shall be automatically deleted from the Lease effective July 31, 2018.

3. Terms and Conditions. Except as set forth above, all other terms and conditions of the Lease shall be applicable to the Additional Premises.

4. Ratification. Lessor and Lessee hereby agree that, except as modified in this Second Amendment, the Lease and the First Amendment are ratified and affirmed, remain in full force and effect, and are incorporated herein by this reference. In the event of any conflict between the terms of this Second Amendment and the terms of the Lease and/or the First Amendment, the terms of the document dated later in time shall control.

**IN WITNESS WHEREOF, the respective parties hereto have executed this Second Amendment.**

**LESSOR: RIVER DELTA UNIFIED SCHOOL DISTRICT**

By: \_\_\_\_\_  
Don Beno, Superintendent

Dated: \_\_\_\_\_

**LESSEE: SACRAMENTO EMPLOYMENT AND TRAINING AGENCY,  
a Joint Powers Agency**

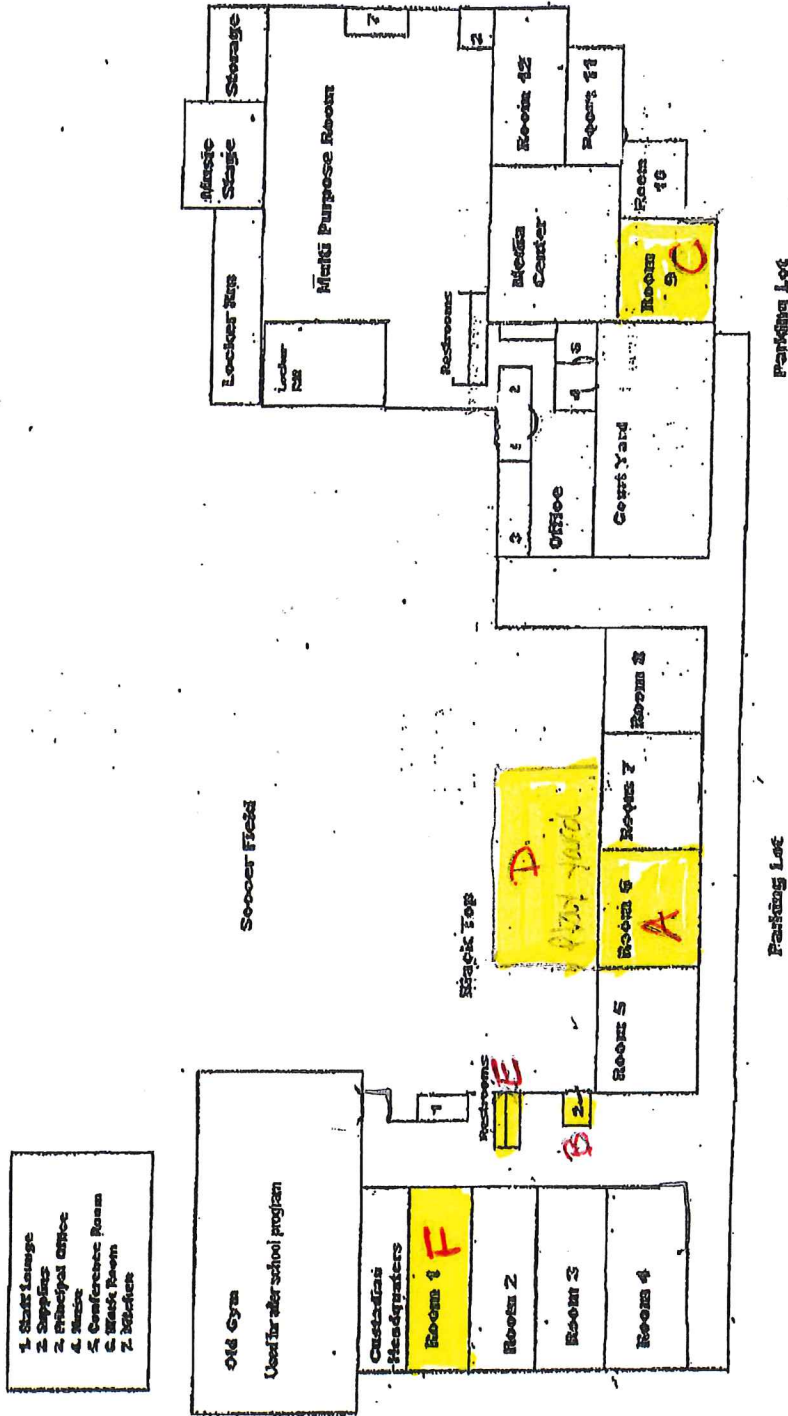
By: \_\_\_\_\_  
Kathy Kossick, Executive Director

Dated: \_\_\_\_\_



# Exhibit A-1

## Walnut Grove Elementary School



**Rent Space:**

- Space A - Classroom #6 (39' X 23') = 897 sq ft
- Space B - Staff Office (18' X 11') = 198 sq ft
- Space C - Staff Cubicle located in the Family Resource Center (8' X 7') = 56 sq ft
- Total Space included in rent = **1,151** sq ft

**In-kind Space:**

- Space C - Family Resource Center (29.5' X 50') = 1,419 sq ft (sq ft is minus the staff cubicle)
- Space D - Play yard (50.25' X 41') = 2,060 sq ft
- Space E - Alternate Bathroom (10' X 22.5) X 2 = 450 sq ft (one restroom for boys and one for girls)
- Space F - Classroom #1 (40' X 23') = 920 sq ft
- Total Space for in-kind = **4,849** sq ft

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

Meeting Date: May 9, 2017

Attachments:  X

From: Maria Elena Becerra, Principal of Bates Elementary School

Item Number: 15

**SUBJECT**

Request to surplus old shell Apple computers, old printers that no longer work.

Action: \_\_\_\_\_

Consent Action:  X

Information Only: \_\_\_\_\_

**Background:**

There is a room that has so many computers that are old and can no longer be updated to run any of the programs nor the internet.

**Status:**

Per Board policy the Board must deem a net worth of surplussed items and how to dispose of the items. E-waste, sale, donation, etc. Bates Elementary & Mokelumne High Schools are requesting the permission of the RDUSD Board of Trustees to surplus the attached list of old computer and printers which no longer work and have zero value.

**Presenter:** Maria Elena Becerra, Principal

**Other People Who Might Be Present:** Staff

**Cost &/or Funding Sources**

There is no cost to the school or to the school district. All the equipment will be sent to E-waste if approved.

**Recommendation:**

That the Board deems the attached list of computers from Bates Elementary & Mokelumne Schools as surplus with zero monetary value.

Time: 2 mins

### Bates Computer Inventory - Surplus

Computer #	Computer Type (Dell, Flat Screen, Shell)	Bar Code
32	Flat screen	007377
4	Flat screen	007379
19	Flat screen	007382
24	Flat screen	007366
23	Flat screen	007364
43	Flat screen	008221
31	Flat screen	007380
26	Flat screen	007368
40	Flat screen	008172
10	Flat screen	008246
16	Flat screen	007387
63	Flat screen	008240
62	Flat screen	008217
Bates pc 03	MPC	008202
Bates pc 04	MPC	008206
HP Zion server	HP box	008314
	Dell box	006074
Bates pc 01	Dell	008166
48	eMac	008218
24	Shell Apple	008315
No#	Shell Apple	008315
82	Shell Apple	008236
36	eMac	006081
45	Shell Apple	000458
57	eMac	008267
59	eMac	008269

### Mokelumne Computer Inventory - Surplus

Computer #	Computer Type (Dell, Flat Screen, Shell)	Bar Code
6	eMac	006082
4	eMac	008351
No #	eMac	008346
No #	eMac	008348
No #	eMac	008339
5	eMac	008350

**BOARD OF TRUSTEES**  
**RIVER DELTA UNIFIED SCHOOL DISTRICT**  
445 Montezuma Street  
Rio Vista, CA 94571-1651

**BOARD AGENDA BRIEFING**

Meeting Date: May 9, 2017

Attachments:   X  

From: Elizabeth Keema-Aston, CBO

Item Number:   16  

**SUBJECT:**     **Request to approve Resolution # 730 Authorizing FY 2016-17 expenditures from Education Protection Act Funds (Proposition 30)**

**Background:**

Voter approval in November 2012 of Proposition 30 made changes in the ongoing allocation of State financial allocations of funding to K-12 school districts. The Education Protection Act (EPA) requires that governing boards annually approve the expenditure of this portion of ongoing State funding by resolution. In May 2016, this Board authorized the expenditure of FY 2015-16 EPA funding for employee salary and benefit expenses. At that time the amount of FY 2015-16 EPA funding provided was \$1,337,820.

In March 2016, CDE published revised calculations for EPA funding for FY 2015-16 and FY 2016-17. As a result the EPA funding was decreased for FY 2015-16 by \$(215,465) bringing the entitlement to \$1,122,355.

For the current year, FY 2016-17, our EPA award was \$737,569. To capture the adjustment in EPA funding of FY 2015-16, the current year EPA award is decreased to a net amount of \$522,104.

Overall State LCFE revenues (including local property taxes) have been reviewed and a determination made that there is no net significant change to district revenues as a result of the adjustment in EPA entitlements.

**Status:**

Staff prepared a Resolution for Board Action to authorize EPA expenditures for FY 2016-17.

**Presenter:** Elizabeth Keema-Aston, CBO

**Other People Who Might Be Present:**   Staff

**Cost &/or Funding Sources:** Not applicable

**Recommendation:**

District management recommends that the Board approve Resolution 730 to authorize FY 2016-17 expenditure of EPA funds in the revised award amount of \$522,104 and that this information be posted on the district website in accordance with legal requirements.

Time:       5 mins.

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
RIVER DELTA UNIFIED SCHOOL DISTRICT REGARDING  
THE EDUCATION PROTECTION ACCOUNT – 2016-17**

**RESOLUTION NO. 730**

**WHEREAS**, the voters approved Proposition 30 on November 6, 2012;

**WHEREAS**, Proposition 30 added Article XIII, Section 36 to the California Constitution effective November 7, 2012;

**WHEREAS**, the provisions of Article XIII, Section 36(e) create in the state General Fund an Education Protection Account to receive and disburse the revenues derived from the incremental increases in taxes imposed by Article XIII, Section 36(f);

**WHEREAS**, before June 30<sup>th</sup> of each year, the Director of Finance shall estimate the total amount of additional revenues, less refunds that will be derived from the incremental increases in tax rates made pursuant to Article XIII, Section 36(f) that will be available for transfer into the Education Protection Account during the next fiscal year;

**WHEREAS**, if the sum determined by the State Controller is positive, the State Controller shall transfer the amount calculated into the Education Protection Account within ten days preceding the end of the fiscal year;

**WHEREAS**, all monies in the Education Protection Account are hereby continuously appropriated for the support of school districts, county offices of education, charter schools and community college districts;

**WHEREAS**, monies deposited in the Education Protection Account shall not be used to pay any costs incurred by the Legislature, the Governor or any agency of state government;

**WHEREAS**, a community college district, county office of education, school district, or charter school shall have the sole authority to determine how the monies received from the Education Protection Account are spent in the school or schools within its jurisdiction;

**WHEREAS**, the governing board of the district shall make the spending determinations with respect to monies received from the Education Protection Account in open session of a public meeting of the governing board;

**WHEREAS**, the monies received from the Education Protection Account shall not be used for salaries or benefits for administrators or any other administrative cost;

**WHEREAS**, each community college district, county office of education, school district and charter school shall annually publish on its Internet website an accounting of how much money was received from the Education Protection Account and how that money was spent;

**WHEREAS**, the annual independent financial and compliance audit required of community college districts, county offices of education, school districts and charter schools shall ascertain and verify whether the funds provided from the Education Protection Account have been properly disbursed and expended as required by Article XIII, Section 36 of the California Constitution;

**WHEREAS**, expenses incurred by community college districts, county offices of education, school districts and charter schools to comply with the additional audit requirements of Article XIII, Section 36 may be paid with funding from the Education Protection Act and shall not be considered administrative costs for purposes of Article XIII, Section 36.

**NOW, THEREFORE**, be it resolved, determined and ordered by the Board of Trustees of the River Delta Unified School District as follows:

1. The monies received from the Education Protection Account shall be spent as required by Article XIII, Section 36 and the spending determinations on how the money will be spent shall be made in open session of a public meeting of the governing board of River Delta Unified School District;
2. In compliance with Article XIII, Section 36(e), with the California Constitution, the governing board of the River Delta Unified School District has determined to spend the monies received from the Education Protection Act on current certificated teacher salaries and benefits.

**PASSED AND ADOPTED** this day, May 9, 2017 by the following

vote: **AYES:** \_\_\_\_\_      **NOES:** \_\_\_\_\_  
\_\_\_\_\_  
**ABSTENTIONS:** \_\_\_\_\_  
**ABSENT:** \_\_\_\_\_

**IN WITNESS WHEREOF**, I, Marilyn Riley, Clerk of the Board of Trustees of the River Delta Unified School District of Sacramento County, California, certify that the foregoing is a full, true, and correct copy of Resolution No. 730 adopted by the said Board at a Regular Business meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.

\_\_\_\_\_  
Marilyn Riley, Clerk  
Board of Trustees  
River Delta Unified School District

\_\_\_\_\_  
Date