

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:

Isleton Elementary School • 412 Union Street, Isleton, CA

August 8, 2017 • Open Session 6:30pm

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: _____ Time: _____
5. Reconvene to Open Session (@6:30 p.m.)
 - 5.1 Retake Roll Call
Member Fernandez ____; Member Olson ____; Member Riley ____; Member Donnelly ____;
Member Elliott ____; Member Maghoney ____; Member Bettencourt ____
6. Pledge of Allegiance
7. Report of Action taken, if any, during the Closed Session (Government Code Section 54957.1) -- Board President Fernandez
 - 7.1 Closed Session action taken, if any.
8. Review and Approve the **Open Session** Agenda

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____

9. 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 agendized 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)
 - 9.1.3.1 Recognition of the 2017-18 Teacher of the Year Stephen Wright
- 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 MOT
 - 9.2.1 Monthly Financial Report – Elizabeth Keema-Aston
 - 9.2.2 Maintenance, Operations & Transportation Update, Craig Hamblin, Director of MOT
 - 9.2.3 Cafeteria update – Elizabeth Keema-Aston

- 9.3 Other – Education Services’ Reports and/or Presentation(s) -
 - 9.3.1 Williams’ Settlement Public Notification regarding sufficiency of teachers, facilities, CAHSEE, and textbook and instructional materials – Second Quarter (April - June) – Kathy Wright
 - 9.3.2 Summer School 2017 Update – Nancy Vielhauer

10. **Consent Calendar**

- 10.1 Approve Board Minutes
 - Regular Meeting of the Board, June 27, 2017
- 10.2 Receive and Approve Monthly Personnel Reports
 - As of August 8, 2017
- 10.3 District’s Monthly Expenditure Report
 - June and July 2017
- 10.4 Request to approve the Memorandum of Understanding with CommuniCare Health Center to provide sexual and reproductive health education at Delta High and Clarksburg Middle Schools for the 2017-18 school year – No cost to the district – Kathy Wright
- 10.5 Request to declare as surplus miscellaneous textbooks that are no longer adopted by RDUSD, a piano and miscellaneous electronic devices at Rio Vista High School – Vicky Turk
- 10.6 Request to approve the Independent Contract with Center of Movement for the 2017-18 school year at Isleton Elementary School to provide yoga and mindfulness at a cost not to exceed \$3600 – Antonia Slagle
- 10.7 Request to declare as surplus miscellaneous technology items that are obsolete at Walnut Grove Elementary School – Carrie Norris
- 10.8 Request to approve the Changes in the District’s Adopted budget due to revisions in the Governor’s Budget. (45 Day Revise) – Elizabeth Keema-Aston
- 10.9 Request to approve the Independent Contract for Services Agreement with Elaine H. Talley, M. Ed., J.D. for the 2017-2018 school year to provide mediation and/or facilitate IEP meetings, at a cost not to exceed \$1,000 – Kathy Wright
- 10.10 Request to approve the Independent Contract for Services with Christine Meade, Ph.D. for the 2017-2018 school year to provide an independent educational evaluation, at a cost not to exceed \$3,500 – Kathy Wright
- 10.11 Request to approve the Independent Contract for Services with Elizabeth Isono, MSOTR/L to provide an independent educational evaluation, at a cost not to exceed \$2,400 – Kathy Wright

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 May 2017 – Don Beno

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____
- 12. Request to approve the Actuarial Valuation of Post-Retirement Benefits prepared by Nicolay Consulting – Elizabeth Keema-Aston

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____
- 13. Request to approve Resolution #732 to establish Temporary Inter-Fund Transfers of Special or Restricted Monies for FY 2017-2018 – Elizabeth Keema-Aston

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____
- 14. Request to allow the District to contract with California Department of Education (CDE) for California State Preschool for the 2017-2018 school year at Isleton Elementary School – Antonia Slagle

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____

15. Request to approve the Variable Term Waiver as authorized by the Commission on Teacher Credentialing for 2017-2018 for Rosa Camargo Nunez, as an Elementary Counselor for D.H. White Elementary School & Isleton Elementary School – Don Beno

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____

16. Request to approve the Amended and restated school facilities mitigation agreement between River Delta Unified School District and Encore Liberty, LLC (formerly Shea Homes Project). – Pending Board Closed Session

Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____

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

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 Friday, August 4, 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:

Isleton Elementary School • 412 Union Street, Isleton, CA
August 8, 2017

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 August 8, 2017, at the Isleton Elementary School, Isleton, 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 – One case.

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

Following Conference with Legal Counsel (Girard, Edwards, Stevens & Tucker LLP):

Public Employee(s) Evaluation:

- 4.3.3 Certificated
4.3.4 Classified
4.3.5 Public Employee(s) Searches, Appointment, Employment conditions
4.3.6 Complaint, Discipline, Dismissal, Non-REELECTS, & Releases
4.3.7 Employee/Employer Negotiations [Government Code Section 3549.1 and 54957.6]
Following negotiation meetings any/all units.
4.3.7.1 RDUTA
4.3.7.2 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: _____

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



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017	Attachments: <input checked="" type="checkbox"/> X
From: Elizabeth Keema-Aston, Chief Business Officer	Item Number: <u>9.2.1</u>
<u>SUBJECT</u> 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
 2017-18 Working Budget vs. Actuals Report
 July 31, 2017

Working Budget					Actuals thru: 7/31/2017					
	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	-	15,644,932	15,910,863	(265,931)	51,985	162,937	214,922	1.37%	450,684	2.83%
Restricted	-	6,992,812	6,859,251	133,561	47,028		47,028	0.67%	52,063	0.76%
Combined	-	22,637,744	22,770,114	(132,370)	99,013	162,937	261,950	1.16%	502,747	2.21%
<i>Dry Period Financing</i>					-		-			
General Fund - Fund Balance %	-0.58%	<i>Represents Ending Balances divided by Budget Expenses (D/C)</i>								
Other Funds										
Adult Ed. (11)	-	78,218	78,218	-	-		-	0.00%	8,739	11.17%
Cafeteria (13)	-	993,835	969,810	24,025	-		-	0.00%	3,659	0.38%
Sp. Res-Other than Cap. Outlay (17)	-	300	-	300	-		-	0.00%	-	0.00%
Bond Fund (21)	-	25,500	25,500	-	-		-	0.00%	-	0.00%
Bond Fund- SFID #1 South (22)	-	600	600	-	-		-	0.00%	-	0.00%
Bond Fund - SFID #2 North (23)	-	200	200	-	-		-	0.00%	-	0.00%
Developer Fees (25)	-	241,179	241,179	-	7,461		7,108	2.95%	509	0.21%
County School Facilities (35)	-	-	-	-	-		-	0.00%	-	0.00%
Capital Projects (49)	-	100	-	100	-		-	0.00%	-	0.00%

BEGINNING BALANCES WILL BE INPUT IN SEPTEMBER AFTER THE BOOKS ARE CLOSED
 Includes augmentation from 45 day revised Governors Budget

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



BOARD AGENDA BRIEFING

Meeting Date: 08-08-17

Attachments: X

From: Craig Hamblin

Item Number: 9.2.2

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 June and July 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
August 8, 2017

I would like to thank the Maintenance and Custodial staff for all the work they did getting ready for the new school year. 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:

- **Bates Elementary**
 - Cleaned HVAC condensers on North and South wings – 156.68

- **Delta High School**
 - Replaced bleacher boards - \$293.25
 - Cleaned HVAC condensers on roof - \$104.45
 - Cleaned HVAC condensers on remodeled wing - \$125.34

- **D.H. White Elementary School**
 - Replaced HVAC filters - \$290.80
 - Repaired leak in valve box in front of school - \$155.38

- **Isleton Elementary School**
 - Replaced HVAC filters - \$188.80
 - Assembled scaffolding - \$895.60
 - Moved classroom materials from Isleton to DHW and RVHS - \$250.40

- **Rio Vista High School**
 - Replaced HVAC filters - \$420.96
 - Painted floors in boys and girls locker room - \$674.39
 - Replaced relay switch in portable - \$351.00

- **Riverview Middle School**
 - Installed new toilet and plumbing - \$410.68

- **Walnut Grove Elementary School**
 - Prepped and painted trim on buildings - \$7,711.32
 - Cleaned HVAC condensers - \$114.90

- **District Wide**
 - Purchased and installed 100 Wi-Fi thermostats throughout the district - \$18,710.00

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



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017

Attachments: X

From: Kathy Wright, Director of Educational Services

Item Number: 9.3.1

SUBJECT:

Williams Settlement Public Notification regarding sufficiency of teachers, facilities, CAHSEE, and textbook and instructional materials.

Action: _____
Consent Action: X
Information Only: _____

Background:

The Williams Settlement requires that all students have qualified teachers, appropriate instructional materials and that their schools be clean and safe. The settlement holds schools accountable for delivering these fundamental elements. Education Code 35186 BP 13124 also requires the district to provide quarterly reports regarding Williams Settlement compliance.

Status:

The district has received no complaints this quarter.

Presenter:

Kathy Wright, Director of Educational Services

Other People Who Might Be Present:

None

Cost &/or Funding Sources

No cost to the district

Recommendation:

That the board receives this item as fulfillment of Williams Settlement requirements.

Time: _____

Quarterly District Report: *Williams* Uniform Complaint Process (UCP)

Properly submitting this form to SCOE serves as your district's *Williams* UCP Quarterly Complaint Report per *Education Code* § 35186(d). All fields are required. (CAHSEE complaints no longer need to be reported on this form.)

SUBMITTER INFORMATION

Trisha Salomon	Secretary	707-374-1729
Name Person submitting form	Job Title	Phone Number Include area code
tsalomon@rdusd.org		
E-mail Address		

DISTRICT INFORMATION

River Delta U.S.D.	2017	Quarter 4 (April–June)
School District	Year Covered by This Report	Quarter Covered by This Report

COMPLAINTS

Sufficiency of Textbooks

Total Number of Textbook Complaints Enter 0 if none.	0
Number of Textbook Complaints <u>Resolved</u> Enter 0 if none.	0
Number of Textbook Complaints <u>Unresolved</u> Enter 0 if none.	0

Emergency School Facilities Issues

Total Number of Emergency Facilities Complaints Enter 0 if none.	0
Number of Emergency Facilities Complaints <u>Resolved</u> Enter 0 if none.	0
Number of Emergency Facilities Complaints <u>Unresolved</u> Enter 0 if none.	0

Vacancy or Misassignment of Teachers

Total Number of Vacancy/Misassignment Complaints Enter 0 if none.	0
Number of Vacancy/Misassignment Complaints <u>Resolved</u> Enter 0 if none.	0
Number of Vacancy/Misassignment Complaints <u>Unresolved</u> Enter 0 if none.	0

RESOLUTION OF COMPLAINTS

Briefly summarize the nature of complaints and how they were resolved.

Enter "N/A" if no complaints were received. If you need more space, enter "sent by e-mail" and send your summary to Cyndi Kroeck with your report.

REPORT INCLUDES ALL COMPLAINTS FOR THIS QUARTER

The number of UCP complaints (textbooks, facilities, and teachers categories) filed for the quarter being reported *MUST* be entered in this report. Please check the box below confirming this:



Includes All UCP Complaints

All UCP complaints for the indicated quarter are being reported—from my district office and all school sites in my district.

RETURN INSTRUCTIONS

After completing the form in its entirety, save the file and e-mail it to Cyndi Kroeck at the Sacramento County Office of Education (SCOE): ckroeck@scoe.net.

By submitting this form, you certify that the information is complete and accurate, and that you have verified the accuracy of the report information by contacting each school in your district. The report includes *ALL* UCP complaints in the above categories received at school sites in the district, plus the district office.

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

445 Montezuma Street
Rio Vista, CA 94571-1651



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017

Attachments: ___x___

From: Don Beno, Superintendent

Item Number: 10.1

SUBJECT Request to approve the minutes from the Board of
Trustee's meeting held on June 27, 2017

Action: _____
Consent Action: x____
Information Only: _____

Background:

Attached are the minutes from the Board of Trustee's meeting held on:
June 27, 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

June 27, 2017

1. **Call Open Session to Order** – Board Member Riley called the Open Session of the meeting of the Board of Trustees to order at 4:35 p.m. on June 27, 2017, at Rio Vista High School, Rio Vista, California.
2. **Roll Call of Members:**
 - Alicia Fernandez, President (absent)
 - Don Olson, Vice President (absent)
 - Marilyn Riley, Clerk
 - Sarah Donnelly, Member
 - Chris Elliott, Member
 - Katy Maghoney, Member
 - David Bettencourt, Member

Also present: Don Beno, Superintendent
3. **Review, Approve the Closed Session Agenda and Adjourn to Closed Session**
 - 3.1 Board Member Riley announced items on the Closed Session Agenda.
 - 3.2 Public Comment on Closed Session Agenda Items. – *None to report*
 - 3.3 Approve Closed Session Agenda and Adjourn to the **Closed Session**
4. Board Member Riley asked for a motion to adjourn the meeting to Closed Session @ 4:40 pm
Member Bettencourt moved to approve, Member Donnelly seconded. Motion carried 5 (Ayes: Riley, Donnelly, Elliott, Maghoney, Bettencourt): 0 (Nays): 2 (Absent: Fernandez, Olson)
5. **Open Session was reconvened at 5:32 pm**
 - 5.1 Roll was retaken, Members Fernandez and Olson were 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 Vicky Turk, principal of Rio Vista High School
6. **Report of Action taken, if any, during the Closed Session** (Government Code Section 54957.1)
Board Member Riley reported that during Closed Session the Board received information, however, no action was taken.
7. **Review and Approve the Open Session Agenda**
Member Bettencourt moved to approve, Member Donnelly seconded. Motion carried 5 (Ayes: Riley, Donnelly, Elliott, Maghoney, Bettencourt): 0 (Nays): 2 (Absent: Fernandez, Olson)
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): None to Report
 - 9.1.2 Committee Report(s): None to Report
 - 9.1.3 Superintendent Don Beno' report(s): None to Report
 - 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 and Craig Hamblin, Director of MOT
 - 9.2.1 ADA/Enrollment Report – Elizabeth Keema-Aston reported that the enrollment has decreased by 100 students from last school year. This decline has been used in the projected Budget assumptions.
 - 9.3 Presentations – Don Beno
 - 9.3.1 Receive presentations of the District Schools' Single Plan for Student Achievement for school year 2017-2018 presented by Laura Uslan, principal of Delta High and Clarksburg Middle Schools; Sonia Rambo, principal of Riverview Middle School, and Vicky Turk, principal of Rio Vista High School

Presentations were given by site principals on the their individual school site's Single Plan for Student Achievement (SPSA) identifying programs and strategies that were successful in the 2016-2017 school year. The principals were excited to share which programs will be continuing and described areas of focus to be implemented to achieve the goals set forth in the SPSA for the 2017-2018 school year. An achievement obtained by all four school sites in the 2016-17 school year was the increase in numbers of re-designated EL students. Mr. Beno thanked the principals for their presentations and hard work.

10. **Consent Calendar**

- 10.1 Approve Board Minutes
Regular Meeting of the Board – June 13, 2017
- 10.2 Receive and Approve Monthly Personnel Reports
As of June 27, 2017
- 10.3 Request to approve the General Agreement for Nonpublic, Nonsectarian School/Agency (Point Quest) for the 2017-2018 school year at a cost not to exceed \$65,000. (Instructional assistant) – Special Educational Funds – Kathy Wright
- 10.4 Request to approve the General Agreement for Nonpublic, Nonsectarian School/Agency (Bizzi Bodies Children's Therapy) for the 2017-2018 school year at a cost not to exceed \$5,000 – Special Educational Funds – Kathy Wright
- 10.5 Request to approve the Professional Expert Agreement with Jeff Simpson to provide speech therapy services at a cost not to exceed \$40,000 for the 2017-2018 school year – Special Educational Funds – Kathy Wright
- 10.6 Request to approve the General Agreement for Nonpublic, Nonsectarian School/Agency (Land Park/Capitol Autism Services) for the 2017-2018 school year at a cost not to exceed \$70,000– Special Educational Funds – Kathy Wright
- 10.7 Request to approve the Independent Contract for Services Agreement with Hand in Hand Therapeutics for the 2017-2018 school year at a cost not to exceed \$45,000– Special Educational Funds – Kathy Wright
- 10.8 Request to approve the Professional Expert Consultation Agreement with Linda Mitchell for Adapted Physical Education Services for the 2017-2018 school year at a cost not to exceed \$5,000 – Special Educational Funds – Kathy Wright
- 10.9 Request to approve the General Agreement for Nonpublic, Nonsectarian School/Agency (McGrew Behavior Intervention Services, Inc.) for the 2017-2018 school year at a cost not to exceed \$50,000 – Special Educational Funds – Kathy Wright
- 10.10 Request to approve the Independent Contract for Services Agreement with Meladee McCarty to provide program specialist services for the 2017-2018 school year at a cost not to exceed \$5,000 – Special Educational Funds – Kathy Wright
- 10.11 Request to approve the General Agreement for Nonpublic, Nonsectarian School/Agency (Point Quest) for the 2017-2018 school year at a cost not to exceed \$220,000. (Non-public school students) – Special Educational Funds – Kathy Wright
- 10.12 Request to approve the 2017-2018 General Agreement for Nonpublic, Nonsectarian School/Agency (Pristine Rehab Care) to provide speech therapy services for district students at a cost not to exceed \$250,000 – Special Educational Funds – Kathy Wright
- 10.13 Request to approve the General Agreement for Nonpublic, Nonsectarian School/Agency (Growing Healthy Children Therapy Services) for the 2017-2018 school year at a cost not to exceed \$2,500 – Special Educational Funds – Kathy Wright
- 10.14 Request to approve the Independent Contract for Services Agreement with Rio Vista CARE for the 2017-2018 school year at a cost not to exceed \$10,000 – Special Educational and General Funds – Kathy Wright
- 10.15 Request to approve the Independent Contract for Services Agreement with Maxim Staffing Solutions for the 2017-2018 school year at a cost not to exceed \$85,000 – Special Educational Funds – Kathy Wright
- 10.16 Request to approve the Independent Contract for Services Agreement with the Center of Movement for the 2017-2018 school year at a cost not to exceed \$5,000 – Educational Services Funds – Kathy Wright
- 10.17 Request to approve the Independent Contract for Services Agreement with Seto Educational Support Services for the 2017-2018 school year at a cost not to exceed \$20,000 – Special Educational Funds – Kathy Wright
- 10.18 Request permission to apply for the Agricultural Grant for the 2017-2018 school year – Kathy Wright
- 10.19 Request to approve the contract with School City for the 2017-2018 school year at a cost not to exceed \$8,800 – Educational Services Funds – Kathy Wright
- 10.20 Request to approve the Independent Contract for Services Agreement with Carina Grandison, Ph.D. for the 2017-2018 school year at a cost not to exceed \$6,400 – Special Educational Funds – Kathy Wright
- 10.21 Request to approve the Independent Contract for Services Agreement with Kings County Office of Education to provide support to the district for the state mandated California Longitudinal Pupil Achievement Data System (CalPads) for the 2017-2018 school year – Cost not to exceed \$3,000 – Educational Funds - Kathy Wright
- 10.22 Request to approve the General Agreement for Nonpublic, Nonsectarian School/Agency (Northern California Rehab) for the 2017-2018 school year at a cost not to exceed \$5,000 – Special Educational Funds – Kathy Wright
- 10.23 Approval of the Clarksburg Middle, Delta High, Riverview Middle and Rio Vista High School's Single Plans for Student Achievement for the 2017-2018 school year – Site Principals
- 10.24 Request to approve the fund raising events for Isleton Elementary, Riverview Middle, Rio Vista High and Delta High Schools for the 2017-2018 school year – Site Principals
- 10.25 Request to approve the 2017-18 Consolidated Application (Con App) – Kathy Wright
- 10.26 Request to approve the Memorandum of Understanding with the Sacramento County Office of Education (SCOE) to provide math training and coaching for the 2017-2018 school year, at a cost not to exceed \$10,000 for the 2017-2018 school year – Kathy Wright
- 10.27 Donations to Receive and Acknowledge:
 - Rio Vista High School – Cheer Leading Team**
 - Rio Vista Lions Club - \$1,200

Member Bettencourt moved to approve, Member Maghoney seconded. Motion carried 5 (Ayes: Riley, Donnelly, Elliott, Maghoney, Bettencourt): 0 (Nays): 2 (Absent: Fernandez, Olson)

Board Member Riley acknowledged those who donated and thanked them for their support.

11. Request to approve the first 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 May 2017 – Don Beno

Member Bettencourt moved to approve, Member Donnelly seconded. Motion carried 5 (Ayes: Riley, Donnelly, Elliott, Maghoney, Bettencourt): 0 (Nays): 2 (Absent: Fernandez, Olson)

12. Request to approve the 2017-2018 LCAP for River Delta Unified School District – Don Beno

Member Donnelly moved to approve, Member Bettencourt seconded. Motion carried 5 (Ayes: Riley, Donnelly, Elliott, Maghoney, Bettencourt): 0 (Nays): 2 (Absent: Fernandez, Olson)

13. Request to approve the Proposed 2017-2018 District Budget for River Delta USD – Elizabeth Keema-Aston

Member Donnelly moved to approve, Member Bettencourt seconded. Motion carried 5 (Ayes: Riley, Donnelly, Elliott, Maghoney, Bettencourt): 0 (Nays): 2 (Absent: Fernandez, Olson)

14. Request to approve the contract with Loy Mattison Enterprises, E-rate Consultant to provide assistance with the E-Rate process in fiscal year 2017-2018, not to exceed \$8,000 – Elizabeth Keema-Aston

Member Donnelly moved to approve, Member Elliott seconded. Motion carried 5 (Ayes: Riley, Donnelly, Elliott, Maghoney, Bettencourt): 0 (Nays): 2 (Absent: Fernandez, Olson)

15. Request to approve the job description and position for an Avid Tutor Position at current minimum wage on the variable payroll – Don Beno

Member Bettencourt moved to approve, Member Maghoney seconded. Motion carried 5 (Ayes: Riley, Donnelly, Elliott, Maghoney, Bettencourt): 0 (Nays): 2 (Absent: Fernandez, Olson)

16. Re-Adjourn to continue Closed Session was not necessary.

17. Re-Adjourning to continue Closed Session was not necessary – no actions to report. Adjournment: There being no further business before the Board, Board Member Riley asked for a motion to adjourn.

Member Maghoney moved to approve, Member Donnelly seconded. Motion carried 5 (Ayes: Riley, Donnelly, Elliott, Maghoney, Bettencourt): 0 (Nays): 2 (Absent: Fernandez, Olson)

18. The meeting was adjourned at 6:33 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: August 8, 2017

Attachments: X

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: _____ 2 minutes _____

RIVER DELTA UNIFIED SCHOOL DISTRICT
PERSONNEL TRANSACTION AND REPORT
DATE: August 8, 2017

NAME	SCHOOL OR DEPARTMENT	NEW OR CURRENT POSITION	TRANSACTION, EFFECTIVE AT *CLOSE OF THE DAY
			**BEGINNING OF THE DAY
ADMINISTRATIVE			
Susan Moehlenbrock	Districtwide	Coordinator of Special Ed. 1.0 FTE	Resigned effective *7/6/17
CERTIFICATED			
Beth Carli	Bates Elem.	Teacher 1.0 FTE	Resigned effective *6/30/17
Loretta Abbott	Rio Vista High	Counselor 1.0 FTE	Resigned effective *6/30/17
Linda Cummings	Walnut Grove Elem.	Teacher 1.0 FTE	Resigned effective *6/30/17
Derek Husband	Bates/Walnut Grove Elem	RSP Teacher 1.0 FTE	Resigned effective *6/30/17
Zaida Jones	Districtwide	School Psychologist 1.0 FTE	Hired effective **8/1/17 (Vice Alex Price)
Christopher Krohn	White/Isleton Elem. School	Elem. Counselor 1.0 FTE	Resigned effective *6/14/17
James Vehawn	Riverview Middle School	Social Science Teacher 1.0 FTE	Resigned effective *6/23/17
Lynn Stuelke	D.H. White School	2nd Grade Teacher 1.0 FTE	Hired effective **8/4/17 (Vice Sandra Gifford)
Jennifer Martin	Riverview Middle School	SDC Teacher 1.0 FTE	Resigned effective *6/30/17
Jessica Turk	Bates Elem.	Teacher 1.0 FTE	Resigned effective *6/30/17
Alara Kardell	Delta High School	RSP Teacher 1.0 FTE	Hired effective **8/4/17 (Vice LeRoy Bagley)
Gina Martinez	Walnut Grove Elem.	ELD Teacher 1.0 FTE	Hired effective **8/4/17 (Vice Linda Cummings)
Tram Hoang	Bates Elem.	ELD Teacher 1.0 FTE	Hired effective **8/4/17 (Vice Patricia Yopez)
Yesenia Alduenda Benitez	Rio Vista High	Counselor 1.0 FTE	Hired effective **8/1/17 (Vice Loretta Abbott)
Kristen Edeliant	Walnut Grove Elem.	2nd Grade Teacher 1.0 FTE	Hired effective **8/4/17 (Vice John Allerson)
Tim Higgs	Riverview Middle School	Social Science Teacher 1.0 FTE	Hired effective **8/4/17 (Vice James Vehawn)
Melissa Maciel	Walnut Grove Elem.	Transitional Kindergarten 1.0 FTE	Hired effective **8/4/17 (Vice Mary Anne Mize)
Rodney Palmer	Mokelumne High	Teacher 1.0 FTE	Hired effective **8/4/17 (Vice Frank Jung)
Barbara Moriearty	Bates Elem.	Teacher 1.0 FTE	Retiring effective *8/30/17
Rosa Anabel Camargo	Isleton Elem/D.H. White	Elem. Counselor 1.0 FTE	Hired effective *8/4/17 (Vice Christopher Krohn)
Will Hutchings	Bates Elem.	Teacher 1.0 FTE	Hired effective *8/4/17 (Vice Barbara Moriearty)
CLASSIFIED			
Crystal Aguayo	Walnut Grove Elem.	Inst. Asst. I 1 hr/day	Hired effective *8/9/17 (Vice Stephanie Joy Cachero)

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



BOARD AGENDA BRIEFING

Meeting Date: July 8, 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

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: Tue, Aug 01, 2017, 2:23 PM

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013415 4IMPRINT 101 COMMERCE STREET PO BOX 320 OSHKOSH, WI 94501 (877) 446-7746 N	250.79	5379547 F5 TOTES	06/06/2017	17349881 PO-171038	250.79	N
000009 ABEL CHEVROLET-PONTIAC-BUICK 280 NO FRONT STREET P.O. BOX 696 RIO VISTA, CA 94571-0696 (707) 374-6317 N	7.04	#1434 TRANS PARTS	06/01/2017	17349384 PO-170228	7.04	N
013287 ACSA FOUNDATION FOR ED ADMIN 1575 BAYSHORE HIGHWAY BURLINGAME, CA 94010 (800) 608-2272 N	264.24	MAY 2017 DUES	06/01/2017	17349394 PV-170630	264.24	N
011236 ADVANCE KIDS 1300 ETHAN WAY SUITE 500 SACRAMENTO, CA 95825 (916) 363-6103 N	4,586.00	64839 SP ED AIDE	06/13/2017	17351376 PO-170979	4,586.00	N
014641 ALDUENDA, YESENIA PO BOX 272 COURTLAND, CA 95615 (0) - 0 N	14.98	BATES CONF REIMB	06/06/2017	17349929 TC-170308	14.98	N
010263 AP EXAMINATIONS P.O. BOX 6671 PRINCETON, NJ 08541-6671 () - N	10,273.00	DHS AP EXAMS DHS AP EXAMS DHS AP EXAMS RVHS AP EXAMS	06/13/2017 06/13/2017 06/13/2017 06/13/2017	17351411 PV-170652 17351411 PV-170652 17351411 PV-170652 17351411 PV-170653	4,794.00 55.00 272.00 5,152.00	N N N N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014529 APPLE EDUCATION 5300 RIATA PARK CRT. BLDG C AUSITN, TX 78727 (512) 674-6821 N	656.59	4440397870 DHW IPADS	06/13/2017	17351377 PO-171107	656.59	N
014535 ASBURY ENVIRONMENTAL SERVICES 9302 GARFIELD AVE SOUTH GATE, CA 90280 (0) - 0 N	120.00	191991 TRANS OIL PICKUP	06/08/2017	17350742 PV-170645	120.00	N
010038 ASCD 1703 NORTH BEAUREGARD ST ALEXANDRIA, VA 22311-1714 (800) 933-2723 N	1,631.20	12659626 SP ED BOOK 12659626 SP ED BOOK 12659626 SP ED BOOK 12715859 INST MMBRSHIP	06/08/2017 06/08/2017 06/08/2017 06/13/2017	17350710 PO-170881 17350710 PO-170881 17350710 PO-170881 17351378 PO-171182	20.00- 20.00 246.20 1,385.00	N N N N
000757 BAGBY, RICHARD PO BOX 97 CLARKSBURG, CA 95612 (916) 744-1617 Y	110.50	MAINT LOCKSMITH SERVICES	06/06/2017	17349916 PV-170632	110.50	7
012312 BALLANCE MPT, MICHAEL R 12270 KIRKWOOD STREET HERALD, CA 95638 (209) 663-8013 Y BALLANCE, MICH	1,050.00	SP ED PHY THERAPY APR/MAY SP ED PHYS THERAPY	06/20/2017 06/27/2017	17352820 PO-171229 17354195 PO-171229	600.00 450.00	7 7
014367 BANK OF AMERICA PO BOX 15710 WILMINGTON, DE 19886-5710 (0) - 0 N	6,366.31	RVHS SUPPLIES/AMAZON DHW CLOTHING SUPPLIES DHW CLOTHING SUPPLIES MAINT CAMERA/HOME DEPOT ED SV AFID FLIGHT SEVER ED SV AVID FLIGHT WRIGHT ED SV AVID HOTEL SAN DIEGO MAINT HERIBICIDE ED SV AVID FLIGHT ORLANDO	06/15/2017 06/15/2017 06/15/2017 06/15/2017 06/15/2017 06/15/2017 06/15/2017 06/15/2017 06/15/2017	17352101 PO-171104 17352101 PO-171109 17352101 PO-171109 17352101 PO-171178 17352101 PO-171193 17352101 PO-171194 17352101 PO-171195 17352101 PO-171197 17352101 PO-171198	206.47 311.92 200.00 351.70 187.96 255.97 1,548.48 600.50 1,371.92	N N N N N N N N N

ED SV ORLANDO HOTEL AVID	06/15/2017	17352101	PO-171199	1,150.78	N
RETIRES PLAQUEST	06/15/2017	17352101	PO-171209	179.80	N
SP ED ASILMAR CONF	06/15/2017	17352120	PV-170660	.81	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012586 BAY ALARM 60 BERRY DRIVE PACHECO, CA 94553 (209) 465-1986	1,698.25	BATES MONITORING DO ALARM RVHS ALARM RVHS ALARM BATES ALARM DO ALARM ISLE MONITORING DHW MONITORING	06/06/2017 06/22/2017 06/22/2017 06/22/2017 06/22/2017 06/22/2017 06/29/2017 06/29/2017	17349917 PV-170633 17353484 PV-170686 17353484 PV-170686 17353484 PV-170686 17353484 PV-170686 17353484 PV-170686 17355371 PO-170061 17355371 PO-170074	236.16 329.28 108.54 17.90 260.37 261.33 185.96 298.71	N N N N N N N N
014616 BECA 610 BERECUT DRIVE SUITE B SACRAMENTO, CA 95811 (916) 443-2479	659.64	43112 SP ED BEHAV ASSESSMENT	06/08/2017	17350730 PO-170924	659.64	N
012147 BECERRA, LUCIA P.O. BOX 64 RYDE, CA 95680 (0) - 0	100.40	ASP MILEAGE ASP MILEAGE ASP MILEAGE	06/20/2017 06/20/2017 06/20/2017	17352840 TC-170336 17352840 TC-170336 17352840 TC-170336	33.47 33.46 33.47	N N N
012286 BLICK ART MATERIALS P.O. BOX 1267 GALESBURG, IL 61402-1267 (800) 447-8192	505.23	7739461 ISLE SUPPLIES 7788417 ISLE SUPPLIES	06/08/2017 06/20/2017	17350711 PO-171130 17352825 PV-170669	416.53 88.70	N N
014286 BLUE COLLAR SUPPLY 4871 FLORIN-PERKINS RD SACRAMENTO, CA 95826 (916) 383-1442	177.48	13809 MAINT SUPPLIES	06/13/2017	17351379 PO-170119	177.48	N
001091 BMI EDUCATIONAL SERVICES P.O. BOX 800 DAYTON, NJ 08810-0800 (732) 329-6991	449.38	643310 RMS SUPPLIES 643310 RMS SUPPLIES	06/06/2017 06/06/2017	17349882 PO-171115 17349882 PO-171115	196.87 252.51	N N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014614 BUCKMASTER 623 W. STADIUM LANE SACRAMENTO, CA 95834	87.37	332913 DHS COPIER MAINT 332948 DHS PRINTER INK	06/01/2017 06/15/2017	17349385 PO-170905 17352111 PO-171028	72.37 15.00	N N
(916) 923-0500						N
012497 BUSWEST 21107 CHICO STREET CARSON, CA 90745	3,015.46	#25414 TRANS PARTS TRANS PARTS	06/13/2017 06/27/2017	17351380 PO-170230 17354196 PO-171205	1,210.61 1,804.85	N N
(209) 531-3928						N
003681 CALIFORNIA AMERICAN WATER P.O. BOX 7150 PASADENA, CA 91109-7150	773.00	ISLE WATER SERV	06/13/2017	17351412 PV-170654	773.00	N
(888) 237-1333						N
012079 CALIFORNIA CLEAR BOTTLED P.O. BOX 981 14410 W.G. THORNTON RD WALNUT GROVE, CA 95690	523.50	ZWA010 WG DRINKING WATER ZR1007 RMS WATER ZWA009 ASP WATER ZBA006 BATES WATER ZM0002 MOKE DRINKING WATER	06/01/2017 06/13/2017 06/27/2017 06/27/2017 06/29/2017	17349386 PO-170911 17351381 PO-170055 17354197 PO-170607 17354197 PO-170740 17355381 PV-170708	208.50 110.75 12.75 77.75 113.75	7 7 7 7 7
(916) 776-1544						Y
002344 CALIFORNIA LABORATORY SERVICES 3249 FITZGERALD ROAD RANCHO CORDOVA, CA 95742	138.00	MAINT WATER TESTING	06/06/2017	17349895 PO-170266	138.00	N
() -		N GLOBAL LABS IN				
013184 CALIFORNIA PUBLIC EMPLOYEE'S CASHIERING UNIT PO BOX 942703 SACRAMENTO, CA 94229-2703	6,654.86	JULY 2017 ADMN COST ACTV EMP JULY 2017 ADMN COST ACTV EMP JULY 2017 ADMN COST ACTV EMP JULY 2017 ADMN COST ACTV EMP JULY 2017 ADMN COST RETIREES JULY 2017 ADMN COST RETIREES JULY 2017 ADMN COST RETIREES JULY 2017 ADMN COST RETIREES	06/20/2017 06/20/2017 06/20/2017 06/20/2017 06/20/2017 06/20/2017 06/20/2017 06/20/2017	17352826 PV-170684 17352826 PV-170684 17352826 PV-170684 17352826 PV-170684 17352826 PV-170685 17352826 PV-170685 17352826 PV-170685 17352826 PV-170685	2.20 133.41 178.15 690.56 27.43 1,350.40 39.44 1,408.00	N N N N N N N N
() -						N

JULY 2016 ADMIN COST

06/22/2017 17353485 PV-170687

2,825.27 N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
010576 CAMACHO, REFUJIO 200 PRIMASING AVE P.O. BOX 553 COURTLAND, CA 95615 () - N	102.72	WG MILEAGE	06/08/2017	17350749 TC-170316	102.72	N
014547 CASEY, NICHOLAS 2318 Windy Springs LN BRENTWOOD, CA 94513 (0) - 0 N	261.54	ADULT ED CONF REIMB	06/27/2017	17354235 TC-170340	261.54	N
002616 CDT INC 250 N GOLDEN CIRCLE DRIVE SUITE 210 SANTA ANA, CA 92705 (562) 986-4200 N	132.00	43959 DOT DRUG TESTING	06/27/2017	17354218 PV-170694	132.00	N
013918 CENGAGE LEARNING 10650 TOEBBEN DRIVE INDEPENDENCE, KY 41051 (800) 354-9706 N	13,259.98	60680031 ED SV BOOKDS 60632590 ED SV BOOKS	06/27/2017 06/27/2017	17354198 PO-171196 17354198 PO-171196	666.70 12,593.28	N N
014345 CENTER FOR THE COLLABORATIVE CLASSROOM 1250 53RD STREET SUITE 3 EMERYVILLE, CA 94608 (800) 666-7270 N	360.00	105734 WG CONF	06/08/2017	17350743 PV-170646	360.00	N
012182 CENTER OF MOVEMENT 125 BRUNING AVE RIO VISTA, CA 94571 (707) 374-5885 N	4,000.00	RDUSD 16/17 ED SV RMS CARE RDUSD 16/17 ED SV RMS CARE RDUSD 16/17 ED SV RMS CARE	06/20/2017 06/20/2017 06/20/2017	17352804 PO-170833 17352804 PO-170833 17352804 PO-170833	1,000.00 2,000.00 1,000.00	N N N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012862 CENTER STATE PIPE & SUPPLY DIV. OF HAJOCA CORP 520 N UNION STREET STOCKTON, CA 95205 (209) 466-0871 N	1,037.24	601010 MAINT SUPPLIES 9638425.001 MAINT SUPPLIES	06/13/2017 06/22/2017	17351400 PO-170121 17353469 PO-170121	452.70 584.54	N N
003380 CENTRAL VALLEY WASTE SERVICE INC P.O. BOX 78251 PHOENIX, AZ 85062-8251 () - N	2,952.14	MOKE WASTE SERV BATES WASTE SERV ISLE WASTE SERV WG WASTE SERV TRANS WASTE SERV	06/06/2017 06/06/2017 06/06/2017 06/06/2017 06/06/2017	17349918 PV-170634 17349918 PV-170634 17349918 PV-170634 17349918 PV-170634 17349918 PV-170634	74.17 877.29 1,079.76 797.28 123.64	N N N N N
011425 CHESS AIR INC 178 OXBOW MARINA DRIVE ISLETON, CA 95641 (916) 777-7847 N	150.00	170503 MAINT HVAC REPAIRS	06/06/2017	17349896 PO-170411	150.00	N
013908 CIT TECHNOLOGY FINANCING SERVICES INC PO BOX 1638 LIVINGSTON, NJ 07039 () - N	262.76	30347942 CMS XEROX LEASE	06/06/2017	17349897 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	61372 ISLE SEWER SERV	06/06/2017	17349883 PO-170017	411.05	N
000077 CITY OF RIO VISTA P.O. BOX 745 ONE MAIN STREET RIO VISTA, CA 94571	7,832.51	RVHS SEWER DHW SEWER RMS SEWER DO SEWER RVHS WATER	06/15/2017 06/15/2017 06/15/2017 06/15/2017 06/15/2017	17352121 PV-170661 17352121 PV-170661 17352121 PV-170661 17352121 PV-170661 17352121 PV-170661	2,222.74 1,066.58 1,562.11 281.83 1,388.42	N N N N N

() -

N RIO VISTA FIRE DHW WATER
RMS WATER
DO WATER

06/15/2017 17352121 PV-170661 418.44 N
06/15/2017 17352121 PV-170661 707.93 N
06/15/2017 17352121 PV-170661 184.46 N

135077 ED SV COMPUTER
135077 ED SV MONITOR

06/27/2017 17354199 PO-171181
06/27/2017 17354199 PO-171181

795.04 N
210.84 N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013722 DE LAGE LANDEN PUBLIC FINANCE 1111 OLD EAGLE SCHOOL ROAD WAYNE, PA 19087 (800) 736-0220 N	2,012.16	54678947 F5 PRINTER LEASE WG PRINTER MAINT 54821417 DO SAVIN LEASE 54821417 DO SAVIN LEASE 54896796 BATES LEASE 54896796 BATES LEASE 54896796 BATES LEASE 55053070 ED SV PRINTER LEASE 55094620 F5 PRINTER LEASE 55094606 WG PRINTER LEASE	06/06/2017 06/13/2017 06/22/2017 06/22/2017 06/22/2017 06/22/2017 06/22/2017 06/27/2017 06/29/2017 06/29/2017	17349898 PO-170484 17351413 PV-170655 17353471 PO-170016 17353471 PO-170016 17353471 PO-170642 17353471 PO-170642 17353471 PO-170642 17354200 PO-171017 17355372 PO-170484 17355382 PV-170709	2.79 167.01 254.16 383.32 86.64 42.08 627.60 107.52 165.67 175.37	N N N N N N N N N N
012807 DELTA ELEMENTARY CHARTER SCHOOL 36230 N SCHOOL ST CLARKSBURG, CA 95612 (916) 995-1335 N	167,269.71	2015/16 JUNE TAX IN LIEU	06/08/2017 06/08/2017	17350744 PV-170647 17350744 PV-170647	22,873.71 144,396.00	N N
014466 DIESEL EMISSIONS SERVICE 4522 PARKER AVE #200 MCCLELLAN, CA 95652 (916) 473-7393 N	3,804.24	336976 TRANS PARTS 337031/337011 TRANS PARTS	06/13/2017 06/22/2017	17351401 PO-171218 17353472 PO-171218	199.71 3,604.53	N N
014067 DISCOVERY OFFICE SYSTEMS 1269 CORPORATE CENTER PARKWAY SANTA ROSA, CA 95407 (707) 570-1000 N	448.18	55E1383827 WG PRINTER COSTS 55E1379769 BATES MAINT AGRMNT 55E1381192 ISLE COPIER CONTRCT 55E1388136 WG PRINTER COSTS 55E1385470 BATES PRINTER LEASE	06/06/2017 06/15/2017 06/27/2017 06/29/2017 06/29/2017	17349899 PO-170025 17352102 PO-170362 17354202 PO-170909 17355373 PO-170025 17355383 PV-170710	50.00 154.63 141.12 30.19 72.24	N N N N N
000188 DOLK TRACTOR COMPANY 242 N. FRONT STREET RIO VISTA, CA 94571 () - N	14.01	546 TRANS PARTS	06/08/2017	17350731 PO-170235	14.01	N
014006 DONNELLY FLORAL & EVENT DESIGN 33 N FRONT STREET RIO VISTA, CA 94571	156.06	7445 RDHS GRAD FLOWERS	06/06/2017	17349885 PO-170913	156.06	Y

() -

Y SARAH DONNELLY

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000116 DS WATERS OF AMERICA INCS 5660 NEW NORTHSIDE DRIVE SUITE 500 ATLANTA, GA 30328	361.54	5005834 DO DRINKING WATER 5005834 DO DRINKING WATER	06/06/2017 06/27/2017	17349915 PV-170631 17354217 PV-170693	198.55 162.99	N N
() -		N DS WATERS OF A				
010469 E.F. KLUDT & SONS INC P.O. BOX 166 LODI, CA 95241-0166	16,341.95	394014 DHS AG FUEL 226492/226493/226387 FUEL 224697/225927/225689 FUEL 226730 TRANS FUEL 227157 TRANS FUEL 227020 TRANS FUEL 226826 TRANS FUEL 227747/227281 TRANS FUEL	06/01/2017 06/06/2017 06/13/2017 06/22/2017 06/22/2017 06/22/2017 06/22/2017 06/29/2017	17349396 PV-170625 17349900 PO-170271 17351402 PO-170271 17353482 PO-170271 17353482 PO-170271 17353482 PO-170271 17353482 PO-170271 17355379 PO-170271	156.00 4,474.89 4,890.84 1,490.11 1,324.71 539.13 1,430.39 2,035.88	N N N N N N N N
() -		N				
013194 EAGLE SOFTWARE 1065 N PACIFICENTER DRIVE SUITE 400 ANAHEIM, CA 92806	400.00	RW10844 CALPAD WEBINAR RW11055 CALPAD WEBINAR RW11054 CALPAD WEBINAR RW11053 AERIES WEBINAR	06/13/2017 06/20/2017 06/20/2017 06/22/2017	17351384 PO-171062 17352806 PO-171061 17352806 PO-171063 17353473 PO-171190	100.00 100.00 100.00 100.00	N N N N
() -		N AERIES SOFTWAR				
010413 EARLYCHILDHOOD LLC 2 LOWER RAGSDALE SUITE 200 MONTEREY, CA 93940	344.24	D24351590102 SMR SCL SUPPLIES	06/27/2017	17354201 PO-171213	344.24	N
(800) 836-9515		N				
011762 EDUCATIONAL SERVICE PRODUCTS A SUBSIDIARY OF K/P CORP 3700 SEAPORT BLVD WEST SACRAMENTO, CA 95691-3525	82.56	1007451 ED SV HEALTH CUM FLDRS	06/29/2017	17355375 PO-170965	82.56	N
(800) 498-4377		N				
010042 EMIGH, JENNIFER 315 RANIER COURT	58.35	SUMMER SCHOOL SUPPLIES	06/29/2017	17355391 TC-170345	58.35	N

RIO VISTA, CA 94571

(0) - 0 N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013563 FARRELL, DONALD 307 BRANCHWOOD DRIVE RIO VISTA, CA 94571	40.00	TRANS REIMB TOLLS/FEES	06/15/2017	17352129 TC-170328	40.00	N
() -						N
014343 FOREST SCIENTIFIC CORPORATION 408 EMERT ROAD TIONESTA, PA 16353	303.60	8486 CTIEG SUPPLIES DHS 8486 CTIEG SUPPLIES DHS 8486 CTIEG SUPPLIES DHS	06/08/2017 06/08/2017 06/08/2017	17350713 PO-170879 17350713 PO-170879 17350713 PO-170879	24.67- 303.60 24.67	N N N
(814) 463-5006						N
014645 FRESNO COUNTY SUPERINTENDENT OF SCHOOLS 1111 VAN NESS AVE FRESNO, CA 93721	10.30	172073 CYBER HIGH MATERIAL	06/20/2017	17352827 PV-170670	10.30	N
(559) 265-3000						N
011339 FRONTIER COMMUNICATIONS CORPORATION THREE HIGH RIDGE PARK STAMFORD, CT 06905	8,487.22	DO LD RADIO RIO LD MOKE LD RVHS LD DHS LD ISLE LD RMS LD DHW LD RMS LD RMS LD BATES LD BATES LD RMS LD WG LD NO TRANS LD TRANS LD MAINT LD CMS LD MAINT LD MAINT LD SO TRANS LD CAFE LD	06/13/2017 06/13/2017	17351414 PV-170656 17351418 PV-170656	2,836.33 116.83 99.70 1,046.51 953.03 599.28 43.26 373.65 44.07 74.56 65.21 599.13 359.34 278.54 101.15 43.26 79.60 298.99 133.27 152.50 93.35 54.18	N N
() -						N

CAFE LD

06/13/2017 17351418 PV-170656

41.48 N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003669 GARDINER, STACI P.O. BOX 762 ISLETON, CA 95641	95.00	TRANS REIMB TOLLS/FEES/DMV	06/15/2017	17352130 TC-170329	95.00	N
() -						N
003905 GASTON, JENNIFER 329 SACRAMENTO ST RIO VISTA, CA 94571	636.50	DO SUPPLIES DO MILEAGE DO MILEAGE DO SUPT SUPPLIES	06/06/2017 06/06/2017 06/06/2017 06/15/2017	17349901 PO-170198 17349930 TC-170309 17349930 TC-170309 17352103 PO-170198	193.88 132.81 159.84 149.97	N N N N
() -						N
014234 GIRARD EDWARDS STEVENS & TUCKER LLP., ATTORNEYS AT LAW 8801 FOLSOM BLVD STE 285 SACRAMENTO, CA 95826	1,470.00	542 ATTY FEES 598 ATTORNEY FEES 598 ATTORNEY FEES 598 ATTORNEY FEES	06/06/2017 06/15/2017 06/15/2017 06/15/2017	17349920 PV-170636 17352122 PV-170662 17352122 PV-170662 17352122 PV-170662	571.00 725.00 87.00 87.00	Y Y Y Y
(916) 706-1255						Y
014638 GOLDEN RULE SIGNS 13070 MIDDLETOWN IND. BLVD LOUISVILLE, KY 40223	4,531.76	08152947 ASP SIGN 08152947 ASP SIGN 08152947 ASP SIGN	06/13/2017 06/13/2017 06/13/2017	17351385 PO-171146 17351385 PO-171146 17351385 PO-171146	368.21 368.21 4,531.76	N N N
(800) 732-9886						N
003354 GOPHER SPORT 2525 LEMOND ST SW OWATONNA, MN 55060-0998	660.65	9299883 ASP SUPPLIES	06/08/2017	17350714 PO-171165	660.65	N
(800) 533-0446		N THE PROPHET CO				
014483 GOSS, HEATHER PO BOX 420 DUNNIGAN, CA 95937	228.99	F5 SUPPLIES F5 MILEAGE	06/08/2017 06/08/2017	17350715 PO-171084 17350750 TC-170317	125.20 103.79	N N
(0) - 0						N
003598 GRAINGER	354.89	809275662 MAINT SUPPLIES	06/13/2017	17351403 PO-170125	354.89	N

3691 INDUSTRIAL BLVD
WEST SACRAMENTO, CA 95691-3479

(916) 372-7800

N W.W. GRAINGER

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013332 GREAT AMERICA FINANCIAL SERV PO BOX 660831 DALLAS, TX 752660831	375.38	20811101 DHS LEASE	06/20/2017	17352828 PV-170671	375.38	N
(0) - 0						N
014449 GROWING HEALTHY CHILDREN THERAPY SERVICES, INC 3498 GREEN VALLEY RD RESCUE, CA 95672	150.00	RDUSD1705 SP ED ASST TECH	06/15/2017	17352112 PO-170311	150.00	N
(530) 391-8670						N JON CHU
013288 GUTIERREZ, MARIA 7240 SAGA WAY SACRAMENTO, CA 95828	25.01	MIG ED SUPPLIES	06/06/2017	17349931 TC-170312	25.01	N
() -						N
012288 HALL, JENNIFER PO BOX 1024 ISLETON, CA 95641	99.51	ISLE MILEAGE	06/08/2017	17350751 TC-170318	99.51	N
() -						N
014500 HAND IN HAND THERAPEUTICS 214 ELMWOOD AVE MODESTO, CA 95354	2,500.00	SP ED OCC THERAPY W/E 06/01 SP ED OCC THERAPY W/E 6/17 SP ED OCC THERAPY W/E 5/25	06/06/2017 06/13/2017 06/13/2017	17349902 PO-170092 17351404 PO-170092 17351404 PO-170092	400.00 600.00 1,500.00	N N N
(209) 604-8533						N
011056 HOLT OF CALIFORNIA 1105 A AIRPORT ROAD RIO VISTA, CA 94571	62.43	O4C201149 TRANS PARTS O4C201149 TRANS PARTS O4C201149 TRANS PARTS	06/08/2017 06/08/2017 06/08/2017	17350745 PV-170648 17350745 PV-170648 17350745 PV-170648	.29 .29 62.43	N N N
(916) 381-9940						N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003538 HOME DEPOT CREDIT SERVICES DEPT 32-2500439736 P.O. BOX 9055 DES MOINES, IA 50368-9055	912.29	MAINT SUPPLIES DHS AG SUPPLIES	06/08/2017 06/08/2017	17350732 PO-170126 17350732 PO-171091	880.43 31.86	N N
() -						N
012272 HOUGHTON MIFFLIN HARCOURT PUBLISHING COMPANY 222 BERKELEY STREET BOSTON, MA 02116	2,022.80	953015415 ED SV BOOKS	06/27/2017	17354203 PO-170966	2,022.80	N
(800) 225-5425						N
013807 HUBERT COMPANY LLC 9555 DRY FORK ROAD HARRISON, OH 45030	3,859.00	434661 CAFE SUPPLIES 434662 CAFE SUPPLIES	06/22/2017 06/22/2017	17353481 PO-170280 17353490 PV-170692	267.00 3,592.00	N N
(800) 543-7374		N K + K AMERICA				
014548 HUNTER, RENEE 10005 RIVER MIST WAY RANCHO CORDOVA, CA 95670	176.80	SP ED MILEAGE SP ED CONF REIMB	06/06/2017 06/27/2017	17349932 TC-170310 17354231 TC-170341	76.50 100.30	N N
(0) - 0						N
014325 ILS TSHIRT CLUB 410 S. 4TH STREET RIO VISTA, CA 94571	1,343.00	#3 SUMMER SCHOOL TSHIRTS #3 SUMMER SCHOOL TSHIRTS	06/20/2017 06/20/2017	17352832 PV-170672 17352832 PV-170672	918.00 425.00	N N
(0) - 0						N
014169 IMEL, LYNNE PO BOX 720069 REDDING, CA 96099	295.06	SP ED MILEAGE/SUPPLIES SP ED MILEAGE/SUPPLIES SP ED MILEAGE	06/06/2017 06/06/2017 06/08/2017	17349933 TC-170311 17349933 TC-170311 17350752 TC-170319	31.23 170.20 93.63	N N N
() -						N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000215 INDEPENDENT COPY SERVICE 155 DELTA WAY RIO VISTA, CA 94571	3,160.00	165032 RMS SERV AGRMNT 165305 ISLE SERV AGREEMENT	06/08/2017 06/08/2017	17350716 PO-170057 17350716 PO-170062	1,580.00 1,580.00	Y Y
(916) 743-2699		Y MIKE KENNEDY				
011917 INDOFF 11816 LACKLAND AVENUE ST. LOUIS, MO 63146-4206	9,634.66	2964309 BATES SUPPLIES 2964309 BATES SUPPLIES 2964309 BATES SUPPLIES 2965475 RMS PAPER 2965475 RMS PAPER 2964857 ISLE SUPPLIES 2951120 ISLE SUPPLIES 2965898 ISLE SUPPLIES 2965897 BATES SUPPLIES 2965897 BATES SUPPLIES 2965897 BATES SUPPLIES 2965476 RVHS SUPPLIES 2968464 ISLE SUPPLIES 2966726 ISLE SUPPLIES 2971901 F5 SUPPLIES 2970721 ED SV SHELVING 2944450 ED SV SUPPLIES 2973076 ISLE SUPPLIES 2968465 ISLE SUPPLIES	06/01/2017 06/01/2017 06/01/2017 06/06/2017 06/06/2017 06/08/2017 06/08/2017 06/08/2017 06/13/2017 06/13/2017 06/13/2017 06/13/2017 06/20/2017 06/20/2017 06/20/2017 06/20/2017 06/20/2017 06/22/2017 06/22/2017 06/22/2017	17349387 PO-170363 17349387 PO-170363 17349387 PO-170363 17349886 PO-171123 17349886 PO-171123 17350733 PO-170908 17350717 PO-171059 17350733 PO-171133 17351386 PO-170363 17351386 PO-170363 17351386 PO-170363 17351386 PO-170486 17352807 PO-170908 17352821 PO-171133 17352807 PO-171211 17352807 PO-171225 17353474 PO-170990 17353474 PO-171133 17353486 PV-170688	1.22- 1.22 347.27 739.38 492.92 63.25 2,135.09 258.94 .49 137.82 .49- 1,187.57 65.14 20.55 244.42 2,942.02 420.67 324.05 255.57	N N N N N N N N N N N N N N N N N N N N
(707) 374-4037		N				
000107 INLAND BUSINESS SYSTEMS 1500 NO. MARKET SACRAMENTO, CA 95834-1912	596.61	OGE346 RVHS MAINT AGRMNT OSK54A RVHS MAINT AGRMNT OGK782 CMS PRINTER CONTRACT 0GL273 CMS PRINTER CONTRACT OGP094 RVHS MAINT AGRMNT	06/01/2017 06/13/2017 06/15/2017 06/27/2017 06/27/2017	17349388 PO-171039 17351405 PO-171039 17352113 PO-170876 17354204 PO-170876 17354204 PO-171039	192.24 65.56 49.28 167.41 122.12	N N N N N
(916) 928-0770		N				
012870 INTEGRATED FIRE SYSTEMS 269 TECHNOLOGY WAY SUITE 5 ROCKLIN, CA 95765	552.50	25219 CMS SERVICE CALL 25166 MAINT DHS SERVICE CALL	06/06/2017 06/13/2017	17349903 PO-170723 17351387 PO-170723	342.50 210.00	N N
(530) 637-5322		N				
014563 INTEGRATED LISTENING SYSTEMS	175.00	16846 SP ED REG	06/08/2017	17350718 PO-170580	175.00	N

2851 S. PARKER RD. #800
AURORA, CO

(303) 741-4544

N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
010027 INTERSTATE PLASTICS 330 COMMERCE CIRCLE SACRAMENTO, CA 95822 (916) 422-3110	377.61	841515 DO FLORR MATS	06/08/2017	17350746 PV-170649	377.61	N
		N DONGALEN ENTER				
014386 IP ENTERPRISES 291 ORCUTT CIRCLE SACRAMENTO, CA 95834 (916) 834-7771	1,620.00	070116093016 ERATE PROF SERV 10116123116 ERATE PROF SERV	06/15/2017 06/27/2017	17352114 PO-170490 17354214 PO-170490	660.00 960.00	N N
		N				
014629 IPEVO INC PO BOX 1707 PLEASANTON, CA 94566 (408) 490-3085	1,947.15	70410000220 BATES WHITEBOARDS 70410000220 BATES WHITEBOARDS 70410000220 BATES WHITEBOARDS 249 ASP SUPPLIES 249 ASP SUPPLIES 249 ASP SUPPLIES	06/06/2017 06/06/2017 06/06/2017 06/13/2017 06/13/2017 06/13/2017	17349887 PO-171117 17349887 PO-171117 17349887 PO-171117 17351388 PO-171148 17351388 PO-171148 17351388 PO-171148	9.60- 9.60 1,637.58 1.81- 1.81 309.57	N N N N N N
		N				
014398 JANE JOHNSON SPEECH THERAPY 9300 W. STOCKTON BLVD STE 200 ELK GROVE, CA 95758 (916) 896-1144	315.00	13742 SP ED SP THERAPY	06/06/2017	17349904 PO-171139	315.00	N
		N				
013885 JIMARIES ENTERPRISES 22 MAIN STREET RIO VISTA, CA 94571 (707) 374-6007	9.93	100026 TRANS SUPPLY	06/08/2017	17350747 PV-170650	9.93	N
		N				
013649 JP PETROLEUM SERVICE 3065 ASANTE LANE WEST SACRAMENTO, CA 95691 (916) 372-5693	300.00	6300 TRANS TANK TESTS	06/06/2017	17349888 PO-171176	300.00	Y
		Y JOHN P. PUUMAL				

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013940 KELLY MOORE PAINTS CO INC 10299 EAST STOCKTON BOULEVARD SUITE 101 ELK GROVE, CA 95758 (650) 610-4370 N	3,587.97	214R1638 MAINT SUPPLIES MAINT SUPPLIES MAINT SUPPLIES	06/08/2017 06/20/2017 06/27/2017	17350734 PO-170129 17352822 PO-170129 17354205 PO-170129	1,709.09 1,112.34 766.54	N N N
013884 KIMBALL MIDWEST DEPT L-2780 COLUMBUS, OH 43260-2780 (614) 219-6100 N	590.62	57782 TRANS PARTS	06/20/2017	17352829 PV-170673	590.62	N
013788 KINGS COUNTY OFFICE OF EDUCATION 1144 W. LACY BLVD HANFORD, CA 93230 (559) 589-2519 N	1,875.00	171229 CALPAD SUPPORT	06/13/2017	17351389 PO-170090	1,875.00	N
012005 KIRK KENNER DBA DELTA REFRIDG 5 HILL CT. RIO VISTA, CA 94571 (707) 374-6213 Y KENNER, KIRK	2,357.07	4735 MAINT HVAC REPAIRS 4740 CAFE FRIDGE REPAIR 4716 CAFE FRIDGE REPAIRS 4716 CAFE FRIDGE REPAIRS 4771 CAFE FREEZER REPAIR 4733/4716 MAINT REPAIRS	06/06/2017 06/06/2017 06/20/2017 06/20/2017 06/27/2017 06/29/2017	17349905 PO-170130 17349914 PO-170316 17352819 PO-170316 17352819 PO-170316 17354230 PV-170707 17355374 PO-170130	485.96 406.31 397.08 47.87 339.95 679.90	7 7 7 7 7 7
014375 KITS FOR KIDZ 900 S. FRONTAGE RD STE #200 WOODRIDGE, IL 60517 (800) 975-4587 N	1,161.00	185840 MIG ED SUMMER SUPPLIES 185840 MIG ED SUMMER SUPPLIES 185840 MIG ED SUMMER SUPPLIES	06/22/2017 06/22/2017 06/22/2017	17353475 PO-171223 17353475 PO-171223 17353475 PO-171223	94.33 1,161.00 94.33	N N N
011113 L & M RENTAL FENCE 2511 Q STREET RIO LINDA, CA 95673 (916) 991-6154 N	500.00	17224 MAINT CMS TEMP FNCING	06/08/2017	17350719 PO-171188	500.00	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
011311 LA RUE COMMUNICATIONS 521 E. MINER AVE STOCKTON, CA 95202 (209) 463-1900	330.00	1438 TRANS REPEATER SYSTEM	06/06/2017	17349906 PO-170239	330.00	7
		Y LA RUE, KNOX J				
011595 LAND PARK ACADEMY 6400 FREEPORT BLVD SACRAMENTO, CA 95822 (916) 427-2273	11,557.17	880613 SP ED NPS DUES 880614 SP ED NPS DUES 893520 SP ED NPS DUES 893521 SP ED NPS DUES	06/15/2017 06/15/2017 06/27/2017 06/27/2017	17352115 PO-170309 17352115 PO-170310 17354206 PO-170309 17354206 PO-170310	4,242.03 3,114.41 2,248.21 1,952.52	N N N N
		N ADVANCE EDUCAT				
014290 LIGHT, VANESSA 5341 CARLSON DRIVE SACRAMENTO, CA 95819 (916) 233-6377	2,975.00	SP ED HEARING SERVICES	06/27/2017	17354219 PV-170695	2,975.00	Y
		Y VANESSA CHRIST				
000548 LIRAS SUPERMARKET 609 HWY 12 RIO VISTA, CA 94571 (707) 374-5399	1,047.25	#63 ISLE SUPPLIES #135 ED SV SUPPLIES #133 RMS SUPPLIES #55 RVHS SUPPLIES	06/01/2017 06/06/2017 06/13/2017 06/15/2017	17349389 PO-170929 17349921 PV-170637 17351390 PO-170053 17352104 PO-170836	233.67 144.47 15.12 653.99	N N N N
		N				
014646 LOOMIS GATEWAY 3268 PENRYN RE. STE 200 LOOMIS, CA 95650 (530) 863-0087	1,000.00	2492 SP ED ESY SERVICES	06/20/2017	17352808 PO-171230	1,000.00	N
		N				
013206 LOWE'S 8369 POWER INN ROAD ELK GROVE, CA 95624-3464 (866) 232-7443	974.88	MAINT SUPPLIES	06/20/2017	17352823 PO-170132	974.88	N
		N				
000711 LYMAN PARTS DEPOT 14301 RAILROAD AVE	98.91	13112 MAINT SUPPLIES	06/08/2017	17350720 PO-170133	98.91	N

WALNUT GROVE, CA 95690-

(916) 776-1744

N THE LYMAN GROU

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
011365 MARTIN, RITA 222 SPOONBILL LANE GALT, CA 95632	17.44	BATES SUPPLIES	06/01/2017	17349397 PV-170626	17.44	N
() -						N
014144 MARTINEZ, SANDRA PO BOX 298 ISLETON, CA 95641	125.19	F5 MILEAGE	06/08/2017	17350753 TC-170320	125.19	N
() -						N
014355 MAXIM STAFFING SOLUTIONS 12558 COLLECTIONS CENTER DR CHICAGO, IL 60693	2,526.25	4765670262 SP ED NURSE STFFING 4746780262 SP ED NURSE STFFING 50109502062 SP ED NURSE STAFF	06/08/2017 06/08/2017 06/29/2017	17350721 PO-170917 17350721 PO-170917 17355384 PV-170711	611.00 705.00 1,210.25	N N N
(800) 394-7195						N
011392 MCGRAW HILL SCHOOL PUBLISHING 220 E DANIELDALE ROAD DESOTO, TX 75115	1,723.06	92804202001 DHW BOOKS 92804202001 DHW BOOK 97458759001 ED SV BOOKS 97335376001 ED SV BOOKS	06/13/2017 06/22/2017 06/22/2017 06/27/2017	17351399 PO-170082 17353480 PO-170440 17353480 PO-171143 17354213 PO-171009	317.94 240.69 1,054.02 110.41	N N N N
(614) 755-4151						N
014279 MCGREW BEHAVIOR INTERVENTION 229 NEWBURY WAY AMERICAN CANYON, CA 94503	9,994.50	175378796SL SP ED BEHAV SERV 175437467CC SP ED BEHAV SERV 176378800SL SP ED AUTISM SERV 176482137CC SP ED AUTISM SERV	06/15/2017 06/15/2017 06/27/2017 06/27/2017	17352105 PO-171141 17352105 PO-171141 17354220 PV-170696 17354220 PV-170696	4,620.00 4,539.50 450.00 385.00	N N N N
(707) 246-7320						N
012735 MCKINLEY ELEVATOR CORP. 555 FULTON ST SUITE 202 SAN FRANCISCO, CA 94102	900.00	A093254/55 MAINT ELEV INSPCTN	06/01/2017	17349390 PO-170265	900.00	N
(415) 626-9951						N
014647 MICKE GROVE ZOOLOGICAL SOCIETY 11793 N. MICKE GROVE ROAD	480.00	MIG ED SUMMER SCHOOL ASSMBLY	06/27/2017	17354207 PO-171233	480.00	N

LODI, CA 95240

(209) 331-2138

N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012837 MOBILE MODULAR 5700 LAS POSITAS ROAD LIVERMORE, CA 94551 (925) 606-9000	509.00	1325043 RMS PORTABLE	06/06/2017	17349927 PV-170641	509.00	N
		N MCGRATH RENTCO				
014245 MOEHLNBROCK, SUSAN 842 MITCHELL STREET RIO VISTA, CA 94571 (707) 330-8685	270.71	SP ED MILEAGE	06/08/2017	17350754 TC-170321	270.71	N
		N				
012179 MURPHY, KENDALL 135 EDGEWATER DRIVE RIO VISTA, CA 94571 (0) - 0	32.47	WG SUPPLIES	06/08/2017	17350735 PO-170031	32.47	N
		N				
014526 MUSIC TO GROW ON PO BOX 980743 W. SACRAMENTO, CA 95798 (0) - 0	540.00	3923 SP ED MUSIC THERAPY 3877 SP ED MUSIC THERAPY	06/06/2017 06/13/2017	17349907 PO-170945 17351406 PO-170945	475.00 65.00	Y Y
		Y BESSIE BARTH				
000151 NASCO MODESTO P.O. BOX 3837 4825 STODDARD ROAD MODESTO, CA 95352-3837 (209) 545-1600	2,356.94	306289 DHS AG SUPPLIES 305875 CTEIG RVHS SUPPLIES 300587 CTEIG RVHS SUPPLIES 301452 CTEIG RVHS SUPPLIES 436769 CTEIG RVHS SUPPLIES	06/01/2017 06/01/2017 06/08/2017 06/08/2017	17349391 PO-170325 17349391 PO-171179 17350722 PO-171179 17350722 PO-171179 17350722 PO-171179	734.00 108.07 964.32 135.67 414.88	N N N N N
		N				
010299 NATIONAL FFA ORGANIZATION 6060 FFA DRIVE P.O. BOX 68960 INDIANAPOLIS, IN 46268-0960 () -	1,399.00	MDS90681 DHS AG FFA AWARDS MDS90681 DHS AG FFA AWARDS	06/08/2017 06/08/2017	17350723 PO-171173 17350723 PO-171173	1,000.00 399.00	N N
		N FUTURE FARMERS				

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012625 NETTIET ATP CONSULTANTS 9008 PLAZA PARK DRIVE ELK GROVE, CA 95627 (916) 704-1456	296.31	SP ED IPAD	06/29/2017	17355385 PV-170712	296.31	7
		Y FISCHER, ANNET				
013877 NORRIS, CARRIE 4833 STEPPE COURT ELK GROVE, CA 95757 () -	1,404.78	WG SUPPLIES WG SUPPLIES WG SUPPLIES WG SUPPLIES WG MILEAGE F5/WG MILEAGE F5/WG MILEAGE	06/06/2017 06/08/2017 06/08/2017 06/13/2017 06/20/2017 06/22/2017 06/22/2017	17349908 PO-170977 17350736 PO-170605 17350724 PO-171210 17351391 PO-171177 17352841 TC-170333 17353491 TC-170337 17353491 TC-170337	56.34 223.27 548.16 210.00 199.02 103.68 64.31	N N N N N N N
014359 NORTH STATE TIRE CO 1610 KATHLEEN AVE SACRAMENTO, CA 95815 (916) 922-1075	8,078.80	K81877 TRANS TIRES K82383 TRANS TIRES K82383 TRANS TIRES	06/08/2017 06/22/2017 06/22/2017	17350737 PO-170240 17353476 PO-170240 17353476 PO-171200	726.31 2,352.49 5,000.00	N N N
		N				
014016 O'REILLY AUTO PARTS 233 S PATTERSON SPRINGFIELD, MO 65802 () -	891.95	TRANS SUPPLIES	06/06/2017	17349909 PO-170242	891.95	N
		N O'REILLY AUTOM				
001590 OFFICE DEPOT P.O. BOX 630813 CINCINNATI, OH 45263-0813 () -	1,583.83	DHS SUPPLIES DHS SUPPLIES CMS SUPPLIES DHS AG SUPPLIES	06/01/2017 06/01/2017 06/29/2017 06/29/2017	17349377 PO-170730 17349398 PV-170627 17355376 PO-170172 17355376 PO-170321	296.04 466.20 174.33 647.26	N N N N
		N				
000193 OILWELL MATERIALS & HARDWARE CO INC 506 STATE HIGHWAY 12 RIO VISTA, CA 94571 () -	744.11	#676 MAINT SUPPLIES #1645 DHW SUPPLIES #822 RVHS AG SUPPLIES	06/08/2017 06/13/2017 06/15/2017	17350738 PO-170134 17351392 PO-170075 17352106 PO-170392	460.85 9.71 273.55	N N N
		N				

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003218 ORIENTAL TRADING CO INC 4206 SOUTH 108TH STREET OMAHA, NE 68137 (800) 228-0475 N OTC DIRECT INC	434.64	682936823 ASP SUPPLIES	06/20/2017	17352809 PO-170300	434.64	N
014465 PARKER & COVERT LAW OFFICE 17862 EAST SEVENTEENTH ST#204 EAST BUILDING TUSTIN, CA 92780 (714) 573-0900 Y PARKER & COVE	3,152.00	67060 ATTY FEES	06/20/2017	17352830 PV-170674	3,152.00	Y
013692 PATIN, ANGELA 633 MADERE WAY RIO VISTA, CA 94571 (0) - 0 N	167.01	ISLE NURESE MILEAGE ISLE NURSE MILEAGE	06/08/2017 06/20/2017	17350755 TC-170322 17352842 TC-170334	120.91 46.10	N N
014392 PAULS, HOLLY PO BOX 511 WALNUT GROVE, CA 95690 (916) 776-1215 N	222.57	WG NURSE MILEAGE WG NURSE MILEAGE	06/20/2017 06/22/2017	17352843 TC-170335 17353492 TC-170338	41.20 181.37	N N
013895 PEARSON CLINICAL ASSESSMENT ORDERING PO BOX 599700 SAN ANTONIO, TX 78259 (800) 627-7271 N	59.99	10839157 SP ED SUPPLIES	06/22/2017	17353487 PV-170689	59.99	N
003270 PG&E 685 EMBARCADERO DRIVE SACRAMENTO, CA 95605 () - N PACIFIC GAS AN	39,161.54	RADIO RIO ELECT DHW ELECT RVHS ELECT RVHS ELECT DHS ELECT DHS ELECT DHS ELECT	06/08/2017 06/15/2017 06/27/2017 06/27/2017 06/27/2017 06/27/2017 06/27/2017	17350748 PV-170651 17352123 PV-170663 17354221 PV-170697 17354221 PV-170697 17354221 PV-170697 17354221 PV-170697 17354221 PV-170697	20.61 85.77 11,453.84 189.61 19.98 11.34 31.32	N N N N N N N

DHS ELECT	06/27/2017	17354221	PV-170697	3,115.01	N
DHS ELECT	06/27/2017	17354221	PV-170697	46.21	N
DHS ELECT	06/27/2017	17354221	PV-170697	5,578.47	N
ISLE ELECT	06/27/2017	17354221	PV-170697	4,130.12	N
GARAGE ELECT	06/27/2017	17354221	PV-170697	70.14	N
DHW ELECT	06/27/2017	17354221	PV-170697	232.89	N
DHW ELECT	06/27/2017	17354221	PV-170697	6,429.93	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003270 PG&E (Continued...)		RMS ELECT	06/27/2017	17354221 PV-170697	3,621.80	N
		CMS ELECT	06/27/2017	17354221 PV-170697	2,268.57	N
		DO ELECT	06/27/2017	17354221 PV-170697	1,138.87	N
		N.NETH ELECT	06/27/2017	17354221 PV-170697	39.97	N
		LIFT PUMP ELECT	06/27/2017	17354221 PV-170697	133.63	N
		DO ELECT	06/27/2017	17354221 PV-170697	57.55	N
		SHOP ELECT	06/27/2017	17354221 PV-170697	60.65	N
		GARAGE ELECT	06/27/2017	17354221 PV-170697	425.26	N
002428 PICENO, ROBYN 1122 FIRST STREEET GALT, CA 95632	210.00	STALEDATE WARRANT #99511227	06/15/2017	17352131 TC-170330	210.00	N
() -						N
014420 PIZZA FACTORY 14127 RIVER ROAD WALNUT GROVE, CA 95690	66.14	ED SV PIZZA	06/13/2017	17351393 PO-171172	66.14	N
(0) - 0						N
013554 POINT QUEST 6600 44TH STREET SACRAMENTO, CA 95823	18,587.04	30040/30050/30049 NPS DUES	06/15/2017	17352116 PO-170569	3,739.00	N
		160421 SP ED 1 ON 1 AIDE	06/20/2017	17352831 PV-170675	6,230.40	N
		30008 SP ED NPS DUES	06/29/2017	17355380 PO-170339	2,990.40	N
		30008 SP ED NPS DUES	06/29/2017	17355380 PO-170341	2,840.88	N
(916) 422-0571		30008/30021 SP ED NPS DUES	06/29/2017	17355380 PO-170342	2,786.36	N
002828 POSITIVE PROMOTIONS INC 15 GILPIN AVE HAUPPAUGE, NY 11788-8821	369.99	5790879 ASP SUPPLIES	06/27/2017	17354208 PO-171156	369.99	N
(800) 635-2666						N
012857 PRISTINE REHAB CARE 706 N. DIAMOND BAR BLVD STE #B DIAMOND BAR, CA 91765	14,960.00	4687 SP ED SP THERAPY	06/01/2017	17349392 PO-170158	14,960.00	7
(317) 371-3866						Y

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
001048 QUILL CORPORATION 100 SCHELTER ROAD LINCOLNSHIRE, IL 60094-0600 (800) 789-8965 N	2,238.20	7284348 CMS SUPPLIES 5193696 MOKE SUPPLIES	06/15/2017 06/20/2017	17352107 PO-170171 17352810 PO-170951	2,069.07 169.13	N N
014603 RADIOGROUP PO BOX 693 RIO VISTA, CA 94571 (0) - 0 Y GORDAN WHITING	1,965.67	170619-A RADIO RIO CONSULT/SRV	06/20/2017	17352839 PV-170681	1,965.67	Y
014410 RAMBO, SONIA 9697 NATURE TRAIL WAY ELK GROVE, CA 95757 (0) - 0 N	496.18	RMS SUPPLIES	06/13/2017	17351394 PO-171114	496.18	N
010580 REALLY GOOD STUFF INC PO BOX 386 BOTSFORD, CT 06404-0386 (203) 261-1920 N	397.08	5961088 BATES SUPPLIES 5961088 BATES SUPPLIES 5961088 BATES SUPPLIES 5961085 BATES SUPPLIES 5961085 BATES SUPPLIES 5961085 BATES SUPPLIES 5983370 BATES SUPPLIES 5983370 BATES SUPPLIES 5983370 BATES SUPPLIES	06/13/2017 06/13/2017 06/13/2017 06/20/2017 06/20/2017 06/20/2017 06/27/2017 06/27/2017 06/27/2017	17351395 PO-171077 17351395 PO-171077 17351395 PO-171077 17352811 PO-171074 17352811 PO-171074 17352811 PO-171074 17354223 PV-170698 17354223 PV-170698 17354223 PV-170698	179.19 14.56 14.56 177.93 14.46 14.46 3.25 3.25 39.96	N N N N N N N N N
012529 RGM AND ASSOCIATES 3230 MONUMENT WAY CONCORD, CA 94518 () - N	20,376.16	986 WG RESTROOM PROJ	06/01/2017	17349399 PV-170628	20,376.16	N
010239 RIO VISTA SANITATION P.O. BOX 607 RIO VISTA, CA 94571-0607 (0) - 0 N	1,489.49	DO WASTE SERV RVHS WASTE DHW WASTE	06/06/2017 06/15/2017 06/15/2017	17349922 PV-170638 17352124 PV-170664 17352124 PV-170664	117.00 885.57 486.92	N N N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014648 RIOS, JESSE 5186 MAPLE ROAD VACAVILLE, CA 95620 (0) - 0 N	500.00	63017 FD SERV CONSULT REPORTS	06/27/2017	17354224 PV-170699	500.00	N
010670 RIVERVIEW-INTERNATIONAL TRUCKS 2445 EVERGREEN AVE P.O. BOX 716 WEST SACRAMENTO, CA 95691 () - Y	3,121.36	61671 TRANS PARTS	06/15/2017	17352108 PO-170245	3,121.36	7
011167 ROCHESTER 100 INC 40 JEFFERSON RD ROCHESTER, NY 14623 (585) 475-0200 N	640.00	P45867 DHW FOLDERS P45867 DHW FOLDERS P45867 DHW FOLDERS P45867 DHW FOLDERS P45867 DHW FOLDERS	06/01/2017 06/01/2017 06/01/2017 06/01/2017 06/01/2017	17349378 PO-171108 17349378 PO-171108 17349378 PO-171108 17349378 PO-171108 17349378 PO-171108	27.46- 102.00 200.00 338.00 27.46	N N N N N
014143 RODRIGUEZ, CLAUDIA PO BOX 62 COURTLAND, CA 95615 () - N	325.30	SP ED PARENT MILEAGE	06/15/2017	17352132 TC-170331	325.30	N
012796 ROSSI, MARCY 128 N SECOND STREET RIO VISTA, CA 94571 () - N	197.42	ED SV MILEAGE	06/08/2017	17350756 TC-170323	197.42	N
014640 RUIZ, ALEJANDRO PO BOX 184 WALNUT GROVE, CA 95690 (0) - 0 N	16.59	DO MILEAGE	06/06/2017	17349934 TC-170313	16.59	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000119 S & W TIRE SERVICE INC P.O. BOX 377 14400 THORNTON ROAD WALNUT GROVE, CA 95690 (916) 776-1717	257.24	1-636 MAINT SUPPLIES 1-9004 MAINT SUPPLIES	06/13/2017 06/29/2017	17351407 PO-170147 17355377 PO-170147	242.74 14.50	N N
012449 S AND S WORLDWIDE 75 MILL STREET COLCHESTER, CT 06415 (800) 288-9941	400.11	10794910 ASP SUPPLIES 9658724 ASP SUPPLIES 9570360 ASP SUPPLIES	06/06/2017 06/13/2017 06/20/2017	17349889 PO-171152 17351396 PO-171155 17352833 PV-170676	155.55 220.87 23.69	N N N
000095 S M U D P.O. BOX 15555 SACRAMENTO, CA 95852 () -	8,201.12	BATES ELECT WG ELECT WG ELECT WG ELECT BATES ELECT TRANS ELECT BATES ELECT	06/06/2017 06/13/2017 06/13/2017 06/13/2017 06/13/2017 06/13/2017 06/27/2017	17349923 PV-170639 17351415 PV-170657 17351415 PV-170657 17351415 PV-170657 17351415 PV-170657 17351415 PV-170657 17354225 PV-170700	23.62 20.00 4,286.06 751.54 3,078.08 13.48 28.34	N N N N N N N
000090 SACRAMENTO COUNTY UTILITIES 9700 GOETHE ROAD SUITE C SACRAMENTO, CA 95827 () -	442.14	MOKE SEWER WG SEWER BATES SEWER	06/15/2017 06/27/2017 06/27/2017	17352125 PV-170665 17354226 PV-170701 17354226 PV-170701	116.50 172.21 153.43	N N N
014418 SACRAMENTO THEATRE CO 1419 H. STREET SACRAMENTO, CA 95814 (916) 446-7501	2,250.00	#3 ISLE SAC THEATRE	06/08/2017	17350725 PO-171088	2,250.00	N
003501 SCHOLASTIC INC 2931 EAST MCCARTY STREET JEFFERSON CITY, MO 65101 (800) 724-6527	2,907.64	14999688 WG BOOKS PO# 171048 F5 SUPPLIES PO# 171048 F5 SUPPLIES PO# 171048 F5 SUPPLIES PO# 171057 WG SUPPLIES	06/15/2017 06/20/2017 06/20/2017 06/20/2017 06/20/2017	17352109 PO-171056 17352812 PO-171048 17352812 PO-171048 17352812 PO-171048 17352812 PO-171057	639.14 1,033.00 83.93 83.93 1,235.50	N N N N N

PO# 171057 WG SUPPLIES
PO# 171057 WG SUPPLIES

06/20/2017 17352812 PO-171057
06/20/2017 17352812 PO-171057

100.38- N
100.38 N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014210 SCHOOL DATEBOOKS, INC. 2880 US HIGHWAY 231 S. SUITE 200 LAFAYETTE, IN 47909 (765) 471-8883	477.63	S170121062 ASP SUPPLIES S170121062 ASP SUPPLIES S170121062 ASP SUPPLIES	06/27/2017 06/27/2017 06/27/2017	17354209 PO-171167 17354209 PO-171167 17354209 PO-171167	477.63 38.81 38.81-	N N N
002988 SCHOOL SERVICES OF CALIFORNIA PO BOX 15546 SACRAMENTO, CA 95852-1546 (916) 446-7517	660.00	W095852 MAY REVISION WRKSHOP	06/13/2017	17351397 PO-170869	660.00	N
013898 SCHOOL SPECIALITY MB UNIT 67-3106 CHICAGO, IL 60695-3106 (888) 388-3224	1,456.38	PO#171078 BATES SUPPLIES 308102742156 BATES SUPPLIES	06/20/2017 06/20/2017	17352813 PO-171078 17352813 PO-171097	657.64 798.74	N N
003318 SCHOOL SPECIALTY INC W6316 DESIGN DRIVE GREENVILLE, WI 54942 () -	1,031.90	208118240099 BATES SUPPLIES 208118317167 BATES SUPPLIES 208118317167 BATES SUPPLIES 308102744979 MOKE SUPPLIES	06/01/2017 06/20/2017 06/20/2017 06/20/2017	17349393 PO-170365 17352814 PO-170365 17352814 PO-170365 17352814 PO-171120	368.46 86.07 370.73 206.64	N N N N
013005 SCHOOLDUDE.COM 11000 REGENCY PARKWAY SUITE 200 CARY, NC 27518 (919) 816-8237	2,073.14	07690 MAINT SOFTWARE	06/01/2017	17349379 PO-171047	2,073.14	N
014419 SCHOOLMATE.COM PO BOX 2110 KEARNEY, NE 68848-2110 (800) 516-8339	642.35	465849/466001 ASP SUPPLIES 465849/466001 ASP SUPPLIES 465849/466001 ASP SUPPLIES	06/08/2017 06/08/2017 06/08/2017	17350726 PO-171147 17350726 PO-171147 17350726 PO-171147	642.35 52.19- 52.19	N N N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013193 SCOE P.O. BOX 269003 10474 MATHER BLVD SACRAMENTO, CA 95826	70,044.92	171705 ISLE SCOE REGIST 171665 WG CONF REGIST 171834 SP ED SERVICES	06/01/2017 06/22/2017 06/29/2017	17349380 PO-170930 17353477 PO-170728 17355386 PV-170713	240.00 320.00 69,484.92	N N N
() -						N
014450 SCOTT TECHNOLOGY GROUP PO BOX 2851 ROHNERT PARK, CA 94928 (707) 584-3995	1,310.92	231709 BATES PRINTER MAINT 232138 BATES PRINTER MAINT 222699 BATES PRINTER MAINT 232115 BATES PRINTER MAINT 232138 BATES PRINTER MAINT 230102 WG PRINTER COSTS 231551 F5 PRINTER CHARGES 232233/232232 WG PRINTER CSTS 231053/232234/233159 BATES DO PRINTING COSTS DO PRINTING COSTS DO PRINTING COSTS DO PRINTING COSTS DO PRINTING COSTS DO PRINTING COSTS DO PRINTING COSTS DO PRINTING COSTS DO PRINTING COSTS DO PRINTING COSTS	06/06/2017 06/13/2017 06/13/2017 06/13/2017 06/13/2017 06/15/2017 06/27/2017 06/27/2017 06/27/2017 06/27/2017 06/27/2017 06/27/2017 06/27/2017 06/27/2017 06/27/2017 06/27/2017 06/27/2017 06/27/2017 06/27/2017	17349910 PO-171136 17351408 PO-171136 17351408 PO-171136 17351408 PO-171136 17351408 PO-171136 17352117 PO-170963 17354210 PO-170046 17354210 PO-170963 17354210 PO-171136 17354227 PV-170702 17354227 PV-170702 17354227 PV-170702 17354227 PV-170702 17354227 PV-170702 17354227 PV-170702 17354227 PV-170702 17354227 PV-170702 17354227 PV-170702 17354227 PV-170702	129.17 176.30 .49 158.41 5.65 110.34 4.49 273.50 214.06 71.90 .31 5.31 13.95 32.56 47.53 24.34 23.16 19.45	N N N N N N N N N N N N N N N N N N N N
014074 SELPH, BONNIE 870 HILLSIDE TERRACE RIO VISTA, CA 94571 (209) 986-6863	321.71	RDHS GRAD SUPPLIES	06/08/2017	17350727 PO-170914	321.71	N
013480 SHELDON GAS COMPANY 1 HARBOR CENTER # 310 SUISUN CITY, CA 94585 (707) 425-2951	22.63	93228 WG PROPANE 93228 WG PROPANE 93228 WG PROPANE	06/20/2017 06/20/2017 06/20/2017	17352834 PV-170677 17352834 PV-170677 17352834 PV-170677	.08 .08 22.63	N N N
000055 SIA DELTA DENTAL	3,584.31	JUNE 2017 PREMIUMS	06/06/2017	17349924 PV-170642	2,236.93	N

P.O. BOX 276710
SACRAMENTO, CA 95827-6710

JUNE 2017 PREMIUMS
JUNE 2017 PREMIUMS
JUNE 2017 PREMIUMS

06/06/2017	17349924	PV-170642	176.09	N
06/06/2017	17349924	PV-170642	21.67	N
06/06/2017	17349924	PV-170642	1,149.62	N

(0) - 0 N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000056 SIA VISION SERVICE P.O. BOX 276710 SACRAMENTO, CA 95827-6710	490.28	JULY 2017 PREMIUMS JULY 2017 PREMIUMS	06/22/2017 06/22/2017	17353488 PV-170690 17353488 PV-170690	230.72 259.56	N N
(0) - 0						N
003683 SILVA, CORINN 15051 HWY 160 ISLETON, CA 95641	60.00	TRANS REIMB TOLLS/FEES/DMV	06/15/2017	17352133 TC-170332	60.00	N
() -						N
003512 SILVA, SHARON 101 SOUTH FRONT ST. #28 RIO VISTA, CA 94571	43.87	BUS OFF MILEAGE	06/08/2017	17350757 TC-170325	43.87	N
() -						N
014454 SINGH, PRITIKA 212 WEST HWY 220 RYDE, CA 95680	564.96	SP ED PARENT MILEAGE	06/08/2017	17350758 TC-170324	564.96	N
(916) 491-0657						N
014400 SLAGLE, ANTONIA 5811 14TH ST SACRAMENTO, CA 95822	127.25	ISLE SUPPLIES	06/01/2017	17349381 PO-170950	127.25	N
(0) - 0						N
012084 SODEXO INC & AFFILIATES DEPT. 43283 LOS ANGELES, CA 90088-3283	59,659.56	CAFE MAY MEALS CAFE MAY MEALS	06/29/2017 06/29/2017	17355390 PV-170717 17355390 PV-170717	50,068.59 9,590.97	N N
() -						N
014643 SOLANO COUNTY DEPT. OF RESOURCE MANAGEMENT	70.00	21171748 TRANS HAZMAT PERMIT 21771747 RVHS AG HAZMAT PERMIT	06/15/2017 06/15/2017	17352126 PV-170666 17352126 PV-170666	35.00 35.00	N N

675 TEXAS ST., SUITE 5500
FAIRFIELD, CA 94533-6341

(707) 784-6765

N

3342575233	WG	SUPPLIES	06/13/2017	17351398	PO-170746	356.70	N
3332516722	ED	SV SUPPLIES	06/13/2017	17351398	PO-170850	45.27	N
3342575234	F5	SUPPLIES	06/13/2017	17351409	PO-171086	.56-	N
3341909468	F5	SUPPLIES	06/13/2017	17351409	PO-171086	352.31	N
3342126667	F5	SUPPLIES	06/13/2017	17351409	PO-171086	41.99	N
3342126667	F5	SUPPLIES	06/13/2017	17351409	PO-171086	.15-	N
3342575234	F5	SUPPLIES	06/13/2017	17351409	PO-171086	161.52	N

Vendor Name/Address	Total	Description	Date	Warrant	Reference	Amount	1099
014069 STAPLES ADVANTA (Continued...)		3342575234 F5 SUPPLIES	06/13/2017	17351409	PO-171086	.56	N
		3342126667 F5 SUPPLIES	06/13/2017	17351409	PO-171086	.15	N
		3341909468 F5 SUPPLIES	06/13/2017	17351409	PO-171086	1.23	N
		3341909468 F5 SUPPLIES	06/13/2017	17351409	PO-171086	1.23-	N
		3341909469 DHW SUPPLIES	06/13/2017	17351398	PO-171207	269.20	N
		3336748352 DHW SUPPLIES	06/13/2017	17351416	PV-170658	18.48	N
		3336748353 DHW SUPPLIES	06/13/2017	17351416	PV-170658	18.48	N
		339420087 DHW SUPPLIES	06/13/2017	17351416	PV-170658	63.53	N
		3335250530 DHW SUPPLIES	06/13/2017	17351416	PV-170658	29.40	N
		3328225572 DHW SUPPLIES	06/13/2017	17351416	PV-170658	70.16	N
		3334271182 DHW SUPPLIES	06/13/2017	17351416	PV-170658	56.13	N
		3343072758 CBO SUPPLIES	06/15/2017	17352118	PO-170329	388.41	N
		3342952111 HR PRINTER	06/15/2017	17352110	PO-171222	410.86	N
		3343274353 SUPT OFFICE SUPPLS	06/22/2017	17353483	PO-170330	126.58	N
		3336186652 SUPT SUPPLIES	06/22/2017	17353483	PO-170330	66.16	N
		3336186649 SUPT SUPPLIES	06/22/2017	17353483	PO-170330	66.16	N
		3343274352 CREDIT	06/22/2017	17353483	PO-170330	190.13-	N
		3333021257 CREDIT	06/22/2017	17353483	PO-170330	384.99-	N
		3343194241 SUPT OFFICE SUPPLS	06/22/2017	17353483	PO-170330	235.09	N
		3336186651 SUPT SUPPLIES	06/22/2017	17353483	PO-170330	66.16	N
		3334197986 SUPT OFFICE SUPPLS	06/22/2017	17353483	PO-170330	19.95	N
		3336186650 SUPT SUPPLIES	06/22/2017	17353483	PO-170330	66.16	N
		3337643098 DHW SUPPLIES	06/22/2017	17353478	PO-171055	160.86	N
		3337643099 DHW SUPPLIES	06/22/2017	17353478	PO-171055	108.10	N
		3343698241 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.13	N
		3342869834 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.39-	N
		3343698241 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.13-	N
		3342869836 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.34	N
		3342869836 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.34-	N
		3342869834 F5 SUPPLIES	06/22/2017	17353478	PO-171086	113.11	N
		3343006397 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.18	N
		3343006397 F5 SUPPLIES	06/22/2017	17353478	PO-171086	51.13	N
		3343006396 F5 SUPPLIES	06/22/2017	17353478	PO-171086	501.12	N
		3342869834 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.39	N
		3343698240 F5 SUPPLIES	06/22/2017	17353478	PO-171086	1.91-	N
		3343698240 F5 SUPPLIES	06/22/2017	17353478	PO-171086	1.91	N
		3342869839 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.63	N
		3342869839 F5 SUPPLIES	06/22/2017	17353478	PO-171086	180.31	N
		3343698242 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.10	N
		3342869841 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.48	N
		3343698242 F5 SUPPLIES	06/22/2017	17353478	PO-171086	29.62	N
		3342652291 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.41-	N
		3343698241 F5 SUPPLIES	06/22/2017	17353478	PO-171086	37.70	N
		3343006396 F5 SUPPLIES	06/22/2017	17353478	PO-171086	1.74	N

3342869839	F5	SUPPLIES	06/22/2017	17353478	PO-171086	.63-	N
3343698240	F5	SUPPLIES	06/22/2017	17353478	PO-171086	547.91	N
3342869837	F5	SUPPLIES	06/22/2017	17353478	PO-171086	.55-	N
3342869837	F5	SUPPLIES	06/22/2017	17353478	PO-171086	.55	N
3342869837	F5	SUPPLIES	06/22/2017	17353478	PO-171086	158.97	N
3343006397	F5	SUPPLIES	06/22/2017	17353478	PO-171086	.18-	N
3343006396	F5	SUPPLIES	06/22/2017	17353478	PO-171086	1.74-	N

Vendor Name/Address	Total	Description	Date	Warrant	Reference	Amount	1099
014069 STAPLES ADVANTA (Continued...)		3343006398 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.12	N
		3343006398 F5 SUPPLIES	06/22/2017	17353478	PO-171086	35.23	N
		3342869841 F5 SUPPLIES	06/22/2017	17353478	PO-171086	138.97	N
		3342652291 F5 SUPPLIES	06/22/2017	17353478	PO-171086	117.66	N
		3342869836 F5 SUPPLIES	06/22/2017	17353478	PO-171086	96.94	N
		3342652291 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.41	N
		3342869841 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.48-	N
		3343698242 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.10-	N
		3343006398 F5 SUPPLIES	06/22/2017	17353478	PO-171086	.12-	N
		3334197986 BUS OFF SUPPLIES	06/27/2017	17354215	PO-170039	97.31	N
		3343698237 BUS OFF SUPPLIES	06/27/2017	17354215	PO-170329	218.55	N
		3340237573 ASP SUPPLIES	06/27/2017	17354211	PO-171158	.22	N
		3339550228 ASP SUPPLIES	06/27/2017	17354211	PO-171158	490.38	N
		3340237572 ASP SUPPLIES	06/27/2017	17354211	PO-171158	.36-	N
		3339550228 ASP SUPPLIES	06/27/2017	17354211	PO-171158	1.71-	N
		3340237572 ASP SUPPLIES	06/27/2017	17354211	PO-171158	.36	N
		3340237572 ASP SUPPLIES	06/27/2017	17354211	PO-171158	102.35	N
		3339550228 ASP SUPPLIES	06/27/2017	17354211	PO-171158	1.71	N
		3339550229 ASP SUPPLIES	06/27/2017	17354211	PO-171158	.12-	N
		3339550229 ASP SUPPLIES	06/27/2017	17354211	PO-171158	.12	N
		3339550229 ASP SUPPLIES	06/27/2017	17354211	PO-171158	34.58	N
		3340237573 ASP SUPPLIES	06/27/2017	17354211	PO-171158	.22-	N
		3340237573 ASP SUPPLIES	06/27/2017	17354211	PO-171158	63.56	N
		3339550230 ASP SUPPLIES	06/27/2017	17354211	PO-171159	2.83	N
		3339550230 ASP SUPPLIES	06/27/2017	17354211	PO-171159	2.83-	N
		3339550230 ASP SUPPLIES	06/27/2017	17354211	PO-171159	812.87	N
		3343274354 SMR SCL SUPPLIES	06/27/2017	17354211	PO-171227	2.41	N
		3343274354 SMR SCL SUPPLIES	06/27/2017	17354211	PO-171227	691.51	N
		3343274354 SMR SCL SUPPLIES	06/27/2017	17354211	PO-171227	2.41-	N
		3343274355 SMR SCHL SUPPLIES	06/27/2017	17354211	PO-171227	.15-	N
		3343274355 SMR SCHL SUPPLIES	06/27/2017	17354211	PO-171227	42.84	N
		3343274355 SMR SCHL SUPPLIES	06/27/2017	17354211	PO-171227	.15	N
		3341030190 SP ED SUPPLIES	06/27/2017	17354228	PV-170704	39.97	N
		3339420089 SP ED SUPPLIES	06/27/2017	17354228	PV-170704	54.05	N
		PO#171144 ASP SUPPLIES	06/27/2017	17354228	PV-170705	69.35	N
		PO#171144 ASP SUPPLIES	06/27/2017	17354228	PV-170705	.24-	N
		PO#171144 ASP SUPPLIES	06/27/2017	17354228	PV-170705	.24	N
		3344331362 SUPT SUPPLIES	06/29/2017	17355387	PV-170714	.22-	N
		3344331361 BUS OFF SUPPLIES	06/29/2017	17355387	PV-170714	56.67	N
		3344331362 SUPT SUPPLIES	06/29/2017	17355387	PV-170714	.22	N
		3344331362 SUPT SUPPLIES	06/29/2017	17355387	PV-170714	63.55	N
		3342652290 WG SUPPLIES	06/29/2017	17355387	PV-170714	.07-	N
		3344331361 BUS OFF SUPPLIES	06/29/2017	17355387	PV-170714	.20	N
		3342652290 WG SUPPLIES	06/29/2017	17355387	PV-170714	.07	N

3344331361	BUS OFF SUPPLIES	06/29/2017	17355387	PV-170714	.20-	N
3332516722	ED SV SUPPLIES	06/29/2017	17355387	PV-170714	45.27	N
3344331360	DHW SUPPLIES	06/29/2017	17355387	PV-170714	.16	N
3343756223	WG SUPPLIES	06/29/2017	17355387	PV-170714	18.63	N
3342652290	WG SUPPLIES	06/29/2017	17355387	PV-170714	21.38	N
3344331360	DHW SUPPLIES	06/29/2017	17355387	PV-170714	47.02	N
3343756223	WG SUPPLIES	06/29/2017	17355387	PV-170714	.06	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014069 STAPLES ADVANTA (Continued...)		3343756223 WG SUPPLIES	06/29/2017	17355387 PV-170714	.06-	N
		3344331360 DHW SUPPLIES	06/29/2017	17355387 PV-170714	.16-	N
003646 STATE OF CALIFORNIA 1300 I STREET SUITE 810 SACRAMENTO, CA 95814	160.00	235995 HR FINGERPRINTING	06/15/2017	17352127 PV-170667	160.00	N
() -						N
000923 STEVE SMITH ELECTRIC STEPHEN A SMITH P.O. BOX 386 RIO VISTA, CA 94571	580.00	5978 RVHS WIRE NEW COMPRESSOR	06/27/2017	17354212 PO-171040	580.00	7
(707) 249-1848						Y
000096 STEWART INDUSTRIAL SUPPLY INC 608 HWY 12 RIO VISTA, CA 94571	3,456.95	#23100 TRANS SUPPLIES	06/08/2017	17350739 PO-171206	3,456.95	N
(707) 374-5567						N
013795 SULLIVAN SUPPLY INC 5991 E. KETTLEMAN LANE LODI, CA 95240	344.89	RIV0098 RVHS AG SUPPLIES	06/01/2017	17349382 PO-171129	28.02-	N
		RIV0098 RVHS AG SUPPLIES	06/01/2017	17349382 PO-171129	28.02	N
		RIV0098 RVHS AG SUPPLIES	06/01/2017	17349382 PO-171129	344.89	N
(209) 367-5972						N
013947 SUPPLY WORKS PO BOX 742056 LOS ANGELES, CA 90074-2056	19,016.54	402241889/401715495 SUPPLIES	06/06/2017	17349891 PO-171202	8,697.94	N
		401853874 DHS SUPPLIES	06/08/2017	17350740 PO-170146	166.17	N
		401715511 RMS SUPPLIES	06/08/2017	17350740 PO-170146	489.35	N
		401715503 RVHS SUPPLIES	06/08/2017	17350740 PO-170146	564.93	N
(877) 577-1114		400759429 DHS SUPPLIES	06/08/2017	17350740 PO-170146	169.51	N
		402242754 ISLE SUPPLIES	06/08/2017	17350740 PO-170146	412.68	N
		401854419 BATES SUPPLIES	06/08/2017	17350740 PO-170146	700.14	N
		402106355 DHS SUPPLIES	06/08/2017	17350740 PO-170146	516.46	N
		402985287 RVHS SUPPLIES	06/20/2017	17352824 PO-170146	46.49	N
		402832687 ISLE SUPPLIES	06/20/2017	17352824 PO-170146	346.70	N

402985964	MAINT SCRUBBER	06/22/2017	17353479	PO-171215	3,413.07	N
403718406	MAINT SCRUBBER	06/22/2017	17353479	PO-171215	3,413.07	N
403718398	DO SUPPLIES	06/27/2017	17354216	PO-170146	80.03	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014508 TEACHER CREATED RESOURCES 12621 WESTERN AVENUE GARDEN GROVE, CA 92841 (714) 891-7895 N	55.65	5880109 ISLE SUPPLIES	06/29/2017	17355388 PV-170715	55.65	N
014642 TITAN SCHOOL SOLUTIONS 3017 DOUGLAS BLVD #300 ROSEVILLE, CA 95661 (844) 467-4700 N	14,485.87	207 CAFE PO SYSTEM 207 CAFE PO SYSTEM	06/29/2017 06/29/2017	17355378 PO-171228 17355378 PO-171228	3,191.87 11,294.00	N N
011930 TRANE PARTS CENTERS 4145 DEL MAR AVENUE ROCKLIN, CA 95677 () - N	232.47	2493239 MAINT SUPPLIES	06/13/2017	17351410 PO-170149	232.47	N
014509 TREMCO WTI PO BOX 931111 CLEVELAND, OH 44193-0511 (0) - 0 N	14,695.00	93906664 MAINT WG ROOF REPAIRS	06/08/2017	17350729 PO-171033	14,695.00	N
014447 TRUCK WORKS 12019 STATE HIGHWAY 160 COURTLAND, CA 95615 (916) 775-1633 N	717.71	8160 TRANS BUS REPAIR	06/15/2017	17352119 PO-170514	717.71	N
012694 U.S. BANK 221 SOUTH FIGUEROA ST, STE 210 LM-CA-F2TC LOS ANGELES, CA 90012 (0) - 0 N	10,173.28	JUNE 2017 PAYROLL GASB 45	06/20/2017	17352836 PV-170680	10,173.28	N
001896 UNITED PARCEL SERVICE INC	330.67	DO SHIPPING	06/06/2017	17349925 PV-170640	35.71	N

55 GLENLAKE PARKWAY NE
ATLANTA, GA 30328

() - N

DO SHIPPING
DO SHIPPING
DO SHIPPING
DO SHIPPING

06/13/2017 17351417 PV-170659
06/15/2017 17352128 PV-170668
06/22/2017 17353489 PV-170691
06/29/2017 17355389 PV-170716

95.72 N
92.70 N
77.15 N
29.39 N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013419 US BANK NATIONAL ASSOCIATION 1310 MADRID ST SUITE 101 MARSHALL, MN 56258 (800) 328-5371	1,173.38	331756304 RVHS XEROX LEASE 331756304 RVHS XEROX LEASE 332806652 DHW PRINTER LEASE 332806652 DHW PRINTER LEASE	06/06/2017 06/06/2017 06/20/2017 06/20/2017	17349892 PO-170184 17349892 PO-170184 17352815 PO-170878 17352815 PO-170878	148.76 175.62 466.95 382.05	N N N N
013657 USLAN, LAURA PO BOX 1128 WALNUT GROVE, CA 95690 () -	121.24	DHS SUPPLIES	06/08/2017	17350741 PO-171093	121.24	N
010907 VAN RIPER, CHARLES 673 4TH AVENUE STREET SACRAMENTO, CA 95818 () -	51.32	DHS AG MILEAGE	06/06/2017	17349935 TC-170314	51.32	N
014552 VARGAS, NICOLASA 7707 COLLEGE TOWN DR. #31 SACRAMENTO, CA 95826 (0) - 0	76.14	ASP CONF REIMB	06/06/2017	17349936 TC-170315	76.14	N
013997 VERIZON WIRELESS ONE VERIZON PLACE ALPHARETTA, GA 30004 () -	69.48	SP ED CELL DHW ADMIN CELL	06/27/2017 06/27/2017	17354229 PV-170706 17354229 PV-170706	61.98 7.50	7 7
013261 VIELHAUER, NANCY PO BOX 1216 WALNUT GROVE, CA 95690 (916) 776-4231	270.58	SUMMER SCHOOL SUPPLIES SUMMER SCHOOL SUPPLIES	06/27/2017 06/29/2017	17354232 TC-170342 17355392 TC-170346	112.97 157.61	N N
010906 WASTE MANAGEMENT OF WOODLAND	1,004.42	DHS WASTE SERV	06/06/2017	17349926 PV-170643	787.62	N

P.O. BOX 78251
PHOENIX, AZ 85062-8251

DHS AG WASTE SERVICE

06/08/2017 17350728 PO-170767

216.80 N

() - N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012528 WILLIAMS SCOTSMAN INC 4911 ALLISON PARKWAY VACAVILLE, CA 95688 (707) 451-3000	3,858.73	RVHS PORTABLE LEASE RMS PORTABLE LEASE RMS PORTABLE LEASE DHW PORTABLE LEASE	06/06/2017 06/06/2017 06/06/2017 06/06/2017	17349928 PV-170644 17349928 PV-170644 17349928 PV-170644 17349928 PV-170644	936.96 936.96 936.96 1,047.85	N N N N
012761 WILLIAMS, LEE 8274 B & R LAND RIO VISTA, CA 94571 () -	420.00	32217 STAFF CPR	06/01/2017	17349400 PV-170629	420.00	7 Y
012594 WOOTTON, ELISE 8991 BRAMBLEWOOD WAY ELK GROVE, CA 95758 () -	120.27	WG SUPPLIES WG SUPPLIES	06/01/2017 06/13/2017	17349383 PO-170034 17351419 TC-170327	88.00 32.27	N N
003801 WORTHINGTON DIRECT 6301 GASTON AVE SUITE 670 P.O. BOX 140038 DALLAS, TX 75214-0038 (800) 599-6636	3,037.85	275956RIV025 ASP SUPPLIES 275956RIV025 ASP SUPPLIES 275956RIV025 ASP SUPPLIES	06/06/2017 06/06/2017 06/06/2017	17349893 PO-171164 17349893 PO-171164 17349893 PO-171164	246.83 3,037.85 246.83-	N N N
003308 WRIGHT, KATHERINE 400 SOUTH FRONT STREET RIO VISTA, CA 94571 () -	1,832.59	ED SV MILEAGE AVID WRIGHT HOTEL AVID WRIGHT HOTEL ED SV MIG ED SUPPLIES ED SV REIMB SUPPLIES	06/08/2017 06/20/2017 06/20/2017 06/22/2017 06/27/2017	17350759 TC-170326 17352816 PO-170819 17352816 PO-170819 17353493 TC-170339 17354233 TC-170343	789.66 454.73 454.72 99.20 34.28	N N N N N
000585 WRIGHT, STEVE 400 S FRONT STREET RIO VISTA, CA 94571 () -	87.74	ISLE CONF REIMB	06/27/2017	17354234 TC-170344	87.74	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
001439 YOLO SOLANO AIR QUALITY MANAGEMENT DISTRICT 1947 GALILCO CT. STE 103 DAVIS, CA 95616 (530) 757-3650	49.50	32757 TRANS SOURCE TEST	06/20/2017	17352837 PV-170679	49.50	N
014644 YORK US AIR CONDITIONING 3333 ORANGE GROVE AVE NORTH HIGHLANDS, CA 95660 (916) 217-1534	8,068.77	2284685 MAINT THERMOSTATS	06/20/2017	17352817 PO-171224	8,068.77	N
District total:	803,304.57					
Report total:	803,304.57					

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: Tue, Aug 01, 2017, 2:23 PM

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013287 ACSA FOUNDATION FOR ED ADMIN 1575 BAYSHORE HIGHWAY BURLINGAME, CA 94010 (800) 608-2272 N	1,948.18	JUNE 2017 ACSA DUES BENO ACSA DUES	07/11/2017 07/11/2017	18356052 CL-170064 18356042 PO-180104	264.24 1,683.94	N N
014658 AGE OF LEARNING FOR SCHOOLS 101 N. BRAND BLVD 8TH FLOOR GLENDALE, CA 91206 (0) - 0 N	7,500.00	795 ED SV STUDENT LICENSES	07/25/2017	18357804 PO-180244	7,500.00	N
012964 ASSOCIATED VALUATION SERVICES 1501 COFFEE ROAD SUITE N MODESTO, CA 95355 (209) 543-8245 N	1,107.14	5584 WITS INVENTORY	07/11/2017	18356047 PO-180122	1,107.14	N
001596 ATHLETICS UNLIMITED 4823 AUBURN BLVD SACRAMENTO, CA 95841 (0) - 0 N	1,964.23	DHS SPORTS EQUIP	07/11/2017	18356053 CL-170050	1,964.23	N
013152 AVID CENTER 9246 LIGHTWAVE AVE STE 200 SAN DIEGO, CA 92123 (858) 380-4800 N	1,520.00	ED SV SUMMER INST WRIGHT/SEVER	07/11/2017	18356054 CL-170051	1,520.00	N
014367 BANK OF AMERICA PO BOX 15710 WILMINGTON, DE 19886-5710 (0) - 0 N	9,219.20	ADULT ED HOTEL CASEY CASAS ADULT ED HOTEL CASEY CASAS MIG ED SUPPLIES MIG ED SUPPLIES MIG ED SUPPLIES MAINT SCAFFOLDING MAINT UNISEX DOOR SIGNS MAINT UNISEX DOOR SIGNS	07/18/2017 07/18/2017 07/18/2017 07/18/2017 07/18/2017 07/18/2017 07/18/2017 07/18/2017	18356854 CL-170001 18356854 CL-170001 18356841 CL-170003 18356841 CL-170003 18356841 CL-170003 18356841 CL-170004 18356841 CL-170005 18356841 CL-170005	35.57- 650.00 3.49- 3.49 42.95 878.10 4,952.43 372.15-	N N N N N N N N

MAINT UNISEX DOOR SIGNS	07/18/2017	18356841	CL-170005	372.15	N
MAINT UNISEX DOOR SIGNS	07/18/2017	18356841	CL-170005	372.15-	N
SUPT/DO VARIDESKS	07/18/2017	18356841	CL-170006	535.22	N
SUPT/DO VARIDESKS	07/18/2017	18356841	CL-170007	529.81	N
SUPT MONITORS	07/18/2017	18356841	CL-170008	293.24	N
BUS OFF RUIZ MONITORS VARIDESH	07/18/2017	18356814	PO-180121	210.84	N
ED SV BOOKS CMS	07/18/2017	18356814	PO-180176	91.45	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014367 BANK OF AMERICA (Continued...)		ED SV SLAGLE CONF	07/18/2017	18356814 PO-180184	419.95	N
		ED SV HOTEL CREDIT	07/18/2017	18356831 PV-180012	570.37	N
		ISLE BOOK	07/18/2017	18356831 PV-180012	3.55	N
		BUS OFF POSTAGE STAMPS	07/18/2017	18356831 PV-180012	1,569.75	N
		ED SV HOTEL REIMB	07/18/2017	18356831 PV-180012	20.00	N

012586 BAY ALARM	15,869.29	RMS FIRE MONITORING	07/18/2017	18356832 PV-180003	4,296.94	N
60 BERRY DRIVE		RVHS ALARM	07/18/2017	18356832 PV-180003	406.90	N
PACHECO, CA 94553		DO ALARM	07/18/2017	18356832 PV-180003	1,909.11	N
(209) 465-1986	N	RMS MONITORING	07/25/2017	18357811 PO-180011	312.66	N
N BALCO HOLDINGS		ISLE MONITORING	07/25/2017	18357811 PO-180108	89.25	N
		RVHS ALARM	07/25/2017	18357818 PV-180014	395.85	N
		RVHS ALARM	07/25/2017	18357818 PV-180014	342.96	N
		RVHS ALARM	07/25/2017	18357818 PV-180014	153.15	N
		RVHS ALARM	07/25/2017	18357818 PV-180014	2,037.18	N
		RVHS ALARM	07/25/2017	18357818 PV-180014	210.00	N
		RMS ALARM	07/25/2017	18357818 PV-180014	393.81	N
		BATES ALARM	07/25/2017	18357818 PV-180014	360.09	N
		DO ALARM	07/25/2017	18357818 PV-180014	4,414.64	N
		DO ALARM	07/25/2017	18357818 PV-180014	546.75	N

013642 BLACK POINT ENVIRONMENTAL INC	9,596.25	1877 PROJ #247 146 MAGNOLIA	07/25/2017	18357829 CL-170084	9,596.25	N
930 SHILOH RD BLDG 40F						
WINDSOR, CA 95492						
(707) 837-7407	N					

014614 BUCKMASTER	384.76	334965 DHS COPIER MAINT	07/11/2017	18356055 CL-170010	26.51	N
623 W. STADIUM LANE		334965 DHS COPIER MAINT	07/11/2017	18356055 CL-170010	226.02	N
SACRAMENTO, CA 95834		334996 DHS PRINTING CHARGES	07/18/2017	18356842 CL-170065	185.25	N
(916) 923-0500	N					

003681 CALIFORNIA AMERICAN WATER	949.06	ISLE WATER	07/18/2017	18356833 PV-180004	949.06	N
P.O. BOX 7150						
PASADENA, CA 91109-7150						
(888) 237-1333	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	12.75	ASP WATER ZWA0009	07/18/2017	18356843 CL-170066	12.75	7
						Y
002344 CALIFORNIA LABORATORY SERVICES 3249 FITZGERALD ROAD RANCHO CORDOVA, CA 95742 () -	176.00	MAINT WATER TESTING MAINT WATER TESTING MAINT WATER TESTING 7071306 MAINT WATER TESTING	07/11/2017 07/11/2017 07/18/2017 07/25/2017	18356056 CL-170012 18356056 CL-170012 18356844 CL-170067 18357812 PO-180127	35.00- 147.00 28.00 36.00	N N N N
						N GLOBAL LABS IN
013347 CASBO PROFESSIONAL DEVELOPMENT 1001 K STREET, 5TH FLOOR SACRAMENTO, CA 95814 (0) - 0	2,000.00	594884 ORG. MMBRSHIP	07/18/2017	18356815 PO-180237	2,000.00	N
						N
003380 CENTRAL VALLEY WASTE SERVICE INC P.O. BOX 78251 PHOENIX, AZ 85062-8251 () -	3,223.06	TRANS WASTE MOKE WASTE ISLE WASTE WG WASTE BATES WASTE	07/18/2017 07/18/2017 07/18/2017 07/18/2017 07/18/2017	18356834 PV-180005 18356834 PV-180005 18356834 PV-180005 18356834 PV-180005 18356834 PV-180005	123.64 74.17 1,079.76 822.40 1,123.09	N N N N N
						N
013908 CIT TECHNOLOGY FINANCING SERVICES INC PO BOX 1638 LIVINGSTON, NJ 07039 () -	262.76	30478759 CMS XEROX LEASE 30478759 CMS XEROX LEASE	07/11/2017 07/11/2017	18356057 CL-170013 18356057 CL-170013	819.94 557.18-	N N
						N
000201 CITY OF ISLETON P.O. BOX 716 101 SECOND STREET ISLETON, CA 95641 (916) 777-7770	411.05	61910 ISLE SEWER	07/18/2017	18356823 PO-180112	411.05	N
						N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000077 CITY OF RIO VISTA P.O. BOX 745 ONE MAIN STREET RIO VISTA, CA 94571	7,734.34	DO WATER	07/25/2017	18357830 CL-170088	184.46	N
		DO SEWER	07/25/2017	18357830 CL-170089	281.83	N
		RVHS WATER	07/25/2017	18357830 CL-170090	1,302.74	N
		RVHS SEWER	07/25/2017	18357830 CL-170091	1,294.59	N
		RMS WATER	07/25/2017	18357830 CL-170092	1,456.01	N
() - N RIO VISTA FIRE		RMS SEWER	07/25/2017	18357830 CL-170093	1,267.35	N
		DHW WATER	07/25/2017	18357830 CL-170094	434.64	N
		DHW SEWER	07/25/2017	18357830 CL-170095	1,512.72	N
014215 CONTERRA ULTRA BROADBAND PO BOX 281357 ATLANTA, GA 30384-1357	4,032.00	DW NETWORK	07/18/2017	18356835 PV-180006	12,831.98	N
		DW NETWORK	07/18/2017	18356835 PV-180006	16,863.98	N
(704) 936-1722 N						
012083 CSBA - FOUNDATION C/O WESTAMERICA BANK P.O. BOX 1450 SUISUN CITY, CA 94585-4450	11,922.00	35214-B350J5 GAMUT ONLINE	07/18/2017	18356816 PO-180103	2,640.00	N
		35214-B350J5 GAMUT ONLINE	07/18/2017	18356816 PO-180103	2,270.00	N
		32780-NI54ME CSBA MMBRSHIP	07/18/2017	18356816 PO-180103	7,012.00	N
(916) 371-4691 N						
013876 DATAPATH PO BOX 396009 SAN FRANCISCO, CA 94139	10,771.25	135435 DW TECH SERVICES	07/18/2017	18356824 PO-180190	107.71	N
		135435 DW TECH SERVICES	07/18/2017	18356824 PO-180190	107.71	N
		135435 DW TECH SERVICES	07/18/2017	18356824 PO-180190	2,154.25	N
		135435 DW TECH SERVICES	07/18/2017	18356824 PO-180190	107.71	N
(888) 693-2827 N		135435 DW TECH SERVICES	07/18/2017	18356824 PO-180190	8,078.44	N
		135435 DW TECH SERVICES	07/18/2017	18356830 PO-180190	215.43	N
013722 DE LAGE LANDEN PUBLIC FINANCE 1111 OLD EAGLE SCHOOL ROAD WAYNE, PA 19087	669.36	55195494 DO SAVIN LEASE	07/18/2017	18356825 PO-180111	669.36	N
(800) 736-0220 N						
012807 DELTA ELEMENTARY CHARTER SCHOOL 36230 N SCHOOL ST CLARKSBURG, CA 95612	162,937.00	JULY TAX IN LIEU	07/18/2017	18356836 PV-180007	162,937.00	N

(916) 995-1335

N



Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000116 DS WATERS OF AMERICA INCS 5660 NEW NORTHSIDE DRIVE SUITE 500 ATLANTA, GA 30328	154.40	5005834 DO WATER	07/25/2017	18357817 PV-180013	154.40	N
() -		N DS WATERS OF A				
010469 E.F. KLUDT & SONS INC P.O. BOX 166 LODI, CA 95241-0166	2,103.61	228186 TRANS FUEL	07/18/2017	18356837 PV-180008	2,103.61	N
() -		N				
013194 EAGLE SOFTWARE 1065 N PACIFICENTER DRIVE SUITE 400 ANAHEIM, CA 92806	14,687.50	RN5700 AERIES SOFTWARE	07/18/2017	18356817 PO-180238	14,687.50	N
() -		N AERIES SOFTWAR				
011257 EDUCATIONAL TESTING SERVICE ROSEDALE ROAD MS 03-Q PRINCETON, NJ 08541	249.26	SP20052832 ED SV CAASPP SERV	07/25/2017	18357831 CL-170015	1,750.74-	N
		SP20052832 ED SV CAASPP SERV	07/25/2017	18357831 CL-170015	2,000.00	N
(0) - 0		N				
014655 ELENA AGUILAR CONSULTING 5708 GRISBORNE AVE OAKLAND, CA 94611	800.00	1351 SUPT WORKSHOP	07/11/2017	18356043 PO-180003	800.00	N
(0) - 0		N				
012546 ENTEK CONSULTING GROUP INC 4200 ROCKLIN ROAD SUITE 7 ROCKLIN, CA 95677	5,450.00	17/0221 MAINT TRIANNUAL INSPEC	07/11/2017	18356059 CL-170016	5,450.00	N
(916) 632-6800		N				

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014456 FEEL THE POWER PO BOX 110 LODI, CA 95241 (209) 366-2659	2,250.00	4242017 DHW ASSEMBLIES	07/11/2017	18356044 PO-180120	2,250.00	N
011339 FRONTIER COMMUNICATIONS CORPORATION THREE HIGH RIDGE PARK STAMFORD, CT 06905 () -	8,194.84	MOKE LD RVHS LD DHS LD ISLE LD DHW LD DO LD RMS LD WG LD RMS LD RMS LD BATES LD BATES LD NO TRANS LD RMS LD CMS LD TRANS LD SO TRANS LD MAINT LD MAINT LD MAINT LD RADIO RIO LD CAFE LD CAFE LD	07/11/2017	18356049 PV-180001 18356051 PV-180001 18356051 PV-180001	98.03 1,019.41 921.13 572.98 326.59 2,805.28 43.26 224.44 50.52 43.70 65.21 572.93 101.26 352.93 282.18 43.26 92.11 152.50 132.31 79.60 121.05 41.43 52.73	N N
014234 GIRARD EDWARDS STEVENS & TUCKER LLP., ATTORNEYS AT LAW 8801 FOLSOM BLVD STE 285 SACRAMENTO, CA 95826 (916) 706-1255	3,671.00	648 ATTY FEES 648 ATTY FEES	07/11/2017 07/11/2017	18356060 CL-170052 18356060 CL-170053	87.00 3,584.00	Y Y
014483 GOSS, HEATHER PO BOX 420 DUNNIGAN, CA 95937	103.79	F5 MILEAGE	07/25/2017	18357819 PV-180015	103.79	N

(0) - 0 N



Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003111 GOVERNMENT FINANCIAL STRATEGIES INC. 1228 N STREET, SUITE 13 SACRAMENTO, CA 95814-5609 (916) 444-5100 N	1,237.50	1322437 PROF SERVICES	07/25/2017	18357832 CL-170083	1,237.50	N
003598 GRAINGER 3691 INDUSTRIAL BLVD WEST SACRAMENTO, CA 95691-3479 (916) 372-7800 N W.W. GRAINGER	53.33	9492701298 MAINT SUPPLIES	07/18/2017	18356826 PO-180131	53.33	N
014500 HAND IN HAND THERAPEUTICS 214 ELMWOOD AVE MODESTO, CA 95354 (209) 604-8533 N	2,250.00	W/E 6/5/14/30 SP ED OCC THERAP W/E 6/5/14/30 SP ED OCC THERAP	07/25/2017 07/25/2017	18357833 CL-170018 18357833 CL-170018	29,208.32- 31,458.32	N N
003538 HOME DEPOT CREDIT SERVICES DEPT 32-2500439736 P.O. BOX 9055 DES MOINES, IA 50368-9055 () - N	1,218.68	MAINT SUPPLIES MAINT SUPPLIES	07/11/2017 07/11/2017	18356061 CL-170020 18356061 CL-170020	781.32- 2,000.00	N N
000215 INDEPENDENT COPY SERVICE 155 DELTA WAY RIO VISTA, CA 94571 (916) 743-2699 Y MIKE KENNEDY	3,160.00	17-5307 ISLE SERVICE CONTRACT 175302 RMS SERVICE CONTRACT	07/11/2017 07/18/2017	18356045 PO-180107 18356818 PO-180007	1,580.00 1,580.00	Y Y
011917 INDOFF 11816 LACKLAND AVENUE ST. LOUIS, MO 63146-4206 (707) 374-4037 N	2,054.38	2985912 DO COPY PAPER 2985912 DO COPY PAPER 2985912 DO COPY PAPER 2985912 DO COPY PAPER 2985912 DO COPY PAPER	07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017	18357805 PO-180239 18357805 PO-180239 18357805 PO-180239 18357805 PO-180239 18357805 PO-180239	123.26 493.06 1,191.54 123.26 123.26	N N N N N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012005 KIRK KENNER DBA DELTA REFRIDG 5 HILL CT. RIO VISTA, CA 94571	847.15	4785/4787 MAINT REPAIRS 4786 CAFE REPAIRS	07/11/2017 07/18/2017	18356062 CL-170057 18356855 CL-170069	717.20 129.95	7 7
(707) 374-6213		Y KENNER, KIRK				
011311 LA RUE COMMUNICATIONS 521 E. MINER AVE STOCKTON, CA 95202	330.00	1583 TRANS REPEATER SYSTEM 1583 TRANS REPEATER SYSTEM	07/11/2017 07/11/2017	18356063 CL-170023 18356063 CL-170023	370.00 700.00	7 7
(209) 463-1900		Y LA RUE, KNOX J				
011595 LAND PARK ACADEMY 6400 FREEPORT BLVD SACRAMENTO, CA 95822	45.84	20117-02 SP ED NPS	07/11/2017	18356064 CL-170061	45.84	N
(916) 427-2273		N ADVANCE EDUCAT				
012569 LEARNING FOR LIVING INC 12603 BELLSTONE LANE RALEIGH, NC 27614	2,087.00	15442 RVHS CULTURE SUMMIT 15442 RVHS CULTURE SUMMIT 15442 RVHS CULTURE SUMMIT	07/25/2017 07/25/2017 07/25/2017	18357834 CL-170085 18357834 CL-170086 18357834 CL-170086	1,840.00 10.00 257.00	N N N
(800) 874-1100		N				
000548 LIRAS SUPERMARKET 609 HWY 12 RIO VISTA, CA 94571	22.96	ED SV SUPPLIES	07/11/2017	18356065 CL-170047	22.96	N
(707) 374-5399		N				
013206 LOWE'S 8369 POWER INN ROAD ELK GROVE, CA 95624-3464	257.33	MAINT SUPPLIES MAINT SUPPLIES	07/18/2017 07/18/2017	18356845 CL-170024 18356845 CL-170024	267.79 525.12	N N
(866) 232-7443		N				
000711 LYMAN PARTS DEPOT 14301 RAILROAD AVE	77.30	13112 MAINT SUPPLIES	07/18/2017	18356846 CL-170070	77.30	N

WALNUT GROVE, CA 95690-

(916) 776-1744

N THE LYMAN GROU

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012735 MCKINLEY ELEVATOR CORP. 555 FULTON ST SUITE 202 SAN FRANCISCO, CA 94102 (415) 626-9951 N	300.00	A094750 MAINT INSP	07/18/2017	18356827 PO-180140	300.00	N
012837 MOBILE MODULAR 5700 LAS POSITAS ROAD LIVERMORE, CA 94551 (925) 606-9000 N MCGRATH RENTCO	509.00	1351769 RMS PORTABLE LEASE	07/18/2017	18356839 PV-180010	509.00	N
014245 MOEHLNBROCK, SUSAN 842 MITCHELL STREET RIO VISTA, CA 94571 (707) 330-8685 N	60.99	SP ED MILEAGE	07/25/2017	18357835 CL-170087	60.99	N
003667 MUSTAIN, BERNIE 914 VIRGINIA DRIVE RIO VISTA, CA 94571 () - N	19.26	CAFE MILEAGE	07/18/2017	18356856 CL-170071	19.26	N
014094 NAEYC PO BOX 96261 WASHINGTON, DC 20090 (800) 424-2460 N	170.00	F5 NAEYC MMBRSHIP	07/18/2017	18356819 PO-180263	170.00	N
012472 NICOLAY CONSULTING GROUP ACTUARIES 575 MARKET ST SUITE 2450 SAN FRANCISCO, CA 94105-2854 (415) 512-5300 N	6,800.00	398201714 GASB 45 ACT. STUDY	07/25/2017	18357836 CL-170027	6,800.00	N
013877 NORRIS, CARRIE	436.46	WG SUPPLIES	07/25/2017	18357806 PO-180052	436.46	N

4833 STEPPE COURT
ELK GROVE, CA 95757

() - N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014246 NORTHWEST EVALUATION ASSOCIATI 121 NW EVERETT STREET PORTLAND, OR 97209 (503) 548-5259	16,254.00	59377 ED SV MAP ASSESSMNTS	07/18/2017	18356820 PO-180264	16,254.00	N
014016 O'REILLY AUTO PARTS 233 S PATTERSON SPRINGFIELD, MO 65802 () -	452.42	1468127 TRANS SUPPLIES 1468127 TRANS SUPPLIES	07/11/2017 07/11/2017	18356066 CL-170028 18356066 CL-170028	11,305.64 10,853.22	N N
013375 ODYSSEYWARE 300 N. MCKEMY AVE CHANDLER, AZ 85226 (602) 377-7920	42,700.00	0W39104114 ODYSSEYWARE LICENSE 0W39104114 ODYSSEYWARE LICENSE 0W39104114 ODYSSEYWARE LICENSE 0W39104114 ODYSSEYWARE LICENSE 0W39104114 ODYSSEYWARE LICENSE 0W39104114 ODYSSEYWARE LICENSE	07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017	18357807 PO-180245 18357807 PO-180245 18357807 PO-180245 18357810 PO-180245 18357810 PO-180245 18357810 PO-180245	161.21 161.21 34,700.00 37.17 37.17 8,000.00	N N N N N N
000193 OILWELL MATERIALS & HARDWARE CO INC 506 STATE HIGHWAY 12 RIO VISTA, CA 94571 () -	602.45	#676 MAINT SUPPLIES #676 MAINT SUPPLIES	07/11/2017 07/11/2017	18356067 CL-170029 18356067 CL-170029	2,816.06 2,213.61	N N
014465 PARKER & COVERT LAW OFFICE 17862 EAST SEVENTEENTH ST#204 EAST BUILDING TUSTIN, CA 92780 (714) 573-0900	2,874.01	67154	07/25/2017	18357837 CL-170081	2,874.01	Y
003270 PG&E 685 EMBARCADERO DRIVE SACRAMENTO, CA 95605 () -	38,800.67	RADIO RIO ELECT DHW ELECT RVHS ELECT RVHS ELECT LT'S ELECT LT'S ELECT	07/11/2017 07/18/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017	18356068 CL-170059 18356847 CL-170068 18357820 PV-180016 18357820 PV-180016 18357820 PV-180016 18357820 PV-180016	22.81 66.64 10,470.85 171.43 19.98 11.33	N N N N N N

LT'S ELECT	07/25/2017	18357820	PV-180016	31.33	N
DHS ELECT	07/25/2017	18357820	PV-180016	2,624.93	N
SCH PUMP ELECT	07/25/2017	18357820	PV-180016	15.02	N
DHS ELECT	07/25/2017	18357820	PV-180016	5,574.92	N
ISLE ELECT	07/25/2017	18357820	PV-180016	5,067.47	N
GARAGE ELECT	07/25/2017	18357820	PV-180016	56.80	N
DHW ELECT	07/25/2017	18357820	PV-180016	210.58	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003270 PG&E (Continued...)		DHW ELECT	07/25/2017	18357820 PV-180016	6,033.27	N
		RMS ELECT	07/25/2017	18357820 PV-180016	2,965.12	N
		CMS ELECT	07/25/2017	18357820 PV-180016	3,081.97	N
		DO ELECT	07/25/2017	18357820 PV-180016	1,693.47	N
		N. NETH ELECT	07/25/2017	18357820 PV-180016	39.97	N
		LIFT PUMP ELECT	07/25/2017	18357820 PV-180016	149.41	N
		DO ELECT	07/25/2017	18357820 PV-180016	57.55	N
		SHOP ELECT	07/25/2017	18357820 PV-180016	60.81	N
		GARAGE ELECT	07/25/2017	18357820 PV-180016	375.01	N
002526 PITNEY BOWES RESERVE ACCOUNT 1245 EAST BRICKYARD ROAD SUITE 250 SALT LAKE CITY, UT 84106-4278	4,999.80	DO POSTAGE	07/18/2017	18356828 PO-180224	4,999.80	N
(0) - 0						N
013554 POINT QUEST 6600 44TH STREET SACRAMENTO, CA 95823	566.40	SP ED 1 ON 1 AIDE	07/11/2017	18356069 CL-170063	566.40	N
(916) 422-0571						N
001787 RAINFORTH GRAU ARCHITECTS 2407 J STREET SUITE 300 SACRAMENTO, CA 95816	780.96	8118 WG PROJECT	07/25/2017	18357838 CL-170082	780.96	N
(916) 368-7990						N
014410 RAMBO, SONIA 9697 NATURE TRAIL WAY ELK GROVE, CA 95757	73.08	RMS SUPPLIES	07/25/2017	18357813 PO-180008	30.00	N
		RMS SUPPLIES	07/25/2017	18357813 PO-180008	43.08	N
(0) - 0						N
010239 RIO VISTA SANITATION P.O. BOX 607 RIO VISTA, CA 94571-0607	1,943.09	DO GARBAGE SERV	07/11/2017	18356070 CL-170046	117.00	N
		DHW WASTE	07/18/2017	18356848 CL-170072	1,053.57	N
		RVHS WASTE	07/18/2017	18356848 CL-170073	772.52	N

(0) - 0 N



Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000589 RISO PRODUCTS OF SACRAMENTO 3304 MONIER CIRCLE SUITE 110 RANCHO CORDOVA, CA 95742 (916) 638-7476	1,495.00	169947/48 WG RISO CONTRACTS 169954/55 RVHS RISO CONTRACTS 169942 ISLE RISO CONTRACT 169950-52 RMS RISO CONTRACTS	07/11/2017 07/11/2017 07/11/2017 07/25/2017	18356046 PO-180053 18356046 PO-180074 18356046 PO-180106 18357808 PO-180009	300.00 395.00 150.00 650.00	N N N N
		N RPSI ENTERPRIS				
000729 RIVER NEWS HERALD 21 S FRONT STREET RIO VISTA, CA 94571 () -	55.25	ADVERTISING	07/11/2017	18356071 CL-170048	55.25	N
		N GIBSON PUBLICA				
013865 RIVER RATS SEPTIC & PLUMBING PO BOX 365 WALNUT GROVE, CA 95690 (916) 776-1600	625.00	1731 MAINT SEWER REPAIR	07/11/2017	18356072 CL-170049	625.00	7
		Y RICHARD DAVIS				
000119 S & W TIRE SERVICE INC P.O. BOX 377 14400 THORNTON ROAD WALNUT GROVE, CA 95690 (916) 776-1717	14.50	9004 TRANS REPAIRS	07/11/2017	18356073 CL-170058	14.50	N
		N				
000095 S M U D P.O. BOX 15555 SACRAMENTO, CA 95852 () -	7,779.64	WG ELECT WG ELECT WG ELECT WG ELECT BATES ELECT BATES ELECT TRANS ELECT TRANS ELECT	07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017	18357821 PV-180017 18357821 PV-180017 18357821 PV-180017 18357821 PV-180017 18357821 PV-180017 18357821 PV-180017 18357821 PV-180017 18357821 PV-180017	20.00 4,003.96 478.29 26.96 2,683.97 424.89 128.03 13.54	N N N N N N N N
		N				
003318 SCHOOL SPECIALTY INC W6316 DESIGN DRIVE GREENVILLE, WI 54942	643.22	308102752045 BATES SUPPLIES	07/11/2017	18356074 CL-170045	643.22	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013007 SCHOOLCITY INC 2900 LAKESIDE DRIVE SUITE 270 SANTA CLARA, CA 95054 (650) 934-6160	8,800.00	35276 ED SV SCHOOL CIT RENEWAL	07/18/2017	18356821 PO-180193	8,800.00	N
013193 SCOE P.O. BOX 269003 10474 MATHER BLVD SACRAMENTO, CA 95826 () -	2,609.58	171845 WG STEM ACADEMY 171868 PSYCH SERV	07/11/2017 07/11/2017	18356075 CL-170036 18356075 CL-170054	1,880.00 729.58	N N
014450 SCOTT TECHNOLOGY GROUP PO BOX 2851 ROHNERT PARK, CA 94928 (707) 584-3995	433.80	234716 BATES PRINTING CHARGES DO PRINTING CHARGES DO PRINTING CHARGES DO PRINTING CHARGES DO PRINTING CHARGES DO PRINTING CHARGES DO PRINTING CHARGES DO PRINTING CHARGES	07/18/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017	18356849 CL-170074 18357822 PV-180018 18357822 PV-180018 18357822 PV-180018 18357822 PV-180018 18357822 PV-180018 18357822 PV-180018 18357822 PV-180018	166.27 43.93 84.37 7.29 38.94 24.26 10.22 39.69 18.83	N N N N N N N N
013891 SENTINEL FIRE EQUIPMENT CO INC 5702 BROADWAY SACRAMENTO, CA 95820 (916) 455-5630	369.95	76634-36 CAFE EQUIP MAINT 76634-36 CAFE EQUIP MAINT 76634-36 CAFE EQUIP MAINT	07/25/2017 07/25/2017 07/25/2017	18357827 PV-180019 18357827 PV-180019 18357827 PV-180019	4.77 4.77 369.95	N N N
014524 SHRED IT PO BOX 101007 PASADENA, CA 91189-1007 (0) - 0 980157899	100.09	8122624275 DO WATER	07/11/2017	18356076 CL-170062	100.09	N
000055 SIA DELTA DENTAL P.O. BOX 276710 SACRAMENTO, CA 95827-6710	3,584.31	JULY 2017 PREMIUMS JULY 2017 PREMIUMS JULY 2017 PREMIUMS	07/11/2017 07/11/2017 07/11/2017	18356050 PV-180002 18356050 PV-180002 18356050 PV-180002	176.09 1,149.62 2,236.93	N N N

(0) - 0

N

JULY 2017 PREMIUMS

07/11/2017 18356050 PV-180002

21.67 N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014590 SIMAS FLOOR & DESIGN 3550 POWER INN ROAD SACRAMENTO, CA 95826	8,332.00	CG711487 MAINT WG CARPET CG711487 MAINT WG CARPET	07/25/2017 07/25/2017	18357839 CL-170038 18357839 CL-170038	168.00- 8,500.00	N N
(916) 452-4933						N
013858 SPURR 1850 GATEWAY BOULEVARD CONCORD, CA 94520	1,541.83	TRANS GAS STORAGE-PREPAID GAS DO GAS RMS GAS DHW GAS ISLE GAS ISLE GAS DHS GAS RVHS GAS CAFE GAS	07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017	18357823 PV-180023 18357823 PV-180023 18357823 PV-180023 18357823 PV-180023 18357823 PV-180023 18357823 PV-180023 18357823 PV-180023 18357823 PV-180023 18357823 PV-180023 18357828 PV-180023	271.90 253.46 29.02 59.78 75.06 101.65 14.09 164.90 501.19 70.78	N N N N N N N N N N
(888) 400-2155						N
014069 STAPLES ADVANTAGE 500 STAPLES DRIVE FRAMINGHAM, MA 01702	791.36	3344714146 BUS OFF SUPPLIES 3344714146 BUS OFF SUPPLIES 3346325218 BUS OFF SUPPLIES 3346325218 BUS OFF SUPPLIES 33455216363 BUS OFF SUPPLIES 3345866328 BUS OFF SUPPLIES 3346451656 BUS OFF SUPPLIES 3346451656 BUS OFF SUPPLIES 3346451656 BUS OFF SUPPLIES 3346684630 TRANS SUPPLIES 3346607134 TRANS SUPPLIES	07/11/2017 07/11/2017 07/18/2017 07/18/2017 07/18/2017 07/18/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017 07/25/2017	18356077 CL-170039 18356077 CL-170039 18356850 CL-170040 18356850 CL-170040 18356829 PO-180189 18356829 PO-180189 18357814 PO-180189 18357814 PO-180189 18357814 PO-180189 18357809 PO-180219 18357809 PO-180219	6.93- 101.14 621.88- 648.87 50.71 103.29 .15- .15 41.93 71.30 402.93	N N N N N N N N N N N
() -		N STAPLES CONTRA				N
013400 STATE BOARD OF EQUALIZATION PO BOX 942879 SACRAMENTO, CA 94279-8044	2,305.00	APR-JUN 2017 USE TAX	07/18/2017	18356851 CL-170076	2,305.00	N
() -						N
013401 STATE BOARD OF EQUALIZATION FUEL TAXES DIVISION PO BOX 942879 SACRAMENTO, CA 94279-6155	86.30	APR-JUN 17 FUEL USE TAX	07/18/2017	18356852 CL-170075	86.30	N

(916) 322-9669

N



Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003646 STATE OF CALIFORNIA 1300 I STREET SUITE 810 SACRAMENTO, CA 95814 () - N	128.00	241663 FINGERPRINTING	07/11/2017	18356078 CL-170056	128.00	N
000923 STEVE SMITH ELECTRIC STEPHEN A SMITH P.O. BOX 386 RIO VISTA, CA 94571 (707) 249-1848 Y	6,039.70	5995 MAINT ELECTRICAL REPAIRS 6008 ELECT REPAIRS	07/11/2017 07/25/2017	18356079 CL-170060 18357824 PV-180020	1,580.50 4,459.20	7 7
000096 STEWART INDUSTRIAL SUPPLY INC 608 HWY 12 RIO VISTA, CA 94571 (707) 374-5567 N	665.30	TRANS SUPPLIES	07/11/2017	18356080 CL-170055	665.30	N
013947 SUPPLY WORKS PO BOX 742056 LOS ANGELES, CA 90074-2056 (877) 577-1114 N	1,492.45	406544889 RMS SUPPLIES 406244871 RVHS SUPPLIES	07/25/2017 07/25/2017	18357815 PO-180156 18357815 PO-180156	712.75 779.70	N N
014053 TARGET SPECIALTY PRODUCTS 524 GALVENSTON ROAD WEST SACRAMENTO, CA 95691 (916) 374-9900 N	124.92	637462 MAINT SUPPLIES 637462 MAINT SUPPLIES	07/18/2017 07/18/2017	18356853 CL-170043 18356853 CL-170043	2,674.98 2,799.90	N N
001896 UNITED PARCEL SERVICE INC 55 GLENLAKE PARKWAY NE ATLANTA, GA 30328 () - N	113.21	DO SHIPPING	07/18/2017	18356838 PV-180009	113.21	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013419 US BANK NATIONAL ASSOCIATION 1310 MADRID ST SUITE 101 MARSHALL, MN 56258 (800) 328-5371 N	820.11	333971240 RVHS XEROX LEASE 335060174 DHW LEASE	07/11/2017 07/25/2017	18356048 PO-180078 18357816 PO-180113	324.38 495.73	N N
013341 WESTERN ASSOCIATION 533 AIRPORT BLVD SUITE 200 BURLINGAME, CA 94010-2009 (650) 696-1060 N	1,940.00	1002699/1002700 ACCREDITATION 1002699/1002700 ACCREDITATION	07/25/2017 07/25/2017	18357825 PV-180021 18357825 PV-180021	970.00 970.00	N N
012528 WILLIAMS SCOTSMAN INC 4911 ALLISON PARKWAY VACAVILLE, CA 95688 (707) 451-3000 N	7,717.58	MARCH RVHS PORTABLE LEASE MARCH DHW PORTABLE LEASE MARCH RMS PORTABLE LEASE MARCH RMS PORTABLE LEASE RVHS PORTABLE LEASE RMS PORTABLE LEASE RMS PORTABLE LEASE DHW PORTABLE LEASE	07/18/2017 07/18/2017 07/18/2017 07/18/2017 07/18/2017 07/18/2017 07/18/2017 07/18/2017	18356857 CL-170077 18356857 CL-170078 18356857 CL-170079 18356857 CL-170080 18356840 PV-180011 18356840 PV-180011 18356840 PV-180011 18356840 PV-180011	936.99 1,047.88 936.99 936.99 936.96 936.96 936.96 1,047.85	N N N N N N N N
014644 YORK US AIR CONDITIONING 3333 ORANGE GROVE AVE NORTH HIGHLANDS, CA 95660 (916) 217-1534 N	8,105.31	2338326 MAINT THERMOSTATS	07/18/2017	18356822 PO-180179	8,105.31	N
014639 ZEPEDA, MARIA ELENA 13916 LEARY ROAD WALNUT GROVE, CA 95690 (0) - 0 N	205.44	SP ED PARENT TRANS	07/25/2017	18357826 PV-180022	205.44	N
District total:	490,776.99					
Report total:	490,776.99					

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



BOARD AGENDA BRIEFING

Meeting Date: June 27, 2017

Attachments: X

From: Kathy Wright, Director of Educational Services

Item #: 10.4

SUBJECT

Request to approve the Memorandum of Understanding with CommuniCare Health Center to provide sexual and reproductive health education at Delta High School and Clarksburg Middle School.

Action: _____
Consent Action: X
Information Only: _____

Background & Status:

Name of Vendor: Communicare Health Center

Description of Service(s): To provide educational classroom presentations at DHS/CMS on sexual and reproductive health topics as specified by California Education Code. There is no cost for this service and Communicare will work closely with site administration on scheduling, parent consent, and programming and coordination with the current teaching staff.

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

Presenter:

Kathy Wright, Director of Educational Services

Cost &/or Funding Sources (be specific)

No cost to the district.

Recommendation:

That the Board approve the Memorandum of Understanding with CommuniCare Health Centers to provide sexual and reproductive health education at Delta High School and Clarksburg Middle School.

Time: 2 mins.

Memorandum of Understanding (MOU) River Delta Unified School District (RDUSD)

- PARTIES:** This Memorandum of Understanding (M.O.U.) is entered into between CommuniCare Health Centers and the River Delta Unified School District.
- PURPOSE:** To provide comprehensive sexual and reproductive health education at Delta High School and Clarksburg Middle School.
- TERM:** This M.O.U. shall become effective upon the date of execution by both parties and shall continue for a period of time until either party provides a 30 day notice to discontinue the agreement.

WITNESSETH

WHEREAS, CommuniCare Health Centers (hereinafter referred to as COMMUNICARE) hereby agrees to engage River Delta Unified School District (hereinafter referred to as DISTRICT) and both parties agree upon terms and conditions as set forth.

WHEREAS, COMMUNICARE has Certified Health Educators (CHE) who have knowledge of the most recent and medically accurate research on human sexuality, healthy relationships, pregnancy, and HIV and other sexually transmitted infections, as required by the *California Healthy Youth Act*, and will provide the health education services desired by the DISTRICT.

NOW, THEREFORE, in consideration of the mutual promises set forth below, COMMUNICARE and DISTRICT hereby agree as follows:

1. COMMUNICARE Services: COMMUNICARE shall perform the following services:
 - Provide educational classroom presentations at Delta High School and Clarksburg Middle School on sexual and reproductive health topics in compliance with *Chapter 5.6 of the Education Code: California Healthy Youth Act*.
 - Provide information and support to DISTRICT staff regarding services available at CommuniCare Health Centers.
 - Maintain attendance rosters and data tracking systems for all outreach activities.
2. DISTRICT Services: DISTRICT shall perform the following:
 - Support comprehensive reproductive health education in compliance with *Chapter 5.6 of the Education Code: California Healthy Youth Act* within the DISTRICT.
 - Provide academic facilities that accommodate reproductive health presentations and outreach.
3. COMMUNICARE is not an agent or employee of the DISTRICT under this agreement. DISTRICT shall have no right to control and shall not attempt to control the method and manner used to accomplish projects assigned to COMMUNICARE. COMMUNICARE shall generally provide the tools, materials, and a place of work for all its employees and volunteers.
4. Services for Others: COMMUNICARE is free to perform for other agencies or businesses during the period of this agreement.
5. Performance of Agreement: COMMUNICARE agrees that during the term of this agreement, COMMUNICARE will perform, to the best of COMMUNICARE's abilities and experience, all services required by this agreement.

6. Fingerprint Clearance: COMMUNICARE shall require each applicant for employment and any volunteers in a position requiring contact with minor pupils to submit fingerprints consistent with California Education Code Sections 33192, 44237. COMMUNICARE shall comply with the requirement of Education Code Section 45125.1 including, but not limited to: obtaining California Department of Justice (CDOJ) clearance for COMMUNICARE's employees and volunteers; prohibiting its employees and volunteers from coming in contact with pupils until CDOJ clearance is ascertained; certifying to DISTRICT that none of its employees nor volunteers who may come in contact with pupils have been convicted of or pleaded nolo contendere to a felony, unless that individual's employment is authorized under California Education Code, nor will any person be employed who has been convicted of or entered plea of nolo contendere to charges of any sex offense as defined in Education Code Section 44011, or a felony that would disqualify that person from employment pursuant to Education Code Section 44237.
7. Termination: COMMUNICARE or DISTRICT, may terminate this agreement by giving thirty (30) calendar days written notice to the other member prior to the date of completion.
8. Indemnification: COMMUNICARE agrees to indemnify and hold harmless the DISTRICT, its officers, board members, agents and employers from and against any and all liabilities, losses, claims, lawsuits, judgments, obligations, costs, damages, or expenses including attorney's fee arising from any act or omission of COMMUNICARE or any agent of the COMMUNICARE. In addition, DISTRICT agrees to indemnify and hold harmless COMMUNICARE, its officers, board members, agents and employers from and against any and all liabilities, losses, claims, lawsuits, judgments, obligations, costs, damages, or expenses including attorney's fee arising from any act or omission of the DISTRICT or any agent of the DISTRICT.
9. Non-Discrimination: COMMUNICARE shall comply with all applicable federal, state, and local laws, rules and regulations in regard to non-discrimination. All non-discrimination rules or regulations by law to be included in this agreement are incorporated by this reference.
10. Representation by COMMUNICARE: COMMUNICARE and the DISTRICT warrant all information given in connection with entering into this agreement is true and correct. The undersigned hereby represent and warrant that they are authorized by the respective parties to execute this agreement.

Contact Information: CommuniCare Health Centers

Name	Alicia D. Kelley, M.P.H.
Title	Director, Planning & Health Education Services
Organization	CommuniCare Health Centers
Address	P.O Box 1260
	Davis, Ca 95617
Telephone Number	(530) 758-1510, extension 1012
Fax Number	(530) 758-2109
E-mail Address	aliciak@communicarehc.org

Contact Information: River Delta Unified School District

Name	Don Beno
Title	Superintendent
Organization	River Delta Unified School District
Address	445 Montezuma St.
	Rio Vista, CA 95694
Telephone Number	(707) 374-1700
Fax Number	(707) 374-2995
E-mail Address	dbeno@rdusd.org

Signed By:

Signature: _____

Name: Don Beno

Title: Superintendent

Date: _____

River Delta Unified School District

Signature:  _____

Name: Alicia Kelley, MPH

Title: Director, Planning & Health Education Services

Date: 6/29/17

CommuniCare Health Centers

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



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017

Attachments: X

From: Vicky Turk, Principal RVHS

Item Number: 10.5

SUBJECT: Textbooks and equipment to declare surplus at Rio Vista High School.

Action: _____
Consent Action: X
Information Only: _____

Background: See attached items to declare as surplus

Status: The Board is required to declare as surplus textbooks no longer adopted by the RDUSD as well as surplus electronics and furniture.

Presenter: Vicky Turk, principal

Other People Who Might Be Present:

Cost &/or Funding Sources: NA

Recommendation: Request the Board declare surplus the following list of attached books and equipment at RVHS.

Time: _____ 2 mins. _____

**River Delta Unified School District
Surplus Declaration**

School Site:

RVHS

Board Meeting Date:

8-Aug-17

Asset Tag#	Make	Description	Serial #	Approx. Value
8103	Dell	computer	75MLL11	\$0.00
8102	Dell	computer	75MLL11	\$0.00
8142	Dell	computer	75MLL11	\$0.00
8136	Dell	computer	75MLL11	\$0.00
No Tag	Dell	computer	75MLL11	\$0.00
No Tag	Dell	computer	75MLL11	\$0.00
No Tag	Dell	computer	75MLL11	\$0.00
No Tag	Dell	computer	75MLL11	\$0.00
9531	Microsoft	Surface Pro	150813	\$0.00
9617	Microsoft	Surface Pro	150813	\$0.00

**River Delta Unified School District
Surplus Declaration**

School Site:

RVHS

8.8.17

Subject	Title	Publisher	Grade Level	Qty & Approx. Value
Music Room	Piano			Qty. 1 = Zero Value Non-Operable
Science	Modern Biology	Holt, Rinehart, & Winston	9th - 12th	Qty. of 55 = Zero Value not in adoption
Math	Geometry	Prentice Hall	9th - 12th	Qty. of 95= Zero Value not in adoption
Math	PreCalculus	Pearson/Prentice Hall	9th - 12th	Qty. of 60 = Zero Value not in adoption

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



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017

Attachments: X

From: Antonia Slagle, Isleton Elementary Principal

Item #: 10.6

SUBJECT

Request to approve the Independent Contract for Services Agreement with Center of Movement for the 2017-2018 school year at a cost not to exceed \$3,600.

Action: _____
Consent Action: X
Information Only: _____

Background & Status:

Name of Vendor: Center of Movement

Description of Service(s): to provide yoga and mindfulness to k-6 in weekly sessions for the 2017-2018 school year. Instructor will meet with teachers before programming starts.

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

Presenter:

Antonia Slagle, Principal, Isleton Elementary

Cost &/or Funding Sources (be specific)

Not to exceed \$ 3,600 paid by fund raising and Supplement (0740) Isleton Elementary Funds.

Recommendation:

That the Board approve the Independent Contract for Services Agreement with Center of Movement for the 2017-2018 school year at a cost not to exceed \$3,600.

Time: 2 mins.



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995
<http://riverdelta.org>

INDEPENDENT CONTRACT FOR SERVICES AGREEMENT

THIS AGREEMENT is entered into by and between the River Delta Unified School District hereinafter referred to as "DISTRICT," and Center of Movement hereinafter referred to as "CONSULTANT."

IT IS HEREBY MUTUALLY AGREED that Consultant will provide services under the following terms and conditions and the terms of this agreement shall supersede any conflicting provision in a contract provided by the Consultant which may be attached to this agreement. Consultant acknowledges and agrees that performance on this Agreement shall be subject to availability of District funds.

1. **TERM:** The term of this agreement is from September 2017 through June 30, 2018. Extension or renewal requires approval of DISTRICT Superintendent or authorized representative. Unless compensation is fixed on the basis of a daily or hourly rate, compensation will not be increased upon extension of the agreement without approval of the DISTRICT Superintendent or authorized representative. It is the right of the District to contact references, perform background checks, and/or audit data security procedures of the Consultant.

This agreement may be terminated at the convenience of either party upon 30 days advance written notice to the other party. In the event of termination, CONSULTANT shall immediately suspend any further performance of services pursuant to this agreement, except as otherwise authorized by the DISTRICT in writing, and Consultant shall be compensated only for services provided up through the date of termination.

CONSULTANT SERVICES: CONSULTANT agrees to perform, during the term of this agreement, the tasks, obligations and services detailed as follows (extra pages may be added but must be identified as part of this paragraph): To provide Mindfulness and yoga classes for k-6 students at Isleton Elementary School.

PAYMENT FOR SERVICES: CONSULTANT shall receive compensation at the rate of:

Not to exceed \$3, 600.

In the event the CONSULTANT is required to travel outside Solano, Yolo or Sacramento Counties at the request of the DISTRICT, it is agreed that actual and necessary expenses incurred while performing such services shall be reimbursed but must be pre-approved. All payments will be based on invoices submitted to DISTRICT by CONSULTANT and approved by DISTRICT'S authorized representative. The CONSULTANT shall provide an itemization of costs on submitted invoice with receipts attached.

2. **RECORDS:** CONSULTANT will maintain full and accurate records in connection with this agreement and will make them available to DISTRICT for inspection at any time. The District maintains the right to monitor the performance of Consultant and may require consultant to submit appropriate reports including but not limited to financial reports, audit reports, and/or internal control reports as determined by the District. In addition, the Consultant understands and agrees that Consultant's work product shall be subject disclosure in accordance with the Public Records Act (Gov. Code §§ 6250 *et seq.*).

Creating Excellence To Ensure That All Students Learn

Bates School Isleton School Walnut Grove School Delta High School Wind River School
Clarksburg Middle Riverview Middle D.H. White Elementary Rio Vista High School Mokelumne High School
River Delta High/Elementary School River Delta Community Day School.....Delta Elementary Charter School
Delta Elementary Charter School

- 3. **STATUS OF CONTRACTOR:** DISTRICT and CONSULTANT agree that CONSULTANT, in performing the services specified in this agreement, shall act as an independent contractor and shall have control of all work and the manner in which it is performed. CONSULTANT shall be free to contract for similar service to be performed for other employers while under the contract with DISTRICT; CONSULTANT will not accept such engagements which interfere with performance under this agreement. CONSULTANT is not entitled to participate in any pension plan, insurance, bonus or similar benefits the DISTRICT provides for its employees. The CONSULTANT is not authorized to carry out any official act of the DISTRICT that is required to be done by an employee or office of the DISTRICT.
- 4. **HOLD HARMLESS AND INDEMNIFICATION:** CONSULTANT agrees to abide by the *Hold Harmless and Indemnification Agreement* attached to and made a part of this contract.
- 5. **COMPLIANCE WITH LAWS:** CONSULTANT shall comply with all applicable federal, state and local laws, rules, regulations and ordinances involving its employees, including workers' compensation and tax laws.
- 6. **CONFLICTS OF INTEREST:** Consultants are responsible for complying with the Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations and may be required to file an annual Form 700 Conflict of Interest Statement of Economic Interests (as required following the passage of the Political Reform Act Government Code Section 81000, et seq.) (attached to and made a part of this contract). The Superintendent may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and, thus, is not required to comply fully with the disclosure requirements described in those Sections cited above. The Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as the Conflict of Interest Code Form 700 Statements of Economic Interest. In addition, if the contract itself contains Conflict of Interest/Statements of Economic Interest Disclosures, the consultant is not required to re-file with the District annually.
- 7. **MODIFICATION OR ASSIGNMENT:** This agreement may not be assigned by either party without express written consent to the other. No modification shall be effective unless approved in writing by DISTRICT or authorized representatives.
- 8. **ARBITRATION:** It is mandated that all parties of this agreement jointly agree on the identification of the arbitrator, the venue of the arbitration hearing, the manner in which the arbitrator's fee is satisfied and by whom, and whether or not the decision is binding.

CONTRACTOR/CONSULTANT:

Tammy Trujillo 7/28/17
Printed/Typed Name Date

Social Security Number/Federal Tax ID Number

Address

Contact Phone and Email

S. Trujillo
Signature (Contractor/Consultant Authorized Representative)

RIVER DELTA UNIFIED SCHOOL DISTRICT:

[Signature] 7/28/17
Requested By (signature/printed) Date

Supt/Board Approval Signature Date

01 0740 5800 224 1110 1000
Date of Board of Trustees Action

Consultant must answer the two questions below:

- 1. Are you presently or have you been a member of PERS: Yes ___ No or STRS: Yes ___ No
- 2. Are you presently an employee of River Delta Unified School District? Yes ___ No

This contract is not valid nor an enforceable obligation against the District until approved or ratified by the Board of Trustees, duly passed and adopted.

By: SY of AALRR/BLM



RIVER DELTA UNIFIED SCHOOL DISTRICT
445 Montezuma Street
Rio Vista, California 94571-1651
 (707) 374-1700 Fax (707) 374-2995
<http://riverdelta.org>

HOLD HARMLESS & INDEMNIFICATION AGREEMENT

To the fullest extent permitted by law, Center of Movement, (Contractor/Consultant) agrees to defend, indemnify, hold harmless and waive all rights of subrogation against River Delta Joint Unified School District, its Board of Trustees, officers, agents and employees (collectively the "District") from and against any and all claims, costs, demands, expenses (including attorney's fees), losses, damages, injuries and liabilities, whether active or passive, arising from any death or injury negligently caused by the Contractor/Consultant to any person or tangible property because of, arising out of, or in any way related to the Contract/Consultant's performance of this Agreement, except that Contractor/Consultant shall not be liable to defend, indemnify or hold harmless the District for the negligent or intentional acts of the District. It is understood and agreed that such indemnity shall survive the termination of this agreement. Contractor/Consultant shall maintain their own contractual liability insurance to cover its obligations under this Agreement. This indemnification is independent of and shall not in any way be limited by insurance carried by the Contractor/Consultant.

In the case of Facility Use Agreements, Contractor/Consultant further agrees to comply with the insurance requirements attachment to that contract and shall name the District as an additional insured via separate endorsement from its insurance carrier, and provide acceptable proof thereof to the District.

If the Contractor/Consultant should sublet any work to another party (i.e., subcontractor), Contractor/Consultant guarantees that such subcontractor shall indemnify the District prior to permitting subcontractor to commence its work. Contractor/Consultant shall obtain a signed agreement from such subcontractor indemnifying the District as set forth above. In addition, Contractor/Consultant shall require in its purchase orders that each supplier indemnify Contractor/Consultant and the District from any and all losses arising from any materials, products, or supplies included in such work.

In the case of any conflict with these requirements and the provisions of the Agreement to which it is attached, these provisions shall prevail.

S. S. Smith
 Signature of Authorized Representative

7/28/17
 Date Signed

Tammy Trujillo
 Typed/Printed Name of Authorized Representative

Center of Movement
 Company Name

Address, Email & Phone: _____

By SY of AALRR

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

445 Montezuma Street
Rio Vista, CA 94571-1651



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017

Attachments: X

From: Carrie Norris, Walnut Grove Elementary School Principal

Item Number: 10.7

SUBJECT: Request to declare as surplus of outdated and/or broken electronics and computers at Walnut Grove School

Action:

Consent Action: X

Information Only:

Background:

During a thorough cleaning and organization of Walnut Grove School, all broken and outdated computers, copiers, printers, and other electronic devices were tested and sorted to determine what should be considered surplus for e-waste removal. The attached list contains all of the items that are unusable and have a zero monetary value. Most items are 10-20 years old and completely unusable.

Status:

All the items identified on the attached list have been removed from the classroom or other school locations and are being stored in the old gym until surplus status is approved.

Presenter: Carrie Norris

Other People Who Might Be Present:

Cost &/or Funding Sources: N/A

Recommendation: That the board approve the attached list of computers and electronics as surplus and deem as zero monetary value.

Time: 2 mins.

**River Delta Unified School District
Surplus Declaration**

School Site: Walnut Grove Elementary

Board Meeting Date: 8/8/2017

Asset Tag#	Make	Description	Serial #	Approx. Value
2051	Zenith	TV	62114471522	\$0.00
2064	Zenith	TV	62164461550	\$0.00
2069	Zenith	TV	62114471534	\$0.00
2089	Zenith	VCR		\$0.00
2095	3M	Overhead Projector		\$0.00
2105	Zenith	TV		\$0.00
2150	Zenith	TV		\$0.00
2153	Zenith	VCR		\$0.00
2154	Pioneer	Laser Disc		\$0.00
2155	JVC	VHS		\$0.00
2160	AlphaSmart Pro	Word Processor		\$0.00
2162	AlphaSmart Pro	Word Processor		\$0.00
2163	AlphaSmart Pro	Word Processor		\$0.00
2168	AlphaSmart Pro	Word Processor		\$0.00
2177	AlphaSmart Pro	Word Processor		\$0.00
2178	AlphaSmart Pro	Word Processor		\$0.00
2179	AlphaSmart Pro	Word Processor		\$0.00
2180	AlphaSmart Pro	Word Processor		\$0.00
2185	AlphaSmart Pro	Word Processor		\$0.00
2189	Zenith	TV		\$0.00
2263		Scanner		\$0.00
2270	HP	Printer		\$0.00
2273	Copy Start	CS-2021		\$0.00
2275	AlphaSmart Pro	Word Processor		\$0.00
2276	AlphaSmart Pro	Word Processor		\$0.00
2386	HP	Printer		\$0.00
3624	Apple	I Mac	XB91118ZEOQB7	\$0.00
3625	Apple	I Mac	XB91114EEUL	\$0.00
4015	HP	Printer		\$0.00
4017	Overhead Projector			\$0.00
4021	HP	Printer		\$0.00

4031	Apple	I Book		\$0.00
4032	Apple	I Book		\$0.00
4036	Apple	I Book		\$0.00
4040	Apple	I Book		\$0.00
4044	Cannon	Camera		\$0.00
4049	Cannon	Camera	8323216314	\$0.00
4050	Apple	Laptop		\$0.00
4056	Apple	I Book		\$0.00
4056	Apple	emac		\$0.00
4057	Apple	I Book		\$0.00
4058	Apple	emac		\$0.00
4059	Apple	I Book		\$0.00
4059	Apple	I Book		\$0.00
4091	Apple	I Book		\$0.00
4091	Apple	I Book		\$0.00
4093	Apple	I Book		\$0.00
4094	Apple	Laptop	3K51505ZRJLD	\$0.00
4101	Apple	I Book		\$0.00
4101	Apple	I Book		\$0.00
4103	Apple	I Book		\$0.00
4110	Apple	emac		\$0.00
4111	Apple	emac		\$0.00
4113	Apple	emac		\$0.00
4114	Apple	emac		\$0.00
4133	HP	Color Laser Jet		\$0.00
4140	Dell	Laptop		\$0.00
4141	Dell	Laptop		\$0.00
4166	Dell	Computer		\$0.00
4170	Dell	Computer		\$0.00
4171	Dell	Computer		\$0.00
4172	HP	Computer	45572609736	\$0.00
4175	HP	Computer		\$0.00
4176	Dell	Computer	45571795377	\$0.00
4177	Dell	Computer	19054464872	\$0.00
4178	Dell	Computer	14081992973	\$0.00
4254	Samsung	VCR		\$0.00
4257	Dell	Laptop		\$0.00
4294	Dell	Laptop		\$0.00
5006	Apple	I Book	UV10101VIQ6	\$0.00
5008	Apple	I Book	UV10100ZIQ5	\$0.00
5027	Apple	I Book	UV1012P1JQ6	\$0.00
5037	Apple	I Book	UV1012QMJQ5	\$0.00
5183	Apple	I Book		\$0.00
5194	Dell	Monitor		\$0.00
5196	Dell	Tower Computer		\$0.00
5304	Dell	Tower Computer		\$0.00
5305	Dell	Tower Computer		\$0.00

5494	Apple	I Mac		\$0.00
7234	Polyvision	Smart Board		\$0.00
7313	Dell	Laptop	1.44045E+11	\$0.00
7492	Dell	Computer		\$0.00
7494	Dell	Tower Computer	8431932077	\$0.00
8921	Dell	Computer	JFK72R9WTQ8B7F6	\$0.00
8923	HP	Laser Jet Printer		\$0.00
8931	Dell	Computer		\$0.00
8959	Dell	Computer		\$0.00
8965	Apple	I Mac		\$0.00
8967	Apple	I Mac		\$0.00
8970	3M	Projector	T8H33766081	\$0.00
8971	HP	Scanner	SG39H1D03X	\$0.00
8978	Dell	Laptop		\$0.00
8981	Dell	Computer		\$0.00
8982	Dell	Computer		\$0.00
8989	Dell	Laptop	1797207249	\$0.00
8992	Dell	Computer	45571615018	\$0.00
9055	Epson	Projector		\$0.00
9081	Planar	Projector		\$0.00
9365	Dell	Laptop		\$0.00
9395	Dell	Laptop		\$0.00
9402	Dell	Laptop		\$0.00
94571	Zenith	TV		\$0.00
4117/8928	HP Probook	Laptop	CNDO102VVD	\$0.00
4118/10102	HP Probook	Laptop	CNDO102W6G	\$0.00
4138/8963	Dell	Laptop	18498354193	\$0.00
4142/8973	Dell	Laptop	35912612881	\$0.00
4145/8979	Dell	Laptop		\$0.00
4150/8980	Planar	Projector	497327800	\$0.00
4159/9065	Dell	Laptop		\$0.00
4173/8975	Dell	Desktop Computer	35912612881	\$0.00
95571/2088	Zenith	TV		\$0.00

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

445 Montezuma Street
Rio Vista, CA 94571-1651



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017 Attachments: X

From: Elizabeth Keema-Aston, Chief Business Officer Item Number: 10.8

SUBJECT: Changes in the District's Adopted budget are due to revisions in the Governor's Budget. (45 Day Revise) Action:
Consent Action: x
Information Only:

Background:

The Governor's 2017-18 Budget was adopted and signed on June 27, 2017. The changes to his adopted budget from the May revise have been addressed in a letter from the State Superintendent of Public Instruction, Tom Torlakson dated July 17, 2017, as well as the Common Message from the Business and Administration Steering Committee (BASC).

Districts must have their budgets adopted by July 1st and are given 45 days to revise their budget given the changes to the Governor's adopted budget. Only material changes are relevant. If there are no significant changes to a district's budget it is not necessary to bring the "45 Day Revise" to the board.

Status: There has been a material change as now the Governor has funded One-Time Mandate Block Grant with \$147 per 2016-17 P2 ADA. This adds an additional \$271,428 to unrestricted funding for one-time purposes. Attached is the impact on other programs and funding. The overall change to the district's budget is a total addition of \$286,042. Included is also the impact on FY 2018-19 and 2019-20 LCFE funding decreases.

Presenter: Elizabeth Keema-Aston, Chief Business Officer

Other People Who Might Be Present: N/A

Cost &/or Funding Sources N/A

Recommendation:

That the Board receives the "45 Day Revise" information and related impact on the district's budget.

Time: 5 mins.

2017-18
45 Day Revise to Adopted Budget

MYP LCFF CHANGE	ADOPTED	45 DAY REVISE	CHANGES	
2017-18	17,534,177	17,526,518	(7,659)	CY
2018-19	17,754,810	17,695,103	(59,707)	
2019-20	17,910,842	17,833,442	(77,400)	
Lottery 1100 unrest from \$144 to \$146	264,960	275,319	10,359	CY
Lottery 6300 Rest from \$45 to \$48 <i>(ADA Adjusted)</i>	82,800	90,516	7,716	CY
Mandate Block Grant ongoing <i>(ADA Adjust.)</i>				
K-8 from \$28.42 to \$30.34	33,147	37,396	4,249	CY
9-12 from \$56 to \$58.25	35,808	35,757	(51)	CY
One-time Mandate from -0- to \$147	-	271,428	271,428	CY
Total Changes to RDUSD 17-18 Budget			286,042	CY

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



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017

Attachments: X

From: Kathy Wright, Director of Educational Services

Item #: 10.9

SUBJECT:

Request to approve the Independent Contract for Services Agreement with Elaine H. Talley, M.Ed., J.D. for the 2017-2018 school year at a cost not to exceed \$1,000.

Action: _____
Consent Action: X
Information Only: _____

Background & Status:

Name of Vendor: Elaine H. Talley, M.Ed., J.D.

Description of Service(s): To conduct mediation and/or facilitate IEP meetings.

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 \$1,000 paid by Special Education.

Recommendation:

That the Board approve the Independent Contract for Services Agreement with Elaine H. Talley, M.Ed., J.D. for the 2017-2018 school year at a cost not to exceed \$1,000.

Time: 2 mins.



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995
<http://riverdelta.org>

INDEPENDENT CONTRACT FOR SERVICES AGREEMENT

THIS AGREEMENT is entered into by and between the River Delta Unified School District hereinafter referred to as "DISTRICT," and **Elaine H. Talley, M.Ed., J.D.** hereinafter referred to as "CONSULTANT."

IT IS HEREBY MUTUALLY AGREED that Consultant will provide services under the following terms and conditions and the terms of this agreement shall supersede any conflicting provision in a contract provided by the Consultant which may be attached to this agreement. Consultant acknowledges and agrees that performance on this Agreement shall be subject to availability of District funds.

1. **TERM:** The term of this agreement is from **July 1, 2017** through **June 30, 2018**. Extension or renewal requires approval of DISTRICT Superintendent or authorized representative. Unless compensation is fixed on the basis of a daily or hourly rate, compensation will not be increased upon extension of the agreement without approval of the DISTRICT Superintendent or authorized representative. It is the right of the District to contact references, perform background checks, and/or audit data security procedures of the Consultant.

This agreement may be terminated at the convenience of either party upon 30 days advance written notice to the other party. In the event of termination, CONSULTANT shall immediately suspend any further performance of services pursuant to this agreement, except as otherwise authorized by the DISTRICT in writing, and Consultant shall be compensated only for services provided up through the date of termination.

CONSULTANT SERVICES: CONSULTANT agrees to perform, during the term of this agreement, the tasks, obligations and services detailed as follows (extra pages may be added but must be identified as part of this paragraph): **To mediate/ and/or facilitate IEP meetings**

PAYMENT FOR SERVICES: CONSULTANT shall receive compensation at the rate of:

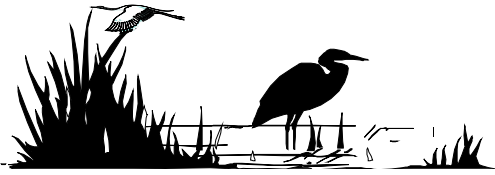
Not to exceed \$1,000.

In the event the CONSULTANT is required to travel outside Solano, Yolo or Sacramento Counties at the request of the DISTRICT, it is agreed that actual and necessary expenses incurred while performing such services shall be reimbursed but must be pre-approved. All payments will be based on invoices submitted to DISTRICT by CONSULTANT and approved by DISTRICT'S authorized representative. The CONSULTANT shall provide an itemization of costs on submitted invoice with receipts attached.

2. **RECORDS:** CONSULTANT will maintain full and accurate records in connection with this agreement and will make them available to DISTRICT for inspection at any time. The District maintains the right to monitor the performance of Consultant and may require consultant to submit appropriate reports including but not limited to financial reports, audit reports, and/or internal control reports as determined by the District. In addition, the Consultant understands and agrees that Consultant's work product shall be subject disclosure in accordance with the Public Records Act (Gov. Code §§ 6250 *et seq.*).

Creating Excellence To Ensure That All Students Learn

Bates School Isleton School Walnut Grove School Delta High School Wind River School
Clarksburg Middle Riverview Middle D.H. White Elementary Rio Vista High School Mokelumne High School
River Delta High/Elementary School River Delta Community Day School.....Delta Elementary Charter School
Delta Elementary Charter School



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street

Rio Vista, California 94571-1651

(707) 374-1700 Fax (707) 374-2995

<http://riverdelta.org>

HOLD HARMLESS & INDEMNIFICATION AGREEMENT

To the fullest extent permitted by law, Elaine H. Talley, M.Ed., J.D., (Contractor/Consultant) agrees to defend, indemnify, hold harmless and waive all rights of subrogation against River Delta Joint Unified School District, its Board of Trustees, officers, agents and employees (collectively the "District") from and against any and all claims, costs, demands, expenses (including attorney's fees), losses, damages, injuries and liabilities, whether active or passive, arising from any death or injury negligently caused by the Contractor/Consultant to any person or tangible property because of, arising out of, or in any way related to the Contract/Consultant's performance of this Agreement, except that Contractor/Consultant shall not be liable to defend, indemnify or hold harmless the District for the negligent or intentional acts of the District. It is understood and agreed that such indemnity shall survive the termination of this agreement. Contractor/Consultant shall maintain their own contractual liability insurance to cover its obligations under this Agreement. This indemnification is independent of and shall not in any way be limited by insurance carried by the Contractor/Consultant.

In the case of Facility Use Agreements, Contractor/Consultant further agrees to comply with the insurance requirements attachment to that contract and shall name the District as an additional insured via separate endorsement from its insurance carrier, and provide acceptable proof thereof to the District.

If the Contractor/Consultant should sublet any work to another party (i.e., subcontractor), Contractor/Consultant guarantees that such subcontractor shall indemnify the District prior to permitting subcontractor to commence its work. Contractor/Consultant shall obtain a signed agreement from such subcontractor indemnifying the District as set forth above. In addition, Contractor/Consultant shall require in its purchase orders that each supplier indemnify Contractor/Consultant and the District from any and all losses arising from any materials, products, or supplies included in such work.

In the case of any conflict with these requirements and the provisions of the Agreement to which it is attached, these provisions shall prevail.

Signature of Authorized Representative

Date Signed

Typed/Printed Name of Authorized Representative

Company Name

Address, Email & Phone: _____

By SY of AALRR

Creating Excellence To Ensure That All Students Learn

- | | | | | |
|------------------------------------|---------------------------------------|---------------------------------|-----------------------|-----------------------|
| Bates School | Isleton School | Walnut Grove School | Delta High School | Wind River School |
| Clarksburg Middle | Riverview Middle | D.H. White Elementary | Rio Vista High School | Mokelumne High School |
| River Delta High/Elementary School | River Delta Community Day School..... | Delta Elementary Charter School | | |
| | Delta Elementary Charter School | | | |

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



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017

Attachments: ___x___

From: Kathy Wright, Director of Educational Services

Item #: ___10.10___

SUBJECT: Request to approve the Independent Contract for Services Agreement with Christine Meade, Ph.D. for the 2017-2018 school year at a cost not to exceed \$3,500.

Action: _____
Consent Action: ___x___
Information Only: _____

Background & Status:

Name of Vendor: _____ Christine Mead, Ph.D. _____

Description of Service(s): To provide an independent educational evaluation for a district student as required by an IEP team decision.

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 \$3,500 from Special Education funds.

Recommendation:

That the board approve the Independent Contract for Services Agreement with Christine Meade, Ph.D. for the 2017-2018 school year at a cost not to exceed \$3,500.

Time: _____ 2 mins. ___



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2901
www.riverdelta.k12.ca.us

INDEPENDENT CONTRACT FOR SERVICES AGREEMENT

THIS AGREEMENT is entered into by and between the River Delta Unified School District hereinafter referred to as "DISTRICT," and Dr. Christine Meade, hereinafter referred to as "CONSULTANT."

IT IS HEREBY MUTUALLY AGREED that Consultant will provide services under the following terms and conditions:

1. TERM: The term of this agreement is from August 8, 2017 through June 30, 2018. Extension or renewal requires approval of DISTRICT or authorized representative. Unless compensation is fixed on the basis of a daily or hourly rate, compensation will not be increased upon extension of the agreement without approval of the DISTRICT or authorized representative.

This agreement may be terminated with 30 days advance written notice by either party. In the event of termination for cause, CONSULTANT need be compensated only to the extent required by law.

2. CONSULTANT SERVICES: CONSULTANT agrees to perform, during the term of this agreement, the tasks obligations and services detailed as follows: Provide an independent educational evaluation for one district student.

3. PAYMENT FOR SERVICES: CONSULTANT shall receive compensation at the rate of:
\$ 175.00 per day week month year or per X hour
OR
for a total cost not to exceed \$ 3,500.00

In the event the CONSULTANT is required to travel outside Solano, Yolo or Sacramento Counties at the request of the DISTRICT, it is agreed that actual and necessary expenses incurred while performing such services shall be reimbursed. All payments will be based on invoices submitted to DISTRICT by CONSULTANT and approved by DISTRICT'S authorized representative. The CONSULTANT shall provide an itemization of costs on submitted invoice.

4. RECORDS: CONSULTANT will maintain full and accurate records in connection with this agreement and will make them available to DISTRICT for inspection at any time. CONSULTANT'S work product produced under this agreement shall be the property of DISTRICT and cannot be used without permission of same.
5. STATUS OF CONTRACTOR: DISTRICT and CONSULTANT agree that CONSULTANT, in performing the services specified in this agreement, shall act as an independent contractor and shall have control of all work and the manner in which it is performed. CONSULTANT shall be free to contract for similar service to be performed for other employers while under the contract with DISTRICT; CONSULTANT will not accept such engagements which interfere with performance under this agreement. CONSULTANT is not entitled to participate in any pension plan, insurance, bonus or similar benefits the DISTRICT provides for its employees. The CONSULTANT is not authorized to carry out any official act of the DISTRICT that is required to be done by an employee or office of the DISTRICT.
6. HOLD HARMLESS AND INDEMNIFICATION: CONSULTANT agrees to abide by the *Hold Harmless and Indemnification Agreement* attached to and made a part of this contract.

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



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017

Attachments: ___x___

From: Kathy Wright, Director of Educational Services

Item #: _____ 10.11 _____

SUBJECT: Request to approve the Independent Contract for Services Agreement with Elizabeth Isono, MSOTR/L for the 2017-2018 school year at a cost not to exceed \$2,400.

Action: _____
Consent Action: ___x___
Information Only: _____

Background & Status:

Name of Vendor: _____ Elizabeth Isono, MSOTR/L _____

Description of Service(s): To provide an independent educational evaluation for a district student as required by an IEP team decision.

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 \$2,400 from Special Education funds.

Recommendation:

That the board approve the Independent Contract for Services Agreement with Elizabeth Isono, MSOTR/L for the 2017-2018 school year at a cost not to exceed \$2,400.

Time: _____ 2 mins. _____



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2901
www.riverdelta.k12.ca.us

INDEPENDENT CONTRACT FOR SERVICES AGREEMENT

THIS AGREEMENT is entered into by and between the River Delta Unified School District hereinafter referred to as "DISTRICT," and Elizabeth Isono, MSOTR/L, hereinafter referred to as "CONSULTANT."

IT IS HEREBY MUTUALLY AGREED that Consultant will provide services under the following terms and conditions:

1. TERM: The term of this agreement is from August 8, 2017 through June 30, 2018. Extension or renewal requires approval of DISTRICT or authorized representative. Unless compensation is fixed on the basis of a daily or hourly rate, compensation will not be increased upon extension of the agreement without approval of the DISTRICT or authorized representative.

This agreement may be terminated with 30 days advance written notice by either party. In the event of termination for cause, CONSULTANT need be compensated only to the extent required by law.

2. CONSULTANT SERVICES: CONSULTANT agrees to perform, during the term of this agreement, the tasks obligations and services detailed as follows: Provide an independent educational evaluation for one district student.

3. PAYMENT FOR SERVICES: CONSULTANT shall receive compensation at the rate of:
\$ 125.00 per day week month year or per X hour
OR
for a total cost not to exceed \$ 2,400.00

In the event the CONSULTANT is required to travel outside Solano, Yolo or Sacramento Counties at the request of the DISTRICT, it is agreed that actual and necessary expenses incurred while performing such services shall be reimbursed. All payments will be based on invoices submitted to DISTRICT by CONSULTANT and approved by DISTRICT'S authorized representative. The CONSULTANT shall provide an itemization of costs on submitted invoice.

4. RECORDS: CONSULTANT will maintain full and accurate records in connection with this agreement and will make them available to DISTRICT for inspection at any time. CONSULTANT'S work product produced under this agreement shall be the property of DISTRICT and cannot be used without permission of same.
5. STATUS OF CONTRACTOR: DISTRICT and CONSULTANT agree that CONSULTANT, in performing the services specified in this agreement, shall act as an independent contractor and shall have control of all work and the manner in which it is performed. CONSULTANT shall be free to contract for similar service to be performed for other employers while under the contract with DISTRICT; CONSULTANT will not accept such engagements which interfere with performance under this agreement. CONSULTANT is not entitled to participate in any pension plan, insurance, bonus or similar benefits the DISTRICT provides for its employees. The CONSULTANT is not authorized to carry out any official act of the DISTRICT that is required to be done by an employee or office of the DISTRICT.
6. HOLD HARMLESS AND INDEMNIFICATION: CONSULTANT agrees to abide by the *Hold Harmless and Indemnification Agreement* attached to and made a part of this contract.

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



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017

Attachments: X

From: Don Beno, Superintendent

Item Number: 11

SUBJECT Request to approve the *second and final reading* of the updated or new Board Policies, Administrative Regulation or Exhibits due to new legislation or mandated language and citation revisions as of May 2017.

Action: X
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 May 2017.

These policies, etc., were submitted for a first reading at the June 27, 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 *second and final reading* of these policies and regulations resulting from legislation effective prior to May 2017.

Time: 5 mins.

POLICY GUIDE SHEET

March 2017

Page 1 of 4

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.

BP 0460 - Local Control and Accountability Plan

(BP revised)

Policy updated to reflect **NEW LAW** (Proposition 58, 2016) which requires the local control and accountability plan (LCAP) development process to include solicitation of parent/guardian and community input on effective and appropriate instructional methods, including language acquisition programs. Policy also reflects the State Board of Education's (SBE) adoption of evaluation rubrics (the "California School Dashboard") that will assist districts in evaluating progress toward their LCAP goals.

BP/AR 3260 - Fees and Charges

(BP/AR revised)

Policy reorganized and updated to reflect a California Department of Education (CDE) management advisory regarding the prohibition against requiring parent/guardian volunteer hours or payment as a condition of the student's enrollment or participation in educational activities. Regulation updated to reflect **NEW LAW** (AB 2615, 2016) which permits districts to charge a fee for participation in After School Education and Safety (ASES) programs, 21st Century Community Learning Center (21st CCLC) programs, and 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program, as long as the fee is waived or reduced for low-income families and, effective July 1, 2017, the fee is not charged for a homeless or foster youth. Regulation also clarifies the permissibility of charging a fee for in-state field trips in accordance with CDE's interpretation of law, provided that no student is prevented from participating based on a lack of funds.

AR 4112.22 - Staff Teaching English Learners

(AR revised)

Regulation updated to revise definition of "English learner" pursuant to Proposition 58 (2016). Regulation also deletes material regarding the Certificate of Staff Development issued by the Commission on Teacher Credentialing and provides a general paragraph applicable to multiple types of authorizations to teach English learners. Title of regulation updated to reflect current terminology.

E 4112.9/4212.9/4312.9 - Employee Notifications

(E revised)

Exhibit updated to add notice seeking volunteers to administer opioid antagonist pursuant to **NEW LAW** (AB 1748, 2016), delete notice seeking volunteers to administer anti-seizure medication as the requirement self-repealed on January 1, 2017, add notice informing new employees of their right to purchase Public Employment Retirement Service credit for certain active military service, and update legal citations.

AR 4161.1/4361.1 - Personal Illness/Injury Leave

(AR revised)

Regulation updated to add new section on "Additional Leave for Disabled Military Veterans" reflecting **NEW LAW** (SB 1180, 2016) which entitles eligible certificated employees to receive an additional 10 days of sick leave with pay during the first year of employment for the purpose of undergoing medical treatment for a military service-connected disability. Regulation reflects **NEW LAW** (AB 2393, 2016) which clarifies differential pay for parental leave ("baby bonding" leave), including clarifying that such leave will run concurrently with parental leave taken under the California Family Rights Act, but, unlike the CFRA, does not require an employee to have at least 1,250 hours of service with the district in the previous 12-month period. Regulation also clarifies applicability of law requiring a reemployment list for employees who are not medically able to resume duties after a specified period of time.

POLICY GUIDE SHEET

March 2017

Page 2 of 4

AR 4261.1 - Personal Illness/Injury Leave

(AR revised)

Regulation updated to add new section on "Additional Leave for Disabled Military Veterans" reflecting **NEW LAW** (SB 1180, 2016) which entitles eligible classified employees to receive an additional 12 days of sick leave with pay during the first year of employment for the purpose of undergoing medical treatment for a military service-connected disability. Regulation also updated to reflect **NEW LAW** (AB 2393, 2016) which extends to classified employees the same provisions related to differential pay for parental leave that were previously granted only to certificated employees.

BP 5111 - Admission

(BP revised)

Policy updated and released on GAMUT in February, in conjunction with new CSBA Legal Guidance, to clarify that, under state compulsory education laws and the U.S. Supreme Court decision in Plyler v. Doe, students cannot be denied a free public education on the basis of their citizenship or immigration status, including their status as undocumented children. Policy includes direction not to inquire into a student's citizenship or immigration status nor deny enrollment on the basis of citizenship or immigration status. Policy also reflects **NEW LAW** (AB 2308, 2016) which extends the requirement that the district's enrollment forms include an informational item about affordable health care options and available enrollment assistance through the 2020-21 school year.

BP 5111.1 - District Residency

(BP revised)

Policy updated and released on GAMUT in February, in conjunction with new CSBA Legal Guidance, to clarify that, under state compulsory education laws and the U.S. Supreme Court decision in Plyler v. Doe, districts cannot deny enrollment on the basis of citizenship or immigration status and therefore should not request visas, passports, or other documentation that would discourage undocumented children from enrolling in school.

BP/AR 5113 - Absences and Excuses

(BP/AR revised)

Policy updated to reflect the requirement for a board resolution approving reasonable methods by which students can verify absences due to illness or quarantine. Policy also deletes section on "Effect of Absence on Grades/Credits," as that material is covered in BP/AR 5121 - Grades/Evaluation of Student Achievement and BP 6154 - Homework/Makeup Work. Regulation updated to reflect **NEW LAW** (AB 1593, 2016) which provides that a student's attendance at his/her own naturalization ceremony constitutes an excused absence. Regulation also includes parent notification requirement formerly in BP, and adds notifications that a student may be excused for religious exercises or instruction and that a student's grade will not be lowered following an excused absence provided that missed schoolwork is completed within a reasonable period of time.

BP/AR 5141.52 - Suicide Prevention

(BP/AR revised)

Policy and regulation substantially revised to reflect **NEW LAW** (AB 2246, 2016) which mandates districts serving grades 7-12 to adopt policy on suicide prevention, intervention, and postvention by the beginning of the 2017-18 school year. Policy and regulation reflect the mandate to address any related staff development to be provided to teachers in grades 7-12 and to address the needs of specified high-risk student populations. In addition, policy and regulation add best practices in prevention, intervention, and postvention, including, but not limited to, student instruction, crisis intervention procedures, follow-up care for a student who threatens or attempts suicide, and the provision of counseling and other postvention strategies to reduce suicide contagion.

POLICY GUIDE SHEET
March 2017
Page 3 of 4

E 5145.6 - Parental Notifications

(E revised)

Exhibit updated to reflect **NEW LAWS** adding parental notifications related to language acquisition programs (Proposition 58, 2016), involuntary transfer of a student convicted of violent felony or firearms-related misdemeanor (SB 1343, 2016), enrollment priorities for homeless and foster youth in before/after school programs (AB 2615, 2016), and exemption from local graduation requirements for former juvenile court school students (AB 2306, 2016). Exhibit also deletes notification related to structured English immersion programs pursuant to Proposition 58, and updates legal citations and referenced CSBA sample policies/regulations.

BP/AR 5148.2 - Before/After School Programs

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW** (AB 2615, 2016) which permits districts to charge a family fee for participation in an ASES, 21st CCLC, or ASSET's program, as long as the fee is waived or reduced for low-income families and, effective July 1, 2017, the fee is not charged for a homeless or foster youth. Policy also links program content with goals in the district's LCAP, and includes material formerly in AR related to priorities for establishing district programs consistent with state and federal priorities for funding programs. Regulation also reflects provisions of AB 2615 which require first priority for enrollment, beginning July 1, 2017, to be given to students identified as homeless or foster youth and require ASSET's programs to provide for access to computers and technology.

BP 6111 - School Calendar

(BP revised)

Policy updated to clarify that a district must offer a minimum of 175 instructional days per school year until it meets or exceeds its funding target under the local control funding formula, at which time the minimum required number of instructional days is 180. Policy also adds reference to the requirement for a minimum of 163 instructional days per year for multitrack year-round schools.

BP 6117 - Year-Round Schedules

(BP revised)

Policy updated to clarify that a year-round school is generally required to offer a minimum of 175 instructional days per school year until the district meets or exceeds its funding target under the local control funding formula, at which time the minimum required number of instructional days is 180. Policy adds conditions under which a multitrack year-round school may instead offer a minimum of 163 instructional days.

BP/AR 6142.2 - World/Foreign Language Instruction

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW** (Proposition 58, 2016) which authorizes the establishment of dual-language immersion programs that provide integrated language learning and academic instruction for English learners and native speakers of English. Policy also reflects **NEW LAW** (AB 2290, 2016) which requires the SBE to consider revisions to the state content standards for world languages by March 31, 2019. Regulation reflects provisions of Proposition 58 which (1) delete the requirement that a parent/guardian request a waiver of structured English immersion instruction so that an English learner may participate in a dual-language immersion program, (2) require dual-language immersion programs in grades K-3 to meet class size requirements, and (3) require a parental notice with information on the district's dual-language and other language acquisition programs.

POLICY GUIDE SHEET

March 2017

Page 4 of 4

BP 6144 - Controversial Issues

(BP revised)

Policy updated to provide that parents/guardians may be given an opportunity to opt out of instruction on controversial issues only when required by law, not at the discretion of a teacher or administrator. Policy also clarifies the district's right to limit teacher expressions of personal opinion when teachers are in the classroom and therefore acting on behalf of the district.

BP/AR/E 6174 - Education for English Learners

(BP/AR revised; E deleted)

Policy and regulation substantially revised to reflect **NEW LAW** (Proposition 58) which authorizes parents/guardians to select a language acquisition program that best suits their child and eliminates the requirement for parents/guardians to request a waiver from the district if they want to enroll their child in a program other than a structured English immersion program. Policy reflects provisions of Proposition 58 that require districts to (1) offer, at a minimum, a structured English immersion program; (2) seek parent/guardian and community input on language acquisition programs during development of the district's LCAP; and (3) to the extent possible, offer a language acquisition program requested by parents/guardians of 30 or more students at a school or 20 or more students in any grade level at the school. Policy and regulation also reflect revisions in Title III English learner programs, including renumbering of accountability requirements and changes in the required parental notification, pursuant to the Every Student Succeeds Act. Title of policy and regulation updated to reflect current terminology. Exhibit deleted as districts no longer need a sample form for the parental exception waiver.

BP 6176 - Weekend/Saturday Classes

(BP revised)

Policy updated to reflect **NEW LAW** (AB 2659, 2016) which authorizes makeup classes for any type of absence, including excused absences, to be offered during the weekend. Policy also adds material regarding the circumstances under which teachers cannot be assigned to work on a weekend.

LOCAL CONTROL AND ACCOUNTABILITY PLAN

Note: The following policy is **optional**. Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a local control and accountability plan (LCAP). ~~A template for the plan and related requirements for LCAP development are contained in 5 CCR 15494-15497.5, as amended by Register 2015, No. 2.~~ Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of the local control funding formula); and (8) student outcomes in the specified course of study. Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership. See the accompanying administrative regulation for further information about the required content of the LCAP.

The LCAP is a key component of the state accountability system. Pursuant to Education Code 52064.5, the State Board of Education (SBE) has adopted evaluation rubrics (called the "California School Dashboard") which will assist districts in evaluating their progress toward the goals in their LCAP. Under the flexibility provided by the federal Every Student Succeeds Act (ESSA) (P.L. 114-95), California has begun to streamline local, state, and federal requirements into a single, coherent system for planning, accountability, and school improvement and support.

The Governing Board desires to ensure the most effective use of available funding to improve outcomes for all students. A community-based, comprehensive, data-driven planning process shall be used to identify annual goals and specific actions and to facilitate continuous improvement of district practices.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

Note: Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of the local control funding formula); and (8) student outcomes in the specified course of study. The LCAP template in 5 CCR 15497.5, as added by Register 2015, No. 2, presents guiding questions to consider in plan development and groups these priorities into categories of Conditions of Learning, Pupil Outcomes, and Engagement. See the accompanying administrative regulation for further information about the required content of the LCAP.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership.

A template for the LCAP and related requirements are contained in 5 CCR 15494-15497.5. According to California Department of Education (CDE) correspondence dated January 18, 2017, for the 2017-18 school year, districts scheduled for Federal Program Monitoring and/or applying for Title III funds must also complete an LCAP Addendum that was developed by the CDE to ensure alignment of local, state, and federal planning efforts. Districts may use an electronic template, accessible on the CDE's web site, to create their LCAP.

The Board shall adopt a districtwide local control and accountability plan (LCAP), following the template provided in 5 CCR 15497.5, that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and subsequent two fiscal years. (Education Code 52060; 5 CCR 15497.5)

(cf. 3100 - Budget)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth and are counted only once for purposes of the local control funding formula. (Education Code 42238.02)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Language Learners)

Note: Education Code 52062 requires the district to ensure that the specific actions included in the LCAP are consistent with strategies in the single plan for student achievement (SPSA) submitted by each school pursuant to Education Code 64001; see BP/AR 0420 - School Plans/Site Councils for SPSA requirements. In addition, the LCAP template in 5 CCR 15497.5 allows for the LCAP to be supplemented with information contained in other plans, including the Title I local educational agency plan required by 20 USC 6312 (see BP/AR 6171 - Title I Programs).

The Superintendent or designee shall review the single plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

(cf. 0420 - School Plans/Site Councils)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

The LCAP shall also be aligned with other district and school plans to the extent possible in order to minimize duplication of effort and provide clear direction for program implementation.

(cf. 0400 - Comprehensive Plans)
(cf. 0440 - District Technology Plan)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5030 - Student Wellness)
(cf. 6171 - Title I Programs)
(cf. 7110 - Facilities Master Plan)

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the number of students in student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

Note: Education Code 52060 requires consultation on plan development with all of the groups listed below. The Board may delegate responsibility for arranging meetings and other input opportunities to the Superintendent or designee.

5 CCR 15495 defines what it means to consult with students, including unduplicated students and other numerically significant student subgroups, and gives examples of methods that may be used for this consultation. Pursuant to Education Code 52052, ~~as amended by AB 104 (Ch. 13, Statutes of 2015)~~, a numerically significant subgroup includes ethnic subgroups, students with disabilities, socioeconomically disadvantaged students, English learners, foster youth, and homeless students, when there are at least 30 students in the subgroup (or 15 foster youth or homeless students) in the school or district. For schools or districts with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval of the ~~State Board of Education (SBE)~~.

State regulations do not provide examples of consultation with groups other than students, but consultations might include the establishment of an advisory committee consisting of representatives of all the specified groups, solicitation of feedback from the groups after a draft plan is available, discussion of the LCAP at staff meetings, and communication with parent organizations, student councils, school site councils, or other established committees or organizations.

The district may expand the following paragraph to reflect district practice.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

(cf. 1220 - Citizen Advisory Committees)

(cf. 4140/4240/4340 - Bargaining Units)

(cf. 6020 - Parent Involvement)

Public Review and Input

Note: Pursuant to Education Code 52063 and 5 CCR 15495, **as amended by Register 2015, No. 2**, the Board is required to establish a parent advisory committee that is composed of a majority of parents/guardians and includes at least one parent/guardian of an unduplicated student. In addition, if district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board is required to establish an English learner parent advisory committee which, pursuant to 5 CCR 15495 as amended, must include a majority of parents/guardians of English learners. The district may use existing parent advisory committees for these purposes if the committee composition complies with Education Code 52063 and 5 CCR 15945. However, the district should consider whether such opportunities need to be expanded to achieve significant levels of stakeholder involvement in the planning process as intended by the law.

The Board shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be composed of a majority of parents/guardians and shall include at least one parent/guardian of an unduplicated student as defined above. (Education Code 52063; 5 CCR 15495)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

Note: Education Code 52062 requires notification to the public of the opportunity to submit written comments on the proposed LCAP, including notification in the primary language of parents/guardians when required by Education Code 48985. Pursuant to Education Code 48985, whenever 15 percent or more of the students in a school speak a single primary language other than English, notifications sent to parents/guardians of such students must be written in the primary language as well as in English; see BP 5145.6 - Parental Notifications.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Education Code 305, as amended by Proposition 58 (November 2016) and effective July 1, 2017, the LCAP parent and community engagement process must include solicitation of input as described in the following paragraph. Also see BP/AR 6174 - Education for English Language Learners for further information regarding the types of language acquisition programs that may be offered to students.

As part of the parent and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

Note: Pursuant to Education Code 42127, the Board cannot adopt a district budget until the LCAP is in place for the budget year; see BP 3100 - Budget. The budget must include the expenditures necessary to implement the plan that will be effective during the subsequent fiscal year. If it does not, the County Superintendent of Schools will disapprove the district's budget.

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

(cf. 9320 - Meetings and Notices)

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing.

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Submission of Plan to County Superintendent of Schools

Note: Education Code 52070 requires the district to submit the LCAP to the County Superintendent. The County Superintendent may seek written clarification of the contents of the plan and may submit recommendations for amendments as provided below. He/she is required to approve the LCAP on or before October 8 if he/she determines that (1) the LCAP adheres to the template in 5 CCR 15497.5 **as added by Register 2015, No. 2**; (2) the district budget includes expenditures sufficient to implement the specific actions in the LCAP; and (3) the LCAP adheres to supplemental and concentration grant expenditure requirements specified in Education Code 42238.07 for unduplicated students. In determining whether the district has fully demonstrated that it will use supplemental and concentration funds to increase or improve services for unduplicated students, 5 CCR 15497, ~~as added by Register 2015, No. 2~~, requires the County Superintendent to review any descriptions of districtwide or schoolwide services provided.

Not later than five days after adoption of the LCAP, the Board shall file the LCAP with the County Superintendent of Schools. (Education Code 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

Monitoring Progress

Note: The following **optional** paragraph may be revised to reflect the district's timeline for reviewing evaluations of the progress and effectiveness of strategies included in the LCAP. Such reports should be provided to the Board in sufficient time to allow for any necessary changes in the annual update to the LCAP by July 1 of each year, as required by Education Code 52060-52061. **The California School Dashboard provides a tool to assist in evaluation of district and school performance and includes all of the state priorities for the LCAP described in Education Code 52060.**

~~In September 2016, the SBE adopted evaluation rubrics to assist districts in evaluating their strengths, weaknesses, and areas that require improvement. The rubrics include all of the state priorities described in Education Code 52060, SBE standards for district and school performance, and SBE expectations for improvement in regard to those state priorities.~~

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. **Evaluation shall include, but not be limited to, an assessment of district and school performance based on evaluation rubrics adopted by the State Board of Education pursuant to Education Code 52064.5.** Evaluation data shall be used to recommend any necessary revisions to the LCAP.

(cf. 0500 - Accountability)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**Technical Assistance/Intervention**

Note: Pursuant to Education Code 52071, the Board may, at its discretion and at the district's expense, request technical assistance as described in items #1-3 below. In addition, the County Superintendent is required to provide such technical assistance whenever he/she does not approve the district's LCAP and/or the district fails to improve student achievement across more than one state priority described in Education Code 52060, as determined using the SBE evaluation rubric.

When it is in the best interest of the district, the Board may submit a request to the County Superintendent for technical assistance, including, but not limited to: (Education Code 52071)

1. Assistance in the identification of district strengths and weaknesses in regard to state priorities and review of effective, evidence-based programs that apply to the district's goals
2. Assistance from an academic expert, team of academic experts, or another district in the county in identifying and implementing effective programs to improve the outcomes for student subgroups
3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074

In the event that the County Superintendent requires the district to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062.

Note: Education Code 52072 provides that the SPI, with approval of the SBE, may intervene when a district meets both of the following criteria: (1) the district did not improve the outcomes for three or more student subgroups identified pursuant to Education Code 52052, or all of the student subgroups if the district has fewer than three subgroups, in regard to more than one state or local priority in three out of four consecutive school years; and (2) the California Collaborative for Educational Excellence (CCEE) has provided advice and assistance to the district and submits a finding that the district failed or is unable to implement the CCEE's recommendations or that the district's inadequate performance is so persistent or acute as to require intervention. For any district identified as needing intervention, the SPI or an academic trustee appointed by the SPI may, with approval of the SBE, take one or more of the actions listed in items #1-3 below.

If the Superintendent of Public Instruction (SPI) identifies the district as needing intervention pursuant to Education Code 52072, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following:

1. Revision of the district's LCAP

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

2. Revision of the district's budget in accordance with changes in the LCAP
3. A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

Legal Reference: (see next page)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)*Legal Reference:*EDUCATION CODE305-306 *English language education*17002 *State School Building Lease-Purchase Law, including definition of good repair***33430-33436 *Learning Communities for School Success Program; grants for LCAP implementation***41020 *Audits*42127 *Public hearing on budget adoption*42238.01-42238.07 *Local control funding formula*44258.9 *County superintendent review of teacher assignment*48985 *Parental notices in languages other than English*51210 *Course of study for grades 1-6*51220 *Course of study for grades 7-12*52052 *Academic Performance Index; numerically significant student subgroups*52060-52077 *Local control and accountability plan*52302 *Regional occupational centers and programs*52372.5 *Linked learning pilot program*54692 *Partnership academies*60119 *Sufficiency of textbooks and instructional materials; hearing and resolution*60605.8 *California Assessment of Academic Achievement; Academic Content Standards Commission*60811.3 *Assessment of language development*64001 *Single plan for student achievement*99300-99301 *Early Assessment Program*CODE OF REGULATIONS, TITLE 515494-15497.5 *Local control and accountability plan and spending requirements*UNITED STATES CODE, TITLE 206312 *Local educational agency plan*6826 *Title III funds, local plans**Management Resources:*CSBA PUBLICATIONS***Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016***
LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016***Impact of Local Control Funding Formula on Board Policies, November 2013******Local Control Funding Formula 2013, Governance Brief, August 2013******State Priorities for Funding: The Need for Local Control and Accountability Plans, Fact Sheet, August 2013***CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*California School Accounting Manual****Every Student Succeeds Act - Update #6, January 18, 2017******LCFF Frequently Asked Questions***WEB SITESCSBA: <http://www.csba.org>California Department of Education: <http://www.cde.ca.gov>

(10/13 4/15) 3/17

Policy Reference UPDATE ServiceCopyright 2017 by **California School Boards Association**, West Sacramento, California 95691

All rights reserved.

FEES AND CHARGES

Note: Pursuant to Education Code 49011, a district is prohibited from requiring students to pay a fee, deposit, or other charge in order to participate in an educational activity as defined in Education Code 49010. A district is also required to provide the supplies, materials, and equipment needed by students to participate in educational activities. **Additionally,** Education Code 49011 clarifies that an otherwise impermissible fee would not be made permissible by the provision of a waiver for some students. However, pursuant to 5 CCR 350, a district is permitted, in certain circumstances, to impose fees that are specifically authorized by law. See the accompanying administrative regulation for a list of permissible fees.

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the district's educational program are made available to them at no cost.

No student shall be required to pay a fee, deposit, or other charge for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

(cf. 3100 - Budget)

(cf. 6145 - Extracurricular and Cocurricular Activities)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. When approving such fees, deposits, or charges, establishing fee schedules, or determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socioeconomic conditions of district students' families and their ability to pay.

(cf. 3250 - Transportation Fees)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5143 - Insurance)

(cf. 9323.2 - Actions by the Board)

Note: The following **optional** paragraph may be revised to reflect district practice. The prohibition against student fees pursuant to Education Code 49011 does not restrict districts from soliciting for voluntary donations, participating in fundraising activities, **and-or** providing prizes or other recognition for participants in such fundraising activities. **However, according to California Department of Education's (CDE) Fiscal Management Advisory 15-01, Pupil Fees: Parent Service Hours, the prohibition against student fees does bar a district from requiring volunteer hours or payment in lieu of performing volunteer hours as a condition of admission, enrollment, continued enrollment, sibling preference, attendance, participation in educational activities, or receipt of credit or privileges related to educational activities.**

FEES AND CHARGES (continued)

The prohibition against student fees shall not restrict the district from soliciting for **voluntary** donations, participating in fundraising activities, ~~and or~~ providing prizes or other recognition for participants in such activities and events. **The Superintendent or designee shall emphasize that participation of students, parents/guardians, district employees, volunteers, or educational or civic organizations in such activities and events is voluntary.** ~~However, t~~The district shall not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. **It also and** shall not remove, or threaten to remove, from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3290 - Gifts, Grants and Bequests)

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

Complaints

Note: Pursuant to Education Code 49013, a district is mandated to adopt policy **and procedures** which allow complaints to be filed using the uniform complaint procedures when the district is alleged to have violated the prohibition against requiring unauthorized student fees. See BP/AR 1312.3 - Uniform Complaint Procedures for language implementing this mandate.

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

(cf. 1312.3 - Uniform Complaint Procedures)

Note: Education Code 49013 ~~provides for~~ **requires** districts found in violation of the prohibition against ~~requiring~~ student fees to design a remedy which may include reasonable efforts to fully identify and reimburse all affected individuals as specified in 5 CCR 4600, ~~as amended by Register 2013, No. 38.~~ **See AR 1312.3 - Uniform Complaint Procedures for additional language reflecting these requirements.**

If, upon investigation, the district finds merit in the complaint, the Superintendent or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

FEES AND CHARGES (continued)

Note: ~~Education Code 49013 requires the district to include information about the prohibition against requiring unauthorized student fees in the annual notification required pursuant to 5 CCR 4622.~~

Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the district's annual notification **of uniform complaint procedures required** to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

8239 *Preschool and wraparound child care services*

8250 *Child care and development services for children with disabilities*

8263 *Child care eligibility*

8422 21st Century High School After School Safety and Enrichment for Teens programs

8482.6 *After School Education and Safety programs*

8760-8774 *Outdoor science and conservation programs*

17453.1 *District sale or lease of Internet appliances or personal computers to students or parents*

17551 *Property fabricated by students*

19910-19911 *Offenses against libraries*

32033 *Eye protective devices*

32221 *Insurance for athletic team member*

32390 *Fingerprinting program*

35330-35332 *Excursions and field trips*

35335 *School camp programs*

38080-38086.1 *Cafeteria establishment and use*

38120 *Use of school band equipment on excursions to foreign countries*

39801.5 *Transportation for adults*

39807.5 *Payment of transportation costs*

39837 *Transportation of students to places of summer employment*

48050 *Residents of adjoining states*

48052 *Tuition for foreign residents*

48904 *Liability of parent or guardian*

49010-49013 *Student fees*

49065 *Charge for copies*

49066 *Grades, effect of physical education class apparel*

49091.14 *Prospectus of school curriculum*

51810-51815 *Community service classes*

52612 *Tuition for adult classes*

52613 *Nonimmigrant foreign nationals aliens*

56504 *School records; students with disabilities*

60410 *Students in classes for adults*

Legal Reference continued: (see next page)

FEES AND CHARGES (continued)

Legal Reference: (continued)

GOVERNMENT CODE

6253 *Request for copy; fee*

CALIFORNIA CONSTITUTION

Article 9, Section 5 *Common school system*

CODE OF REGULATIONS, TITLE 5

350 *Fees not permitted*

4600-4687 *Uniform complaint procedures*

UNITED STATES CODE, TITLE 8

1184 *Foreign students*

COURT DECISIONS

Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513

Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251

Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739

Hartzell v. Connell (1984) 35 Cal. 3d 899

CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees: Damage to School Property, Fiscal Management Advisory 16-01, September 16, 2016

Pupil Fees: Parent Service Hours, Fiscal Management Advisory 15-01, January 20, 2015

Pupil Fees, Deposits, and Other Charges: Cap and Gown for High School Graduation Ceremony,

Addendum to Fiscal Management Advisory 12-02, October 4, 2013

Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

WEB SITES

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

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

FEES AND CHARGES

Note: Pursuant to 5 CCR 350, districts may charge fees only when specifically authorized by law. The following list specifies fees currently authorized by law **and should be revised to reflect the types of fees that have been approved by the Governing Board; see the accompanying Board policy.** Other permissible fees may exist and be identified in the future. **For further information about fees and charges, see the California Department of Education's (CDE) Fiscal Management Advisory 12-02, Fees, Deposits and Other Charges.**

Pursuant to Education Code 49011, a district is prohibited from requiring a student to pay fees or charges in order to participate in an educational activity. A complaint alleging the unauthorized charging of student fees may be filed in accordance with the uniform complaint procedures; see the accompanying Board policy and BP/AR 1312.3 - Uniform Complaint Procedures. Districts with questions as to whether a particular fee may be charged should consult with legal counsel.

When approved by the Governing Board, the Superintendent or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption providing for the district to pay the cost of the insurance for any team member who is financially unable to pay (Education Code 32221)

(cf. 5143 - Insurance)

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

Note: In its Fiscal Management Advisory 12-02, the CDE interprets Education Code 35330 as permitting the district, at its discretion, to charge fees for any field trip, provided that no student is prevented from participating in a field trip due to a lack of funds. However, Education Code 35330 prohibits the use of district funds or district transportation allowances for an out-of-state field trip, and thus the district must charge participating students a fee for such trips and/or use non-district funds such as donations from a parent-teacher or community organization, education foundation, or school fundraiser specifically designated for this purpose.

3. Expenses of students' participation in a field trip or excursion **within the state or** to another state, the District of Columbia, or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program, as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)

(cf. 5142.1 - Identification and Reporting of Missing Children)

AR 3260(b)

FEES AND CHARGES (continued)

5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-8774, provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

(cf. 6142.5 - Environmental Education)

Note: Education Code 17551 permits the district to sell to a student any nonperishable property of the district which has been fabricated by the student, as provided in item #6 below. California Department of Education (CDE) Fiscal Management Advisory 12-02 clarifies that this cost applies to materials the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects.

6. Reimbursement for the direct cost of materials provided by the district to a student for the fabrication of nonperishable personal property the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects kept by the student (Education Code 17551)
7. Home-to-school transportation and transportation between regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does not exceed the statewide average unsubsidized cost per student and exemptions are made for indigent and disabled students (Education Code 39807.5)

(cf. 3250 - Transportation Fees)

8. Transportation for students to and from their places of employment in connection with any summer employment program for youth (Education Code 39837)
9. Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)

Note: Education Code 17453.1 permits the district to sell or lease Internet appliances or personal computers to students as provided in item #10 below. CDE Fiscal Management Advisory 12-02 defines "Internet appliance" as a technological product that allows connection or access to an online educational network and clarifies that Internet appliances and personal computers are deemed supplemental and not an essential part of a district's educational program.

10. Sale or lease of Internet appliances or personal computers or of Internet appliances that allow a person to connect to or access the district's educational network, for the purpose of providing access to the district's educational computer network, provided that the items are sold or leased to parents/guardians at no more than cost, as long as and the district provides network access for families who cannot afford it (Education Code 17453.1)

(cf. 0440 - District Technology Plan)

(cf. 6163.4 - Student Use of Technology)

AR 3260(c)

FEES AND CHARGES (continued)

11. **Fees for any An adult education or secondary school** community service class in civic, vocational, **literacy**, health, homemaking, and technical and general education, not to exceed the cost of maintaining the class (Education Code 51810-51815)

(cf. 6142.4 - Service Learning/Community Service Classes)

12. Eye safety devices worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and at a price not to exceed the district's actual costs (Education Code 32033)

(cf. 3514.1 - Hazardous Substances)

(cf. 5142 - Safety)

13. Actual cost of furnishing copies of any student's records, except that no charge shall be made for furnishing up to two transcripts or two verifications of a former student's records or for reproducing records of a student with a disability when the cost would effectively prevent the parent/guardian from exercising the right to receive the copies (Education Code 49065, 56504)

(cf. 5125 - Student Records)

14. Actual costs of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

(cf. 1340 - Access to District Records)

(cf. 5020 - Parent Rights and Responsibilities)

15. Food sold at school, subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3551 - Food Service Operations/Cafeteria Funds)

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3554 - Other Food Sales)

16. As allowed in law, replacement cost or reimbursement for lost or **willfully** damaged district books, supplies, or property, or for district property loaned to a student that he/she fails to return (Education Code 19910-19911, 48904)

(cf. 3515.4 - Recovery for Property Loss or Damage)

17. Tuition for district school attendance by an out-of-state or out-of-country resident (Education Code 48050, 48052, 52613; 8 USC 1184)

AR 3260(d)

FEES AND CHARGES (continued)

(cf. 5111.2 - Nonresident Foreign Students)

18. Adult education books, materials, transportation, and classes, except that no fee may be charged for classes in elementary subjects, **or classes** for which high school credit is granted when taken by a person who does not hold a high school diploma, **or, effective July 1, 2015,** classes in English and citizenship (Education Code 39801.5, 52612, 60410)

(cf. 6200 - Adult Education)

19. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is for severely disabled children and the student is eligible to enroll in it (Education Code 8239, 8250, 8263)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

Note: Pursuant to Education Code 8422 and 8482.6, as amended by AB 2615 (Ch. 470, Statutes of 2016), districts are permitted to charge family fees for participation in After School Education and Safety (ASES) programs, 21st Century Community Learning Centers (21st CCLC), and 21st Century High School After School Safety and Enrichment for Teens programs, as long as fees are waived or reduced for families with students who are eligible for free or reduced-price meals. In regard to ASES and 21st CCLC, commencing July 1, 2017, no fees may be charged if the district knows the student is a homeless youth or in foster care.

20. **After School Education and Safety Programs as long as no eligible student is denied the ability to participate because of inability to pay the fee Participation in a before-school or after-school program that is funded as an After School Education and Safety (ASES) program, 21st Century Community Learning Center (21st CCLC), or 21st Century High School After School Safety and Enrichment for Teens program, provided that fees are waived or reduced for families with students who are eligible for free or reduced-price meals and, in regard to ASES and 21st CCLC programs, fees are not charged if the district knows the student is a homeless or foster youth** (Education Code **8422,** 8482.6)

(cf. 5148.2 - Before/After School Programs)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

Note: In Fiscal Management Advisory 12-02, the CDE lists **Advanced Placement and International Baccalaureate examination fees item #21 below as permissible. Districts with questions concerning this item should consult legal counsel. Some districts choose to reduce the cost of the fees for low-income**

students through the use of district funds or other funding sources; see BP 6141.4 - International Baccalaureate Program and BP 6141.5 - Advanced Placement.

AR 3260(e)

FEES AND CHARGES (continued)

21. Advanced Placement and International Baccalaureate Diploma examinations for college credits, as long as the examination is not a course requirement and the results have no impact on student grades or credits in the course

(cf. 6141.4 - International Baccalaureate Program)

(cf. 6141.5 - Advanced Placement)

Note: In its Addendum to Fiscal Management Advisory 12-02 issued in October 2013, the CDE clarifies that a district that requires its students to wear a cap and gown as a condition for their participation in the high school graduation ceremony may not require such students to purchase the cap and gown. CDE recommends that such districts provide the graduates with a cap and gown for their use at the graduation ceremony and inform them that those interested may purchase a cap and gown from a vendor.

(11/12 4/14) 3/17

STAFF TEACHING ENGLISH LANGUAGE LEARNERS

Note: **A teacher who is To be** assigned to provide English language development (ELD), specially designed academic instruction in English (SDAIE), and/or primary language instruction, as defined below, **a teacher** must hold an appropriate authorization from the Commission on Teacher Credentialing (CTC).

Education Code 44258.9 requires the County Superintendent of Schools to monitor district teacher assignments and vacancies and to investigate district efforts to ensure that a teacher in an assignment requiring authorization to teach English learners completes the necessary requirements. **If a school is ranked in deciles 1-3 on the statewide Academic Performance Index, the County Superintendent must annually report on the appropriate English learner certification held by teachers in any class with at least 20 percent English learners.** See BP 4113 - Assignment.

Definitions

Note: Proposition 58 (November 2016) amended Education Code 306 to revise the definition of "English learner" to conform with federal law, as follows.

~~*English learner* means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)~~

***English learner* means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)**

Instruction for English language development (ELD) means instruction designed specifically for English learners to develop their listening, speaking, reading, and writing skills in English. (Education Code 44253.2)

Specially designed academic instruction in English (SDAIE) means instruction in a subject area, delivered in English, that is specially designed to meet the needs of English learners. (Education Code 44253.2)

STAFF TEACHING ENGLISH LANGUAGE LEARNERS (continued)

Primary language instruction includes both *primary language development* designed to develop English learners' listening, speaking, reading, and writing skills in their primary language and *content instruction delivered in the primary language* in any subject area. (Education Code 44253.2)

(cf. 6174 - Education for English Language Learners)

Teacher Qualifications

Note: Education Code 44253.1-44253.11, related Title 5 regulations, and CTC leaflet CL-622, Serving English Learners, describe requirements pertaining to the qualifications of teachers of English learners.

It is the authorization listed on a document issued by the CTC, not the title of the document, which determines if and how an individual is authorized to serve English learners. Teacher preparation programs for multiple subject, single subject, and education specialist candidates include embedded coursework that allows them to earn an English learner authorization (authorizing ELD and SDAIE instruction) or a bilingual authorization (authorizing ELD, SDAIE, and primary language instruction) directly on their teaching credential. A teacher also may qualify to provide ELD and SDAIE instruction by completing coursework and/or passing CTC-approved examinations leading to a Crosscultural, Language and Academic Development (CLAD) certificate. The CTC is no longer issuing new Bilingual, Crosscultural, Language and Academic Development (BCLAD) certificates, but current holders of valid BCLAD certificates may continue to provide ELD, SDAIE, and primary language instruction.

Pursuant to Education Code 44253.11, a teacher with an appropriate prerequisite credential may enroll in a CTC-approved staff development program and, upon successful completion, may apply to the CTC for a Certificate of Completion of Staff Development authorizing the teacher to provide instruction in SDAIE.

5 CCR 80021 and 80021.1, as amended by Register 2010, No. 43, provide that all Short-Term Staff Permits and Provisional Internship Permits will be issued with an English learner authorization, unless the district requests the bilingual authorization and the applicant verifies target-language proficiency. The CTC also may issue emergency CLAD and bilingual authorization permits pursuant to 5 CCR 80024.7-80024.8, as amended by Register 2010, No. 43. See AR 4112.2 - Certification.

The CTC's "Frequently Asked Questions Concerning Appropriate Assignment and Authorizations to Serve English Learners in California" clarifies that any teacher with one or more K-12 English learner students in his/her class is required to have **an a CTC authorization for to provide ELD, and/or SDAIE, and/or primary language instruction,** as appropriate. State law does not specify any exemption based on the number of English learners in a class, the type of class (e.g., elective), or type of setting (e.g., special education or career technical education). **According to the FAQs, districts have discretion to establish an employment requirement that all teachers, even those who currently have no English learners, possess an authorization to teach English learners. Districts that choose to do so should modify the following paragraph accordingly.**

~~The Superintendent or designee shall ensure that any teacher with one or more English learners in his/her class possesses an English learner authorization issued by the Commission on Teacher Credentialing (CTC) authorizing ELD and/or SDAIE, as appropriate. A teacher possessing a bilingual authorization may be assigned to provide ELD, SDAIE, and/or primary~~

STAFF TEACHING ENGLISH LANGUAGE LEARNERS (continued)

~~language instruction.~~ **Only a teacher who possesses an appropriate authorization issued by the Commission on Teacher Credentialing (CTC) shall provide ELD, SDAIE, and/or primary language instruction in a class with one or more English learners.**

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4113 - Assignment)

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

~~A teacher with a designated subjects teaching credential or a service credential with a special class authorization may enroll in a CTC-approved staff development program and, upon successful completion, may apply to the CTC for a Certificate of Completion of Staff Development authorizing instruction in SDAIE. (Education Code 44253.11)~~

~~*(cf. 4131 - Staff Development)*~~

The **Governing Board district** may, for the purpose of providing primary language instruction, hire bilingual teachers who are employed in public or private schools of a foreign country, state, territory, or possession, provided such teachers speak English fluently and hold the necessary sojourn credential issued by the CTC. After the initial two-year sojourn credential expires, the teacher may annually apply to the CTC for an extension for a total period of not more than five years. Any application for renewal shall include verification by the Superintendent or designee that termination of the employment would adversely affect an existing bilingual program and that attempts to secure the employment of a qualified certificated California teacher have been unsuccessful. (Education Code 44856)

Legal Reference: (see next page)

STAFF TEACHING ENGLISH LANGUAGE LEARNERS (continued)

Legal Reference:

EDUCATION CODE

306 *Definition, English learner*

44253.1-44253.11 ~~*Certification for bilingual crosscultural competence*~~ ***Qualifications of teachers of English learners***

44258.9 *County superintendent review of teacher assignments*

44259.5 *Standards for teachers of all students, including English language learners*

44380-44386 *Alternative certification*

44856 *Employment of teachers from foreign countries*

52160-52178 *Bilingual-Bicultural Act of 1976*

62001-62005. 5 *Evaluation and sunseting of programs*

CODE OF REGULATIONS, TITLE 5

80015 *Requirements for the CLAD certification or English learner authorization*

80015.1-80015.4 *Requirements for CLAD, English learner authorization or bilingual authorization*

80021 *Short-Term Staff Permit*

80021.1 *Provisional Internship Program*

80024.7-80024.8 *Emergency CLAD and bilingual permits*

UNITED STATES CODE, TITLE 20

6601-6651 *Training and recruiting high-quality teachers*

6801-7014 *Language instruction for English learners and immigrant students*

7801 *Definition of English learner*

COURT DECISIONS

Teresa P. et al v. Berkeley Unified School District et al (1989) 724 F.Supp. 698

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Administrator's Assignment Manual

Frequently Asked Questions Concerning Appropriate Assignment and Authorizations to Serve English Learners in California

CL-622 *Serving English Learners*, December 2010

CL-626B *Bilingual Authorizations*, November 2010

CL-626C *Crosscultural, Language and Academic Development (CLAD) Certificate*, November 2010

CL-568 *The Sojourn Certificated Employee Credential*, August 2009

CL-824 *Certificate of Completion of Staff Development*

WEB SITES

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

California Association for Bilingual Education: <http://www.bilingualeducation.org>

<http://www.gocabe.org>

California Department of Education, English Learners: <http://www.cde.ca.gov/sp/el>

California Teachers of English to Speakers of Other Languages: <http://www.catesol.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

U.S. Department of Education: <http://www.ed.gov>

(3/07 7/11) 3/17

CSBA Sample Exhibit

All Personnel	E 4112.9(a) 4212.9 4312.9
EMPLOYEE NOTIFICATIONS	

Note: The following exhibit lists notices which the law requires be provided to employees. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements.

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees			
At the beginning of school year or upon employment	Education Code 231.5; Government Code 12950; 2 CCR 11023 11024	AR 4119.11 4219.11 4319.11	The district's policy on sexual harassment, legal remedies, complaints
Annually to all employees, and 72 hours before pesticide application	Education Code 17612	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information
To all employees, prior to implementing year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round program
To all employees, prior to implementing alternative schedule	Education Code 46162	AR 6112	Public hearing on alternative schedule
Annually to all employees	Education Code 49013; 5 CCR 4622	AR 1312.3 BP 0460 BP 3260	Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan
Annually to all employees	Education Code 49414	AR 5141.21	Request for volunteers to be trained to administer epinephrine auto-injectors
At least once per year	Education Code 49414.3	AR 5141.21	Request for volunteers to be trained to administer opioid antagonist
Electronically to all employees, no more than twice per school year per child needing medication	Education Code 49414.7	AR 5141.21	Request for volunteers to administer emergency antiseizure medication; training to be provided

E 4112.9(b)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
To all employees	Government Code 1126	BP 4136 4236 4336	Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal
Prior to beginning employment	Government Code 3102	AR 4112.3 4212.3 4312.3	Oath or affirmation of allegiance required of disaster service workers
To all employees	Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210	BP 4020 BP 4159 4259 4359	District's drug- and alcohol-free workplace; actions to be taken if violated; available employee assistance programs
Upon employment	Government Code 21029	None	Right to purchase PERS service credit for military service performed prior to public employment
Upon placement of automated external defibrillator (AED) in school, and annually thereafter	Health and Safety Code 1797.196	AR 5141	Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan
To all employees, if the district receives Tobacco-Use Prevention Education funds	Health and Safety Code 104420	AR 3513.3	District's tobacco-free schools policy and enforcement procedures
Annually to all employees, or more frequently if there is new information	Health and Safety Code 120875, 120880	AR 4119.43 4219.43 4319.43	AIDS and hepatitis B, including methods to prevent exposure
To all employees, with each paycheck	Labor Code 246	AR 4161.1 4361.1 AR 4261.1	Amount of sick leave available
To covered employees and former employees	Labor Code 2800.2	AR 4154 4254 4354	Availability of COBRA/ Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage

E 4112.9(c)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
To every new employee, either at the time employee is hired or by end of first pay period	Labor Code 3551	BP 4157.1 4257.1 4357.1	Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor
Prior to beginning employment	Penal Code 11165.7, 11166.5	AR 5141.4	Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law
Upon employment, and when employee goes on leave for specified reasons	Unemployment Insurance Code 2613	AR 4154 4254 4354	Disability insurance rights and benefits
To all employees and job applicants	2 CCR 11023; 34 CFR 104.8, 106.9	BP 0410 BP 4030	District's policy on nondiscrimination and related complaint procedures
To all employees via employee handbook, or to each new employee	2 CCR 11096; 11091, 11095; 29 CFR 825.300	AR 4161.8 4261.8 4361.8	Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA CFRA); obligation to provide 30 days' notice of need for leave when possible
To all employees and job applicants	34 CFR 104.8, 106.9	BP 0410 BP 4030	District's policy on nondiscrimination and related complaint procedures
Annually to all employees	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; inspections, response actions, post-response actions planned or in progress
II. To Certificated Employees			
To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire	Education Code 22455.5	AR 4121	Criteria for membership in retirement system; right to elect membership at any time

E 4112.9(d)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees (continued)			
Upon employment of a retired certificated individual	Education Code 22461	AR 4117.14 4317.14	Postretirement earnings limitation or employment restriction; monthly report of compensation
To certificated employees	Education Code 35171	AR 4115 BP 4315	District regulations related to performance evaluations
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated	Education Code 44663	AR 4115	Copy of employee's evaluation
To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee	Education Code 44664	AR 4115	Notice and description of the unsatisfactory performance
By May 30, if district issues reemployment notices to certificated employees	Education Code 44842	AR 4112.1	Request that the employee notify district of intent to remain in service next year
To certificated employees upon employment, and to nonpermanent employees in July of each school year	Education Code 44916	AR 4112.1 AR 4121	Employment status and salary
To probationary employees in district with ADA of 250 or more by March 15 of employee's second consecutive year of employment	Education Code 44929.21	AR 4117.6	Whether or not employee is reelected for next school year
When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year	Education Code 44934, 44934.1, 44936	BP 4118 AR 4118	Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice

E 4112.9(e)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees (continued)			
To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/dismissal notice	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings	Education Code 44940.5	AR 4118	Notice of intent to dismiss 30 days from notice unless employee demands hearing
To probationary employees 30 days prior to dismissal during school year, but not later than March 15 for second-year probationary employees	Education Code 44948.3	AR 4118	Reasons for dismissal and opportunity to appeal
By March 15 when necessary to reduce certificated personnel, with final notice by May 15	Education Code 44949, 44955	BP 4117.3	Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination
On or before June 30, to temporary employee who served 75 percent of school year but will be released	Education Code 44954	BP 4121	District's decision not to reelect employee for following school year
To teacher, when a student engages in or is reasonably suspected of specified acts	Education Code 49079	AR 4158 4258 4358	Student has committed specified act that constitutes ground for suspension or expulsion
To certificated employee upon change in employment status due to alleged misconduct or while allegation is pending	5 CCR 80303	AR 4117.7 4317.7	Contents of state regulation re: report to Commission on Teacher Credentialing

E 4112.9(f)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. To Classified Employees			
To classified employee charged with mandatory leave of absence offense, in merit system district	Education Code 44940.5	AR 4218	Notice of intent to dismiss in 30 days
When classified employee is subject to disciplinary action for cause, in nonmerit district	Education Code 45113	AR 4218	Notice of charges, procedures, and employee rights
To classified employees at least 60 days prior to layoff, or by April 29 for specially funded program that expires at end of school year	Education Code 45117	AR 4217.3	Notice of layoff and reemployment rights
To classified employees upon employment and upon each change in classification	Education Code 45169	AR 4212	Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek
To classified permanent employee whose leave is exhausted	Education Code 45192, 45195	AR 4261.1 AR 4261.11	Exhaustion of leave, opportunity to request additional leave
To school bus drivers and school activity bus drivers prior to expiration of specified documents	13 CCR 1234	AR 3542	Expiration date of driver's license, driver's certificate and medical certificate; need to renew
To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter	13 CCR 2480	AR 3542	Limitations on vehicle idling; consequences of not complying
To school bus drivers, prior to district drug testing program and thereafter upon employment	49 CFR 382.601	BP 4112.42 4212.42 4312.42	Explanation of federal requirements for drug testing program and district's policy
IV. To Administrative/Supervisory Personnel			
To deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract	Education Code 35031	BP 4312.1	Decision not to reelect or reemploy upon expiration of contract or term

E 4112.9(g)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. To Administrative/Supervisory Personnel (continued)			
Upon request by administrative or supervisory employee transferred to teaching position	Education Code 44896	AR 4313.2	Statement of the reasons for the release or reassignment
By March 15 to employee who may be released/reassigned the following school year	Education Code 44951	AR 4313.2	Notice that employee may be released or reassigned the following school year
V. To Individual Employees Under Special Circumstances			
In the event of a breach of security of district records, to affected employees	Civil Code 1798.21 1798.29	BP 3580	Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies
Prior to placing derogatory information in personnel file	Education Code 44031	AR 4112.6 4212.6 4312.6	Notice of derogatory information, opportunity to review and comment
To employees who volunteer to administer epinephrine auto-injector	Education Code 49414	AR 5141.21	Defense and indemnification from civil liability by the district
To employees returning from military leave of absence, within 30 days of return	Government Code 20997	AR 4161.5 4261.5 4361.5	Right to receive PERS service credit for military service; application form
24 hours before Board meets in closed session to hear complaints or charges against employee	Government Code 54957	BB 9321	Employee's right to have complaints/charges heard in open session
When taking disciplinary action against employee for disclosure of confidential information	Government Code 54963	BP 4119.23 4219.23 4319.23	Law prohibiting disclosure of confidential information obtained in closed session
Within one working day of work-related injury or victimization of crime	Labor Code 3553, 5401	BP 4157.1 4257.1 4357.1	Potential eligibility for workers' compensation benefits, claim form
When adverse employment action is based on DOJ criminal history information or subsequent arrest notification	Penal Code 11105, 11105.2	AR 4112.5 4212.5 4312.5	Copy of DOJ notification

E 4112.9(h)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter	8 CCR 3204, 5193	AR 4119.42 4219.42 4319.42	The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation	8 CCR 5191	AR 3514.1	Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material
To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area	8 CCR 5194	AR 3514.1	Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights
To employee eligible for military leave	38 USC 4334	AR 4161.5 4261.5 4361.5	Notice of rights, benefits, and obligations under military leave
Within five days of employee's request for FMLA leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave	29 CFR 825.300; 2 CCR 11049, 11091	AR 4161.8 4261.8 4361.8	Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice
Whenever notice of eligibility for FMLA is provided to employee	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

(5/16 7/16) 3/17

Certificated Personnel

AR 4161.1(a)
4361.1

PERSONAL ILLNESS/INJURY LEAVE

Note: The following administrative regulation is subject to collective bargaining. Education Code 44978 provides a minimum of 10 days of personal illness or injury leave (sick leave) per year for certificated employees working five days a week. The Governing Board may allow additional days at its discretion; if it does so, the following paragraph should be revised accordingly.

Labor Code 245-249 (the Healthy Workplaces, Healthy Families Act), ~~as added by AB 1522 (Ch. 317, Statutes of 2014)~~, require districts to grant a minimum of one hour of paid sick leave for every 30 hours worked to their employees who work for 30 days within a year of their employment, including temporary and substitute employees. Pursuant to Labor Code 246, ~~as amended by AB 304 (Ch. 67, Statutes of 2015)~~, a district may use a different sick leave accrual method which provides for the accrual to be on a regular basis so that an employee accrues at least 24 hours of sick leave or paid time off by the 120th calendar day of his/her employment or each calendar year or 12-month period. ~~Additional requirements of Labor Code 245-249 include, but are not limited to, display of a poster containing specified information at every workplace, provision of each employee's sick leave balance on his/her wage statements, and maintenance of leave usage documentation for three years.~~

The provisions of Labor Code 245-249 are very broad and **only** district employees covered by a valid collective bargaining agreement may be exempted from them, if the collective bargaining agreement expressly provides paid sick leave in an amount equal to or exceeding the amount of leave required pursuant to Labor Code 246, includes final and binding arbitration of disputes regarding the application of the paid sick days provisions, and provides premium wage rates for all overtime hours worked and a regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate. Since many districts may not satisfy all the conditions for this exemption, this administrative regulation has been drafted to include the requirements of Labor Code 245-249. Any district whose collective bargaining agreement meets all the conditions for exemption may modify this administrative regulation accordingly.

For additional requirements of Labor Code 245-249, see the section titled "Healthy Workplaces, Healthy Families Act Requirements" below. For paid sick leave for temporary and substitute certificated employees, see BP/AR 4121 - Temporary/Substitute Personnel. For sick leave for classified employees, see AR 4261.1 - Personal Illness/Injury Leave.

Certificated employees employed five school days **a-per** week are entitled to 10 days' leave of absence with full pay for personal illness or injury (sick leave), **per** school year of service. Employees who work less than five school days per week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee who is entitled to less than three days of paid sick leave **per year** due to the amount of time worked shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 44978; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

Use of Sick Leave

Certificated employees may use sick leave for absences due to:

PERSONAL ILLNESS/INJURY LEAVE (continued)

1. Accident or illness, whether or not the absence arises out of or in the course of employment; quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties; or temporary inability to perform assigned duties because of illness, accident, or quarantine (Education Code 44964)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

2. Pregnancy, miscarriage, childbirth, and related recovery (Education Code 44965, 44978)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity (Education Code 44981)

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

Note: **Optional** item #4 below may be revised as desired to specify a different minimum increment for sick leave.

4. Medical and dental appointments, in increments of not less than one hour
5. Industrial accidents or illnesses when leave granted specifically for that purpose has been exhausted (Education Code 44984)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

Note: Pursuant to Labor Code 246.5, as added by AB 1522 (Ch. 317, Statutes of 2014), paid sick leave may be used for the purposes specified in item #6 below. Pursuant to Labor Code 233, as amended by SB 579 (Ch. 802, Statutes of 2015), any district that provides sick leave to its employees is required to permit them to use sick leave, in an amount not less than the sick leave that would be accrued during six months at the employee's then current rate of entitlement, **for the purposes specified in items #6-7 below.**

To attend to the illness of their family members, as specified in item #6 below, family members include, but are not limited to, an employee's grandparent, grandchild, and sibling, not just his/her child, parent, spouse, or domestic partner. In addition, the law defines child as a "biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis." **For the purpose of using sick leave to attend to the health care needs of a family member, as specified in item #6 below, Labor Code 245.5 defines "family member" as an employee's spouse, registered domestic partner, child (biological, adopted, or foster child; stepchild; legal ward; or a child to whom the employee stands in loco parentis), parent (biological, adoptive, or foster parent; stepparent; legal guardian of an employee or the employee's spouse or registered domestic partner; or a person who stood in loco parentis when the employee was a minor child), grandparent, grandchild, or sibling.**

For more details of AB 1522 requirements, see section "Healthy Workplaces, Healthy Families Act

PERSONAL ILLNESS/INJURY LEAVE (continued)

Requirements" below: For additional information about leaves for victims of domestic violence, sexual assault, or stalking **granted in accordance with item #7 below**, see AR 4161.2/4261.2/4361.2 - Personal Leaves.

6. ~~In any calendar year, an employee may use the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement for the following: (Labor Code 233, 246.5)~~ a. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care **(Labor Code 233, 246.5)**

- ~~b.~~7. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and/or 230.1(a) for the health, safety, or welfare of the employee or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking **(Labor Code 233, 246.5)**

For the purposes specified in items #6-7, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)

An employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (Education Code 44978)

Note: The following paragraph is **optional**.

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978)

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

At the beginning of each school year, employees shall be notified of the amount of sick leave they have accumulated.

The district shall not require new employees to waive leave accumulated in a previous district. (Education Code 44979, 44980)

Note: Pursuant to Education Code 44979-44980, a certificated employee is entitled to have his/her accumulated sick leave transferred with him/her in the circumstances specified in the following **optional** paragraph.

PERSONAL ILLNESS/INJURY LEAVE (continued)

The Superintendent or designee shall notify any certificated employee who leaves the district after at least one school year of employment that if the employee accepts a certificated position in another district, county office of education, or community college district within one year, he/she may request that the district transfer his/her accumulated sick leave to the new employer. (Education Code 44979, 44980)

Additional Leave for Disabled Military Veterans

Note: Education Code 44978.2, as added by SB 1180 (Ch. 728, Statutes of 2016), provides that an employee hired on or after January 1, 2017, who is a military veteran with a qualifying military service-connected disability (i.e., an injury or disease that occurred during active duty or was made worse by active military service and that has a disability rating by the U.S. Department of Veterans Affairs of 30 percent or higher) is entitled to additional sick leave with pay for up to 10 days. Such leave may only be taken during the first year of employment for the purpose of undergoing medical treatment, as specified below.

In addition to any other entitlement for sick leave with pay, a newly hired certificated employee who is a military veteran with a military service-connected disability rated at 30 percent or more by the U.S. Department of Veterans Affairs shall be entitled to sick leave with pay of up to 10 days for the purpose of undergoing medical treatment for his/her military service-connected disability. An eligible employee employed less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 44978.2)

The amount of leave shall be credited to the employee on the first day of employment and shall remain available for the following 12 months of employment. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 44978.2)

Note: Pursuant to Education Code 44978.2, the district may require proof that a leave granted under this law is used for treatment of a military service-connected disability. The following paragraph may be revised to reflect district practice.

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Notification of Absence

Note: The following optional section may be revised to reflect district practice.

An employee shall notify the district of his/her need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate

PERSONAL ILLNESS/INJURY LEAVE (continued)

of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

(cf. 4121 - Temporary/Substitute Personnel)

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

Note: Pursuant to Education Code 44977, an employee who is absent for up to five months after exhausting all his/her available sick leave must receive his/her regular salary minus the cost of a substitute. Option 1 below reflects this requirement. However, Education Code 44983 provides that Education Code 44977 does not apply to those districts that adopt a rule that gives certificated employees 50 percent or more of their regular salary during the period of absence. Option 2 below is for use by districts that choose to specify such a level of compensation; these districts are mandated to adopt a rule to this effect.

When an employee is absent for a period of more than five months, or is absent for a cause other than illness, Education Code 44977 and 44983 provide that the amount deducted from his/her salary shall be determined according to the rules and regulations adopted by the Board as long as such rules are not in conflict with State Board of Education regulations. **If not covered in the district's negotiated agreement, the district may add provisions in this section reflecting salary deductions for employees absent longer than five months.**

During each school year, when a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or **injuryaccident**, continues to be absent from his/her duties for an additional period **of** up to five school months, the employee shall receive his/her regular salary minus the actual cost of a substitute to fill the position. If the district has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that would have been paid to a substitute shall be deducted from the employee's salary. **(Education Code 44977)**

An employee shall not be provided more than one five-month period per illness or **injuryaccident**. However, if the school year ends before the five-month period is exhausted, the employee may take the balance of the five-month period in a subsequent school year. (Education Code 44977)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Absence Beyond Five-Month Period/Reemployment List

Note: The following paragraph is required for districts that select Option 1 (i.e., differential pay) in the section "Continued Absence After Available Sick Leave Is Exhausted/Differential Pay" above and should be carefully considered by districts that select Option 2 (i.e., 50 percent pay). Education Code 44978.1 requires the establishment of a reemployment list for employees who are unable to resume their duties after the five-month period provided pursuant to Education Code 44977. Although Education Code 44978.1 does not explicitly require a reemployment list for districts selecting Option 2, such districts should be aware that failure to establish a reemployment list may subject employees to termination following a five-month absence. Therefore, any district that selects Option 2 and currently maintains a reemployment list for employees who are absent beyond the five-month period, or that wishes to establish such a list, should consult legal counsel before changing its policy or practices.

If a certificated employee is not medically able to resume his/her duties after the five-month period provided pursuant to Education Code 44977, the employee shall be placed either in another position or on a reemployment list. Placement on the reemployment list shall be for 24 months for probationary employees or 39 months for permanent employees and shall begin at the expiration of the five-month period. If during this time the employee becomes medically able, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

(cf. 4116 - Probationary/Permanent Status)

Differential Pay for Parental Leave

Note: The following paragraph is for use by districts that selected either Option 1 or Option 2, and section is subject to any conflicting provision in a collective bargaining agreement that provides greater parental leave rights entered into before January 1, 2016. Pursuant to Education Code 44977.5, as added by AB 375 (Ch. 400, Statutes of 2015) as amended by AB 2393 (Ch. 883, Statutes of 2016), the district is required to provide differential pay to a certificated employee when he/she has exhausted all available sick leave, including accumulated sick leave, and continues to be absent due to ~~maternity or paternity~~ parental leave for the birth of the employee's child or placement of a child with the employee for adoption or foster care (baby bonding), pursuant to Government Code 12945.2 (California Family Rights Act). Such an employee is entitled to receive differential pay, **calculated in the same manner described in Option 1 or 2 in the section "Continued Absence After Available Sick Leave Is Exhausted/Differential Pay" above**, for up to 12 work weeks. Among the many questions generated by the new law are whether the 12 weeks differential pay for maternity/paternity leave would be in addition to the five months differential leave pay pursuant to Education Code 44977 (Option 1 above) and whether the law applies to districts that provide their employees at least 50 percent of their regular salary instead of differential pay during such period of

PERSONAL ILLNESS/INJURY LEAVE (continued)

~~absence, as permitted by Education Code 44983 (Option 2 above.) The following paragraph reflects CSBA's interpretation of the law. Any district with a question regarding the interpretation to be given to this new law should consult its legal counsel.~~

As amended, Education Code 44977.5 provides that such parental leave will run concurrently with parental leave taken pursuant to Government Code 12945.2. However, unlike leave taken pursuant to Government Code 12945.2, leave taken pursuant to Education Code 44977.5 does not require an employee to have at least 1,250 hours of service with the district during the previous 12-month period in order to be eligible for parental leave. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for further information on requirements related to the California Family Rights Act.

~~In addition, d) During each school year, any certificated employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of ~~maternity or paternity~~ **parental** leave (baby bonding) pursuant to Government Code 12945.2 shall receive **differential pay** for up to 12 ~~school-work~~ weeks. ~~his/her regular salary minus the actual cost of a substitute to fill the position or, if no substitute was employed, the amount that would have been paid had a substitute been employed.~~ The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such ~~maternity or paternity~~ **parental** leave. **Such parental leave shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. Eligibility for parental leave pursuant to Education Code 44977.5 shall not require 1,250 hours of service with the district during the previous 12 months.** (Education Code 44977.5)~~

Verification Requirements

Note: Education Code 44978 **mandates** the Board to adopt regulations requiring proof of illness or injury and prescribing the means of verification. However, Education Code 44978 provides that these regulations shall not discriminate against evidence of treatment and the need for treatment by the practice of a well-recognized religion. For verification requirements for employees on leave pursuant to the Family and Medical Leave Act, see AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave. The following section should be modified to reflect district practice and any procedures which have been specified in negotiated agreements.

~~Previously, Labor Code 233 authorized a district to apply the same conditions and restrictions placed upon its employees' use of sick leave for their own illness to any use of sick leave for illnesses of an employee's family members. Pursuant to Labor Code 233, as amended by SB 579 (Ch. 802, Statutes of 2015), this authorization no longer exists. As amended, Labor Code 233 requires districts to allow their employees to use sick leave for the purposes specified in Labor Code 246.5, the paid sick leave law. Because the paid sick leave law is silent on requests for verification, and actually requires an employer to provide an employee with paid sick days upon oral or written request, districts should be cautious in requiring verification for sick leave used for the purposes specified in Labor Code 246.5 (items #6-7 in the section "Use of Sick Leave" above). Although a district is permitted to require verification from an employee who is a victim of domestic violence, sexual assault, or stalking, pursuant to Labor Code 230 and 230.1, a general insistence on verification could be deemed a violation of Labor Code 246.5. Any district with questions regarding its authority related to verification should consult legal counsel.~~

PERSONAL ILLNESS/INJURY LEAVE (continued)

After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny further leave.

Note: 42 USC 2000ff-1, the Genetic Information Nondiscrimination Act, and its implementing regulations, 29 CFR 1635.1-1635.12, specify that it is unlawful for a district to request, require, or purchase an employee's or his/her family member's individual genetic information except in complying with the medical certification requirements for family care and medical leave purposes or with the employee's prior written authorization. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave. Pursuant to 29 CFR 1635.9, any such information received by the district must be kept confidential as specified below.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to duty and stipulating any necessary restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

Healthy Workplaces, Healthy Families Act Requirements

Note: Pursuant to Labor Code 245-249, as added by AB 1522 (Ch. 317, Statutes of 2014), all employers, including those that provide paid time off to their employees under existing policy or other law, must comply with the requirements specified in the following section. Pursuant to Labor Code 248.5, noncompliance with the Healthy Workplaces, Healthy Families Act could result in enforcement action

PERSONAL ILLNESS/INJURY LEAVE (continued)

against the employer, including the imposition of civil and monetary penalties. Any district with questions regarding the applicability of this new law should consult its legal counsel.

No employee shall be denied the right to use accrued sick days, and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
 - a. That an employee is entitled to accrue, request, and use paid sick days
 - b. The amount of sick days provided by Labor Code 245-249
 - c. The terms of use of paid sick days
 - d. That discrimination or retaliation against an employee for requesting **and/or** using sick leave is prohibited by law and **that** an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her
2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference: (see next page)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Legal Reference:

EDUCATION CODE

44964 Power to grant leave of absence in case of illness, accident, or quarantine

44965 Granting of leaves of absence for pregnancy and childbirth

44976 Transfer of leave rights when school is transferred to another district

44977 Salary deduction during absence from duties up to five months after sick leave is exhausted

44977.5 ~~Salary deduction during absence from duties for maternity or paternity~~ **Differential pay during parental** leave up to 12 weeks after sick leave is exhausted

44978 Provisions for sick leave of certificated employees

44978.1 Inability to return to duty; placement in another position or on reemployment list

44978.2 Leave for military service connected disability

44979 Transfer of accumulated sick leave to another district

44980 Transfer of accumulated sick leave to a county office of education

44981 Leave of absence for personal necessity

44983 Exception to sick leave when district adopts specific rule

44984 Industrial accident or illness

44986 Leave of absence for disability allowance applicant

LABOR CODE

220 Sections inapplicable to public employees

230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off

230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off

233 Illness of child, parent, spouse or domestic partner

234 Absence control policy

245-249 Healthy Workplaces, Healthy Families Act of 2014

CODE OF REGULATIONS, TITLE 5

5601 Transfer of accumulated sick leave

UNITED STATES CODE, TITLE 42

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

CODE OF FEDERAL REGULATIONS, TITLE 29

1635.1-1635.12 Genetic Information Nondiscrimination Act of 2008

COURT DECISIONS

Veguez v. Governing Board of Long Beach Unified School District, (2005) 127 Cal.App.4th 406

(12/14 3/16) 3/17

CSBA Sample Administrative Regulation

Classified Personnel

AR 4261.1(a)

PERSONAL ILLNESS/INJURY LEAVE

Note: The following administrative regulation is subject to collective bargaining. Twelve days of paid personal illness or injury leave (sick leave) per year is the minimum prescribed by Education Code 45191 for classified employees employed five days a week in both merit and non-merit system districts. The Governing Board may allow more sick leave at its discretion; if it does so, the following paragraph should be revised accordingly.

Labor Code 245-249 (the Healthy Workplaces, Healthy Families Act), ~~as added by AB 1522 (Ch. 317, Statutes of 2014)~~, require districts to grant a minimum of one hour of paid sick leave for every 30 hours worked to their employees who work for 30 days within a year of their employment, including classified employees. Pursuant to Labor Code 246, ~~as amended by AB 304 (Ch. 67, Statutes of 2015)~~, a district may use a different sick leave accrual method which provides for the accrual to be on a regular basis so that an employee accrues at least 24 hours of sick leave or paid time off by the 120th calendar day of his/her employment or each calendar year or 12-month period. ~~Additional requirements of Labor Code 245-249 include, but are not limited to, display of a poster containing specified information at every workplace, provision of each employee's sick leave balance on his/her wage statements, and maintenance of leave usage documentation for three years.~~

The provisions of Labor Code 245-249 are very broad and **only** district employees covered by a valid collective bargaining agreement may be exempted from them, if the collective bargaining agreement expressly provides paid sick leave in an amount equal to or exceeding the amount of leave required pursuant to Labor Code 246, includes final and binding arbitration of disputes regarding the application of the paid sick days provisions, and provides premium wage rates for all overtime hours worked and a regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate. Since many districts may not satisfy all the conditions for this exemption, this administrative regulation reflects the requirements of Labor Code 245-249. Any district whose collective bargaining agreement meets all the conditions for exemption may modify this administrative regulation accordingly.

~~For additional requirements of Labor Code 245-249, see sections titled "Short-Term and Substitute Employees" and "Healthy Workplaces, Healthy Families Act Requirements" below for more details of AB 1522 requirements.~~ For sick leave for certificated employees, see AR 4161.1/4361.1 - Personal Illness/Injury Leave.

Classified employees employed five days a week are entitled to 12 days' leave of absence with full pay for personal illness or injury (sick leave) per fiscal year. Employees who work less than a full fiscal year or fewer than five days a week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee whose work hours are so few as to entitle him/her to less than 24 hours of paid sick leave per fiscal year shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 45191; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Use of Sick Leave

A classified employee may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment, or by quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties (Education Code 45199)

2. Pregnancy, childbirth, and recovery (Education Code 45193)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity as specified in Education Code 45207

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

Note: **Optional** item #4 below may be revised to specify a different minimum increment.

4. Medical or dental appointments, in increments of not less than one hour

5. Industrial accident or illness when leave granted specifically for that purpose has been exhausted (Education Code 45192)

(cf. **4161.11/4261.11/4361.11** - Industrial Accident/Illness Leave)

Note: Pursuant to Labor Code 246.5, as added by AB 1522 (Ch. 317, Statutes of 2014), paid sick leave may also be used for the purposes specified in item #6 below. Pursuant to Labor Code 233, as amended by SB 579 (Ch. 802, Statutes of 2015), any district that provides sick leave to its employees is required to permit them to use sick leave, in an amount not less than the sick leave that would be accrued during six months at the employee's then current rate of entitlement, **for the purposes specified in items #6-7 below.**

To attend to the illness of their family members, as specified in item #6 below, family members include, but are not limited to, an employee's grandparent, grandchild, and sibling, not just his/her child, parent, spouse, or domestic partner. In addition, the law defines child as a "biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis." **For the purpose of using sick leave to attend to the health care needs of a family member, as specified in item #6 below, Labor Code 245.5 defines "family member" as an employee's spouse, registered domestic partner, child (biological, adopted, or foster child; stepchild; legal ward; or a child to whom the employee stands in loco parentis), parent (biological, adoptive, or foster parent; stepparent; legal guardian of an employee or the employee's spouse or registered domestic partner; or a person who stood in loco parentis when the employee was a minor child), grandparent, grandchild, or sibling.**

For additional information about leaves for victims of domestic violence, sexual assault, or stalking granted in accordance with item #7 below, see AR 4161.2/4261.2/4361.2 - Personal Leaves.

PERSONAL ILLNESS/INJURY LEAVE (continued)

For more details of AB 1522 requirements, see sections titled "Short Term and Substitute Employees" and "Healthy Workplaces, Healthy Families Act Requirements" below. For additional information about leaves for victims of domestic violence, sexual assault, or stalking, see AR 4161.2/4261.2/4361.2 Personal Leaves.

6. ~~In any calendar year, an employee may use the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement for the following: (Labor Code 233, 245.5, 246.5)~~ a. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care **(Labor Code 233, 246.5)**
- b.7. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking **(Labor Code 233, 246.5)**

For the purposes specified in items #6-7, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)

An employee may take leave for personal illness or injury at any time during the year, even if credit for such leave has not yet been accrued. However, a new full-time classified employee shall not be entitled to more than six days of sick leave until he/she has completed six months of active service with the district. (Education Code 45191)

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 45191)

Note: The following paragraph is **optional**.

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

The district shall not require newly employed classified employees to waive leave accumulated in a previous district. However, if the employee's previous employment was terminated for cause, the transfer of the accumulated leave shall be made only if approved by the Governing Board. (Education Code 45202)

Note: Pursuant to Education Code 45202, a classified employee who is terminated after at least one year of employment for any reason unrelated to discipline is entitled to have his/her accumulated sick leave transferred with him/her in certain circumstances. The following paragraph, which provides for the notification of employees as a way to implement this provision, is **optional** and may be revised to reflect district practice.

PERSONAL ILLNESS/INJURY LEAVE (continued)

The Superintendent or designee shall notify any classified employee whose employment with the district is terminated after at least one calendar year for reasons other than for cause that, if he/she accepts employment in another district, county office of education, or community college district within one year of the termination of employment, he/she shall be entitled to request that the district transfer his/her accumulated sick leave to his/her new employer. (Education Code 45202)

Additional Leave for Disabled Military Veterans

Note: Education Code 45191.5, as added by SB 1180 (Ch. 728, Statutes of 2016), provides that an employee hired on or after January 1, 2017, who is a military veteran with a qualifying military service-connected disability (i.e., an injury or disease that occurred during active duty or was made worse by active military service and that has a disability rating by the U.S. Department of Veterans Affairs of 30 percent or higher) is entitled to additional sick leave with pay for up to 12 days. Such leave may only be taken during the first year of employment for the purpose of undergoing medical treatment, as specified below.

In addition to any other entitlement for sick leave with pay, a newly hired classified employee who is a military veteran with a military service-connected disability rated at 30 percent or higher by the U.S. Department of Veterans Affairs shall be entitled to sick leave with pay of up to 12 days for the purpose of undergoing medical treatment for his/her military service-connected disability. An eligible employee employed less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 45191.5)

The amount of leave shall be credited to the employee on the first day of employment and shall remain available for the following 12 months of employment. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 45191.5)

Note: Pursuant to Education Code 45191.5, the district may require proof that a leave granted under this law is used for treatment of a military service-connected disability. The following paragraph may be revised to reflect district practice.

The Superintendent or designee may require verification, in accordance with the section “Verification Requirements” below, that the employee used the leave to obtain treatment of a military service-connected disability.

Notification of Absence

Note: The following optional section may be revised to reflect district practice.

An employee shall notify the Superintendent or the designated manager or supervisor of his/her need to be absent as soon as such need is known so that the services of a substitute

PERSONAL ILLNESS/INJURY LEAVE (continued)

may be secured as necessary. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

Note: Pursuant to Education Code 45196, a district is authorized to pay any employee who has exhausted his/her paid leaves his/her salary minus the actual pay received by a substitute for the remainder of a five-month absence to which the employee is entitled (Option 1 below). Alternatively, such an employee may be compensated at 50 percent or more of his/her salary for up to 100 working days, regardless of whether or not a substitute is hired (Option 2 below).

Districts that maintain a catastrophic leave program for their classified employees should specify how the program will affect the differential leave pay to which the employee may be entitled.

Note: In 53 Ops.Cal.Atty.Gen. 111 (1970), the Attorney General clarified that a classified employee is entitled to a total period of five months, commencing with the first day of illness, during which the amount deducted from his/her salary may not exceed the sum which is actually paid a substitute. This five-month period runs concurrently with any other paid leave. After the employee has exhausted all paid leaves, he/she is entitled to differential pay for the balance of the five-month period.

In California School Employees Association v. Tustin Unified School District, the court ruled that a district could deduct from the absent employee's salary only the cost of an outside substitute employee, not the cost of existing classified employee(s) working additional hours to fill the position during the absence.

Pursuant to Education Code 45196, the amount paid to a substitute must be less than the absent employee's salary unless the Board has adopted a salary schedule for substitutes.

A classified employee who has exhausted all paid leaves, including sick leave, shall for the remainder of the five-month period of absence to which he/she is entitled, receive his/her salary minus the actual amount paid a substitute to fill the employee's position during his/her absence. (Education Code 45196)

The five-month period shall commence on the first day of the leave of absence and shall run concurrently with any other paid leave.

PERSONAL ILLNESS/INJURY LEAVE (continued)

Differential Pay for Parental Leave

Note: The following section is subject to any conflicting provision in a collective bargaining agreement that provides greater parental leave rights. Pursuant to Education Code 45196.1, as added by AB 2393 (Ch. 883, Statutes of 2016), the district is required to provide differential pay to a classified employee when he/she has exhausted all available sick leave, including accumulated sick leave, and continues to be absent due to parental leave for the birth of the employee's child or placement of a child with the employee for adoption or foster care (baby bonding), pursuant to Government Code 12945.2 (California Family Rights Act). Such an employee is entitled to receive differential pay, calculated in the same manner described in Option 1 or 2 in the section "Continued Absence After Available Sick Leave Is Exhausted/Differential Pay" above, for up to 12 work weeks.

Education Code 45196.1 provides that such parental leave will run concurrently with parental leave taken pursuant to Government Code 12945.2. However, unlike leave taken pursuant to Government Code 12945.2, leave taken pursuant to Education Code 45196.1 does not require an employee to have at least 1,250 hours of service with the district during the previous 12-month period in order to be eligible for parental leave. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave for further information on requirements related to the California Family Rights Act.

During each school year, any classified employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave (baby bonding) pursuant to Government Code 12945.2 shall receive differential pay for up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. Such parental leave shall run concurrently with the parental leave

PERSONAL ILLNESS/INJURY LEAVE (continued)

taken pursuant to Government Code 12945.2 and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. Eligibility for parental leave pursuant to Education Code 45196.1 shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 45196.1)

Extension of Leave

Note: Pursuant to Education Code 45195, the following extension of leave may be either paid or unpaid, and the Board may grant full pay for the full 18 months' allowable absence, if desired.

A permanent employee who is absent because of a personal illness or injury and who has exhausted all available sick leave, vacation, compensatory overtime, and any other paid leave shall be so notified, in writing, and offered an opportunity to request additional leave. The Board may grant the employee additional leave, paid or unpaid, for a period not to exceed six months and may renew this leave for two additional six-month periods or for lesser periods. The total additional leave granted shall not exceed 18 months. (Education Code 45195)

(cf. 4216 - Probationary/Permanent Status)

If the employee is still unable to resume his/her duties after all available paid and unpaid leaves have been exhausted, the employee shall be placed on a reemployment list for a period of 39 months. If during this time the employee becomes able to resume the duties of his/her position, he/she shall be offered reemployment in the first vacancy in the classification of his/her previous assignment. During the 39 months, the employee's reemployment shall take preference over all other applicants except those laid off for lack of work or lack of funds, in which case the employee shall be ranked according to his/her seniority. (Education Code 45195)

Verification Requirements

Note: Education Code 45191 **mandates** the Board to adopt regulations that require proof of illness or injury and prescribe the means of verification. However, Education Code 45191 provides that these regulations shall not discriminate against evidence of treatment and the need for treatment by the practice of a well-recognized religion. The following section should be modified to reflect district practice and any procedures that have been specified in negotiated agreements.

~~Previously, Labor Code 233 authorized a district to apply the same conditions and restrictions placed upon its employees' use of sick leave for their own illness to any use of sick leave for illnesses of an employee's family members. Pursuant to Labor Code 233, as amended by SB 579 (Ch. 802, Statutes of 2015), this authorization no longer exists. As amended,~~ Labor Code 233 requires districts to allow their employees to use sick leave for the purposes specified in Labor Code 246.5, the paid sick leave law. Because the paid sick leave law is silent on requests for verification, and actually requires an employer to provide an employee with paid sick days upon oral or written request, districts should be cautious in requiring verification for sick leave used for the purposes specified in Labor Code 246.5 (items #6-7 in the section **"Use of Sick Leave"** above). Although a district is permitted to require verification from an employee who

PERSONAL ILLNESS/INJURY LEAVE (continued)

is a victim of domestic violence, sexual assault, or stalking, pursuant to Labor Code 230 and 230.1, a general insistence on verification could be deemed a violation of Labor Code 246.5. Any district with questions regarding its authority related to verification should consult legal counsel.

After any absence due to illness or injury, the employee shall submit a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for additional leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny the request for additional leave.

Note: 42 USC 2000ff-1, the Genetic Information Nondiscrimination Act, and its implementing regulations, 29 CFR 1635.1-1635.12, specify that it is unlawful for a district to request, require, or purchase an employee's or his/her family member's individual genetic information except in complying with the medical certification requirements for family care and medical leave purposes or with the employee's prior written authorization. See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave. Pursuant to 29 CFR 1635.9, any such information received by the district must be kept confidential as specified below.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to work and stipulating any recommended restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Short-Term and Substitute Employees

Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employee who works for 30 or more days within a year of his/her employment shall be credited with 24 hours of paid sick leave for that year. Unused sick leave shall not carry over to the following year of employment. (Labor Code 246)

Note: The following paragraph applies to all the above options.

PERSONAL ILLNESS/INJURY LEAVE (continued)

Any short-term or substitute employee may begin to use accrued paid sick days on the 90th day of his/her employment, after which he/she may use the sick days as they are accrued. (Labor Code 246)

Note: The following paragraph applies to all of the above options and reflects the intent of the Healthy Workplaces, Healthy Families Act to enable California workers to address their own and their family's health needs and to provide them with economic security when they need to take time off work for reasons of domestic violence, sexual assault, or stalking. The following paragraph may be revised to include additional reasons for which short-term or substitute employees may use sick leave, pursuant to district policy or practice. Pursuant to Labor Code 247.5, **as amended by AB 304 (Ch. 67, Statutes of 2015)**, a district is not required to inquire into the purposes for which an employee uses paid leave.

A short-term or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)

1. His/her own need or the need of a family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care
2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking

Healthy Workplaces, Healthy Families Act Requirements

Note: Pursuant to Labor Code 245-249, **as added by AB 1522 (Ch. 317, Statutes of 2014)**, all employers, including those that provide paid time off to their employees under existing policy or other law, must comply with the requirements specified in the following section. Pursuant to Labor Code 248.5, noncompliance with the Healthy Workplaces, Healthy Families Act could result in enforcement action against the employer, including the imposition of civil and monetary penalties. Any district with questions regarding the applicability of this new law should consult its legal counsel.

No employee, including a short-term or substitute employee, shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
 - a. That an employee is entitled to accrue, request, and use paid sick days

PERSONAL ILLNESS/INJURY LEAVE (continued)

- b. The amount of sick days provided by Labor Code 245-249
 - c. The terms of use of paid sick days
 - d. That discrimination or retaliation against an employee for requesting **and/or** using sick leave is prohibited by law and **that** an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her
2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
 3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference: (see next page)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Legal Reference:

EDUCATION CODE

45103 Substitute employees

45190 Leaves of absence and vacations

45191 Leaves of absence for illness and injury

45191.5 Leave for military service connected disability

45193 Leave of absence for pregnancy (re use of sick leave under certain circumstances)

45195 Additional leave for nonindustrial accident or illness; reemployment preference

45196 Salary; deductions during sick leave

45196.1 Differential pay during parental leave up to 12 weeks after sick leave is exhausted

45202 Transfer of accumulated sick leave and other benefits

LABOR CODE

230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off

230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off

233 Illness of child, parent, spouse or domestic partner

245-249 Healthy Workplaces, Healthy Families Act of 2014

COURT DECISIONS

California School Employees Association v. Colton Joint Unified School District, (2009) 170 Cal.App.4th 957

California School Employees Association v. Tustin Unified School District, (2007) 148 Cal.App.4th 510

ATTORNEY GENERAL OPINIONS

53 Ops.Cal.Atty.Gen. 111 (1970)

(12/15 3/16) 3/17

Students

BP 5111(a)

ADMISSION

Note: Pursuant to Education Code 48200, all children ages 6-18 years are subject to compulsory full-time education, unless specifically exempted. See BP/AR 5112.1 - Exemptions from Attendance for further information about such exemptions.

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children entering a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

Note: Admission requirements include age criteria for grades K-1; see the accompanying administrative regulation. Other admission requirements are addressed in AR 5111.1 - District Residency, BP/AR 5141.31 - Immunizations, and AR 5141.32 - Health Screening for School Entry.

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

(cf. 5111.1 - District Residency)

(cf. 5125 - Student Records)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

Note: State and federal law require the immediate enrollment of homeless youth (Education Code 48850, **48852.7**; 42 USC 11432) and foster youth (Education Code 48853.5), regardless of their ability to provide the school with records normally required for enrollment; see BP/AR 6173 - Education for Homeless Children and AR 6173.1 - Education for Foster Youth. In addition, Education Code 49701 requires the district to facilitate the enrollment of children of military families and to ensure that they are not placed at a disadvantage due to difficulty in the transfer of their records from previous school districts and/or variations in entrance or age requirements; see BP/AR 6173.2 - Education of Children of Military Families.

The Office for Civil Rights, U.S. Department of Education, has issued a "Dear Colleague" letter to clarify that districts may not adopt enrollment procedures that discourage the participation of students based on the actual or perceived citizenship or immigration status of the student or parent/guardian, as such practices would violate federal laws granting all students equal access to education. Thus, the district may not inquire into a student's citizenship or immigration status as a condition of enrollment.

The Superintendent or designee shall ensure that the enrollment of a homeless or foster child or a child of a military family is not delayed because of outstanding fees or fines owed to the child's last school or for his/her inability to produce previous academic, medical, or other records normally required for enrollment.

ADMISSION (continued)

(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)

Note: Education Code 48645.5 prohibits the district from denying enrollment to a child solely for reason of his/her contact with the juvenile justice system as specified in the following paragraph. **Also see AR 6173.3 - Education for Juvenile Court School Students.** Pursuant to Education Code 48647, ~~as added by AB 2276 (Ch. 901, Statutes of 2014),~~ districts are strongly encouraged to work together with other agencies, including, but not limited to, the county office of education and the county probation department, to facilitate smooth transition of children from the juvenile court schools into regular schools.

In addition, no child shall be denied enrollment in a district school solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)

(cf. 5119 - Students Expelled from Other Districts)
(cf. 6173.3 - Education for Juvenile Court School Students)

Note: In Plyler v. Doe, the U.S. Supreme Court ruled that, under the Fourteenth Amendment of the U.S. Constitution, students cannot be denied a free public education on the basis of their citizenship or immigration status, including their status as undocumented children. As discussed in a joint Dear Colleague Letter and joint fact sheet, Information on the Rights of All Children to Enroll in School, issued by the U.S. Department of Justice's Civil Rights Division and U.S. Department of Education's Office for Civil Rights, it may be a violation of federal law for districts to adopt a policy or procedure that prohibits or discourages children from enrolling in school because they or their parents/guardians are not United States citizens or are undocumented.

Undocumented children in California not only have a right to attend school, but are mandated to do so under state compulsory education laws (Education Code 48200). Furthermore, every student has a right to attend school free from discrimination, harassment, violence, intimidation, and bullying; see BP 0410 - Nondiscrimination in District Programs and Activities and BP/AR 5145.3 - Nondiscrimination/Harassment.

Although districts may require proof of residency within the district (e.g., utility or phone bill, property tax payment receipt, rental property lease agreement, etc.), they should not request visas, passports, or other documentation that would discourage undocumented children from enrolling in school; see BP/AR 5111.1 - District Residency.

If the district becomes aware of the citizenship or immigration status of any student, it is prohibited from disclosing such information to U.S. Immigration and Customs Enforcement, as such disclosure is not among the limited exceptions specified in law for which student records may be released without parental consent or a lawful judicial order.

For further discussion of these issues, see CSBA's Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status. The legal guidance also includes a sample board resolution that may be used to inform students, parents/guardians, and the community of

students' rights under current law to attend a district school regardless of their citizenship or immigration status.

BP 5111(c)

ADMISSION (continued)

The Superintendent or designee shall not inquire into or request documentation of a student's citizenship or immigration status, and shall not deny a student enrollment in a district school on the basis of the citizenship or immigration status of the student or his/her parents/guardians. Any information obtained about a student's or parent/guardian's citizenship or immigration status shall not be shared without parent/guardian consent or a lawful judicial order, in accordance with laws pertaining to the confidentiality of student records.

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

(cf. 5145.3 - Nondiscrimination/Harassment)

Note: The following optional paragraph is for use by districts that request the social security number of a student or his/her parent/guardian for enrollment purposes. 5 USC 552a Note provides that a district may not deny enrollment to a student if he/she or his/her parent/guardian chooses not to provide a social security number. Thus, while CSBA's Legal Guidance of Providing All Children Equal Access to Education, Regardless of Immigration Status recommends against requesting social security numbers, a district that chooses to do so must inform the enrolling student or parent/guardian that the disclosure is voluntary.

A student shall not be denied enrollment based on the parent/guardian's refusal to provide the student's or parent/guardian's social security number. During the enrollment process, a student and parent/guardian shall be informed that disclosure of their social security number is voluntary. (5 USC 552a Note)

Note: The following **optional** paragraph may be revised to reflect district practice. Education Code 48354 requires the district to give priority for enrollment to students residing in the district, including students applying for intradistrict open enrollment, over students transferring from a school identified under the Open Enrollment Act (Education Code 48350-48361). Thus, the district needs to align the application windows for various attendance options in a manner that will allow the district to meet legal requirements pertaining to admissions priorities. See BP/AR 5116.1 - Intradistrict Open Enrollment and BP/AR 5118 - Open Enrollment Act Transfers for application windows applicable to those options.

When enrolling in any district school, including a school in their attendance area, children whose parents/guardians reside within district boundaries shall be subject to the timelines established by the Board for open enrollment. Children whose parents/guardians do not reside within the district or who are not otherwise eligible for enrollment in the district may apply for interdistrict attendance in accordance with the timelines specified in applicable Board policies and administrative regulations.

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5118 - Open Enrollment Act Transfers)

Note: Education Code 49452.9, as added by AB 2706 (Ch. 827, Statutes of 2014) amended by AB 2308 (Ch. 570, Statutes of 2016), extends beyond the 2017-18 school year the requirement that requires the

ADMISSION (continued)

enrollment forms ~~for the 2015-16, 2016-17, and 2017-18 school years to~~ include an informational item about affordable health care options and available enrollment assistance. Pursuant to Education Code 49452.9, the district could accomplish this by developing an informational item or amending its existing forms, or by using a template or attaching a fact sheet to be developed by the California Department of Education.

The district's enrollment application shall include information about the health care options and enrollment assistance available to families within the district. The district shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in learning about health care coverage in any manner that would harm the child or his/her family. (Education Code 49452.9)

*Legal Reference:*EDUCATION CODE

46300 *Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten*

46600 *Agreements for admission of students desiring interdistrict attendance*

48000 *Minimum age of admission (kindergarten)*

48002 *Evidence of minimum age required to enter kindergarten or first grade*

48010 *Minimum age of admission (first grade)*

48011 *Admission from kindergarten or other school; minimum age*

48050-48053 *Nonresidents*

48200 *Children between ages of 6 and 18 years (compulsory full-time education)*

48350-48361 *Open Enrollment Act*

48850-48859 *Educational placement of homeless and foster youth*

48645.5 *Enrollment of former juvenile court school students*

49076 *Access to records by persons without written consent or under judicial order*

49408 *Information of use in emergencies*

49452.9 *Health care coverage options and enrollment assistance*

49700-49704 *Education of children of military families*

HEALTH AND SAFETY CODE

120325-120380 *Education and child care facility immunization requirements*

121475-121520 *Tuberculosis tests for students*

CODE OF REGULATIONS, TITLE 5

200 *Promotion from kindergarten to first grade*

201 *Admission to high school*

CODE OF REGULATIONS, TITLE 17

6000-6075 *School attendance immunization requirements*

UNITED STATES CODE, TITLE 5

552a Note *Refusal to disclose social security number*

UNITED STATES CODE, TITLE 42

11431-11435 *McKinney-Vento Homeless Assistance Act*

COURT DECISIONS

Plyler v. Doe, 457 U.S. 202 (1982)

Management Resources: (see next page)

BP 5111(e)

ADMISSION (continued)

Management Resources:

CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS

Fact Sheet: Information on the Rights of All Children to Enroll in School

Dear Colleague Letter: School Enrollment Procedures, ~~May 6, 2014~~ May 8, 2014

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>

U.S. Department of Justice: <https://www.justice.gov>

(11/11 4/15) 2/17

Policy Reference UPDATE Service

Copyright 2017 by California School Boards Association, West Sacramento, California 95691

All rights reserved.

Students

BP 5111.1(a)

DISTRICT RESIDENCY

Note: Education Code 48200 requires the district to provide an education to any student who resides within the district's attendance area. Education Code 48204, as amended by AB 224 (Ch. 554, Statutes of 2015), specifies additional circumstances under which students will be deemed to meet the residency requirements for school attendance, including, but not limited to, through parent/guardian employment within district boundaries under certain conditions and interdistrict transfers; see the accompanying administrative regulation.

If the Governing Board elects to authorize investigations to verify students' residency, it is **mandated** to adopt policy with specified components pursuant to Education Code 48204.2, as added by AB 1101 (Ch. 170, Statutes of 2015). See sections "Investigation of Residency" and "Appeal of Enrollment Denial" below.

The Governing Board desires to admit all students who reside within district boundaries or who fulfill the district residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code 48980)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a district school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR 432)

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

Note: ~~The U.S. Department of Education's Office for Civil Rights, in its publication Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts and Parents, states that districts may not adopt enrollment procedures that discourage the participation of students based on the student's or the parent/guardian's actual or perceived citizenship or immigration status, as such practices would violate federal laws granting all students equal access to education. In Plyler v. Doe, the U.S. Supreme Court ruled that, under the Fourteenth Amendment of the U.S. Constitution, students cannot be denied a free public education on the basis of their citizenship or immigration status, including their status as undocumented children. As discussed in a joint Dear Colleague Letter and joint fact sheet, Information~~

DISTRICT RESIDENCY (continued)

on the Rights of All Children to Enroll in School, issued by the U.S. Department of Justice's Civil Rights Division and U.S. Department of Education's Office for Civil Rights, it may be a violation of federal law for districts to adopt a policy or procedure that prohibits or discourages children from enrolling in school because they or their parents/guardians are not United States citizens or are undocumented. Thus, while the district may require proof that a student resides within the district (see accompanying administrative regulation for allowable evidence of residency), it should not request visas, passports, or other documentation that would discourage undocumented children from enrolling in school. Also see BP 5111 - Admission and CSBA's **Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status**.

When establishing a student's residency for enrollment purposes, the Superintendent or designee shall not inquire into a student's citizenship or immigration status.

Note: When a district chooses to grant residency status to students whose parent/guardian is employed within district boundaries for at least 10 hours per school week (see section "Residency Based on Parent/Guardian Employment (Allen Bill Transfers)" in the accompanying administrative regulation), Education Code 48204 encourages the district to notify the parent/guardian in writing when admission is denied and to provide reasons for the denial. The following **optional** paragraph provides that written notice will be provided to parents/guardians whenever enrollment is denied on any basis related to residency and may be revised to reflect district practice.

A student's enrollment may be denied when the submitted documentation is insufficient to establish district residency. In any such case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

Investigation of Residency

Note: The following section should be revised to reflect district practice. To conduct an investigation into the residency claim of a student as authorized by Education Code 48204.1, a district is **mandated**, pursuant to Education Code 48204.2, as added by AB 1101 (Ch. 170, Statutes of 2015), to adopt a policy with specified components. The policy must (1) identify the circumstances under which the district may initiate an investigation, including, at a minimum, a requirement that the district is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency; (2) describe the investigatory methods that may be used, including whether the district may employ the services of a private investigator; (3) require staff to make reasonable efforts to determine whether the student resides in the district before hiring a private investigator (if allowed at all); (4) prohibit surreptitious photographing or video-recording of students who are being investigated; and (5) provide for an appeals process.

The district should consult legal counsel if questions arise regarding the appropriateness of efforts to verify residency.

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency. (Education Code 48204.1, 48204.2)

DISTRICT RESIDENCY (continued)

The Superintendent or designee may assign a trained district employee to conduct the investigation. The investigation may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency.

If necessary, the Superintendent or designee may employ the services of a private investigator to conduct the investigation. Before hiring a private investigator, the Superintendent or designee shall make other reasonable efforts to determine whether the student resides in the district. (Education Code 48204.2)

The investigation shall not include the surreptitious collection of photographic or videographic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view. (Education Code 48204.2)

Any employee or contractor engaged in the investigation shall truthfully identify himself/herself as an investigator to individuals contacted or interviewed during the course of the investigation. (Education Code 48204.2)

Appeal of Enrollment Denial

Note: If the district chooses to authorize investigations into the residency claim of a student as described in the section "Investigation of Residency" above, it is **mandated** pursuant to Education Code 48204.2, as added by AB 1101 (Ch. 170, Statutes of 2015), to adopt a policy which provides for an appeals process. The timelines specified in the following section may be revised to reflect district practice.

If the Superintendent or designee, upon investigation, determines that a student does not meet district residency requirements and denies the student's enrollment in the district, he/she shall provide the student's parent/guardian an opportunity to appeal that determination. (Education Code 48204.2)

The Superintendent or designee shall send the student's parent/guardian written notice specifying the basis for the district's determination. This notice shall also inform the parent/guardian that he/she may, within 10 school days, appeal the decision and provide new evidence of residency.

The burden shall be on the parent/guardian to show why the district's determination to deny enrollment should be overruled. (Education Code 48204.2)

A student who is currently enrolled in the district shall be allowed to remain in attendance at his/her school pending the results of the appeal. A student who is not currently enrolled in the district shall not be permitted to attend any district school unless his/her appeal is successful.

Note: The district may select and/or revise either of the following options to indicate who will be responsible for making the final decision regarding the student's residency claim. Option 1 is for use by districts _____ that _____ assign

DISTRICT RESIDENCY (continued)

a district employee other than the Superintendent to make the initial residency determination, and provides that the Superintendent will make the final decision following the appeals process. Option 2 is for use by districts in which the Superintendent is responsible for the initial residency determination, and provides that the decision may be appealed to the Governing Board.

OPTION 1: In an appeal to the Superintendent of a determination that district residency requirements were not met, the Superintendent shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision within 10 school days of receipt of the parent/guardian's request for the appeal. The Superintendent's decision shall be final.

Enrollment Not Requiring District Residency

Note: The following **optional** paragraph is for use by any district maintaining grades 9-12 that (1) has petitioned for certification from the U.S. Department of Homeland Security's Student and Exchange Visitor Program to enroll a nonimmigrant foreign student who is in the United States on an F-1 visa and/or (2) admits high school students from other countries through an international exchange program under the sponsorship of a government-approved agency. For further information about enrollment of nonresident foreign students, see AR 5111.2 - Nonresident Foreign Students, BP/AR 6145.6 - International Exchange, and CSBA's [Legal Guidance Regarding International Student Exchange Placement Organizations](#).

When approved by the Board and the appropriate agency, the district may enroll students from other countries who are in the United States on an F-1 visa or are participating in an international exchange program under the sponsorship of a government-approved agency.

(cf. 5111.2 - Nonresident Foreign Students)

(cf. 6145.6 - International Exchange)

Note: The following **optional** paragraph is for use by any district adjacent to another state or foreign country from which students may commute to the district and should be revised to reflect district circumstances. Pursuant to Education Code 48050 and 48052, any district that admits such students must be reimbursed by the parents/guardians of the students or by the district of residence for the total cost of educating the student and may not include such students in computing average daily attendance for purpose of obtaining apportionment of state funds.

The district may enroll a nonresident student living in an adjoining state or foreign country in accordance with Education Code 48050-48052.

District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (Education Code 52317)

DISTRICT RESIDENCY (continued)

(cf. 6178.2 - Regional Occupational Center/Program)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

35160.5 Intradistrict open enrollment

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance permits

48050-48054 Nonresidents

48200-48208 Compulsory education law, especially:

48204 Residency requirements

48204.1-48204.2 Evidence of residency

48300-48316 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act transfers

48852.7 Education of homeless students; immediate enrollment

48853.5 Education of foster youth; immediate enrollment

48980 Notifications at beginning of term

52317 Regional occupational program, admission of persons including nonresidents

FAMILY CODE

6550-6552 Caregivers

GOVERNMENT CODE

6205-6210 Confidentiality of residence for victims of domestic violence

CODE OF REGULATIONS, TITLE 5

432 Retention of student records

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

COURT DECISIONS

Katz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal.App.4th 47

Management Resources:

CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

Legal Guidance Regarding International Student Exchange Placement Organizations, April 2014

U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS

Fact Sheet: Information on the Rights of All Children to Enroll in School

Dear Colleague Letter: School Enrollment Procedures, May 6, 2014 May 8, 2014

WEB SITES

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

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

California Secretary of State, Safe at Home Program: <http://www.sos.ca.gov/safeathome>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

U.S. Department of Justice: <https://www.justice.gov>

CSBA Sample Board Policy

Students

BP 5113(a)

ABSENCES AND EXCUSES

Note: The following **optional** policy may be revised to reflect district practice. Pursuant to Education Code 48200, children **between** ages 6-**18 years and 18** are subject to compulsory, full-time education, except when otherwise exempted.

~~Pursuant to Education Code 42238.8, the determination of an absence as excused or unexcused is irrelevant for accounting purposes. However, verification of excused absences is still relevant necessary for purposes of enforcement of compulsory education laws and for the determination of whether a student is truant. Pursuant to Education Code 48260, students with a valid excused absence are not truant. In addition, this classification is important since California's welfare system (CalWORKS), Welfare and Institutions Code 11253.5, sets family grant eligibility requirements based upon whether a child is "regularly attending school." See BP/AR 5113.1 - Chronic Absence and Truancy.~~

For examples of strategies for reducing chronic absences, see **BP/AR 5113.1 - Chronic Absence and Truancy** and CSBA's policy brief, **Improving Student Achievement by Addressing Chronic Absence**. **For information about the impact of absences on a student's grades, see BP 5121 - Grades/Evaluation of Student Achievement.**

The Governing Board believes that regular attendance plays an important role in student achievement. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws; and may use appropriate legal means to correct problems of chronic absence or truancy.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6154 - Homework/Makeup Work)

Excused Absences

Absence from school shall be excused only for health reasons, family emergencies, and justifiable personal reasons, as permitted by law, Board policy, and administrative regulations. (Education Code 48205)

Note: The following paragraph is **optional**. Pursuant to Education Code 46014, the Governing Board may allow students to be absent for religious exercises or instruction. If the Board allows such absences, it must first adopt a resolution permitting an excused absence for this purpose. The Board is also mandated to adopt regulations governing students' attendance at such exercises or instruction and the reporting of these absences; see accompanying administrative regulation.

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulation. (Education Code 46014)

ABSENCES AND EXCUSES (continued)

Inasmuch as **school attendance and** class participation ~~is an~~ **are** integral ~~part of~~ **to** students' learning experiences, parents/guardians and students shall be encouraged to schedule medical **and other** appointments during non-school hours.

Note: ~~The following paragraph applies to all districts. Districts that maintain only elementary grades should delete the reference to grades 7-12 students in the paragraph.~~

~~At the beginning of each school year, the Superintendent or designee shall send a notification to the parents/guardians of all students, and to all students in grades 7-12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)~~

[MOVED TO AR]

~~(cf. 5145.6 - Parental Notifications)~~

Note: ~~The California Supreme Court (American Academy of Pediatrics et al v. Lungren et al) has clarified that students do not need parent/guardian consent before receiving confidential medical services. The Attorney General reached the same conclusion in 87 Ops. Cal. Atty. Gen. 168 (2004). Pursuant to **Education Code 46010.1 and the California Supreme Court in American Academy of Pediatrics et al v. Lungren et al. (1997), minor students do not need parent/guardian consent to obtain confidential medical services, and schools are authorized to excuse a student from school to obtain such services.**~~

Students shall not be absent from school without their parents/guardians' knowledge or consent, except in cases of medical emergency or, **as authorized pursuant to Education Code 46010.1, for a** confidential medical appointment.

Note: 5 CCR 421 requires the Board to approve reasonable methods for verifying student absences due to illness or quarantine. See the accompanying administrative regulation for examples of methods of verification.

The Board shall, by resolution entered into its minutes, approve reasonable methods that may be used to verify student absences due to illness or quarantine. (5 CCR 421)

~~**Effect of Absence on Grades/Credits**~~—[SECTION DELETED]

Legal Reference: (see next page)

ABSENCES AND EXCUSES (continued)

Legal Reference:

EDUCATION CODE

1740 *Employment of personnel to supervise attendance (county superintendent)*

2550-2558.6 *Computation of revenue limits*

37201 *School month*

37223 *Weekend classes*

41601 *Reports of average daily attendance*

42238-42250.1 *Apportionments*

46000 *Records (attendance)*

46010-46014 *Absences*

46100-46119 *Attendance in kindergarten and elementary schools*

46140-46147 *Attendance in junior high and high schools*

48200-48208 *Children ages 6-18 (compulsory full-time attendance)*

48210-48216 *Exclusions from attendance*

48240-48246 *Supervisors of attendance*

48260-48273 *Truants*

48292 *Filing complaint against parent*

48320-48324 *School attendance review boards*

48340-48341 *Improvement of student attendance*

48980 *Parental notifications*

49067 *Unexcused absences as cause of failing grade*

49701 *Provisions of the interstate compact on educational opportunities for military children*

ELECTIONS CODE

12302 *Student participation on precinct boards*

FAMILY CODE

6920-6929 *Consent by minor **for medical treatment***

VEHICLE CODE

13202.7 *Driving privileges; minors; suspension or delay for habitual truancy*

WELFARE AND INSTITUTIONS CODE

601-601.4 *Habitually truant minors*

11253.5 *Compulsory school attendance*

CODE OF REGULATIONS, TITLE 5

306 *Explanation of absence*

420-421 *Record of verification of absence due to illness and other causes*

ATTORNEY GENERAL OPINIONS

87 *Ops.Cal.Atty.Gen. 168 (2004)*

66 *Ops.Cal.Atty.Gen. 244 (1983)*

COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Management Resources:

CSBA PUBLICATIONS

Improving Student Achievement by Addressing Chronic Absence, Policy Brief, December 2010

WEB SITES

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

(11/99 11/11) 3/17

Policy Reference UPDATE Service

Copyright 2017 by **California School Boards Association**, West Sacramento, California 95691

All rights reserved.

ABSENCES AND EXCUSES

Excused Absences

Note: **Items #1-11 below reflect absences that are authorized by law to be considered as excused absences** Pursuant to Education Code 42238.8, the determination of an absence as "excused" or "unexcused" is not relevant for accounting purposes. However, verification of excused absences is relevant for purposes of enforcing the compulsory state attendance laws., determining the grant eligibility of a student's family for the CalWORKS program, and, when authorized by the Governing Board, assignment of a failing grade to a student for excessive absences; see accompanying Board policy.

A student's absence shall be excused for **any of** the following reasons:

1. Personal illness (Education Code 48205)
2. Quarantine under the direction of a county or city health officer (Education Code 48205)

(cf. 5112.2 - Exclusions from Attendance)

3. Medical, dental, optometrical, or chiropractic appointment (Education Code 48205)
4. Attendance at funeral services for a member of the immediate family, which shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state (Education Code 48205)

Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household. (Education Code 45194, 48205)

5. Jury duty in the manner provided by law (Education Code 48205)
6. The illness or medical appointment **during school hours** of a child to whom the student is the custodial parent (Education Code 48205)

(cf. 5146 - Married/Pregnant/Parenting Students)

7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
 - a. Appearance in court

ABSENCES AND EXCUSES (continued)

- b. Attendance at a funeral service
- c. Observation of a holiday or ceremony of his/her religion
- d. Attendance at religious retreats **for no more than** ~~not to exceed~~ four hours per semester
- e. Attendance at an employment conference
- f. Attendance at an educational conference offered by a nonprofit organization on the legislative or judicial process

~~Note: Education Code 48205 allows excused absences for service on a precinct board as specified in item #8 below. Elections Code 12302, as amended by AB 554 (Ch. 150, Statutes of 2015), authorizes an elections official to appoint a maximum of five students per precinct to serve under the direct supervision of precinct board members if the students possess specified qualifications (e.g., at least 16 years old, a United States citizen or lawfully admitted for permanent residence in the United States, grade point average of 2.5) and their appointment is approved by the Board.~~

- 8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)

(cf. 6142.3 - Civic Education)

~~Note: AB 387 (Ch. 610, Statutes of 2011) amended Education Code 48205 to include student absence due to the reason described in item #9 below as a type of excused absence.~~

- 9. To spend time with **an his/her** immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)

(cf. 6173.2 - Education of Children of Military Families)

Note: AB 1593 (Ch. 92, Statutes of 2016) amended Education Code 48205 to add attendance at the student's own naturalization ceremony as an excused absence.

- 10. To attend his/her naturalization ceremony to become a United States citizen. (Education Code 48205)**

ABSENCES AND EXCUSES (continued)**Method of Verification**

Note: 5 CCR 420-421 provide guidelines for verifying absences due to illness; quarantine; medical, dental, or eye appointments; or attending funeral service of a member of **the a student's** immediate family. 5 CCR 421 authorizes a student's absence to be verified by a school or public health nurse, attendance supervisor, physician, principal, teacher, or any other qualified district employee assigned to make such verification. The following section should be revised to reflect district-adopted methods of verification and to specify employee(s) assigned to verify absences.

When a student who has been absent returns to school, he/she shall present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student
 - b. Name of parent/guardian or parent representative
 - c. Name of verifying employee

AR 5113(d)

ABSENCES AND EXCUSES (continued)

- d. Date(s) of absence
 - e. Reason for absence
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.
4. Physician's verification.

Note: The following **optional** paragraph provides a means of verifying an excuse for confidential medical services without inquiring into the nature of the medical services.

- a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may **request a note from the contact a** medical office to confirm the time of the appointment.

Note: The following **optional** paragraph provides that, after ~~a specified number of~~ absences for illness **on multiple occasions, verified by methods listed in #1-3 above,** the student **may be required to** ~~must~~ bring a note from a physician to verify his/her illness. If a student does not have access to medical services in order to obtain such verification, the district may ~~need to provide financial assistance or assist the student in obtaining~~ the medical consultation if it is required. ~~The district should modify the number of absences below to reflect district practice.~~

- b. ~~When~~ **If a student shows a pattern of chronic absenteeism due to illness, district staff may require physician verification of any further student absences.** ~~has had 14 absences in the school year for illness verified by methods listed in #1-3 above, any further absences for illness shall be verified by a physician.~~

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall:

Note: The requirement in item #1 below is for use by districts that have chosen to allow absences for religious instruction or exercises. If the Board allows such absences to be excused, it must first adopt a resolution permitting an excused absence for this purpose. See the accompanying Board policy.

1. **Notify parents/guardians of the right to excuse a student from school in order to participate in religious exercises or to receive moral and religious instruction at their places of worship, or at other suitable places away from school property**

ABSENCES AND EXCUSES (continued)

designated by a religious group, church, or denomination (Education Code 46014, 48980)

Note: The requirement in item #2 applies to all districts. Districts that maintain only elementary grades should delete the reference to students in grades 7-12 below.

2. Notify students in grades 7-12 and the parents/guardians of all students that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian (Education Code 46010.1)
3. **Notify parents/guardians that a student shall not have his/her grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time, and include the full text of Education Code 48205 in the notice (Education Code 48980)**

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5145.6 - Parental Notifications)

(cf. 6154 - Homework/Makeup Work)

(11/07 11/11) 3/17

SUICIDE PREVENTIO

Note: ~~The Government Claims Act (Government Code 810-996.6) provides that a district may be liable for injuries on school grounds or for an employee's failure to exercise supervisorial responsibility to use reasonable care to prevent foreseeable injuries resulting from school activities. Therefore, it is strongly recommended that, before adopting the following optional policy and administrative regulation, districts carefully review all the elements, consider their staff capabilities and resources, and delete or modify them as necessary to ensure that all aspects will be adequately enforced. Districts should also consult with legal counsel and the district's risk manager or insurance carrier, as appropriate. Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the Governing Board of any district serving students in grades 7-12 adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide) with specified components. Those components are addressed in the following policy and the accompanying administrative regulation. Also see the California Department of Education's model policy required by Education Code 215.~~

~~The following policy and accompanying administrative regulation should be revised to reflect district practice. Pursuant to Education Code 215, the policy must be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts. It is recommended that districts also consult with legal counsel and the district's risk manager or insurance carrier, as appropriate.~~

The Governing Board recognizes that suicide is a ~~major~~ **leading** cause of death among youth and ~~should be taken seriously that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. In order to~~ attempt to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop ~~preventive strategies and intervention procedures~~ **measures and strategies for suicide prevention, intervention, and postvention.**

~~In developing measures and strategies for use by the district, T~~he Superintendent or designee may ~~involve~~ **consult with** school health professionals, school counselors, **school psychologists, school social workers,** administrators, other staff, parents/guardians, students, local health agencies, ~~and~~ **mental health** professionals, and community organizations. ~~in planning, implementing, and evaluating the district's strategies for suicide prevention and intervention.~~

(cf. 1020 - Youth Services)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

Prevention and Instruction

Note: ~~The following optional section may be revised to reflect district practice. The California Department of Education's (CDE) Youth Suicide Prevention Guidelines for California Schools identifies factors that may~~

SUICIDE PREVENTION (continued)

help build resiliency and protect against high risk behaviors, including, but not limited to, emotional wellness, school engagement, self-perceived ability to cope with problems, and positive interpersonal relationships. For further information about strategies to protect students from bullying, cyberbullying, and other harassment, see BP 5131—Conduct, BP 5145.3—Nondiscrimination/Harassment, and BP 5145.9—Hate-Motivated Behavior.

Such measures and Suicide prevention strategies **may shall** include, but **are** not **be** limited to,:

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy address any training to be provided to teachers of students in grades 7-12 on suicide awareness and prevention. See the accompanying administrative regulation for additional language fulfilling this mandate. In addition, Education Code 49604 encourages each district to provide suicide prevention training at least once to each middle, junior high, and high school counselor. Item #1 may be revised to specify other categories of employees who will receive the training.

- 1. Staff development on suicide awareness and prevention for teachers, school counselors, and other district employees who interact with students in the secondary grades**

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: Items #2-7 below reflect optional strategies for suicide prevention, intervention, and postvention and may be revised to reflect district practice.

- 2. Instruction to students in problem-solving and coping skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others**

(cf. 6142.8 - Comprehensive Health Education)

- 3. Efforts ~~to promote~~ for promoting a positive school climate that enhances students' feelings of connectedness with the school and **that** is characterized by caring staff and harmonious interrelationships among students**

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

SUICIDE PREVENTION (continued)

Note: The state's Health Education Content Standards for California Public Schools include voluntary content standards pertaining to mental, emotional, and social health at selected elementary and secondary grades and suicide prevention instruction at grade 7 or 8 and in high school. The district may revise the following **optional** paragraph to reflect grade levels offered by the district.

The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students including, but not limited to, the development of problem-solving skills, coping skills, and self-esteem. Suicide prevention instruction shall be incorporated into the health education curriculum in the secondary grades. Such instruction shall be aligned with state content standards and shall be designed to help students analyze signs of depression and self-destructive behaviors, including potential suicide, and to identify suicide prevention strategies. [MOVED TO AR]

(cf. 6142.8 – Comprehensive Health Education)

4. The Superintendent or designee may offer parents/guardians education or **provision of information to parents/guardians regarding** which describes **risk factors and warning signs of suicide**, the severity of the youth suicide problem, the district's suicide prevention curriculum, **risk factors and warning signs of suicide**, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis.
5. Students shall be encouraged **Encouragement for students** to notify a teacher, principal, counselor, **appropriate school personnel** or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.
6. **Crisis intervention procedures for addressing suicide threats or attempts**
7. **Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide**

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy specifically address the needs of high-risk groups, including, but not limited to, those listed in the following paragraph. See the accompanying administrative regulation for additional language fulfilling this mandate.

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth. (Education Code 215)

SUICIDE PREVENTION (continued)**Staff Development** [MOVED TO AR]

Note: The following **optional** section may be revised to reflect district practice. Education Code 49604 encourages each district to provide suicide prevention training to each middle, junior high, and high school counselor.

Staff development may include training about risk factors associated with suicide, as provided in item #1 below. Information about research on risk factors is available in the CDE's Youth Suicide Prevention Guidelines for California Schools as well as through the California Department of Mental Health, Centers for Disease Control and Prevention, American Association of Suicidology, and other health organizations.

Suicide prevention training for staff shall be designed to help staff identify and respond to students at risk of suicide. The training shall be offered under the direction of a district counselor/psychologist and/or in cooperation with one or more community mental health agencies and may include information on:

1. Research identifying risk factors, such as previous suicide attempt(s), history of depression or mental illness, substance use problems, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, and other factors

(cf. 5131.6 – Alcohol and Other Drugs)

2. Warning signs that may indicate suicidal intentions, including changes in students' appearance, personality, or behavior

3. Research based instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health

4. School and community resources and services

(cf. 5141.6 – School Health Services)

(cf. 6164.2 – Guidance/Counseling Services)

5. District procedures for intervening when a student attempts, threatens, or discloses the desire to commit suicide

(cf. 4131 – Staff Development)

(cf. 4231 – Staff Development)

(cf. 4331 – Staff Development)

Intervention

Note: The following **optional** section should be revised to reflect district practice. Education Code 49602,

SUICIDE PREVENTION (continued)

~~which requires confidentiality of information disclosed to a school counselor by students 12 years of age or older, specifically allows a counselor to disclose such information to the principal or parents/guardians of the student when he/she has reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the student's health or safety. In addition, Education Code 49602 allows disclosure to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment.~~

~~Whenever a staff member suspects or has knowledge of a student's suicidal intentions, he/she shall promptly notify the principal or school counselor. The principal or counselor shall then notify the student's parents/guardians as soon as possible and may refer the student to mental health resources in the school or community.~~

~~(cf. 5141—Health Care and Emergencies)~~

~~Students shall be encouraged to notify a teacher, principal, counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.~~

~~Whenever schools establish a peer counseling system to provide support for students, peer counselors shall complete the suicide prevention curriculum, including identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.
[MOVED TO AR]~~

~~(cf. 5138—Conflict Resolution/Peer Mediation)~~

~~Note: For sample procedures to be followed in the event of a suicide attempt on campus, see the accompanying administrative regulation.~~

~~The Superintendent or designee shall establish crisis intervention procedures to ensure student safety and appropriate communications in the event that a suicide occurs or an attempt is made on campus or at a school-sponsored activity.~~

*Legal Reference:*EDUCATION CODE**215 Student suicide prevention policies**

32280-32289 Comprehensive safety plan

49060-49079 Student records

49602 Confidentiality of student information

49604 Suicide prevention training for school counselors

GOVERNMENT CODE

810-996.6 Government Claims Act

Legal Reference continued: (see next page)

SUICIDE PREVENTION (continued)

Legal Reference: (continued)

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intent

5850-5883 Mental Health Services Act

COURT DECISIONS

Corales v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008

Youth Suicide Prevention Guidelines for California Schools, 2005

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

CALIFORNIA DEPARTMENT OF MENTAL HEALTH PUBLICATIONS

California Strategic Plan for Suicide Prevention: Every Californian is Part of the Solution, 2008

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009

NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS

Preventing Suicide, Guidelines for Administrators and Crisis Teams, 2015

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

Preventing Suicide: A Toolkit for High Schools, 2012

National Strategy for Suicide Prevention: Goals and Objectives for Action, 2004rev. 2012

WEB SITES

American Association of Suicidology: <http://www.suicidology.org>

American Foundation for Suicide Prevention: <https://afsp.org>

American Psychological Association: <http://www.apa.org>

American School Counselor Association: <https://www.schoolcounselor.org>

California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>

California Department of Mental Health, Children and Youth Programs:

http://www.dmh.ca.gov/Services_and_Programs/Children_and_Youth

California Department of Health Care Services, Suicide Prevention Program:

<http://www.dhcs.ca.gov/services/MH/Pages/SuicidePrevention.aspx>

Centers for Disease Control and Prevention, Mental Health: <http://www.cdc.gov/mentalhealth>

National Association of School Psychologists: <https://www.nasponline.org>

National Institute for Mental Health: <http://www.nimh.nih.gov>

Trevor Project: <http://thetrevorproject.org>

U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration: <http://www.samhsa.gov>

SUICIDE PREVENTION

Note: The Government Claims Act (Government Code 810 996.6) provides that a district may be liable for injuries on school grounds or for an employee's failure to exercise supervisory responsibility to use reasonable care to prevent foreseeable injuries resulting from school activities. Therefore, it is strongly recommended that, before adopting the following optional policy and administrative regulation, districts carefully review all the elements, consider their staff capabilities and resources, and delete or modify them as necessary to ensure that all aspects will be adequately enforced. Districts should also consult with legal counsel and the district's risk manager or insurance carrier, as appropriate. Pursuant to Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), districts serving students in grades 7-12 are mandated to adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide). See the accompanying Board policy. The following administrative regulation provides additional strategies that fulfill the mandate and may be revised to reflect district practice.

Examples of suicide prevention strategies are available in the California Department of Education's (CDE) model policy created in response to AB 2246, the U.S. Department of Health and Human Services publication Preventing Suicide: A Toolkit for High Schools, and resources issued by other state and federal agencies and organizations. For further information about strategies to protect students from bullying, cyberbullying, and other harassment, see BP 5131 - Conduct, BP 5131.2 - Bullying, BP 5145.3 - Nondiscrimination/Harassment, and BP 5145.9 - Hate-Motivated Behavior.

Staff Development

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy and procedures address any training to be provided to teachers of students in grades 7-12 on suicide awareness and prevention. In addition, Education Code 49604 encourages each district to provide suicide prevention training at least once to each middle, junior high, and high school counselor. The following section may be revised to reflect district practice.

Suicide prevention training shall be provided to teachers, counselors, and other district employees who interact with students at the secondary level. The training shall be offered under the direction of a district counselor/psychologist and/or in cooperation with one or more community mental health agencies.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Materials for training shall include how to identify appropriate mental health services at the school site and within the community, and when and how to refer youth and their families to those services. Materials also may include programs that can be completed through self-review of suitable suicide prevention materials. (Education Code 215)

Staff development shall include research and information related to the following topics:

SUICIDE PREVENTION (continued)

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy specifically address the needs of high-risk groups; see the accompanying Board policy. One strategy to specifically address their needs is to increase staff awareness of the higher rates of suicide among these groups, as provided in item #1 below.

- 1. The higher risk of suicide among certain groups, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth**

Note: Staff development may include training about risk factors associated with suicide, as provided in item #2 below. Information about risk factors is available from the CDE, Centers for Disease Control and Prevention, American Association of Suicidology, American Foundation for Suicide Prevention, Trevor Project, and other agencies and organizations.

- 2. Individual risk factors such as previous suicide attempt(s) or self-harm, history of depression or mental illness, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, impulsivity, and other factors**

(cf. 5131.6 - Alcohol and Other Drugs)

- 3. Warning signs that may indicate depression, emotional distress, or suicidal intentions, such as changes in students' personality or behavior and verbalizations of hopelessness or suicidal intent**
- 4. Protective factors that may help to decrease a person's suicide risk, such as resiliency, problem-solving ability, access to mental health care, and positive connections to family, peers, school, and community**
- 5. Instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health**
- 6. School and community resources and services, including resources and services that meet the specific needs of high-risk groups**

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

- 7. District procedures for intervening when a student attempts, threatens, or discloses the desire to die by suicide**

SUICIDE PREVENTION (continued)**Instruction**

Note: ~~The following optional section reflects topics of instruction recommended by suicide prevention resources and is consistent with the state's Health Education Content Standards for California Public Schools, which include standards pertaining to suicide prevention instruction at grade 7 or 8 and high school.~~ **The state's content standards for health education include voluntary standards pertaining to mental, emotional, and social health at selected elementary and secondary grades and suicide prevention instruction at grade 7 or 8 and in high school. The district may revise the following paragraph to reflect grade levels offered by the district.**

~~At appropriate secondary grades, the district's suicide prevention instruction shall be designed to help students:~~ **The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students and shall be aligned with the state content standards and curriculum framework. Suicide prevention instruction shall be incorporated into the health education curriculum at appropriate secondary grades and shall be designed to help students:**

1. Identify and analyze signs of depression and self-destructive behaviors and understand how feelings of depression, loss, isolation, inadequacy, and anxiety can lead to thoughts of suicide
2. ~~Identify alternatives to suicide and d~~**Develop coping and resiliency skills and self-esteem**
3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent
4. Identify trusted adults, school resources, and/or community crisis intervention resources where youth can get help and recognize that there is no stigma associated with seeking **services for** mental health, substance abuse, and/or suicide prevention **services**

(cf. 1020 - Youth Services)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5141.6 - School Health Services)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6164.2 - Guidance/Counseling Services)

Intervention

Note: ~~The following optional section may be revised to reflect district practice. For additional information about steps that school personnel can take when a student threatens or attempts suicide, see the California Department of Education's Youth Suicide Prevention Guidelines for California Schools. Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy and procedures address suicide intervention. The following section should be revised to reflect district practice.~~

SUICIDE PREVENTION (continued)

In addition, the district may choose to incorporate crisis intervention strategies in its comprehensive school safety plan adopted pursuant to Education Code 32280-32289; see BP/AR 0450 - Comprehensive Safety Plan.

Students shall be encouraged to notify a teacher, principal, counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

Every statement regarding suicidal intent shall be taken seriously. Whenever a staff member suspects or has knowledge of a student's suicidal intentions based on the student's verbalizations or act of self-harm, he/she shall promptly notify the principal or school counselor.

Note: Education Code 49602 generally protects the confidentiality of information of a personal nature disclosed to a school counselor by a student age 12 years or older or by a parent/guardian. However, in certain circumstances, the counselor may disclose such information to avert a clear and present danger to the health, safety, or welfare of the student. Also see BP 6164.2 - Guidance/Counseling Services.

Although any personal information that a student discloses to a school counselor shall generally not be revealed, released, referenced, or discussed with third parties, the counselor may report to the principal or student's parents/guardians when he/she has reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student. In addition, the counselor may disclose information of a personal nature to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment. (Education Code 49602)

(cf. 5141 - Health Care and Emergencies)

A school employee shall act only within the authorization and scope of his/her credential or license. An employee is not authorized to diagnose or treat mental illness unless he/she is specifically licensed and employed to do so. (Education Code 215)

When a suicide attempt or threat is reported, the principal or designee shall ensure student safety by taking the following actions:

1. ~~Ensure the student's physical safety by one of the following, as appropriate:~~
 - a.1. ~~Immediately s~~Securing immediate medical treatment and/or mental health services as necessary if a suicide attempt has occurred
 - b.2. ~~Securing~~ Notifying law enforcement and/or other emergency assistance if a suicidal act is being actively threatened

SUICIDE PREVENTION (continued)

e.3. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene

4. Removing other students from the immediate area as soon as possible

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5141 - Health Care and Emergencies)

~~2. Designate specific individuals to be promptly contacted, including the school counselor, psychologist, nurse, superintendent, and/or the student's parent/guardian, and, as necessary, local law enforcement or mental health agencies~~

~~3. The principal or designee shall document the incident in writing, including the steps that the school took in response to the suicide attempt or threat as soon as feasible~~

(cf. 5125 - Student Records)

Note: The following paragraph is optional. If a student's parents/guardians refuse or neglect to access treatment for a student who has been identified to be at risk for suicide, the Superintendent or designee shall consider whether a referral to child protective services for child neglect is needed. Pursuant to Penal Code 11164-11174.3, the Child Abuse and Neglect Reporting Act, school employees who are mandated reporters are required to report child abuse or neglect, as defined in law, when they have knowledge of or reasonably suspect that a child is a victim of child abuse or neglect. See BP/AR 5141.4 - Child Abuse Prevention and Reporting.

4. The Superintendent or designee shall follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed. If the parent/guardian does not access treatment for the student, the Superintendent or designee may meet with the parent/guardian to identify barriers to treatment and assist the family in providing follow-up care for the student. If follow-up care is still not provided, the Superintendent or designee shall consider whether he/she is required, pursuant to laws for mandated reporters of child neglect, to refer the matter to the local child protective services agency.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

For any student returning to school after a mental health crisis, the principal or designee and/or school counselor may meet with the parents/guardians and, if appropriate, with the student to discuss re-entry and appropriate next steps to ensure the student's readiness for return to school.

~~5. Provide access to counselors or other appropriate personnel to listen to and support students and staff who are directly or indirectly involved with the incident at the school~~

SUICIDE PREVENTION (continued)

6. Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions

Postvention

Note: Education Code 215, as added by AB 2246 (Ch. 642, Statutes of 2016), mandates that the district's policy and procedures address suicide postvention. The following section should be revised to reflect district practice.

In the event that a suicide occurs or is attempted on campus, the principal or designee shall follow the crisis intervention procedures contained in the school safety plan. After consultation with the Superintendent or designee and the student's parents/guardians about facts that may be divulged in accordance with the laws governing confidentiality of student record information, the principal or designee may provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. School staff may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

In the event that a student dies by suicide, the Superintendent or designee shall communicate with the student's parents/guardians to offer condolences, assistance, and resources. In accordance with the laws governing confidentiality of student record information, the Superintendent or designee shall consult with the parents/guardians regarding facts that may be divulged to other students, parents/guardians, and staff.

Note: Research has identified an increased risk of suicide among youth who are grieving the suicide of another (so-called "suicide contagion"). The National Association of School Psychologists, in its Preventing Suicide, Guidelines for Administrators and Crisis Teams, recommends that memorials should be implemented with care so as not to sensationalize or glamorize suicide and thereby increase the suicide risk to other students. If a memorial is conducted for a student who dies by suicide, the association suggests a living memorial, such as making donations to a local crisis center, participating in an event that raises awareness about suicide prevention, or providing other opportunities for service activities in the school.

The Superintendent or designee shall implement procedures to address students' and staff's grief and to minimize the risk of imitative suicide or suicide contagion. He/she shall provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. School staff may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

Any response to media inquiries shall be handled by the district-designated spokesperson who shall not divulge confidential information. The district's response shall not sensationalize suicide and shall focus on the district's postvention plan and available resources.

SUICIDE PREVENTION (continued)

(cf. 1112- Media Relations)

After any suicide or attempted suicide by a student, the Superintendent or designee shall provide an opportunity for all staff who responded to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

(6/96 7/09) 3/17

PARENTAL NOTIFICATIONS

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) extends the suspension of these requirements through the 2015-16 fiscal year.~~ **The Budget Act of 2016 (SB 826, Ch. 23, Statutes of 2016) extends the suspension of these requirements through the 2016-17 fiscal year.** As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

Note: The following exhibit lists notices which the law explicitly requires be provided to parents/guardians. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements. For example, see AR 1312.3 - Uniform Complaint Procedures for the contents of the annual notice regarding uniform complaint procedures (UCP) as mandated by 5 CCR 4622. ~~Pursuant to Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, as amended by AB 379 (Ch. 772, Statutes of 2015), the district is required to include information about specified educational rights of foster youth and homeless students in its annual UCP notification.~~

In addition to the notices required by law, there are other notices that districts are recommended to distribute. For example, AR 5145.3 - Nondiscrimination/Harassment includes an optional notice regarding the rights of transgender and gender-nonconforming students. Furthermore, although the California High School Exit Examination is suspended through the 2017-18 school year pursuant to Education Code 60851.5, ~~as added by SB 172 (Ch. 572, Statutes of 2015),~~ and therefore the notice described in Education Code 60850 is not currently required, districts may choose to notify parents/guardians of the suspension of the exam and the possibility that it could subsequently be reinstated.

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
Beginning of each school year	Education Code 310	BP 6174 AR 6142.2	Information on the district's language acquisition programs
Beginning of each school year	Education Code 17611.5, 17612, 48980.3	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information, and, if district has no web site and uses certain pesticides, integrated pest management plan
By February 1	Education Code 35256, 35258	BP 0510	School Accountability Report Card provided
Beginning of each school year	Education Code 35291, 48980	AR 5144 AR 5144.1	District and site discipline rules

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 46010.1	BP AR 5113	Absence for confidential medical services
Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	District policy authorizing transfer
Beginning of each school year	Education Code 48980	BP 6111	Schedule of minimum days and student-free staff development days
Beginning of each school year	Education Code 48980, 231.5; 5 CCR 4917	AR 5145.7	Copy of ss sexual harassment policy as related to students
Beginning of each school year	Education Code 48980, 32255-32255.6	AR 5145.8	Right to refrain from harmful or destructive use of animals
Beginning of each school year	Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361	BP 5111.1 AR 5116.1 AR 5117	All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process
Beginning of each school year, if Board allows such absence	Education Code 48980, 46014	BP 5113 AR 5113	Absence for religious exercises or purposes
Beginning of each school year	Education Code 48980, 48205	BP 5113 AR 5113 AR BP 6154	Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205
Beginning of each school year	Education Code 48980, 48206.3, 48207, 48208	AR 6183	Availability of home/hospital instruction for students with temporary disabilities
Beginning of each school year	Education Code 48980, 49403	BP 5141.31	School immunization program

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 48980, 49423, 49480	AR 5141.21	Administration of prescribed medication
Beginning of each school year	Education Code 48980, 49451; 20 USC 1232h	AR 5141.3	Right to refuse consent to physical examination
Beginning of each school year	Education Code 48980, 49471, 49472	BP 5143	Availability of insurance
Beginning of each school year	Education Code 49013; 5 CCR 4622	AR 1312.3	Uniform complaint procedures, available appeals, civil law remedies
Beginning of each school year	Education Code 49063	AR 5125 AR 5125.3	Challenge, review, and expunging of records
Beginning of each school year	Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7	AR 5125	Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability
Beginning of each school year	Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37	AR 5125.1	Release of directory information
Beginning of each school year	Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5	AR 3553	Free and reduced price meals
Beginning of each school year	Education Code 51513; 20 USC 1232h	AR 5022 BP 6162.8	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; inspection rights and procedures

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 56301	BP 6164.4	Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment
Beginning of each school year	Education Code 58501, 48980	AR 6181	Alternative schools
Beginning of each school year	Health and Safety Code 104855	AR 5141.6	Availability of dental fluoride treatment; opportunity to accept or deny treatment
Annually	5 CCR 852; Education Code 60615	AR 6162.51	Student's participation in state assessments; option to request exemption from testing
Beginning of each school year, if district receives Title I funds	20 USC 6312; 34 CFR 200.61	BP 4112.2 AR 4222	Right to request information re: professional qualifications of child's teacher and paraprofessional
Beginning of each school year	34 CFR 104.8, 106.9	BP 0410 BP 6178	Nondiscrimination
Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress
II. At Specific Times During the Student's Academic Career			
Beginning in grade 7, at least once prior to course selection and career counseling	Education Code 221.5, 48980	BP 6164.2	Course selection and career counseling
Upon a student's enrollment	Education Code 310	BP 6174 AR 6142.2	Information on the district's language acquisition programs
When child first enrolls in a public school, if school offers a fingerprinting program	Education Code 32390, 48980	AR 5142.1	Fingerprinting program

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
When participating in driver training courses under the jurisdiction of the district	Education Code 35211	None	Civil liability, insurance coverage
Upon registration in K-6, if students have not previously been transported	Education Code 39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops
Beginning of each school year for high school students, if high school is open campus	Education Code 44808.5, 48980	AR 5112.5	Open campus
Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement	Education Code 48980, 51225.3	AR 6146.1	How each graduation requirement does or does not satisfy college entrance a-g course criteria; district CTE courses that satisfy a-g criteria
Upon a student's enrollment	Education Code 49063	AR 5125 AR 5125.3	Specified rights related to student records
When students entering grade 7	Education Code 49452.7	AR 5141.3	Specified information on type 2 diabetes
When in kindergarten, or first grade if not previously enrolled in public school	Education Code 49452.8	AR 5141.32	Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights
Beginning of each school year for students in grades 9-12	Education Code 51229, 48980	AR 6143	College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors
Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year	Education Code 51938, 48980	AR 6142.1	Sexual health and HIV prevention education; right to view A/V materials, who's teaching whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year	Education Code 60641; 5 CCR 863	AR 6162.51	Results of tests; test purpose, individual score and intended use
By October 15 for students in grade 12	Education Code 69432.9	AR 5121 AR 5125	Forwarding of student's grade point average to Cal Grant program; timeline to opt out
When child is enrolled in kindergarten	Health and Safety Code 124100, 124105	AR 5141.32	Health screening examination
To students in grades 11-12, early enough to enable registration for fall test	5 CCR 11523	AR 6146.2	Notice of proficiency examination provided under Education Code 48412
To secondary students, if district receives Title I funds	20 USC 7908	AR 5125.1	Request that district not release name, address, phone number of child to military recruiters without prior written consent
III. When Special Circumstances Occur			
In the event of a breach of security of district records, to affected persons	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, contact information for credit reporting agencies
Upon receipt of a complaint alleging discrimination	Education Code 262.3	AR 1312.3	Civil law remedies available to complainants
When student has been placed in structured English immersion program	Education Code 310 311; 5 CCR 11309	AR 6174	Student's placement in program, opportunity to apply for parental exception waiver, other rights of student relative to such placements
When determining whether an English learner should be reclassified as fluent English proficient	Education Code 313; 5 CCR 11303	AR 6174	Description of reclassification process, opportunity for parent/guardian to participate

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When student is identified as English learner and district receives Title I or Title III funds for English learner programs , not later than 30 days after beginning of school year or within two weeks of placement if identified during school year	Education Code 440; 20 USC 7012 6312	AR 6174	Reason for classification, level of English proficiency, description of program(s), option to decline program or choose alternate, option to remove student from program at any time , exit requirements of program
When homeless or foster youth applies for enrollment in before/after school program	Education Code 8483	AR 5148.2	Right to priority enrollment; how to request priority enrollment
Before high school student attends specialized secondary program on a university campus	Education Code 17288	None	University campus buildings may not meet Education Code requirements for structural safety
At least 72 hours before use of pesticide product not included in annual list	Education Code 17612	AR 3514.2	Intended use of pesticide product
To members of athletic teams	Education Code 32221.5	AR 5143	Offer of insurance; no-cost and low-cost program options
If school has lost its WASC accreditation status	Education Code 35178.4	BP 6190	Loss of status, potential consequences
When district has contracted for electronic products or services that disseminate advertising	Education Code 35182.5	BP 3112-3312	Advertising will be used in the classroom or learning center
At least six months before implementing uniform policy	Education Code 35183	AR 5132	Dress code policy requiring schoolwide uniform
Before implementing a year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round schedule
When interdistrict transfer is requested and not approved or denied within 30 days	Education Code 46601	AR 5117	Appeal process

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Before early entry to kindergarten, if offered	Education Code 48000	AR 5111	Effects, advantages and disadvantages of early entry
When student identified as being at risk of retention	Education Code 48070.5	AR 5123	Student at risk of retention
When student excluded due to quarantine, contagious or infectious disease, danger to safety or health	Education Code 48213	AR 5112.2 BP 5141.33	Student has been excluded from school
Before already admitted student is excluded for lack of immunization	Education Code 48216; 17 CCR 6040	AR 5141.31	Need to submit evidence of immunization or exemption within 10 school days; referral to medical care
When a student is classified a as truant	Education Code 48260.5, 48262	AR 5113.1	Truancy, parental obligation, availability of alternative programs, student consequences, need for conference
When a truant is referred to a SARB or probation department	Education Code 48263	AR 5113.1	Name and address of SARB or probation department and reason for referral
When a school is identified on the state's Open Enrollment List	Education Code 48354; 5 CCR 4702	AR 5118	Student's option to transfer to another school
Within 60 days of receiving application for transfer out of open enrollment school	Education Code 48357; 5 CCR 4702	AR 5118	Whether student's transfer application is accepted or rejected; reasons for rejection
When student requests to voluntarily transfer to continuation school	Education Code 48432.3	AR 6184	Copy of district policy and regulation on continuation education
Prior to involuntary transfer to continuation school	Education Code 48432.5	AR 6184	Right to request meeting prior to involuntary transfer to continuation school
To person holding educational rights, prior to recommending placement of foster youth outside school of origin	Education Code 48853.5	AR 6173.1	Basis for the placement recommendation

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When student is removed from class and teacher requires parental attendance at school	Education Code 48900.1	AR 5144.4	Parental attendance required; timeline for attendance
Prior to withholding grades, diplomas, or transcripts	Education Code 48904	IIIIIIIIIIIIAR	5125.2 Damaged school property
When withholding grades, diplomas or transcripts from transferring student	Education Code 48904.3	AR 5125.2	Next school will continue withholding grades, diplomas, or transcripts
When student is released to peace officer	Education Code 48906	BP 5145.11	Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse
At time of suspension	Education Code 48911	BP 5144.1 AR 5144.1	Notice of suspension
When original period of suspension is extended	Education Code 48911	AR 5144.1	Extension of suspension
At the time a student is assigned to a supervised suspension classroom	Education Code 48911.1	AR 5144.1	The student's assignment to a supervised suspension classroom
Before holding a closed session re: suspension	Education Code 48912	AR 5144.1	Intent to hold a closed session re: suspension
When student expelled from another district for certain acts seeks admission	Education Code 48915.1, 48918	BP 5119	Hearing re: possible danger presented by expelled student
When readmission is denied	Education Code 48916	AR 5144.1	Reasons for denial; determination of assigned program
When expulsion occurs	Education Code 48916	AR 5144.1	Readmission procedures
At least 10 calendar days before expulsion hearing	Education Code 48918	AR 5144.1	Notice of expulsion hearing

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When expulsion or suspension of expulsion occurs	Education Code 48918	AR 5144.1	Decision to expel; right to appeal to county board; obligation to inform new district of status
Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	Right to request a meeting with principal or designee
One month before the scheduled minimum day	Education Code 48980	BP 6111	When minimum days are scheduled after beginning of the school year
When parents/guardians request guidelines for filing complaint of child abuse at a school site	Education Code 48987	AR 5141.4	Guidelines for filing complaint of child abuse at a school site with local child protective agencies
When student in danger of failing a course	Education Code 49067	AR 5121	Student in danger of failing a course
When student transfers from another district or private school	Education Code 49068	AR 5125	Right to receive copy of student's record and to challenge its content
When parent/guardian's challenge of student record is denied and parent/guardian appeals	Education Code 49070	AR 5125.3	If board sustains allegations, the correction or destruction of record; if denied, right to submit written objection
When district is considering program to gather safety-related information from students' social media activity	Education Code 49073.6	BP 5125	Opportunity for input on proposed program
When district adopts program to gather information from students' social media activity, and annually thereafter	Education Code 49073.6	AR 5125	Information is being gathered, access to records, process for removal or corrections, destruction of records
Within 24 hours of release of information to a judge or probation officer	Education Code 49076	AR 5125	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Before release of information pursuant to court order or subpoena	Education Code 49077	AR 5125	Release of information pursuant to court order or subpoena
When screening results in suspicion that student has scoliosis	Education Code 49452.5	AR 5141.3	Scoliosis screening
When test results in discovery of visual or hearing defects	Education Code 49456; 17 CCR 2951	AR 5141.3	Vision or hearing test results
Annually to parents/guardians of student athletes before their first practice or competition	Education Code 49475	AR 6145.2	Information on concussions and head injuries
To person holding educational rights, within 30 days of foster youth, or homeless youth's, or former juvenile court school student being transferred between high schools	Education Code 51225.1	BP 6146.1 AR 6173 AR 6173.1 AR 6173.3	Exemption from local graduation requirements, effect on college admission, option for fifth year of high school
Before any test/survey questioning personal beliefs	Education Code 51513	AR 5022	Permission for test, survey questioning personal beliefs
Within 14 days of instruction At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year	Education Code 51938	AR 6142.1	Instruction in HIV prevention or sexual health by guest speaker or outside consultant
Prior to administering survey regarding health risks and behaviors to students in 7-12	Education Code 51938	AR 5022	Notice that the survey will be administered
Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency	Education Code 52164.1, 52164.3; 5 CCR 11511.5	AR 6174	Results of state test of English proficiency
When migrant education program is established	Education Code 54444.2	BP 6175 AR 6175	Parent advisory council membership composition

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When child participates in licensed child care and development program	Health and Safety Code 1596.857	AR 5148	Parent/guardian right to enter facility
When district receives Tobacco-Use Prevention Education Funds	Health and Safety Code 104420	AR 3513.3	The district's tobacco-free schools policy and enforcement procedures
When sharing student immunization information with an immunization system	Health and Safety Code 120440	AR 5125	Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share
At least 14 days prior to sex offender coming on campus as volunteer	Penal Code 626.81	AR 1240 BP 1250	Dates and times permission granted; obtaining information from law enforcement
When hearing is requested by person asked to leave school premises	Penal Code 627.5	AR 3515.2	Notice of hearing
When responding to complaint re: discrimination, special education, or noncompliance with law	5 CCR 4631	AR 1312.3	Findings, disposition of complaint, any corrective actions, appeal rights and procedures
When child participates in licensed child care and development program	5 CCR 18066	AR 5148	Policies re: excused and unexcused absences
Within 30 days of application for subsidized child care or preschool services	5 CCR 18094, 18118	AR 5148 AR 5148.3	Approval or denial of services
Upon recertification or update of application for child care or preschool services	5 CCR 18095, 18119	AR 5148 AR 5148.3	Any change in service, such as in fees, amount of service, termination of service
Upon child's enrollment in child care program	5 CCR 18114	AR 5148	Policy on fee collection
When payment of child care fees is seven days late	5 CCR 18114	AR 5148	Notice of delinquent fees
When district substantively changes policy on student privacy rights	20 USC 1232h	AR 5022	Notice of any substantive change in policy or regulation

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
For districts receiving Title I funds, when child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught	20 USC 6312	AR 4112.2	Timely notice to parent/guardian of child's assignment
For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners	20 USC 6312	AR 6174	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose other program
For schools receiving Title I funds, upon development of parent involvement policy	20 USC 6316	AR 6020	Notice of policy
When household is selected for verification of eligibility for free or reduced-price meals	42 USC 1758; 7 CFR 245.6a	AR 3553	Need to submit verification information; any subsequent change in benefits; appeals
When student is homeless or unaccompanied minor	42 USC 11432; Education Code 48852.5	AR 6173	Educational and related opportunities; transportation services; placement decision and right to appeal
When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30	34 CFR 99.34	AR 5125	Right to review records
When district receives federal funding assistance for nutrition program	USDA FNS Instruction 113-1	BP 3555	Rights and responsibilities, nondiscrimination policy, complaint procedures
IV. Special Education Notices			
Prior to conducting initial evaluation	Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415(d); 34 CFR 300.502, 300.503	BP 6159.1 AR 6159.1 AR 6164.4	Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. Special Education Notices (continued)			
Before functional behavioral assessment begins	Education Code 56321	AR 6159.4	Notification and consent
24 hours before IEP when district intending to record	Education Code 56341.1	AR 6159	Intention to audio-record IEP meeting
Early enough to ensure opportunity for parent/guardian to attend IEP meeting	Education Code 56341.5; 34 CFR 300.322	AR 6159	Time, purpose, location, who in attendance will attend , participation of others with special knowledge, transition statements if appropriate
When parent/guardian orally requests review of IEP	Education Code 56343.5	AR 6159	Need for written request
Within one school day of emergency intervention or serious property damage	Education Code 56521.1	AR 6159.4	Emergency intervention
Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	Prior written notice
Upon filing of state complaint	20 USC 1415(d); 34 CFR 300.504	AR 6159.1	Procedural safeguards notice
When disciplinary measures are taken or change in placement	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	Decision and procedural safeguards notice
Upon requesting a due process hearing	20 USC 1415(k); 34 CFR 300.508	AR 6159.1	Student's name, address, school, description of problem, proposed resolution
Eligibility for services under Section 504	34 CFR 104.32, 104.36	AR 6164.6	District responsibilities, district actions, procedural safeguards

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. Classroom Notices			
In each classroom in each school	Education Code 35186	AR 1312.4 E 1312.4	Complaints re: sufficiency of instructional materials, teacher vacancy or misassignment, maintenance of facilities

(4/15 5/16) 3/17

BEFORE/AFTER SCHOOL PROGRAMS

Note: The following **optional** policy is for use by districts providing before-school and/or after-school programs and should be revised to reflect the program(s) offered by the district. **For eligible programs in grades K-9, the district may apply for funding from the state's After School Education and Safety Program (ASES) (Education Code 8482-8484.65) and/or the funds after school programs in grades K-9, with priority given to schools with the highest percentage of students eligible for free or reduced price meals. The federal 21st Century Community Learning Center Program (21st CCLC) (Education Code 8484.7-8484.9; 20 USC 7171-7176), for students in grades K-9 and the federal 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) (Education Code 8420-8428; 20 USC 7171-7176) provides funding for eligible programs for students in grades 9-12, are restricted to applicants that primarily serve students in Title I schoolwide programs or serve a high percentage of students from low income families. Under both of these federal programs, competitive priority for funding is given to applications jointly submitted by school districts and community organizations for an expiring grant or for programs in schools identified for program improvement under 20 USC 6316. Under 21st CCLC, funding priority is also given to applications that will provide year-round expanded learning programming. Under ASSETs, funding priority is also given for the expansion of existing grants. See the accompanying administrative regulation for major requirements of each program.**

The following policy is applicable to all three programs, unless otherwise noted, and may be adapted by districts that offer **other** programs through district funding or **alternative other** sources. If the district does not offer both a before-school and after-school program, it may modify the following policy as appropriate.

The Governing Board desires to provide before-school and/or after-school enrichment programs that support the regular education program **in a supervised environment, and provide safe alternatives for students.** In order to increase academic achievement of participating students, the content of such programs shall be coordinated with the district's vision and goals for student learning, **local control and accountability plan, its** curriculum, and **district and state** academic standards.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 5147 - Dropout Prevention)

(cf. 5148 - Child Care and Development)

(cf. 6011 - Academic Standards)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

Note: The following paragraph reflects a requirement for collaborative planning for both ASES (Education Code 8482.5) and ASSETs (Education Code 8422). **20 USC 7174 requires 21st CCLC programs to must be developed in collaboration with the school(s) the students attend, but collaboration with other entities is at the discretion of the district, neither state nor federal law requires collaboration with other community agencies or organizations.** Districts offering only 21st CCLC programs may revise the following paragraph to reflect district practice.

BEFORE/AFTER SCHOOL PROGRAMS (continued)

The district's program shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies including city and county parks and recreation departments, local law enforcement, community organizations, and, if appropriate, the private sector. (Education Code 8422, 8482.5)

Note: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 8482.5, in awarding funding for ASES programs, the state gives priority to schools with at least 50 percent of students eligible for free or reduced-price meals. Pursuant to 20 USC 7174, funding for the 21st CCLC and ASSETs programs is restricted to schools receiving federal Title I funding. In addition, 20 USC 7174 and Education Code 8422 and 8484.8 give competitive priority for these federal programs to applications jointly submitted by school districts and community organizations for programs that (1) are located in schools that are implementing comprehensive or targeted support and improvement activities pursuant to 20 USC 6311; (2) serve students at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or lacking strong positive role models; (3) provide activities not otherwise accessible to participating students or expand accessibility to high-quality services that may be available in the community; (4) continue or expand existing grants; and (5) for 21st CCLC programs, provide year-round expanded learning programming. For a further description of competitive priority for funding, see the California Department of Education's (CDE) "21st CCLC and ASSETs FAQs" and "Request for Applications for Programs Proposing to Serve High School Students."

To the extent feasible, the district shall give priority to establishing before-school and/or after-school programs in low-performing schools and/or programs that serve low-income and other at-risk students.

(cf. 1020 - Youth Services)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 6020 - Parent Involvement)

~~The establishment of a~~ Any program **to be established** shall be approved by the Board and the principal of each participating school. (Education Code 8421, 8482.3)

Note: The following optional paragraph is applicable to all programs. Pursuant to Education Code 8483.4 (applicable to both ASES and 21st ~~CCLC~~ CCLC), the program administrator is required to establish ~~minimum~~ qualifications for each staff position that, at a minimum, ensure that all staff members who directly supervise students meet the minimum qualifications for an instructional aide pursuant to district policies; ~~See the accompanying administrative regulation for further information about requirements related to staffing.~~ **A district offering an ASSETs program must establish its expectations for staff qualifications.**

The Superintendent or designee shall ensure that all staff who directly supervise students in the district's before-school and/or after-school program possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities. ~~(Education Code 8483.4)~~

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Each program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, **the each** program may include support services that reinforce the educational component and promote student health and well-being.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5030 - Student Wellness)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 6142.7 - Physical Education and Activity)

Note: Pursuant to Education Code 8482.6 (applicable to both ASES and 21st CCLC) and Education Code 8422 (applicable to ASSETs programs), **as added and amended by AB 2615 (Ch. 470, Statutes of 2016)**, the district may charge fees **to participating families as long as those fees are waived or reduced for families with students who are eligible for free or reduced-price meals.** ~~or conduct individual eligibility determinations based on need or income.~~ Option 1 below is for use by districts that choose not to charge **family** fees. Option 2 is for use by districts that will charge a **permissible family** fee to cover unfunded costs of the program. ~~Districts that choose Option 2 may waive or subsidize the fee for some families based on economic need or other factors.~~

OPTION 1: No fee shall be charged for participation in the program.

BEFORE/AFTER SCHOOL PROGRAMS (continued)

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

To assist in evaluations of program effectiveness, the district may refer to the California Department of Education's (CDE) Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality. In addition, CDE's publication A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools describes available assessment tools that are closely aligned with the program standards. These publications are available on CDE's web site.

To the extent consistent with state and federal privacy laws, Education Code 8484.1 authorizes the district to share specified student data (i.e., school day attendance data, statewide assessment scores, high school exit examination scores, English language development test placement or reclassification scores, California Healthy Kids Survey results in aggregate form, student engagement and behavioral data, and other academic measures, including grades and course completion) with the operator of an after-school program with which the district has a contract that includes a confidentiality agreement. The district should consult with legal counsel if it has any questions regarding the sharing of student data.

In addition, Education Code 8427 and 8484, **as amended by SB 1221 (Ch. 370, Statutes of 2014)**, require the after-school program to submit data on school and program attendance and program quality to the CDE; see the section "Reports" in the accompanying administrative regulation.

The Board and the Superintendent or designee shall monitor student participation rates and shall identify multiple measures that shall be used to evaluate program effectiveness. Such measures may include, but are not limited to, student outcome data; program self-assessments; feedback from staff, participating students, and parents/guardians; and observations of program activities.

(cf. 0500 - Accountability)

Note: The following paragraph is for use by districts that offer an ASES or 21st ~~CLCC~~ CCLC program, and may be adapted by districts that offer ASSETs or other programs. **Education Code 8482.3 requires districts offering an ASES or 21st CCLC program to review program goals, program content, and outcome measures, selected from among those listed in Education Code 8484, every three years and to retain documentation for five years.**

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Every three years, the ~~program~~ **Superintendent or designee** shall review ~~its the~~ after-school program plan, including, **but not limited to,** program goals, program content, and outcome measures. Documentation of the program plan shall be maintained for a minimum of five years. (~~Education Code 8482.3~~)

(cf. 3580 - District Records)

*Legal Reference:*EDUCATION CODE

8263 Eligibility and priorities for subsidized child development services

8263.4 Enrollment of students ages 11-12 years

8273.1 Family fees, exemptions

8350-8359.1 Programs for CalWORKS recipients

8360-8370 Personnel qualifications

8420-8428 21st Century After-School Program for Teens

8482-8484.65 After School Education and Safety Program

8484.7-8484.9 21st Century Community Learning Centers

8490-8490.7 Distinguished After School Health Recognition Program

17264 New construction; accommodation of before- and after-school programs

35021.3 After-school physical recreation instructors

45125 Criminal record check

45330 Paraprofessionals; instructional aides

45340-45349 Paraprofessionals; instructional aides

49024 Criminal background check; Activity Supervisor Clearance Certificate

49430-49434 Nutrition standards

49540-49546 Child Care Food Program

49553 Free or reduced-price meals

60851.1 Suspension of high school exit examination

~~69530-69547.9~~ **69430-69460** Cal Grant program

UNITED STATES CODE, TITLE 20**6311 State plans**

6314 Title I schoolwide programs

7171-7176 21st Century Community Learning Centers

UNITED STATES CODE, TITLE 42

1766-1766a Child and Adult Care Food Program

11434a Education for homeless children and youthsCODE OF FEDERAL REGULATIONS, TITLE 7

226.17 **Child care center n**utrition standards

*Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Quality Program Improvement Plan for Expanded Learning Programs in California 2016-17, November 2016

Request for Application for Programs Proposing to Serve High School Students, September 2016

21st Century Community Learning Centers (21st CCLC) FAQs Elementary/Middle School Programs, September 2016

Management Resources continued: (see next page)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Management Resources: (continued)

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS (continued)

A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014

Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, 2014

21st Century High School After School Safety and Enrichment for Teens Program Frequently Asked Questions, March 2012

California After School Physical Activity Guidelines, 2009

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

21st Century Community Learning Centers, Nonregulatory Guidance, February 2003

WEB SITES

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

California Department of Education, Before and After School: <http://www.cde.ca.gov/ls/ba>

California Healthy Kids Survey: <https://chks.wested.org>

California School-Age Consortium: <http://calsac.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Partnership for Children and Youth: <http://partnerforchildren.org>

U.S. Department of Agriculture: <http://www.fns.usda.gov/cnd/care/afterschool.htm>

U.S. Department of Education: <http://www.ed.gov>

(11/06 7/15) 3/17

BEFORE/AFTER SCHOOL PROGRAMS

Note: The district should revise the following administrative regulation to reflect the **before and/or after school** program(s) **it offers** and **the** grade levels **it offers at which the programs are offered**. In addition to the program requirements described below, before-school and after-school programs may be subject to other **district** policies ~~contained throughout this policy manual (e.g., such as~~ **BP/AR 5148 - Child Care and Development, AR 3514.2 - Integrated Pest Management, food safety standards and nutrition requirements in and BP/AR 3550 - Food Service/Child Nutrition Program)**. The district should consult legal counsel if it has questions regarding the applicability of other laws to the district's programs.

Grades K-9

Note: The following section is for use by districts providing before-school and/or after-school programs funded by the state After School Education and Safety Program (ASES) (Education Code 8482-8484.65) or the federal 21st Century Community Learning Center Program (21st CCLC) (Education Code 8484.7-8484.9; 20 USC 7171-7176). **Both ASES and 21st CCLC programs serve students who are in grades K-9 in an elementary, middle, or junior high school.** Pursuant to Education Code 8484.75, programs funded through the 21st CCLC program are generally subject to the same program requirements applicable to ASES programs, with the exception of specified provisions primarily related to allocation of funds.

~~Both ASES and 21st CCLC programs serve students who are in grades K-9 in an elementary, middle, or junior high school. Funding would not be awarded to a program that serves only grade 9 in a high school. Such a program may be eligible for funding under the 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program (Education Code 8420-8428; 20 USC 7171-7176); see section "Grades 9-12" below.~~

The following section applies to both ASES and 21st CCLC programs except where otherwise noted, and should be revised to reflect the program(s) offered by the district.

The district's After School Education and Safety (ASES) program or 21st Century Community Learning Center (21st CCLC) program **may shall** serve students in **any of** grades K-9 **as the district may determine based on local needs**. (Education Code 8482.3, **8484.7, 8484.75, 8484.8**)

~~Note: The following paragraph is **optional**. Education Code 8483.3 gives competitive priority for state ASES funding to programs that meet the following criterion.~~

~~Consistent with state funding priorities, the district shall, to the extent feasible, give priority to establishing ASES programs that serve students in schools with the highest percentage of students eligible for free and reduced-price meals.~~

~~(cf. 3553 - Free and Reduced Price Meals)~~

The district's 21st CCLC program shall primarily serve students in Title I schoolwide programs or serve a high percentage of students from low-income families. (Education Code 8484.8; 20 USC 7173)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

(cf. 6171 - Title I Programs)

Note: The following paragraph is **optional**. Pursuant to Education Code 8484.8 and 20 USC 7173, competitive priority for 21st CCLC funding is given to applications that meet the following criteria.

Consistent with federal funding priorities, the district shall, to the extent feasible, give priority to establishing 21st CCLC programs in schools that are identified for program improvement under 20 USC 6316 and/or programs that will provide year round expanded learning opportunities.

(cf. 0520.2 - Title I Program Improvement Schools)

Note: The remainder of this section applies to both ASES and 21st CCLC programs.

The district's ASES and 21st CCLC program(s) shall be operated in accordance with the following:

1. Program Elements

- a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code 8482.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6154 - Homework/Makeup Work)

(cf. 6163.4 - Student Use of Technology)

Note: Education Code 8482.3 requires that the program include an educational enrichment component which may include physical fitness. Pursuant to Education Code 8483.55 and 8484.8, the California Department of Education (CDE) has developed voluntary California After School Physical Activity Guidelines which are available on its web site.

- b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code 8482.3)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

(cf. 6142.6 - Visual and Performing Arts)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6178 - Career Technical Education)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Note: Pursuant to Education Code 8482.3, after-school programs may offer snacks or meals that conform to applicable state or federal nutrition standards. Reimbursement for providing snacks is available through the National School Lunch Program and the Child and Adult Care Food Program (CACFP) for participating districts. Pursuant to the Healthy, Hunger-Free Kids Act of 2010 (42 USC 1766-1766a), after-school programs participating in the at-risk after-school care component of the CACFP may be reimbursed for serving full meals. Further information is available on the web sites of the CDE and U.S. Department of Agriculture.

2. Nutrition

- a. If snacks or meals are made available in the program, they shall conform to state nutrition standards specified in Education Code 49430-49434 or 42 USC 1766 as applicable. (Education Code 8482.3; 42 USC 1766-1766a; 7 CFR 226.17)
- b. The district's before-school program shall offer a breakfast meal as described in Education Code 49553 for all program participants. (Education Code 8483.1)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

Note: Education Code 8482.3 provides that a program may be offered at one or multiple school sites. Program applications and U.S. Department of Education (USDOE) nonregulatory guidance, 21st Century Community Learning Centers, state that programs may be located off campus as long as the facility is as available and accessible to students as if it were located at a school.

3. Location of Program

- a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code 8482.3)

Note: Education Code 8482.8, **as amended by AB 2615 (Ch. 470, Statutes of 2016)**, allows the district to provide services at another school site if there is a significant barrier to student participation in a program at the school of attendance **and if the school to which the program will be transferred either (1) agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or (2) does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school** ~~as described below~~. Approval to provide services at another school site must be obtained from the Superintendent of Public Instruction prior to or during the grant application process. In addition, Education Code 8482.8 allows a district that is temporarily prevented from operating a program at a given site due to natural disaster, civil unrest, or imminent danger to students or staff to transfer funding to other program sites in order to meet attendance targets during that time period.

- b. When there is a significant barrier to student participation in either the before-school or after-school component of a program at the school of attendance, the ~~district~~ **Superintendent or designee** may, with the approval of the

BEFORE/AFTER SCHOOL PROGRAMS (continued)*

Superintendent of Public Instruction, provide services at another school site. **Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school.** A significant barrier includes **either any** of the following: (Education Code 8482.8)

- (1) Fewer than 20 students participating in the program component
- (2) Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation
- (3) A reduction in the program grant of an existing school due to its merging into a new school opened by the district or the splitting of its students with a new school**

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code 8482.8)

(cf. 3540 - Transportation)

4. Staffing

- a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4, 45330, 45344, 45344.5)

(cf. 4222 - Teacher Aides/Paraprofessionals)

Note: Pursuant to Education Code 8483.4, program staff and volunteers are required to meet health screening and fingerprint clearance requirements. **The CDE's Frequently Asked Questions for the ASES program, available on its web site, clarify that staff and volunteers who Education Code 49024 provides that the requirement to obtain an Activity Supervisor Clearance Certificate prior to beginning a paid or volunteer position is satisfied by clearing a Department of Justice and Federal Bureau of Investigation criminal background check - are exempted from the requirement to obtain an Activity Supervisor Clearance Certificate in accordance with Education Code 49024.**

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code 8483.4)

(cf. 1240 - Volunteer Assistance)

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

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

- c. The student-to-staff ratio shall be no more than 20 to 1. (Education Code 8483.4)

5. Hours of Operation

- a. A before-school program shall not operate for less than one and one-half hours per regular school day. (Education Code 8483.1)
- b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code 8483)

6. Admissions

- a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code 8482.6)

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

- b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:

Note: Pursuant to Education Code 8483, as added by AB 2615 (Ch. 470, Statutes of 2016), commencing July 1, 2017 first priority for enrollment shall be given to students who are identified as homeless or foster youth, as provided below.

- (1) First priority for enrollment shall be given to students who are identified as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC 11434a), at the time they apply for enrollment or at any time during the school year and to students who are identified by the program as being in foster care. (Education Code 8483, 8483.1)**

The district is not required to disenroll a current student in order

BEFORE/AFTER SCHOOL PROGRAMS (continued)

to secure the enrollment of a student who has priority for enrollment. (Education Code 8483, 8483.1)

The district shall inform the parent/guardian of a homeless or foster youth of the right of the child to receive priority enrollment and how to request priority enrollment. (Education Code 8483)

(cf. 5145.6 - Parental Notifications)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

Note: Item #~~(12)~~ below is for use by districts that maintain middle or junior high schools.

- ~~(12)~~ **Second p**Priority for enrollment of middle or junior high school students shall be given to students who attend daily. (Education Code 8483, 8483.1)

Note: Items ~~#(2)-(4)~~ ~~#(3)-(5)~~ are **optional** and may be revised or expanded to include enrollment priorities established by the district.

- ~~(23)~~ **Third p**Priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulations.

(cf. 6179 - Supplemental Instruction)

- ~~(34)~~ Any remaining capacity shall be filled by students selected at random.
- ~~(45)~~ A waiting list shall be established to accommodate additional students if space becomes available.

7. Attendance/Early Release

Note: Education Code 8483 and 8483.1 express legislative intent that elementary students attend the full program day of either the before-school or after-school program every day in which they participate. Education Code 8483 and 8483.1 allow districts to implement a flexible attendance schedule for students in middle or junior high school, ~~but express the intent that students at these grade levels attend a minimum of six hours over three days a week in the before-school program or nine hours over three days a week in the after-school program.~~ Education Code 8483.1 specifies that, for before-school programs, students who attend less than one-half of the daily program hours may not be counted for attendance purposes.

Pursuant to Education Code 8483, districts offering an after-school program are **mandated** to establish a policy regarding reasonable early daily release of students from the after-school program. Education Code 8483.1 **mandates** districts offering a before-school program to establish a policy regarding reasonable late daily arrival of students. The following items should be revised to reflect district practice.

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that he/she participates.
- b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival of his/her child for the before-school program or the reasonable early daily release of his/her child from the after-school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

Note: Item #8 below is for use by districts that offer a program during summer, intersession, or vacation periods. Pursuant to Education Code 8483.76, a school that establishes a before-school or after-school program is eligible to receive a supplemental grant to operate the program in excess of 180 regular school days or during any combination of summer, **weekends**, intersession, or vacation periods for a maximum of 30 percent of the total grant amount awarded, per school year, to the school.

8. Summer/Intersession/Vacation Programs

- a. A before-school program operating during summer, intersession, and/or vacation days shall be offered for a minimum of two hours per day. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with Education Code 8483.76. When both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code 8483, 8483.1, 8483.2, 8483.76)
- b. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code 8483.76)
- c. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to Education Code 8484.6. (Education Code 8483.76)
- d. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code 8483.76)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Note: Education Code 8483.76 **mandates** that a district operating a six-hour program adopt an attendance and early release policy for the program that is consistent with the district's early release policy for the regular school day; see item #7 above. This policy must be included in the program plan submitted to the CDE.

- e. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (Education Code 8483.76)

(cf. 6177 - Summer Learning Programs)

Grades 9-12

Note: The following section is for use by districts providing before-school and/or after-school programs funded through the 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) program (Education Code 8420-8428; 20 USC 7171-7176).

The district's 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program ~~may shall~~ serve students in **any of** grades 9-12 **as the district may determine based on local needs**. (Education Code 8421)

~~Note: The following paragraph is optional. Pursuant to 20 USC 7174, funding priority for ASSETs programs is given to schools identified as in need of program improvement pursuant to 20 USC 6316. See BP/AR 0520.2 - Title I Program Improvement Schools.~~

~~When feasible, priority shall be placed on establishing programs that serve students in schools that are identified as in need of improvement pursuant to 20 USC 6316.~~

The program shall be operated in accordance with the following **guidelines**:

1. Program Elements
 - a. The program shall include an academic assistance element that is coordinated with the regular academic program and includes, but is not limited to, at least one of the following: (Education Code 8421)

Note: Education Code 8421 authorizes the district's ASSETs program to include preparation for the California High School Exit Examination, However, pursuant to Education Code 60851.1, administration of the exit exam has been suspended through the 2017-18 school year.

- (1) Preparation for the high school exit examination

(cf. 6162.52 - High School Exit Examination)

- (2) Tutoring

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- (3) Career exploration, including activities that help students develop the knowledge and skills that are relevant to their career interests and reinforce academic content
 - (4) Homework assistance
 - (5) College preparation, including information about the Cal Grant program pursuant to Education Code 69430-69460
- b. The program shall include an enrichment element that may include, but is not limited to: (Education Code 8421)
- (1) Community service
 - (2) Career **and** technical education
 - (3) Job readiness
 - (4) Opportunities for mentoring and tutoring younger students
 - (5) Service learning
 - (6) Arts
 - (7) Computer and technology training
 - (8) Physical fitness
 - (9) Recreation activities

(cf. 6142.4 - Service Learning/Community Service Classes)

Note: Education Code 8423 requires the ASSETs program to include a physical activity element. See the CDE's [California After School Physical Activity Guidelines](#), available on its web site.

- c. The program shall include a nutritional snack and/or meal and a physical activity element. (Education Code 8423)

Note: AB 2615 (Ch. 470, Statutes of 2016) amended Education Code 8423 to add the following requirement.

- d. The program shall provide for access to, and availability of, computers and technology. (Education Code 8423)**

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- de.** The Superintendent or designee shall assess students' preferences for program activities. (Education Code 8423)
2. Location of Program
 - a. The district's program may operate on one or multiple school sites or at another location approved by the CDE. (Education Code 8421)
 - b. If applying for a location off school grounds, the Superintendent or designee shall ensure that safe transportation is available for students, if necessary, and the program is at least as available and accessible as similar programs conducted on school sites. (Education Code 8421)
 3. Hours of Operation
 - a. The district's program shall operate for a minimum of 15 hours per week. (Education Code 8421)
 - b. The district's program may be operated either after school only or for any combination of after school, before school, weekends, summer, intersession, and vacations. (Education Code 8422)

Volunteers

Note: The following **optional** section is for use by districts that choose to create a registry of volunteer after-school physical recreation instructors or other volunteers pursuant to Education Code 35021.3, and may be used by districts that provide an ASES, 21st CCLC, ASSETs, or any other local program. When the district opts to use a registry created by a county office of education pursuant to Education Code 35021.3 rather than develop its own, the following section may be revised to inform district staff about the county registry and encourage its use.

Pursuant to Education Code 35021.3, aAfter-school instruction in physical recreation provided by a volunteer does not count toward satisfaction of physical education requirements pertaining to the number of instructional minutes or course completion for high school graduation; see BP/AR 6142.7 - Physical Education and Activity and BP 6146.1 - High School Graduation Requirements.

The Superintendent or designee may establish a registry of volunteer after-school physical recreation instructors and other before-school and after-school program volunteers. (Education Code 35021.3)

Note: Education Code 35021.3 requires volunteers to submit to a criminal background check and authorizes, but does not require, the district to contribute funds to pay for all or part of the background check. Pursuant to Education Code 35021.3, the district may expand the following paragraph to impose additional requirements on volunteers (e.g., certification in cardiopulmonary resuscitation).

BEFORE/AFTER SCHOOL PROGRAMS (continued)

To be included in the registry, a volunteer shall submit to a criminal background check pursuant to Education Code 45125. He/she also shall submit current contact information to the district and shall update that information whenever the information changes. (Education Code 35021.3)

The Superintendent or designee may use a volunteer registered with the district or may select another person to provide physical recreation to students after school hours or to provide other services. (Education Code 35021.3)

Reports

Note: The following section applies to ASES, 21st CCLC, and ASSETs programs.

Pursuant to Education Code 8426 and 8484, the CDE may terminate a grant if, for three consecutive years, the program fails to demonstrate measurable program outcomes or fails to attain 75 percent of its proposed attendance levels. For this purpose, the CDE may consider a comparison of participating and nonparticipating students at the same school site or other factors.

The Superintendent or designee shall annually submit to the CDE outcome-based data, including, but not limited to: (Education Code 8427, 8482.3, 8484)

Note: Pursuant to Education Code 8427 and 8484, programs must submit data on both school and program attendance. Education Code 8427 requires that program attendance be reported on a semi-annual basis for ASSETs programs. As amended by SB 1221 (Ch. 370, Statutes of 2014), Education Code 8484 requires that ASES and 21st CCLC programs now submit program attendance reports on a semi-annual basis.

1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis

Note: SB 1221 (Ch. 370, Statutes of 2014) amended Education Code 8427 to eliminate specific evaluation criteria for program effectiveness and instead requires programs to submit evidence of a program quality improvement process that is based on standards developed by the CDE. The CDE's program quality standards, Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, are available on its web site.

2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

(cf. 0500 - Accountability)

(3/08 7/15) 3/17

Policy Reference UPDATE Service

Copyright 2017 by California School Boards Association, West Sacramento, California 95691

All rights reserved.

CSBA Sample Board Policy

Instruction

BP 6142.2(a)

WORLD/FOREIGN LANGUAGE INSTRUCTION

Note: The following **optional** policy may be revised to reflect district practice.

Districts that do not maintain secondary schools may adapt this policy to reflect any elementary school programs designed to develop student's literacy in a language other than English. Education Code 51212 states legislative intent to encourage programs of world language (foreign language) instruction as early as feasible for the district.

In order to prepare students for global citizenship and to broaden their intercultural understanding and career opportunities, the Governing Board shall provide students with opportunities to develop linguistic proficiency and cultural literacy in one or more world languages in addition to English.

Note: The California Department of Education's (CDE) Foreign Language Framework for California Public Schools encourages districts to offer as many language course options as possible. Within the context of the CDE's framework, American Sign Language is recognized as a foreign language. The following paragraph may be revised to reflect language courses available in the district.

The Superintendent or designee shall recommend world languages to be taught in the district's educational program based on student interest, community needs, and available resources. He/she shall also consider providing English learners the opportunity to study their heritage language, when such a course is available, in order to continue developing skills in that language. American Sign Language courses shall be open to all students regardless of hearing status.

(cf. 6174 - Education for English ~~Language~~ Learners)

Note: On January 7, 2009, the State Board of Education (**SBE**) adopted voluntary content standards for world languages for grades K-12; see the accompanying administrative regulation. ~~The state's Foreign Language Framework for California Public Schools is scheduled to be revised in 2009-10 to reflect the content standards.~~ **Education Code 60605.5, as added by AB 2290 (Ch. 643, Statutes of 2016), requires the Superintendent of Public Instruction to recommend revisions to the standards and requires the SBE to adopt, reject, or modify the recommended revisions by March 31, 2019. The 2003 Foreign Language Framework for California Public Schools does not reflect current content standards and is scheduled to be updated in 2020.**

In addition, Education Code 51228 requires districts to offer students in grades 7-12 a course of study that fulfills the requirements and prerequisites for admission to California colleges and universities; see BP 6143 - Courses of Study. Admissions criteria for California State University and University of California include two years of coursework in one foreign language, ~~other than English,~~ that **have has** been approved by the University of California. **"Frequently Asked Questions" in the University of California's A-G Guide,**

available on its web site, clarify that American Sign Language may be used to fulfill the requirement if used with a language other than English, but signing in English will not satisfy the requirement. The following paragraph may be revised by districts that do not maintain any of grades 7-12.

BP 6142.2(b)

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

The district shall offer a sequential curriculum aligned with the state content standards, state curriculum framework, and, as applicable, California university admission requirements for languages other than English.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

Note: The following paragraph is for use by districts that maintain any of grades 7-12 and may be revised to reflect the grade levels at which instruction in world languages will be offered in the district. Education Code 51220 requires that the adopted course of study for grades 7-12, beginning no later than grade 7, include instruction in world languages designed to develop a facility for understanding, speaking, reading, and writing the particular language; see AR 6143 - Courses of Study.

Instruction in world languages shall be offered to secondary school students beginning no later than grade 7 and shall be designed to develop students' skills in understanding, speaking, reading, and writing the language. (Education Code 51220)

(cf. 6143 - Courses of Study)

Note: The following **optional** paragraph is for use by districts that maintain one or more high schools. Education Code 51225.3 requires high school students to complete a one-year course in either foreign language, American Sign Language, or visual and performing arts as a condition of high school graduation; see BP 6146.1 - High School Graduation Requirements. Pursuant to Education Code 51243-51245 and 5 CCR 1632, foreign language instruction completed in a private school must be granted credit toward high school graduation provided that the instruction meets specified standards and conditions; see BP/AR 6146.11 - Alternative Credits Toward Graduation.

A number of districts have chosen to present a biliteracy award upon high school graduation to students who demonstrate proficiency in speaking, reading, and writing skills in one or more languages in addition to English; see BP/AR 5126 - Awards for Achievement.

Students shall obtain credit toward high school graduation requirements for completion of a one-year course **during grades 9-12** in a world language or American Sign Language **during grades 9-12**.

(cf. 5126 - Awards for Achievement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

Note: The following **optional** paragraph is for use by districts that **choose to offer a dual-language immersion program** ~~maintain elementary schools~~ and may be revised to reflect district practice. **Effective July 1, 2017, Proposition 58 (November 2016) amended Education Code 305-310 and repealed Education Code 311 to authorize parents/guardians of English learners to select a language**

acquisition program that best suits their child. Districts must offer a structured English immersion program in which nearly all of the instruction is in English, and may offer dual-language immersion programs or other language acquisition programs. Also see BP/AR 6174 - Education for English Learners.

BP 6142.2(c)

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

Education Code 51212 states legislative intent to encourage programs of foreign language instruction in the course of study for grades 1-6, as early as feasible for the district. The CDE and the Center for Applied Linguistics note that two-way dual-language immersion programs are often focused on the primary grades and that such programs may continue for five to seven years but optimally throughout grades K-12; also see the accompanying administrative regulation.

For further information and recommendations regarding dual-language immersion programs, see CSBA's governance brief English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs.

In order to encourage higher levels of language proficiency throughout a student's education, the district may offer age-appropriate language programs in elementary schools. Beginning in the primary grades, the district may deliver language studies through a two-way immersion program in which instruction is delivered in both English and another language to both English-only students and English learners. **The district may establish a dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding. (Education Code 305-306)**

Note: Pursuant to Education Code 60119, as a condition of receiving funds for instructional materials from any state source under the Pupil Textbook and Instructional Materials Incentive Program Act, the Governing Board is required to hold a public hearing to determine whether each student has sufficient textbooks and/or instructional materials in specified subjects, including foreign language, that are aligned to the state content standards or curriculum frameworks; see BP 6161.1 - Selection and Evaluation of Instructional Materials.

The Board shall ensure that students have access to high-quality instructional materials in world languages. In accordance with Board policy, teachers shall also be encouraged to identify and use supplemental resources, such as literature, technology, newspapers and other media, dictionaries, and volunteers from the community to enhance the world language instructional program.

(cf. 1240 - Volunteer Assistance)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

The Superintendent or designee shall provide professional development as necessary to ensure that teachers of world languages have the knowledge and skills they need to implement an effective instructional program that helps students attain academic standards.

(cf. 4131 - Staff Development)

Note: The following optional paragraph should be revised to reflect indicators agreed upon by the Board and Superintendent for evaluating the district's world/foreign languages instructional program.
--

BP 6142.2(d)

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

The Superintendent or designee shall provide periodic reports to the Board regarding the effectiveness of the district's world language program which may include, but not be limited to, a description of the district's curriculum and the extent to which it is aligned with the state's content standards and curriculum framework, student achievement of district standards for world language instruction, and student participation rates in each language course. Program evaluation shall be used to identify needed improvements and may be considered in determining the **world** languages to be taught in the district.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: (see next page)

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)*Legal Reference:*EDUCATION CODE~~300-344310~~ *Education for English learners***42238.02** *Local control funding formula; class size requirements***44253.1-44253.11** *Qualifications of teachers of English learners*44256-44257 *Credential requirements, including teachers of foreign language***48980** *Parental notifications*51212 *Legislative intent to encourage foreign language instruction in grades 1-6*51220 *Courses of study, grades 7-12*51225.3 *High school graduation requirements*51243-51245 *Alternative credits toward graduation for foreign language instruction in private school*60119 *Public hearings, instructional materials*60605.3 *Content standards for foreign world language instruction***60605.5** *Revision of state standards for world language instruction*CODE OF REGULATIONS, TITLE 51632 *Alternative credits toward graduation for foreign language instruction in private school*~~11309~~ *English immersion programs, parental exception waivers**Management Resources:***CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS****English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**Two-Way Language Immersion Program FAQ**World Language Content Standards for California Public Schools, Kindergarten Through Grade Twelve, adopted January 7, 2009Foreign Language Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003CENTER FOR APPLIED LINGUISTICS PUBLICATIONSGuiding Principles for Dual Language Education, Second Edition, 2007COLLEGE BOARD PUBLICATIONSA Challenge to Change: The Language Learning Continuum, 1999**COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS****CL-622 Serving English Learners****UNIVERSITY OF CALIFORNIA PUBLICATIONS****A-G Guide**WEB SITESCSBA: <http://www.csba.org>American Council on the Teaching of Foreign Languages: <http://www.actfl.org>California Association of for Bilingual Education: <http://www.bilingualeducationgocabe.org>California Department of Education, Foreign Language: <http://www.cde.ca.gov/ci/fl>California Foreign Language Project: <http://www.stanford.edu/group/CFLP>California Language Teachers' Association: <http://www.clta.net>Center for Applied Linguistics: <http://www.cal.org>College Board: <http://www.collegeboard.org>University of California, a-g Course Approval: <http://www.ucop.edu/a-gGuide/agaguide>

WORLD/FOREIGN LANGUAGE INSTRUCTION**Content of Instruction**

Note: Items #1-5 below reflect the five categories of content standards for world languages adopted by the State Board of Education (SBE) on January 7, 2009. Within each category, the state standards describe four proficiency levels or performance benchmarks based on the Language Learning Continuum disseminated by the College Board. Education Code 60605.5, as added by AB 2290 (Ch. 643, Statutes of 2016), requires the Superintendent of Public Instruction to recommend revisions to the standards and requires the SBE to adopt, reject, or modify the recommended revisions by March 31, 2019.

The district may revise the following list to reflect the topics to be addressed in the district's program.

The district's instructional program for world languages shall be designed to help students gain knowledge about new language systems and use that knowledge to communicate. Students shall receive instruction which is aligned with state academic standards appropriate to their age and stage of linguistic and cultural proficiency in the following five categories:

1. Content: Students shall be presented with a wide variety of content that is age and stage appropriate and increases in complexity.

(cf. 6011 - Academic Standards)

2. Communication: Students shall be taught to effectively convey and receive messages by engaging in or interpreting written, spoken, and/or signed languages.
3. Cultures: Students shall receive instruction that allows them to make connections and comparisons between language and culture.

(cf. 6142.94 - History/Social Science Instruction)

4. Structures: The curriculum shall address components of grammar, syntax, and language patterns appropriate to the language being taught.
5. Settings: To help students comprehend meaning and use language that is culturally appropriate, students shall develop knowledge of the context or setting in which language is used, such as common daily settings, interpersonal settings, and informal and formal settings.

Two-Way Dual-Language Immersion Programs

Note: The following optional section is for use by districts that choose to establish two-way dual-language

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

immersion programs integrating **native** English **speakers** and ~~non-English speakers~~ **English learners** in a class that is taught in both English and a second language; see the accompanying Board policy.

Effective July 1, 2017, Proposition 58 (November 2016) amended Education Code 305-310 and repealed Education Code 311 to authorize parents/guardians of English learners to select a language acquisition program that best suits their child. Districts must offer a structured English immersion program in which nearly all classroom instruction is provided in English, and may offer dual-language immersion programs or other language acquisition programs. See BP/AR 6174 - Education for English Learners.

The following section **Items #1-2 below** reflects program **models** descriptions and recommendations on the California Department of Education's (CDE) web site and may be revised to reflect district practice.

The district's ~~may establish two-way~~ **dual-language** immersion programs **may be** based on either or both of the following models:

1. A 50:50 model in which instruction is provided in the non-English target language for 50 percent of the time and in English for 50 percent of the time, throughout the duration of the program
2. A 90:10 model in which instruction is provided in the non-English target language for 90 percent of the time and in English for 10 percent of the time during the first year of the program, decreasing the percentage of time in the non-English language in each subsequent year until there is a 50:50 balance of languages

(cf. 6174 - Education for English Learners)

Note: According to the CDE, two-way immersion programs generally do not accept English only speakers after grade 1 and English learners after grade 2. The following paragraph may be revised to reflect the grade levels at which the program is offered and any restrictions on enrollment established by the district. **The following two paragraphs reflect recommendations of the CDE in its "Two-Way Language Immersion Program FAQ," available on its web site, and may be revised to reflect district practice.**

~~English-only~~ **Native English** speakers shall **generally** be ~~accepted~~ **admitted** into the program only during the first grade level at which the program is offered, **and** English learners ~~may be admitted into the program~~ during the first or second grade level at which the program is offered. Bilingual students may enter the program at any time. **On a case-by-case basis, the Superintendent or designee may admit a student later in the program if he/she determines that the student is adequately prepared for and will benefit from the program.**

In enrolling students for the program, the district shall strive to maintain a ratio of half **native** English speakers and half ~~non-English speakers~~ **English learners**, and such ratio shall not fall below one-third for either language group except under exceptional circumstances.

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

Note: Education Code 305-306 require that English learners be placed in sheltered English language classrooms (i.e., nearly all classroom instruction in English but with the curriculum and presentation designed for students who are learning the language) during a temporary transition period normally not exceeding one year and then transferred to English language mainstream classrooms (i.e., classrooms in which the students are native English speakers or already have acquired reasonable fluency in English). Education Code 310-311 and 5 CCR 11309 authorize parental waivers of these requirements under specified circumstances. Thus, parents/guardians of English learners must annually submit a parental exception waiver allowing their child's participation in a two way immersion program. See BP/AR/E 6174 - Education of English Language Learners for legal requirements pertaining to parental exception waivers.

In order for a limited English proficient student to participate in a two way immersion program, his/her parent/guardian shall annually submit a request for a parental exception waiver pursuant to Education Code 310-311 and 5 CCR 11309.

(cf. 6174 - Education for English Language Learners)

Note: The following paragraph may be deleted by districts that do not offer a dual-language immersion program in any of grades K-3. Pursuant to Education Code 310, as amended by Proposition 58 (November 2016), all language acquisition programs must comply with requirements related to class size in grades K-3.

Any dual-language immersion program offered in grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

(cf. 6151 - Class Size)

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the district's dual-language immersion program and other language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program. (Education Code 310)

(cf. 5145.6 - Parental Notifications)

Note: Teachers in a class serving one or more English learners are required to possess the qualifications described in Education Code 44253.1-44253.11 and CTC leaflet CL-622, Serving English Learners. Also see AR 4112.22 - Staff Teaching English Learners.

Whenever a dual-language immersion classroom contains one or more English learners, the class shall be taught by a teacher who possesses the appropriate authorization issued by the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English Learners)

(3/09) 3/17

CONTROVERSIAL ISSUES

Note: The following **optional** policy may be revised to reflect district practice.

The Governing Board recognizes that the district's educational program may sometimes include instruction related to controversial issues that may arouse strong reactions based on personal values and beliefs, political philosophy, culture, religion, or other influences. Instruction concerning such topics shall be relevant to the adopted course of study and curricular goals and should be designed to develop students' critical thinking skills, ability to discriminate between fact and opinion, respect for others, and understanding and tolerance of diverse points of view.

- (cf. 6141.2 - Recognition of Religious Beliefs and Customs)*
- (cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*
- (cf. 6142.3 - Civic Education)*
- (cf. 6142.8 - Comprehensive Health Education)*
- (cf. 6142.94 - History-Social Science Instruction)*
- (cf. 6143 - Courses of Study)*

Note: **District Recommended** criteria for determining the appropriateness of supplementary instructional materials and/or **the** circumstances under which materials should be submitted to the principal or other designee for review prior to their use (e.g., when materials relate to controversial issues or are presented in a controversial manner or context, such as when materials contain nudity, sexual content, graphic violence, or extensive profanity) are addressed in BP 6161.11 - Supplementary Instructional Materials.

The Board expects administrators and teachers to exercise professional judgment when deciding whether or not a particular issue is suitable for study or discussion. They shall consult with the Superintendent or designee as necessary to determine the appropriateness of the subject matter, guest speakers, and/or related instructional materials or resources.

- (cf. 6141 - Curriculum Development and Evaluation)*
- (cf. 6161.1 - Selection and Evaluation of Instructional Materials)*
- (cf. 6161.11 - Supplementary Instructional Materials)*

When providing instruction related to a controversial issue, the following guidelines shall apply:

1. The topic shall be suitable to the age and maturity of the students.
2. Instruction shall be presented in a balanced manner, addressing all sides of the issue without bias or prejudice and without promoting any particular point of view.

CONTROVERSIAL ISSUES (continued)

3. **The teacher may express a personal opinion provided he/she identifies it as a personal opinion and clarifies that he/she is not speaking on behalf of the school or district. The teacher shall not express an opinion for the purpose of persuading students to his/her point of view. In the classroom, teachers act on behalf of the district and are expected to follow the adopted curriculum. In leading or guiding class discussions about issues that may be controversial, a teacher may not advocate his/her personal opinion or viewpoint. When necessary, the Superintendent or designee may instruct teachers to refrain from sharing personal views in the classroom on controversial topics.**

Note: The First Amendment of the U.S. Constitution and Article 1, Section 2 of the California Constitution guarantee freedom of speech, including freedom of speech for students. However, under court decisions and Education Code 48950, discipline may be imposed upon students for speech or conduct that constitutes harassment, threats, or intimidation. See BP 5145.2 - Freedom of Speech/Expression.

4. **No student's viewpoint shall be suppressed, provided such expression is not malicious or abusive toward others. Students shall be assured of their right to form and express an opinion without jeopardizing their relationship with the teacher or school grades or being subject to discrimination, retaliation, or discipline, provided the viewpoint does not constitute harassment, threats, intimidation, or bullying or is otherwise unlawful.**

(cf. 5022 - Student and Family Privacy Rights)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6145.5 - Student Organizations and Equal Access)

5. Students shall be informed of conduct expected during such instruction and the importance of being courteous and respectful of the opinions of others.

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

6. Adequate factual information shall be provided to help students objectively analyze and evaluate the issue and draw their own conclusions.

7. The instruction shall not reflect adversely upon persons because of their race, ethnicity, national origin, sex, sexual orientation, gender identity or expression, disability, religion, or any other basis prohibited by law.

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

CONTROVERSIAL ISSUES (continued)

8. The subject matter of the instruction shall not otherwise be prohibited by state or federal law.

When a guest speaker is invited to make a presentation related to a controversial issue, the ~~Board requires that he/she be notified~~ **Superintendent or designee shall notify him/her** of this policy and the expectations and goals regarding the instruction. If the guest speaker is presenting only one point of view on an issue, the teacher shall be responsible for ensuring that students also receive information on opposing viewpoints.

(cf. 6145.8 - Assemblies and Special Events)

Note: ~~Pursuant to Education Code 51938, districts must notify parents/guardians of any sexual health and HIV/AIDS prevention instruction and of the opportunity to request that their child not receive the instruction; see BP/AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction. The following optional paragraph provides that, at the discretion of the teacher or other designated staff, parents/guardians may be notified and asked to give consent for their child's participation in instruction related to other controversial issues. The following optional paragraph permits parents/guardians to excuse their child from certain types of instruction. For example, pursuant to Education Code 51938, districts must notify parents/guardians of the opportunity to request that their child not receive comprehensive sexual health and HIV prevention instruction. Districts must use a "passive consent" or "opt out" process in which the student receives the instruction unless the parent/guardian notifies the district in writing that the student should not receive the instruction; see BP/AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction. In addition, Education Code 51240 provides that parents/guardians may request in writing that their child be excused from any part of health instruction that conflicts with their religious training or beliefs; see AR 6142.8 - Comprehensive Health Education. Pursuant to Education Code 51513, districts may not administer exams, surveys, or questionnaires containing questions about a student's or his/her family's personal beliefs or practices in sex, family life, morality, and religion unless the student's parent/guardian has provided prior written consent. See AR 5022 - Student and Family Privacy Rights.~~

When required by law, **such as in regards to comprehensive sexual health and HIV prevention education,** ~~or otherwise deemed appropriate by the teacher or administrator,~~ parents/guardians shall be notified prior to instruction ~~related to any controversial issue and parent/guardian consent shall be obtained for student participation~~ **that they may request in writing that their child be excused from the instruction.** Students whose parents/guardians decline such instruction may be offered ~~the option to participate in~~ an alternative activity of similar **educational** value.

A student or parent/guardian with concerns regarding instruction about controversial issues **may communicate directly with the teacher or principal and/or use** ~~shall be directed to~~ appropriate district complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

Legal Reference: (see next page)

CONTROVERSIAL ISSUES (continued)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

48950 Freedom of speech

51240 Excuse from health instruction due to religious beliefs

51500 Prohibited instruction or activity

51510 Prohibited study or supplemental materials

51511 Religious matters properly included in courses of study

51513 Materials containing questions about beliefs or practices

51530 Prohibition and definition regarding advocating or teaching communism with intent to indoctrinate

51930-51939 California Healthy Youth Act; comprehensive sexual health and HIV prevention education

~~51933 Sex education courses~~

~~51938 Right of parent/guardian to excuse child from sexual health instruction~~

60040 Portrayal of cultural and racial diversity

60044 Prohibited instructional materials

60045 Criteria for instructional materials

COURT DECISIONS

Johnson v. Poway Unified School District, (2011) 658 F.3d 954 (9th Cir.)

Mayer v. Monroe County Community School Corporation, (2007) 474 F.3d 477 (7th Cir.)

Garcetti v. Ceballos, (2006) 547 U.S. 410

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

Note: The following policy may be revised to reflect district practice. State and federal law establish requirements for the identification, placement, and education of English learners.

Proposition 58 (November 2016) amended Education Code 305-310 to authorize parents/guardians to select a language acquisition program that best suits their child and repealed Education Code 311 thereby eliminating the requirement that parents/guardians request a waiver from the district if they want to enroll their child in a program other than a structured English immersion program. See the section on "Language Acquisition Programs" below.

~~In addition,~~ 20 USC 6801-~~6871~~ **7014** (Title III, ~~Part A~~) provide grant funds that may be used to supplement, but not supplant, funding from other sources for the purpose of ensuring that English learners attain English proficiency and meet the same challenging academic standards that are applicable to all students. During the Federal Program Monitoring (FPM) process, California Department of Education (CDE) staff will expect to see evidence that the district has complied with state and federal requirements. See the CDE web site for FPM compliance monitoring instruments.

~~Contingent upon voter approval in the November 2016 statewide general election, SB 1174 (Ch. 753, Statutes of 2014) would amend and repeal various statutes effective July 1, 2017. If approved, the changes will include authorization for parents/guardians to select a language acquisition program that best suits their child and a requirement for districts to solicit input on language acquisition programs as part of the parent/guardian and community engagement process required for development of the local control and accountability plan (LCAP) (see BP 0460 – Local Control and Accountability Plan).~~

The Governing Board intends to provide English learners with challenging curriculum and instruction that develop proficiency in English **as rapidly and effectively as possible** while facilitating student achievement in the district's regular course of study.

Note: Pursuant to Education Code 42238.02 and 42238.03, the local control funding formula **(LCFF)** provides additional funding based on the number and concentration of unduplicated counts of students who are English learners, foster youth, and/or eligible for free or reduced-price meals. Such funds must be used to increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number or concentration of unduplicated students; see BP 3100 - Budget.

In addition, Education Code 52060 requires the district's **local control and accountability plan (LCAP)** to include annual goals and specific actions, aligned to state and local priorities, for all students and for each "numerically significant" student subgroup as defined in Education Code 52052, including English learners; see BP/AR 0460 - Local Control and Accountability Plan.

The district shall identify in its local control and accountability plan (LCAP) **goals and** specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Note: The following paragraph may be revised to reflect district strategies for parent/guardian and community involvement. **Education Code 305, as amended by Proposition 58 (November 2016), requires the district to solicit input on language acquisition programs as part of the parent and community engagement process during the development of the LCAP; see section on "Language Acquisition Programs" below. In addition, if** district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, Education Code 52063 requires the establishment of an English learner parent advisory committee to review and comment on the district's LCAP; see the accompanying administrative regulation and BP 0460 - Local Control and Accountability Plan.

The Superintendent or designee shall encourage parent/guardian and community involvement in the development, **implementation,** and evaluation of **English language development** programs **for English learners.**

(cf. 0420 - School Plans/Site Councils)
 (cf. 1220 - Citizen Advisory Committees)
 (cf. 6020 - Parent Involvement)

Note: Pursuant to Education Code 60811, in November 2012 the State Board of Education (SBE) adopted state academic content standards for English language development (**ELD**), aligned with the **California** Common Core State Standards for English language arts, for students whose primary language is a language other than English. In July 2014, the SBE adopted the English Language Arts/English Language Development Framework aligned to those standards. ~~Education Code 60811 and 60811.4 require the Superintendent of Public Instruction to recommend updated English language development standards that are also aligned with state standards for mathematics and science, and require the SBE to either adopt or reject those recommended standards by August 1, 2015. A supplementary resource, **Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning**, specifies the correspondence between the state ELD standards and the California Common Core State Standards for mathematics and the Next Generation Science Standards.~~

~~Education Code 60211 authorizes the SBE to adopt, no later than November 30, 2015, K-8 instructional materials aligned to the state English language development standards. To bridge the gap until such materials are available, the SBE has approved a list of K-8 supplementary instructional materials which is available on the CDE's web site; this list is informational only.~~

English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with the state content standards and curriculum framework. The district's program shall be based on sound instructional theory, use standards-aligned instructional materials, and assist students in accessing the full educational program.

(cf. 6011 - Academic Standards)
 (cf. 6141 - Curriculum Development and Evaluation)
 (cf. 6161.1 - Selection and Evaluation of Instructional Materials)
 (cf. 6161.11 - Supplementary Instructional Materials)
 (cf. 6171 - Title I Programs)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Note: Commission on Teacher Credentialing (CTC) leaflet CL-622, Serving English Learners, describes requirements pertaining to the qualifications of teachers of English learners. A teacher who is assigned to provide English language development, specially designed academic instruction in English, and/or primary language instruction to English learners must hold an appropriate authorization from the CTC; see AR 4112.22 - Staff Teaching English Language Learners.

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English Language Learners)

Note: The following **optional** paragraph reflects professional development required under 20 USC 6825 for districts receiving federal Title III funds and may be revised or deleted by other districts to reflect district practice. 20 USC 6825 specifies that the professional development described below must be of sufficient intensity and duration to have a positive and lasting impact on teacher performance (i.e., it must go beyond one day or short term workshops and conferences). **The following paragraph is for use by districts that receive federal Title III funds to improve the education of English learners. 20 USC 6825 lists the required uses of such funds, including the provision of professional development of sufficient intensity and duration to have a positive and lasting impact on teachers' performance in the classroom. Pursuant to 20 USC 6825, such professional development must not include one-day or short-term workshops and conferences. Districts that do not receive Title III funds may delete or adapt the following paragraph to reflect district practice.**

The Superintendent or designee **district** shall provide **effective professional development** to teachers **(including teachers in classroom settings that are not the settings of language instruction educational programs)**, administrators, and other school **or community-based organization personnel** ~~staff research-based professional development that is designed~~ to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. **Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom.** (20 USC 6825)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: The following paragraph may be revised to reflect district strategies for parent/guardian and community involvement. If district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, Education Code 52063 requires the establishment of an English learner parent advisory committee to review and comment on the district's LCAP; see the accompanying administrative regulation and BP 0460 - Local Control and Accountability Plan.

The Superintendent or designee shall encourage parent/guardian and community involvement in the development, implementation, and evaluation of English language development programs. ~~In addition,~~ **To support students' English language development, the Superintendent or designee may provide an adult literacy training program that leads to English fluency for parents/guardians and community members.**

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)*(cf. 0420—School Plans/Site Councils)**(cf. 1220—Citizen Advisory Committees)**(cf. 6020—Parent Involvement)***Identification and Assessment**

Note: Education Code 313 requires any district that has one or more students who are English learners to assess the English language proficiency of those students **using a state assessment designated by the SBE**. The **state is transitioning from the** California English Language Development Test (CELDT) ~~is the state test designated for this purpose. However, in the 2016-17 school year the state will field test a new language proficiency assessment,~~ **to the** English Language Proficiency Assessments for California (ELPAC), which ~~is~~**are** aligned with the 2012 state standards for ~~English language development—ELD~~. The ELPAC will include ~~both an initial screening test to identify students who may be English learners and a summative assessment,~~ **operational in spring 2018, for determining** ~~which will be used to determine~~ English learners' level of English proficiency and their progress in acquiring the skills of listening, speaking, reading, and writing in English. **The ELPAC's initial screening test for identifying students who may be English learners will be operational July 1, 2018.** The CDE also provides a home language survey to be used to identify students who should be tested for English proficiency. See the accompanying administrative regulation for further information about test administration and identification and reclassification criteria.

The Superintendent or designee shall maintain procedures for the accurate identification of English learners and an assessment of their proficiency and needs in the areas of listening, speaking, reading, and writing in English.

Once identified as an English learner, a student shall be annually assessed for language proficiency until he/she is reclassified based on criteria specified in the accompanying administrative regulation.

Note: In addition to testing the level of English proficiency of English learners, districts are required pursuant to Education Code 60640 to administer the California Assessment of Student Performance and Progress to English learners; see BP/AR 6162.51 - State Academic Achievement Tests. As needed, English learners may be provided with the testing resources (i.e., universal tools, designated supports, and accommodations) specified in 5 CCR 853.5 and 853.7; ~~as amended by Register 2014, No. 35,~~ during test administration.

Education Code 60640, ~~as amended by SB 858 (Ch. 32, Statutes of 2014),~~ also authorizes districts to administer a primary language assessment to students **English learners** in grades 2-11 **for the purpose of assessing students' competency in reading, writing, and listening in their primary language**. The Standards-Based Test in Spanish may be used for this purpose until a test is available that is aligned with the most recent state ~~ELD—English language development~~ standards. **The SBE is required to adopt such an assessment to be used no later than the 2016-17 school year. The new California Spanish Assessment is expected to be operational in the 2018-19 school year.**

English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with **allowable** testing variations in accordance with 5 CCR 853.5 and 853.7. English learners

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 853.5, 853.7)

(cf. 6152.51 - State Academic Achievement Tests)

Placement of English Learners Language Acquisition Programs

Note: Education Code 300-340, added by Proposition 227 (June 1998), require that English learners who have not yet attained a reasonable level of English proficiency be educated through a program of "structured English immersion," as defined in law and the accompanying administrative regulation, with the goal that students learn English as rapidly and effectively as possible. In McLaughlin v. State Board of Education, the court held that the SBE may not grant waivers related to Education Code 300-340 pursuant to its waiver authority in Education Code 33050. Effective July 1, 2017, Proposition 58 (November 2016) amended Education Code 305-310 and repealed Education Code 311 to authorize parents/guardians to select a language acquisition program that best suits their child. At a minimum, the district must offer a structured English immersion program. It also may offer a dual-language immersion program, transitional and developmental program for English learners, or other language acquisition program as defined in Education Code 306; see the accompanying administrative regulation. The following section may be revised to reflect programs offered by the district.

Pursuant to Education Code 310, as amended, when the parents/guardians of 30 or more students at a school or 20 or more students in any grade level at the school request a particular language acquisition program, the district shall offer that program at the school site to the extent possible.

In establishing the district's language acquisition programs, the Superintendent or designee shall consult with parents/guardians and the community during the LCAP development process. He/she shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)

Language acquisition programs are educational programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. The language acquisition programs provided to students shall be informed by research and shall lead to grade-level proficiency and academic achievement in both English and another language. (Education Code 306)

Students who are English learners shall be educated through "structured English immersion" (also known as "sheltered English immersion"), as defined in law and the accompanying administrative regulation, for a temporary transition period not normally intended to exceed one year.

The district shall offer English learners a structured English immersion program to ensure that English learners have access to the core academic content standards,

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

including the English language development standards, and become proficient in English. In the structured English immersion program, nearly all of the classroom instruction in the district's structured English immersion program shall be provided in English, but with the curriculum and presentation designed for students who are learning the language English. (Education Code 305-306)

Note: **The following optional paragraph may be revised to reflect district practice.** The Education Code does not define the term "nearly all" for purposes of ensuring that nearly all instruction in the structured English immersion program is provided in English pursuant to Education Code 306, and the SBE has declared that it is the responsibility of districts to determine the appropriate ratio of English to native language instruction. The following paragraph defines "nearly all" as to provide that all classroom instruction be conducted in English except for clarification, explanation, and support as needed. The district could instead establish a minimum percentage of classroom instructional time to be conducted in English or specify the types of courses to be conducted in English and the courses (e.g., science, algebra) to be taught in the student's primary language. **The following paragraph may be revised to reflect the district's definition of "nearly all."**

"Nearly all," fFor the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, "nearly all" means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

Note: Items #1-2 below are optional and may be revised to reflect district practice.

In addition, language acquisition programs offered by the district may include, but are not limited to, the following: (Education Code 305-306)

1. The district may offer a dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding.

(cf. 6142.2 - World/Foreign Language Instruction)

2. The district may offer a transitional or developmental program for English learners that provides literacy and academic instruction in English and a student's native language and that enables an English learner to achieve English proficiency and academic mastery of subject matter content and higher order thinking skills, including critical thinking, in order to meet state academic content standards.

Parents/guardians of English learners may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (Education Code 310)

Note: The following paragraph is for use by districts that maintain any of grades K-3. Education Code 310, as amended by Proposition 58 (November 2016), requires that language acquisition programs in grades K-3 comply with class size requirements specified in Education Code 42238.02. For further information, see BP 6151 - Class Size.

The district's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

(cf. 6151 - Class Size)

Note: Education Code 310, as amended by Proposition 58 (November 2016), requires any district that implements a language acquisition program to distribute the following notification when a student enrolls in school or as part of the annual notification issued pursuant to Education Code 48980.

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program. (Education Code 310)

(cf. 5145.6 - Parental Notifications)

Note: As amended by Proposition 58 (November 2016), Education Code 305 no longer specifies that enrollment in a structured English immersion program is "not normally intended to exceed one year," nor does it address a timeline for students to be transferred from any other language acquisition program into an English language mainstream classroom. However, an English learner may transfer to an English language mainstream classroom when he/she has developed the English language skills necessary to succeed in an English-only classroom and, based on criteria established pursuant to Education Code 313 and 52164.6, is reclassified as fluent English proficient. See the accompanying administrative regulation. Furthermore, pursuant to 20 USC 6312, 34 CFR 100.3, and 5 CCR 11301, parents/guardians have a right to decline or opt their child out of a language acquisition program.

When an English learner is determined pursuant to state and district reclassification criteria to have acquired a reasonable level of English proficiency pursuant to Education Code 313 and 52164.6, or upon request by the student's parent/guardian, the student shall be transferred from a language acquisition program into an English language mainstream classroom.

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Note: Pursuant to Education Code 305-306 and 5 CCR 11301, when a student has acquired a reasonable level of English proficiency, as measured by state or local assessment instruments, he/she shall be removed from the structured English immersion classroom and placed in an English mainstream classroom in which the language of instruction is overwhelmingly in English. The term "overwhelmingly" is not defined in the Education Code nor in the state regulations.

The definition of "reasonable level of proficiency" is one that must be made at the local level. The following paragraph should be revised to specify the types of assessment instruments and scores and/or other local tools (e.g., student portfolios or grades) which will be used to determine whether a student has achieved a reasonable level of English proficiency for purposes of qualifying for transfer to an English mainstream classroom. The district should fill in the blanks below with its definition of "reasonable level of proficiency."

When an English learner has acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education, any district assessments, and/or other criteria adopted by the Board, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is overwhelmingly in English. (Education Code 305-306; 5 CCR 11301)

(cf. 6162.5 - Student Assessment)

An English learner has acquired a "reasonable level of English proficiency" when he/she has achieved the following:

Note: 5 CCR 11301 allows a parent/guardian to have his/her child moved into an English language mainstream classroom at any time during the school year. According to the CDE, the parent/guardian only needs to request this placement; he/she does not need to go through the waiver process described below in the section entitled "Parental Exception Waivers."

Education Code 320 grants parents/guardians legal standing to sue Governing Board members, teachers, or administrators if their child has been "willfully and repeatedly" denied the option of an English language mainstream classroom. The constitutionality of this section was upheld by the Ninth Circuit Court of Appeals in California Teachers Association v. the State Board of Education. Therefore, districts should ensure that requests from parents/guardians to place their child in an English language mainstream classroom are granted immediately.

At any time during the school year, the parent/guardian of an English learner may have his/her child moved into an English language mainstream program. (5 CCR 11301)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Parental Exception Waivers

[SECTION ON PARENTAL EXCEPTION WAIVERS DELETED]

Program Evaluation

Note: The following section may be revised to reflect indicators agreed upon by the Board and Superintendent or designee for measuring the effectiveness of the district's educational program for English learners.

Education Code 52061 requires that the annual update of the LCAP include a review of progress toward the goals included in the LCAP, an assessment of the effectiveness of the specific actions described in the LCAP toward achieving the goals, and a description of changes the district will make as a result of this review and assessment.

Pursuant to Education Code 313.2, the CDE is required to annually determine the number of students in each district and school who are, or at risk of becoming, long-term English learners and to report that information to districts and schools. Definitions of "long-term English learner" and "English learner at risk of becoming a long-term English learner" are contained in Education Code 313.1.

The federal Every Student Succeeds Act (ESSA) (P.L. 114-95) repealed 20 USC 6842, thereby eliminating the requirement that districts receiving federal Title III funding (20 USC 6841-6849) reach "annual measurable achievement objectives," including annual increases in the number or percentage of English learners making progress in English proficiency. Instead, 20 USC 6311, as amended by the ESSA, requires the inclusion of a performance indicator on English language proficiency within the state accountability system under Title I.

To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. Progress toward any other goals for English learners identified in the district's LCAP
6. A comparison of current data with data from at least the previous year

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

The Superintendent or designee also shall provide the Board with regular reports from any district or schoolwide English learner advisory committees.

Legal Reference:

EDUCATION CODE

300-340 English language education, **especially:**

305-310 Language acquisition programs

313-313.5 Assessment of English proficiency

430-446 English Learner and Immigrant Pupil Federal Conformity Act

33050 State Board of Education waiver authority

42238.02-42238.03 Local control funding formula

44253.1-44253.11 Qualifications for teaching English learners

48980 Parental notifications

48985 Notices to parents in language other than English

52052 ~~Academic Performance Index; n~~ Numerically significant student subgroups

52060-52077 Local control and accountability plan

52130-52135 Impacted Languages Act of 1984

52160-52178 Bilingual Bicultural Act

56305 CDE manual on English learners with disabilities

~~60200.7 Suspension of state instructional materials adoptions~~

60603 Definition, recently arrived English learner

60605.87 Supplemental instructional materials, English language development

60640 California Assessment of Student Performance and Progress

60810-60812 Assessment of language development

62005.5 Continuation of advisory committee after program sunsets

CODE OF REGULATIONS, TITLE 5

853.5-853.7 Test administration; universal tools, designated supports, and accommodations

11300-11316 English learner education

11510-11517 California English Language Development Test

UNITED STATES CODE, TITLE 20

1412 Individuals with Disabilities Education Act; state eligibility

1701-1705 Equal Educational Opportunities Act

6311 Title I state plan

6312 ~~Title I~~ Local education agency plans

6801-~~6871~~**7014** Title III, language instruction for ~~limited English proficient~~ **English learners** and immigrant students

~~7012 Parental notification~~

7801 Definitions

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Discrimination prohibited

200.16 Assessment of English learners

COURT DECISIONS

Valeria G. v. Wilson, (2002) 307 F.3d 1036

California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141

McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196

Teresa P. et al v. Berkeley Unified School District et al., (1989) 724 F.Supp. 698

ATTORNEY GENERAL OPINIONS

83 *Ops.Cal.Atty.Gen.* 40 (2000)

Management Resources: (see next page)

BP 6174(k)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Management Resources:

CSBA PUBLICATIONS

English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of California's English Learners, Governance Brief, rev. September 2016

English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners, Governance Brief, July 2016

English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2015

Academic Criterion for Reclassification, CDE Correspondence, August 11, 2014

English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014

California English Language Development Test (CELDT): 2013-14 CELDT Information Guide, 2013

Common Core State Standards for Mathematics, rev. 2013

Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, 2013

English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012

Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments

U.S. DEPARTMENT OF EDUCATION NONREGULATORY GUIDANCE PUBLICATIONS

Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017

English Learner Tool Kit for State and Local Educational Agencies (SEAs and LEAs), rev. November 2016

English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA), Non-Regulatory Guidance, September 23, 2016

Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015

Assessment and Accountability for Recently Arrived and Former Limited English Proficient (LEP) Students, May 2007

WEB SITES

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

California Association for Bilingual Education: <http://www.gocabe.org>

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

National Clearinghouse for English Language Acquisition: <http://www.ncela.us>

U.S. Department of Education: <http://www.ed.gov>

(11/12 4/15) 3/17

EDUCATION FOR ENGLISH LANGUAGE LEARNERS**Definitions**

Note: The following section reflects definitions in Education Code 306, as amended by Proposition 58 (November 2016).

~~*English learner*, also known as a limited English proficient student, means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)~~

***English learner* means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)**

***Native speaker of English* means a student who has learned and used English in his/her home from early childhood and English has been his/her primary means of concept formation and communication. (Education Code 306)**

~~*English language classroom* means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)~~

~~*English language mainstream classroom* means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)~~

~~*Structured English immersion* (also known as "sheltered English immersion") means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)~~

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Bilingual education/native language instruction means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language. (Education Code 306)

Identification and Assessments

Note: Education Code 52164.1 and 5 CCR 11307 and 11511 require the district to administer a home language survey to all enrolled students. **A sample home language survey form in English and Spanish is available on the California Department of Education's (CDE) web site.** and, for students who are determined by the survey to have a primary language other than English, to follow up with administration of a state assessment of English proficiency. The California English Language Development Test (CELDT) is the state test designated for this purpose. However, in the 2016-17 school year the state will field test a new language proficiency assessment, English Language Proficiency Assessments for California (ELPAC), which is aligned with the 2012 state standards for English language development. The ELPAC will include both an initial screening test to identify students who may be English learners and a summative assessment which will be used to determine English learners' level of English proficiency and their progress in acquiring the skills of listening, speaking, reading, and writing in English.

Upon enrollment in the district, each student's primary language shall be determined through **the** use of a home language survey. (Education Code 52164.1; 5 CCR 11307)

Note: **When the home language survey indicates that a student's proficiency in English should be tested, Education Code 313 requires the district to administer a state assessment of English language proficiency. When fully operational in 2018, the English Language Proficiency Assessments for California (ELPAC) will be used for initial identification of language proficiency and subsequently for annual assessment of language proficiency.**

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English proficiency using the state's designated English language proficiency test **for initial identification.** (Education Code 313, 52164.1; 5 CCR 11511)

Each year after a student is identified as an English learner and until he/she is redesignated as English proficient, the summative assessment **of the state's designated English language proficiency test** shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

Note: 5 CCR 11516-11516.6 specify allowable variations and accommodations in **CELDT the administration of the state English language proficiency assessment.** These variations and accommodations are generally the same as those allowed for other state assessments; see AR 6162.51 - State Academic Achievement Tests.

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

The state assessment shall be administered in accordance with test publisher instructions and 5 CCR 11511-11516.76. Variations and accommodations in test administration may be provided to English learners pursuant to 5 CCR 11516-11516.76.

Note: The Individuals with Disabilities in Education Act (20 USC 1412) requires that students with disabilities be included in all state assessments, including the annual assessment of English language proficiency as appropriate. English learners with disabilities must be allowed to take the test with accommodations as specified in their individualized education program or Section 504 plan. Pursuant to 5 CCR 11516.7, students with the most significant cognitive disabilities who cannot participate in the assessment, even with appropriate accommodations, must be given an alternate assessment of English proficiency. 34 CFR 200.16, as amended by 81 Fed. Reg. 86076, provides that, if an English learner with a disability is unable to take the assessment with accommodations, the state accountability system must include the student's score on any part(s) of the test for which it is possible to assess the student (i.e., speaking, reading, listening, writing).

Education Code 56305, as added by AB 2785 (Ch. 579, Statutes of 2016), requires the CDE to develop, by July 1, 2018, a manual providing guidance on identifying, assessing, supporting, and reclassifying English learners with disabilities.

Any student with a disability **who is identified as an English learner** shall be allowed to take the assessment with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan. ~~that are appropriate and necessary to address the student's individual needs.~~ If ~~he/she~~ **the student** is unable to participate in the assessment or a portion of the assessment **even** with such accommodations, ~~he/she shall be administered~~ an alternate assessment for English language proficiency **shall be administered to the student** as set forth in his/her IEP. (5 CCR 11516-11516.7; **20 USC 1412**)

(cf. 6152.51 - State Academic Achievement Tests)

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education Under Section 504)

Parental Notifications

Note: The following remainder of this section specifies notifications that must be sent to parents/guardians regarding assessment results and available programs for English learners. The district may choose to combine these notifications with notifications required for parental exception waivers, as detailed in the section "Parental Exception Waivers" below. The California Department of Education (CDE) has developed sample notification letters, available on its web site in multiple translations, to notify parents/guardians of the initial identification of a student as an English learner or as initially fluent English proficient and to notify them of the results of an annual assessment.

Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to their parents/guardians must be written in English and in the primary language and may be answered by the parent/guardian in either language.

~~The Superintendent or designee shall provide the following written notifications to parents/guardians of English learners:~~

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

1. ~~Assessment Notification: The district~~ **The Superintendent or designee** shall notify parents/guardians of their child's results on the state's English language proficiency assessment within 30 calendar days following receipt of the results from the test contractor. (Education Code 52164.1; 5 CCR 11511.5)

(cf. 5145.6 - Parental Notifications)

2. ~~Placement Notification: At the beginning of each school year, parents/guardians shall be informed of the placement of their child in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver.~~ (Education Code 310; 5 CCR 11309)

Note: ~~Items #3-4 below are~~ **The following paragraph is** for use by districts that receive federal ~~Title III~~ funds **under either Title I or Title III for services to English learners. Such districts are required to provide parents/guardians with notification of their child's identification as an English learner and placement in a language acquisition program. The Every Student Succeeds Act (P.L. 114-95) repealed 20 USC 7012 and moved the notification requirement to 20 USC 6312.**

3. ~~Title III Notifications: Each~~ **The** parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title **I or Title** III funds shall receive notification of the assessment of his/her child's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 440; 20 USC ~~7012~~ **6312**)

- a1. The reason for the ~~student's classification~~ **identification of the student** as an English learner **and the need for placement in a language acquisition program**
- b2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement
- e3. A description of the **language acquisition** program ~~for English language development instruction in which the student is, or will be, participating,~~ including a description of all of the following:
 - (1)a. **The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction**
 - b. The manner in which the program will meet the educational strengths and needs of the student

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

- ~~(2)~~c. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards **for grade promotion and graduation**
- ~~(3)~~d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable
- ~~(4)~~e. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP

4. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request

- ~~d.~~5. Information regarding a parent/guardian's option to decline to **allow enroll** the student to be enrolled in the program or to choose **to allow the student to be enrolled in an alternative program** **another program or method of instruction, if available**
- e.6. Information designed to assist a parent/guardian in selecting among available programs, if more than one program **or method** is offered

Note: Pursuant to 20 USC 6842, the CDE must develop annual measurable objectives for English learners served under federal Title III. These include targets for the percentage of English learners who are proficient on the assessments used in the calculations of "adequate yearly progress" for accountability purposes; see BP 0500—Accountability.

- ~~4.~~ Annual Measurable Objectives Notification: If the district fails to make progress on the annual measurable achievement objectives for English learners established pursuant to 20 USC 6842, the Superintendent or designee shall, within 30 days after such failure occurs, send a notification regarding such failure to the parents/guardians of each student identified for participation in a language instruction educational program supported by Title III funds. (20 USC 7012)

Parental Exception Waivers

[SECTION ON PARENTAL EXCEPTION WAIVERS DELETED]

Reclassification/Redesignation

The district shall continue to provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers until they: (5 CCR 11302)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

1. Demonstrate English language proficiency comparable to that of the district's average native English language speakers
2. Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

Note: **Education Code 313 and 52164.6 and** 5 CCR 11303 requires that the district's reclassification process include, **at a minimum,** the criteria specified in items #1-4 below. **The district may expand the following list to reflect any additional criteria it has established.** The CDE's CELDT Information Guide includes recommendations for assessing each of the following criteria **and states that, for a student with disabilities, the student's IEP team or Section 504 team should determine any supplemental criteria to be used.**

The **following** measures **shall be** used to determine whether an English learner shall be reclassified as fluent English proficient **shall include, but not be limited to:** (Education Code 313, 52164.6; 5 CCR 11303)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the state's English language proficiency assessment
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student
3. Parent/guardian opinion and consultation

The Superintendent or designee shall provide the parent/guardian with notice and a description of the reclassification process and of his/her opportunity to participate in the process and shall encourage his/her involvement in the process.

Note: Pursuant to Education Code 313, the fourth criterion requires comparison of student performance on an objective assessment of basic skills that provides an empirically established range of performance of English proficient students of the same age. A letter from the CDE to district superintendents (Academic Criterion for Reclassification) dated August 11, 2014 clarifies that, when a state test of basic skills is unavailable, districts must select another measure which may include a local assessment. The CDE correspondence provides examples of appropriate measures and is available on the CDE web site.

4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)

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

The Superintendent or designee shall monitor students for at least two years following their reclassification to determine whether the student needs any additional academic support to ensure his/her language and academic success.

Advisory Committee

Note: The following section should be revised to reflect district practice. Pursuant to 5 CCR 11308, a parent/guardian advisory committee is required for any district with over 50 English learners and for each school with over 20 English learners. Duties of the advisory committee are specified in 5 CCR 11308.

A parent/guardian advisory committee shall be established at the district level when there are more than 50 English learners in the district and at the school level when there are more than 20 English learners at the school. Parents/guardians of English learners shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. (Education Code 52176; 5 CCR 11308)

The district's English language advisory committee shall advise the **Governing** Board on at least the following tasks: (5 CCR 11308)

1. The development of a district master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis
3. Establishment of a district program, goals, and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures
- ~~7. Review of and comment on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316~~

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

LCAP Advisory Committee

Note: The following section is applicable if the district's student enrollment includes at least 15 percent English learners, with at least 50 students who are English learners. Education Code 52063 requires that such districts establish an English learner parent advisory committee to review and comment on the district's local control and accountability plan; see BP 0460 - Local Control and Accountability Plan. 5 CCR 15495, as amended by Register 2015, No. 2, requires this committee to include a majority of parents/guardians of English learners.

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

(cf. 0460 - Local Control and Accountability Plan)

The advisory committee established pursuant to 5 CCR 11308, as described in the section "Advisory Committee" above, could serve as the LCAP English learner advisory committee if its composition includes a majority of parents/guardians of English learners.

(11/12 4/15) 3/17

WEEKEND/SATURDAY CLASSES

Note: The following **optional** policy is for use by districts that choose to offer classes on Saturday and/or Sunday as authorized by Education Code 37223, **and may be subject to collective bargaining agreements.**

~~Pursuant to Education Code 44824, a teacher cannot be assigned to work on a Saturday or Sunday if he/she objects in writing that the assignment would conflict with his/her religious beliefs or practices. In addition, Education Code 44824 provides that full-time teachers employed by the district prior to the implementation of weekend classes cannot be required to teach for more than 180 full days during a school year or for more than the number of full days that district schools were maintained during the year preceding implementation of weekend classes, whichever is greater. See AR 4113—Assignment.~~

The Governing Board desires to increase educational opportunities outside the regular school week in order to meet student needs and promote academic achievement. When staffing, facilities, and other resources are available, the Board may approve the provision of classes on Saturday and/or Sunday that support and are integrated with other learning opportunities.

~~(cf. 4113—Assignment)~~

~~(cf. 5148.2 - Before/After School Programs)
(cf. 6111 - School Calendar)~~

Note: Education Code 37223 authorizes weekend classes of any of the types listed in items #1-4 below or other classes identified by the district. The following list should be revised or expanded to reflect those weekend classes approved by the Governing Board.

Weekend classes may include, but are not limited to:

1. Continuation classes (Education Code 37223)

~~(cf. 6184 - Continuation Education)~~

Note: Pursuant to Education Code 37223, voluntary attendance in special weekend activities for mentally gifted minors (item #2 below) cannot be included in the district's average daily attendance computation.

2. Special day classes for mentally gifted minors (Education Code 37223)

~~(cf. 6172 - Gifted and Talented Student Program)~~

Note: AB 2659 (Ch. 186, Statutes of 2016) amended Education Code 37223 to authorize weekend makeup classes for excused absences as well as unexcused absences.

3. Makeup classes for **unexcused** absences occurring during the week (Education Code 37223)

WEEKEND/SATURDAY CLASSES (continued)

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 6154 - Homework/Makeup Work)

4. The programs of an **regional occupational center or program (ROC/P)** (Education Code 37223)

(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

Note: Items #5-6 below are **optional**. Although Education Code 37252-37253 provide that specified supplemental instructional programs may be offered on Saturday, AB 97 (Ch. 47, Statutes of 2013) redirected the funding for those programs into the local control funding formula; see BP 6179 - Supplemental Instruction. In addition, AB 97 eliminated the Pupil Retention Block Grant (Education Code 41505-41506), which allowed funding to be used for the purposes of intensive reading or algebra programs, including Saturday programs. At its discretion, the district may continue to offer weekend classes for these purposes.

5. Supplemental instruction for students who need additional assistance to meet academic standards or requirements

(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6179 - Supplemental Instruction)

6. Enrichment classes in core academic subjects

(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)

Except in ROC/Ps and as otherwise provided by law, any class offered on a Saturday or Sunday pursuant to Education Code 37223, except in ROC/Ps, shall be one offered during the regular Monday through Friday during the regular school week. (Education Code 37223)

Except in ROC/Ps, weekend attendance shall not result in crediting any student with more than five days of attendance per week. (Education Code 37223)

Attendance at weekend classes offered pursuant to Education Code 37223 shall be voluntary, except that truants, as defined in Education Code 48260, may be required to attend classes on one day of a weekend in order to make up lost instructional time. (Education Code 37223)

Note: Education Code 48205 specifies reasons that students must be excused from school, including observance of a holiday or ceremony of their religion. The reasons specified in Education Code 48205 are also applicable during weekend classes.

WEEKEND/SATURDAY CLASSES (continued)

A student shall be excused from a weekend class if **the student's parent/guardian notifies the school in writing that** such attendance would be in conflict with his/her religious beliefs. Such students shall be given priority for enrollment in any other available supplemental instruction offered at a time other than during the weekend.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

A teacher shall not be assigned to work on a Saturday or Sunday if he/she objects in writing that the assignment would conflict with his/her religious beliefs or practices. In addition, a full-time teacher employed by the district prior to the implementation of weekend classes shall not be required, without his/her consent, to teach for more than 180 full days during a school year or for more than the number of full days that district schools were maintained during the year preceding implementation of weekend classes, whichever is greater. (Education Code 44824)

(cf. 4113 - Assignment)

Note: Education Code 49550 requires that districts provide at least one nutritionally adequate meal each school day (breakfast and/or lunch) for students who are eligible for free and reduced-price meals; see BP/AR 3553 - Free and Reduced-Price Meals. If the school participates in the National School Lunch or Breakfast Program, it must make meals available to all students in attendance.

According to the California Department of Education's (CDE) Management Bulletin NSD-SNP-03-2013, this requirement extends to Saturday classes unless the district or school receives a waiver. The CDE will consider a waiver when any two of the following criteria exist: (1) serving meals during the Saturday session would result in a financial loss to the district equal to one-third of the food service's net cash resources; (2) the Saturday session at the school is less than four hours and is completed by noon allowing students to go home during the lunch period; (3) less than 10 percent of the needy students attending the Saturday session are at the school for more than three hours per day; and/or (4) the school does not have proper refrigeration facilities to enable meals to be prepared on Friday and served on Saturday.

Unless the requirement is waived by the California Department of Education, the district shall provide at least one nutritionally adequate meal during the weekend session in accordance with Education Code 49550.

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3553 - Free and Reduced-Price Meals)

(cf. 5030 - Student Wellness)

Legal Reference: (see next page)

WEEKEND/SATURDAY CLASSES (continued)

Legal Reference:

EDUCATION CODE

37223 *Weekend classes*

~~37252-37253 *Supplemental instruction*~~

~~41505-41508 *Pupil Retention Block Grant*~~

41601 *Reports of average daily attendance*

44824 *Weekend classes, assignment of certificated employees*

48070-48070.5 *Promotion and retention, supplemental instruction*

48205 *Excused absence for personal reasons*

48260 *Truants, definition*

49550 *Meals for needy students*

52060-52077 *Local control and accountability plan*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Requesting a Summer School Meal Waiver and/or a Saturday School Meal Waiver, Nutrition Services

Division Management Bulletin NSD-SNP-03-2013, February 2013

WEB SITES

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

(11/00 12/13) 3/17

POLICY GUIDE SHEET

May 2017

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.

BP/AR 1312.3 - Uniform Complaint Procedures

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW** (AB 2306, 2016) which authorizes the use of uniform complaint procedures for complaints alleging noncompliance with requirements related to course credit transfer and exemption from local graduation requirements for former juvenile court school students. Regulation also references **NEW LAW** (SB 1375, 2016) which requires districts, on or before July 1, 2017, to post information relating to Title IX, including specified information about complaint procedures, on their web sites.

BP 1340 - Access to District Records

(BP revised)

Policy updated to reflect **NEW COURT DECISION** (*City of San Jose v. Superior Court*) which held that using a personal account or device to send or receive communications regarding public business does not categorically exclude those records from disclosure in response to a request under the California Public Records Act and that public agencies are obliged to disclose applicable records that they can locate with reasonable effort.

BP 2121 - Superintendent's Contract

(BP revised)

Policy updated to reflect **NEW LAW** (SB 1436, 2016) which requires the board, prior to taking final action on the superintendent's salary or benefits, to orally report a summary of the recommended action during open session of a board meeting. Updated policy also clarifies that deliberations regarding the superintendent's salary or other compensation cannot be held during a special meeting of the board.

BP/AR 3551 - Food Service Operations/Cafeteria Plan

(BP/AR revised)

Policy and regulation updated to reflect **NEW FEDERAL GUIDANCE** (U.S. Department of Agriculture Memorandum SP 46-2016 and SP 23-2017) which mandates any district participating in the National School Lunch and/or Breakfast Program to adopt a written policy on meal charges, including the collection of delinquent meal charge debt, no later than July 1, 2017, and to annually communicate that policy to parents/guardians. Policy and regulation also reflect **NEW STATE GUIDANCE** (California Department of Education Management Bulletin SNP-03-2017) which requires district policy to ensure that students with unrecovered or delinquent meal charge debt are not overtly identified, requires that debt collection efforts are consistent with specified cost principles, and establishes conditions for reclassifying unpaid debt as bad debt. Policy also revised to reflect the Buy American provision of federal regulations which requires districts, to the maximum extent practicable, to purchase domestically grown and processed foods.

AR 3580 - District Records

(AR revised)

Regulation updated to revise material related to the retention of electronic records, including records pertaining to district business that are created, saved, sent, or received on an employee's or board member's personal device, to reflect **NEW COURT DECISION** (*City of San Jose v. Superior Court*) which held that such records may be accessible to the public in accordance with the California Public Records Act.

POLICY GUIDE SHEET

May 2017

Page 2 of 3

BP/AR 4127/4227/4327 - Temporary Athletic Team Coaches

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW** (AB 1639, 2016) which requires coaches, beginning July 1, 2017, to complete a training course related to the nature and warning signs of sudden cardiac arrest and to retake such a course every two years thereafter. Policy also allows a coach to submit either the Activity Supervisor Clearance Certificate or the Department of Justice and Federal Bureau of Investigation criminal background check. Material regarding certification of coaches' qualifications to the board and the State Board of Education moved from AR to BP.

BP 4312.1 - Contracts

(BP revised)

Policy updated to reflect **NEW LAW** (SB 1436, 2016) which requires the board, prior to taking final action on the salary or benefits of employees whose position within the district is established through an employment contract, to orally report a summary of the recommended action during open session of a board meeting. Updated policy also clarifies the limited circumstances under which salary and benefits may be discussed in closed session and the prohibition against discussing salary or other compensation during a special meeting of the board.

AR 5145.3 - Nondiscrimination/Harassment

(AR revised)

Regulation updated to reflect **NEW LAW** (SB 1375, 2016) which requires districts and schools to post specified Title IX information on their web sites by July 1, 2017. Regulation also explains the limited impact in California of the February 22, 2017 federal action to rescind earlier guidance regarding transgender students' use of sex-segregated facilities in accordance with their gender identity.

BP 6142.93 - Science Instruction

(BP revised)

Policy updated to reflect the **NEW CURRICULUM FRAMEWORK** for science instruction adopted by the State Board of Education in November 2016 and the Next Generation Science Standards. Policy also adds new material related to the required course of study, science courses required for high school graduation, staff development, program evaluation, and safety in science laboratories.

BP 6145 - Extracurricular and Cocurricular Activities

(BP revised)

Policy updated to reflect law which provides that a homeless student must be immediately deemed to meet all residency requirements for participation in extracurricular activities. Legal cites added for the prohibition against student fees and the requirement to annually review the policy.

BP/AR 6145.2 - Athletic Competition

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW** (AB 1639, 2016) which requires (1) distribution to student athletes and parents/guardians of information on the nature and warning signs of sudden cardiac arrest, (2) training of coaches and athletic directors on the nature and warning signs of sudden cardiac arrest, and (3) removal of a student from an athletic activity if he/she passes out or faints, until clearance is obtained from a health care provider. Policy also updated to reflect the prohibition against the use of a racially derogatory or discriminatory athletic team name, mascot, or nickname. Policy reflects law which provides that a homeless student must be immediately deemed to meet all residency requirements for participation in interscholastic athletic activities. Regulation also updated to reflect **NEW LAW** (SB 1375, 2016) which requires districts and schools to post specified Title IX information on their web sites by July 1, 2017.

POLICY GUIDE SHEET

May 2017

Page 3 of 3

BP/AR 6178.1 - Work-Based Learning

(BP/AR revised)

Policy updated to add material formerly in AR regarding board approval of any district plan for work-based learning and board approval to pay students' wages out of district funds. Regulation updated to reflect **NEW LAW** (AB 2063, 2016) which authorizes the district to grant credit for satisfactory completion of a work experience education program to students ages 14-15 when the principal certifies that such credit is necessary for the student's participation in a career technical education (CTE) program. Regulation also reflects provision of AB 2063 which allows students to participate in job shadowing activities for up to 40 hours per semester, intersession, or summer school session if the principal certifies that it is necessary for participation in a CTE program.

BP 7214 - General Obligation Bonds

(BP revised)

Policy updated to reflect **NEW LAW** (SB 1029, 2016) which requires the board to adopt a debt management policy prior to issuing any debt, including a general obligation bond, and to certify to the California Debt and Investment Advisory Commission that any proposed issuance of debt is consistent with the district's policy. Policy also reflects **NEW LAW** (AB 2116, 2016) which requires the board to obtain reasonable and informed projections of assessed valuations that take into consideration projections of assessed property valuations made by the county assessor, and **NEW LAW** (AB 2738, 2016) which prohibits districts from withdrawing proceeds from bond sales at any time for the purpose of making investments outside the county treasury. Policy also adds caution that some uses of bond proceeds that are specified in the Education Code for bond elections with a 66.67 percent threshold may be inconsistent with the California Constitution and encourages consultation with legal counsel.

BB 9012 - Board Member Electronic Communications

(BB revised)

Bylaw updated to reflect **NEW COURT DECISION** (City of San Jose v. Superior Court) which held that using a personal account or device to send or receive communications regarding public business does not categorically exclude those records from disclosure in response to a request under the California Public Records Act and that public agencies are obliged to disclose applicable records that they can locate with reasonable effort.

UNIFORM COMPLAINT PROCEDURES

Note: To address prohibited discrimination and violations of state and federal laws governing educational programs, 5 CCR 4621 **mandates** districts to adopt uniform complaint procedures (UCP) consistent with the state's complaint procedures specified in 5 CCR 4600-4670. Pursuant to 5 CCR 4610, districts are required to adopt a uniform system of procedures that meets specified requirements for investigating and resolving complaints alleging (1) noncompliance with state and federal laws and regulations governing educational programs; (2) noncompliance with state law prohibiting the charging of student fees; or (3) unlawful discrimination (such as discriminatory harassment, intimidation, and bullying). Although some bullying incidents may not fall within the provisions of 5 CCR 4610, BP 5131.2 - Bullying strongly recommends that districts use the UCP to investigate all bullying incidents, regardless of whether there is an allegation of discriminatory bullying, to ensure consistent implementation by district staff. It is not always easy or possible for staff to know prior to an investigation whether a student was bullied because of his/her actual or perceived membership in a legally protected class. After investigation, bullying incidents found to involve unlawful discrimination would then be resolved using the UCP. Districts that are concerned about the capacity of a single district compliance officer to handle a possible increase in the number of UCP complaints, or that prefer to handle certain incidents at the school site level whenever possible, may designate multiple compliance officers in accordance with the accompanying administrative regulation.

Education Code 52075 **mandates** districts to adopt policies and procedures implementing the use of the UCP to investigate and resolve complaints alleging noncompliance with requirements related to the local control and accountability plan. For plan requirements, see BP/AR 0460 - Local Control and Accountability Plan. In addition, ~~legislation enacted in 2015~~ **state law** authorizes the use of the UCP to resolve complaints of noncompliance with laws related to accommodations for lactating students; educational rights of foster youth, ~~and~~ **homeless students, and former juvenile court school students;** assignment of students to courses without educational content; and physical education instructional minutes, as specified in items #3 and #6-~~9-10~~ below. Finally, a district should adopt policies and procedures implementing the use of the UCP to investigate and resolve complaints alleging retaliation in response to a complaint.

The California Department of Education (CDE) monitors district programs and operations for compliance with these requirements through its Federal Program Monitoring (FPM) process. The FPM consists of a review of (1) written district policies and procedures for required statements, including prohibition of discrimination (such as discriminatory harassment, intimidation, and bullying) against students pursuant to Education Code 234.1; and (2) records of required activities, such as annual notification provided to students, parents/guardians, employees, and other school community members.

The U.S. Department of Education's Office for Civil Rights (OCR) enforces Title II of the Americans with Disabilities Act (20 USC 12101-12213), Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000e-17), Title IX of the Education Amendments Act of 1972 (20 USC 1681-1688), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Age Discrimination Act of 1975 (42 USC 6101-6107). OCR has issued guidance describing federal requirements for discrimination complaint procedures. OCR requires such procedures to be "prompt and equitable." The factors OCR examines to evaluate each district's procedures are specified in the accompanying administrative regulation, including whether and how the procedures (1) provide notice of the procedures to the district's students, parents/guardians, and employees; (2) ensure adequate, reliable, and impartial investigation of complaints; (3) contain reasonably prompt timeframes for major stages of the complaint process; (4) provide notice to the complainant of the resolution of the complaint; and (5) provide an assurance that action will be taken to prevent recurrence of any discrimination found and to correct its effects.

UNIFORM COMPLAINT PROCEDURES (continued)

CSBA staff received feedback and comments from representatives of CDE and OCR regarding this policy and the accompanying administrative regulation. As a result, the sample policy and regulation have been drafted to go beyond the requirements of California's UCP laws and regulations in an attempt to address issues and concerns raised by CDE and OCR. While CDE and OCR have not approved or signed off on the samples, CSBA believes that the additional details provided herein may help school districts and county offices of education during a compliance check by CDE or in the event that a CDE or OCR investigation occurs.

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, after school education and safety programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, special education programs, consolidated categorical aid programs, and any other district-implemented program which is listed in Education Code 64000(a) (5 CCR 4610)

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6200 - Adult Education)

2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic

UNIFORM COMPLAINT PROCEDURES (continued)

group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Note: Pursuant to Education Code 222, as added by AB 302 (Ch. 690, Statutes of 2015), a district is required to provide specified accommodations to lactating students on campus, and a complaint may be filed using the UCP when any such student is denied such accommodations.

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

(cf. 5146 - Married/Pregnant/Parenting Students)

4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

Note: Item #5 below is **mandated** pursuant to Education Code 52075.

5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

Note: Item #6 below permits the use of the UCP for resolving complaints of district noncompliance with law related to specified educational rights of a foster youth pursuant to Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, as amended by AB 379 (Ch. 772, Statutes of 2015). For details of the educational rights of foster youth, see BP/AR 6173.1 – Education for Foster Youth.

6. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the

UNIFORM COMPLAINT PROCEDURES (continued)

student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173.1 - Education for Foster Youth)

~~Note: Item #7 below permits the use of the UCP for resolving complaints of district noncompliance with law related to specified educational rights of a homeless student pursuant to Education Code 51225.1-51225.2, as amended by AB 379 (Ch. 772, Statutes of 2015). For details of the educational rights of homeless students, see BP/AR 6173 - Education for Homeless Children.~~

7. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)

(cf. 6173 - Education for Homeless Children)

~~Note: Item #8 below is for districts maintaining high schools. Education Code 51225.1-51225.2, as amended by AB 2306 (Ch. 464, Statutes of 2016), provide that complaints of noncompliance with specified requirements related to the educational rights of former juvenile court school students, as defined, may be filed in accordance with the UCP.~~

- 8. Any complaint, by or on behalf of a former juvenile court school student who transfers into the district after his/her second year of high school, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in the juvenile court school or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)**

(cf. 6173.3 - Education for Juvenile Court School Students)

~~Note: Item #8 below is for districts that serve grades 9-12 students. Pursuant to Education Code 51228.1 and 51228.2, as added by AB 1012 (Ch. 703, Statutes of 2015) and as specified below, a UCP complaint may be filed against a district that assigns a student to a course with no educational content for more than one week in any semester or to a course which the student has previously completed, unless the district meets specified conditions. For more information, see BP 6152 - Class Assignment.~~

- 8-9.** Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 6152 - Class Assignment)

Note: Item #9 below is for districts maintaining elementary schools. Pursuant to Education Code 51223, as amended by AB 1391 (Ch. 706, Statutes of 2015), the UCP may be used to file a complaint when an elementary school has not complied with the requirement to offer 200 minutes of physical education instruction each 10 school days. For details of this requirement, see BP/AR 6142.7 Physical Education and Activity.

- 9-10.** Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

Note: 5 CCR 4621 **mandates** that district policy ensure that complainants are protected from retaliation as specified in item #**10-11** below.

- 10-11.** Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

Note: Pursuant to 5 CCR 4610, a district may, at its discretion, use the UCP to investigate and resolve other complaints.

- 11-12.** Any other complaint as specified in a district policy

Note: 5 CCR 4631 authorizes the district to utilize alternative dispute resolution (ADR) methods, including mediation, to resolve complaints before initiating a formal investigation. However, the district should ensure that any ADR it uses, particularly "in-person ADR," is appropriate for the particular situation. For example, in some instances (e.g., sexual assault), face-to-face mediation should not be used, even if all parties voluntarily agree, given the risk that a student might feel pressured to "voluntarily" agree to it. The following **optional** paragraph provides for a neutral mediator and should be revised to reflect district practice.

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

Note: The following paragraph is **mandated** pursuant to 5 CCR 4621. Appropriate disclosure will vary in each case depending on the facts and circumstances.

UNIFORM COMPLAINT PROCEDURES (continued)

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. ~~As appropriate~~ ~~For~~ any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep ~~confidential~~ the identity of the complainant, and/or the subject of the complaint if he/she is different from the complainant, **confidential when appropriate and** as long as the integrity of the complaint process is maintained.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Note: It is important to maintain records of all UCP complaints and the investigations of those complaints. If the district is ever investigated by OCR or CDE, these are important documents in demonstrating that the district has complied with federal law, state law, and its own policies and regulations.

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints in accordance with applicable law and district policy.

(cf. 3580 - District Records)

Non-UCP Complaints

Note: 5 CCR 4611 details complaint issues that are not subject to the UCP. Such issues include, but are not limited to, allegations of child abuse, health and safety complaints regarding a child development program, allegations of fraud, and employment discrimination complaints. ~~For procedures related to complaints of discrimination in employment, see AR 4030 - Nondiscrimination in Employment.~~

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

UNIFORM COMPLAINT PROCEDURES (continued)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

Note: In addition to complying with item #3 below, a district is required to promptly investigate any allegation of discrimination in employment it receives, pursuant to 2 CCR 11023. For procedures related to complaints of discrimination in employment, see AR 4030 - Nondiscrimination in Employment.

3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.
4. Any complaint alleging fraud shall be referred to the California Department of Education.

Note: Education Code 35186 requires the district to use the UCP, with modifications, to investigate and resolve complaints related to the issues stated in the following paragraph (i.e., "Williams complaints"). Because Education Code 35186 sets forth different timelines for investigation and resolution of these kinds of complaints than the timelines specified in law for other uniform complaints, the CDE has created a separate uniform complaint process for the Williams complaints. See AR 1312.4 - Williams Uniform Complaint Procedures for the separate procedure.

In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference: (see next page)

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

222 Reasonable accommodations; lactating students

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

35186 Williams uniform complaint procedures

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49069.5 Rights of parents

49490-49590 Child nutrition programs

51210 Courses of study grades 1-6

51223 Physical education, elementary schools

51225.1-51225.2 Foster youth, ~~and~~ homeless children, **and former juvenile court school students;**
course credits; graduation requirements

51228.1-51228.3 Course periods without educational content

52060-52077 Local control and accountability plan, especially:

52075 Complaint for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-52490 Career technical education

52500-52616.24 Adult schools

~~52800-52870 School-based program coordination~~

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56867 Special education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

Legal Reference continued: (see next page)

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference: (continued)

UNITED STATES CODE, TITLE 20 (continued)

6301-6577 Title I basic programs

6801-~~6871~~**7014** Title III language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283g Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Notification of nondiscrimination on the basis of age

Management Resources:

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Title IX Coordinators, April 2015

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Sexual Violence, April 2011

Dear Colleague Letter: Harassment and Bullying, October 2010

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002

WEB SITES

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

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

Family Policy Compliance Office: <http://familypolicy.ed.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/ocr>

U.S. Department of Justice: <http://www.justice.gov>

(3/16 9/16) 5/17

Policy Reference UPDATE Service

Copyright 2017 by California School Boards Association, West Sacramento, California 95691

All rights reserved.

UNIFORM COMPLAINT PROCEDURES

Note: 5 CCR 4621 **mandates** that the district's uniform complaint procedures (UCP) be consistent with the procedures of 5 CCR 4600-4687. Additionally, Education Code 52075 **mandates** districts to adopt policies and procedures implementing the use of the UCP to investigate and resolve complaints alleging noncompliance with requirements related to the local control and accountability plan (LCAP).

Furthermore, a number of federal civil rights statutes and their implementing regulations mandate districts to adopt policies and procedures for the prompt and equitable resolution of complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). For example, all districts are **mandated** pursuant to 28 CFR 35.107 to adopt policy and procedures to address discrimination on the basis of disability, while districts that receive federal financial assistance are **mandated** pursuant to 34 CFR 106.8 and 34 CFR 110.25 to adopt such policies and procedures to address discrimination on the basis of sex and age. Some of the factors considered by the U.S. Department of Education's Office for Civil Rights (OCR) when determining whether a district's procedures are "prompt and equitable" are addressed throughout the following administrative regulation.

Apart from these mandates, state **law legislation enacted in 2015** authorizes the use of the UCP to resolve complaints of noncompliance with laws related to accommodations for lactating students; **prohibition against the charging of student fees**; educational rights of foster youth, **and** homeless students, **and former juvenile court school students**; assignment of students to courses without educational content; and physical education instructional minutes, as specified in **items #3 and #6-10 of** the accompanying Board policy.

Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

- (cf. 1312.1 - Complaints Concerning District Employees)*
- (cf. 1312.2 - Complaints Concerning Instructional Materials)*
- (cf. 1312.4 - Williams Uniform Complaint Procedures)*
- (cf. 4030 - Nondiscrimination in Employment)*

Compliance Officers

Note: 5 CCR 4621 **requires mandates** the district to identify in its policies and procedures the person(s), position(s), or unit(s) responsible for ensuring compliance with applicable state and federal laws and regulations governing educational programs, including the receiving and investigating of complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and retaliation. During its Federal Program Monitoring (FPM) process, California Department of Education (CDE) staff will check to ensure that the district's procedures list the specific title(s) of the employee(s) responsible for receiving and investigating complaints. Districts should identify the specific title(s) of the compliance officer(s) in the space provided below. If a district identifies multiple compliance officers, it is recommended that one be designated the "lead compliance officer."

UNIFORM COMPLAINT PROCEDURES (continued)

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee(s) to handle complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The individual(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

Superintendent
445 Montezuma Street
Rio Vista, CA 94571
(707) 374-1700
superintendent@rdusd.org

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

Note: 5 CCR 4621 **mandates** that the district's policy provide that employees responsible for compliance and/or for investigating and resolving complaints are knowledgeable about the laws and programs at issue in the complaints they are assigned. OCR requires that the compliance officer(s) involved in implementing discrimination complaint procedures be knowledgeable about the procedures and be able to explain them to parents/guardians and students. They must also have training or experience in handling discrimination complaints, including appropriate investigative techniques and understanding of the applicable legal standards.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall **cover include** current state and federal laws and regulations governing the program,

UNIFORM COMPLAINT PROCEDURES (continued)

applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

Note: 5 CCR 4622 **mandates** the district to include specified information in the required annual notice of its UCP to students, parents/guardians, employees, and others. ~~Pursuant to Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, as amended by AB 379 (Ch. 772, Statutes of 2015), the district is required to include information about specified educational rights of foster youth and homeless students in its annual UCP notification.~~ **Education Code 51225.1-51225.2, as amended by AB 2306 (Ch. 464, Statutes of 2016), require that the notice include information about specified educational rights of former juvenile court school students who transfer into the district after their second year of high school. Districts that do not maintain high schools may revise the following paragraph to delete notification of the rights of former juvenile court school students.**

During the FPM process, CDE staff will check to ensure that the district's policy contains a statement ensuring annual dissemination of notice of the district's UCP to the persons specified below. A sample of the annual notice is available through the CDE web site. In addition, 28 CFR 35.107, 34 CFR 106.8, and 34 CFR 110.25 require the district to publish its complaint procedures covering unlawful discrimination.

The Superintendent or designee shall annually provide written notification of the district's UCP, including information regarding unlawful student fees, local control and accountability plan (LCAP) requirements, and requirements related to the educational rights of foster youth, ~~and~~ homeless students, **and former juvenile court school students** to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 48853, 48853.5, 49013, 49069.5, 51225.1, 51225.2, 52075; 5 CCR 4622)

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 0420 - School Plans/Site Councils)
 (cf. 0460 - Local Control and Accountability Plan)
 (cf. 1220 - Citizen Advisory Committees)
 (cf. 3260 - Fees and Charges)
 (cf. 4112.9/4212.9/4312.9 - Employee Notifications)
 (cf. 5145.6 - Parental Notifications)
 (cf. 6173 - Education for Homeless Children)
 (cf. 6173.1 - Education for Foster Youth)
 (cf. 6173.3 - Education for Juvenile Court School Students)

Note: The following paragraph may be modified to reflect district practice. Pursuant to Education Code 221.61, as added by SB 1375 (Ch. 655, Statutes of 2016), on or before July 1, 2017, districts are required to post information related to Title IX on their web sites, including specified information about complaint procedures under Title IX. See AR 5145.3 - Nondiscrimination/Harassment. A district that does not maintain a web site may comply by posting the information on the web site of its county office of education. A comprehensive list of rights based on the provisions of the federal regulations implementing Title IX can be found in Education Code 221.8. In addition, in its April 2015 Dear Colleague Letter: Title IX Coordinators, OCR recommends that districts use web posting and social media to disseminate their nondiscrimination notices, policies, and procedures and communicate current compliance officer(s)' contact information to students, parents/guardians, and employees.

The annual notification, ~~and~~ complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 ~~may~~ shall be posted on the district web site and, ~~if available, may be~~ provided through district-supported social media, ~~if available~~.

(cf. 1113 - District and School Web Sites)
 (cf. 1114 - District-Sponsored Social Media)

Note: Both federal and state laws contain requirements for translation of certain information and documents. Title VI of the Civil Rights Act of 1964 requires school districts to ensure meaningful access to their programs and activities by persons with limited English proficiency. OCR has interpreted this to require that, whenever information is provided to parents/guardians, districts must notify limited-English-proficient (LEP) parents/guardians in a language other than English in order to be adequate. OCR enforces this requirement consistent with the Department of Justice's 2002 Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. Under the Guidance, a recipient of federal funds has an obligation to provide language assistance to LEP individuals based on balancing four factors: (1) the number or proportion of LEP individuals likely to encounter the program, (2) the frequency with which LEP individuals come in contact with the program, (3) the nature and importance of the services provided by the program, and (4) the resources available to the recipient. State law is more specific than federal law: Education Code 48985 requires translation of certain information and documents if 15 percent or more of students enrolled in the school speak a single primary language other than English.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

UNIFORM COMPLAINT PROCEDURES (continued)

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

Note: During the FPM process, CDE staff will check the notice to ensure that it contains a summary of the complaint procedures as specified in items #1-4 below.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).
4. Include statements that:
 - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
 - c. A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.

UNIFORM COMPLAINT PROCEDURES (continued)

- d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.
- e. If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation **reveals-confirms** that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.

- f. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

Note: Education Code 52075 requires that information regarding LCAP requirements be included in the district's annual notification. See BP/AR 0460 - Local Control and Accountability Plan for details of the LCAP and specific requirements for its adoption and implementation.

- g. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.

Note: ~~Items #4h and i below reflect~~ Pursuant to Education Code 48853, 48853.5, and 49069.5, as well as 51225.1-51225.2 as amended by AB 379-2306 (Ch. 772 464, Statutes of 2015 2016), the UCP notice must include information regarding certain educational rights of foster youth, homeless students, and former juvenile court school students, as provided in items #4h and i below. Pursuant to Education Code 48853.5, as amended, the CDE is required to develop a standardized notice of the rights of foster youth in consultation with the California Foster Youth Education Task Force, and to make it available for dissemination by posting it on its Internet Web site.

- h. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.

UNIFORM COMPLAINT PROCEDURES (continued)

- i. A foster youth, ~~or~~ homeless student, **or former juvenile court school student** who transfers into a district high school or between district high schools **as applicable** shall be notified of the district's responsibility to:
 - (1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed
 - (2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency
 - (3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1
- j. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the district's decision.

Note: Pursuant to federal law, including 34 CFR 106.8, the district is required to establish "prompt and equitable" procedures for investigating and resolving complaints alleging unlawful discrimination. The following statement reflects OCR's interpretation of such provisions as requiring fairness and equity not just for a complainant but for a respondent as well.

In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with the CDE in the same manner as the complainant, if he/she is dissatisfied with the district's decision.

- k. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.

Note: To ensure that the public is made aware of districts' obligation to provide copies of the UCP free of charge pursuant to 5 CCR 4622, CDE staff review the notice during the FPM process.

- l. Copies of the district's UCP are available free of charge.

UNIFORM COMPLAINT PROCEDURES (continued)

District Responsibilities

Note: 5 CCR 4631 requires that UCP complaints be investigated and completely resolved within 60 calendar days of the receipt of the complaint. Pursuant to 5 CCR 4640, when a UCP complaint is erroneously sent to the CDE without first being filed with the district, the 60-day period specified in 5 CCR 4631 begins when the district receives the complaint.

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

Note: The following paragraph reflects recommendation by OCR to ensure equity in the resolution process of a complaint alleging unlawful discrimination and may be modified to reflect district practice.

For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.

The compliance officer shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

Filing of Complaints

Note: Complaints filed under the UCP may be filed directly with a compliance officer or with any site administrator not designated as a compliance officer. For example, acts of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may initially be reported to a principal. See AR 5145.3 - Nondiscrimination/Harassment and AR 5145.7 - Sexual Harassment. If a site administrator not designated as a compliance officer receives a UCP complaint, he/she must notify a compliance officer. A district may also establish a site-level process for receiving informal reports about incidents for which a UCP complaint may be filed and notifying students and parents/guardians of their right to file a UCP complaint. Any site-level process established by a district should be in writing and distributed in the same manner as the grievance procedures listed herein with an explanation of how it interacts with the UCP complaint process.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

UNIFORM COMPLAINT PROCEDURES (continued)

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization. (5 CCR 4630)

Note: Education Code 49013 mandates districts to adopt procedures that allow for anonymous complaints to be filed when a district allegedly violates the prohibition against the charging of student fees. Pursuant to Education Code 52075, anonymous complaints are permitted with regards to the LCAP, as long as evidence, or information leading to evidence, to support the allegation of noncompliance is provided in the complaint.
--

2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

UNIFORM COMPLAINT PROCEDURES (continued)

Note: OCR's Revised Sexual Harassment Guidance, Dear Colleague Letter: Sexual Violence, and Questions and Answers on Title IX and Sexual Violence indicate that if a complainant in a sexual harassment case requests that his/her name or that of the victim not be revealed to the alleged perpetrator or asks that the complaint not be pursued, the district should first inform the complainant that honoring the request may limit its ability to respond and pursue disciplinary action against the alleged perpetrator. **However, The OCR publications acknowledge that situations may exist in which a district cannot honor a student's request for confidentiality, but caution that,** in all instances, the district must still continue to ensure that it provides a safe and nondiscriminatory environment for all students. **Districts should consult legal counsel before honoring a confidentiality request to withhold the victim's name from the alleged perpetrator, especially in the case of alleged sexual assault.** ~~This~~ **These** guiding principles would also apply to harassment on other bases, such as **the basis of race, gender, or disability, or other protected characteristic.** ~~Districts should consult legal counsel before honoring a request to withhold the victim's name from the alleged perpetrator~~

5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when he/she is not the complainant, requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

Note: The following section should be used only by those districts that have decided to establish procedures for attempting to resolve complaints through alternative dispute resolution procedures such as mediation; see the accompanying Board policy. **The following section may be modified to specify the alternative dispute resolution method and timelines used within the district.**

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

UNIFORM COMPLAINT PROCEDURES (continued)

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Note: 5 CCR 4631, which requires the district to provide the complainant with the opportunity to present relevant information, does not provide any timeline. Thus, **the timeline specified below may be modified to reflect district practice.**

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

Note: In his/her investigation, the compliance officer should consider all relevant circumstances, such as how the misconduct affected one or more students' education; the type, frequency, and duration of the misconduct; the identity, age, and sex of the individuals involved in and impacted by the conduct and the relationship between them; the number of persons engaged in the conduct and at whom the conduct was directed; the size of the school, location of the incidents, and context in which they occurred; and other incidents at the school involving different individuals.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

UNIFORM COMPLAINT PROCEDURES (continued)

Note: 5 CCR 4631 allows the district to dismiss a complaint when the complainant refuses to provide the investigator with relevant documents or otherwise obstructs the investigation. 5 CCR 4631 also provides that, if the district refuses to provide the investigator with access to records or other documents, the investigator may issue a finding in favor of the complainant. During the FPM process, CDE staff will check to ensure that both of these statements regarding the provision of access to information are included in the district's policy or procedures, as specified below.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Note: In determining the truth of any allegation, the district should apply the correct standard of proof to the situation. For example, with allegations of unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) or retaliation, OCR uses the "preponderance of the evidence" (more likely than not) standard. Any standard of proof that is more rigorous than required by law could subject a district to liability.

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Report of Findings

Note: Pursuant to 5 CCR 4631, the district's written decision must be sent to the complainant within 60 calendar days of receiving the complaint. Option 1 below is for districts that do not allow complainants to appeal the compliance officer's decision to the Governing Board. Option 2 is for districts that allow appeals to the Board, and it requires the compliance officer's decision within 30 calendar days so that the Board's decision can still be given within the 60-day time limit.

UNIFORM COMPLAINT PROCEDURES (continued)

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant, and respondent if there is one, a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

Note: Pursuant to 5 CCR 4631, only a complainant has the right to receive a written report, and to file his/her complaint with the Board if dissatisfied with the compliance officer's decision. However, OCR has recommended that the same rights be extended to a respondent to a complaint alleging unlawful discrimination, to ensure the process is equitable for all involved. Districts that selected Option 1 should delete reference to filing of a complaint with the Board in the following paragraph.

In resolving any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent also shall be sent the district's decision and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Final Written Decision

The district's decision on how it will resolve the complaint shall be in writing and shall be sent to the complainant and respondent. (5 CCR 4631)

UNIFORM COMPLAINT PROCEDURES (continued)

Note: The Family Educational Rights and Privacy Act (FERPA) (20 USC 1232g; 34 CFR 99.1-99.67) protects student privacy, including student records containing details of the actions taken in response to a UCP complaint. However, pursuant to 20 USC 1221, FERPA may not "be construed to affect the applicability of Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Title V of the Rehabilitation Act of 1973, the Age Discrimination Act, or other statutes prohibiting discrimination, to any applicable program." In February 2015, the Family Policy Compliance Office (FPCO), the federal agency which administers FERPA, released a letter concluding that FERPA permits a district to disclose to a student who was subjected to unlawful discrimination certain information about the sanctions imposed upon the offender when the sanctions directly relate to that student. Thus, if properly remedying the impact of discrimination would require disclosing to the alleged victim certain information on how the district disciplined the alleged student offender (e.g., ~~a stay-away order~~ **an order that the alleged offender stay away from the alleged victim**), FPCO interprets FERPA as allowing the district to disclose that information.

Given the potential liability from improperly disclosing such information, districts are advised to consult with legal counsel when presented with a situation where a victim of unlawful discrimination requests information about sanctions imposed upon the offender.

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

Note: Education Code 48985 requires that reports sent to parents/guardians be written in their primary language when 15 percent or more of a school's enrolled students speak a single primary language other than English. During the FPM process, CDE staff will check to ensure compliance with this requirement. Based on Title VI of the Civil Rights Act of 1964, OCR requires districts to ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

Note: 5 CCR 4631 and guidance provided by OCR specify components that should be part of the district's decision. Inclusion of these items will help protect the district's position in case of an appeal to the CDE, a complaint submitted to OCR, or if litigation is filed.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:

UNIFORM COMPLAINT PROCEDURES (continued)

- a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law
 3. Disposition of the complaint
 4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. How the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The relationship between the alleged victim(s) and offender(s)
 - d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

UNIFORM COMPLAINT PROCEDURES (continued)

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective actions imposed on the respondent
 - b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's and respondent's right to appeal the district's decision to the CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

Note: During the FPM process, CDE staff will expect to see a statement detailing a complainant's right to pursue civil law remedies (i.e., action in a court of law) in addition to or in conjunction with the right to pursue administrative remedies from the CDE.
--

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

UNIFORM COMPLAINT PROCEDURES (continued)**Corrective Actions**

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others

UNIFORM COMPLAINT PROCEDURES (continued)

4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

Note: In its Dear Colleague Letter: Sexual Violence from April 2011 and its Questions and Answers on Title IX and Sexual Violence from April 2014, OCR provides a detailed discussion of remedies for the broader campus community.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

Note: Generally, when a complaint is found to have merit, appropriate corrective action is provided to the complainant or other affected person. However, in certain instances, the law may require corrective action to be provided to all affected persons, not just the complainant or subject of the complaint. For example, pursuant to Education Code 49013 and 5 CCR 4600, if the district, or the CDE on appeal, finds merit in the complaint alleging noncompliance with the law regarding student fees and charges, the district is required to provide a remedy to all affected students and parents/guardians, as specified below. The same requirement applies to allegations of noncompliance with the LCAP requirements, pursuant to Education Code 52075, and to noncompliance with required instructional minutes for elementary students' physical education, pursuant to Education Code 51223, ~~as amended by AB 1391 (Ch. 706, Statutes of 2015)~~. Districts that do not maintain elementary schools should delete reference to physical education from the following paragraph.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

UNIFORM COMPLAINT PROCEDURES (continued)

Appeals to the California Department of Education

Note: 5 CCR 4632-4633 provide that any complainant may appeal the district's decision to the CDE, as provided below. Pursuant to Education Code 49013, the district is **mandated** to adopt procedures that include the right to appeal to the CDE, in accordance with 5 CCR 4632, when a complainant is dissatisfied with the district's decision on his/her complaint alleging noncompliance with the law that prohibits districts from requiring students to pay fees, deposits, or charges for their participation in educational activities. Such procedures are also **mandated** by Education Code 52075 with regards to complaints alleging noncompliance with requirements related to the LCAP.

Authority to appeal the district's decision is also available to a complainant who alleges noncompliance with laws regarding (1) the provision of reasonable accommodation to a lactating student; (2) the educational rights of foster youth, **and** homeless students, **and former juvenile court school students**; (3) the assignment of a high school student to a course without educational content; and (4) the required instructional minutes for elementary students' physical education, as specified in items #3 and #6-**9-10** of the accompanying Board policy.

Any complainant who is dissatisfied with the district's final written decision may file an appeal in writing with the CDE within 15 calendar days of receiving the district's decision. (Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

Note: Pursuant to 5 CCR 4632-4633, an appeal to the CDE is only available to a complainant who is dissatisfied with the district's decision. However, the OCR has recommended that the district extend the same right to a respondent to an allegation of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) who is dissatisfied with the district's decision, to ensure fairness for all parties involved.

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, he/she, in the same manner as the complainant, may file an appeal with the CDE.

The complainant or respondent shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant or respondent has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the written decision

UNIFORM COMPLAINT PROCEDURES (continued)

3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

Note: The CDE may directly intervene in a complaint without waiting for action by the district when certain conditions exist, including the following: (1) the complaint alleges failure to comply with the UCP, including failure to follow the required timelines and failure to implement the final written decision; (2) the complainant requires anonymity due to the possibility of retaliation and would suffer immediate and irreparable harm if a complaint was filed and the complainant was named; (3) the complainant alleges that he/she would suffer immediate and irreparable harm as a result of an application of a districtwide policy that is in conflict with state or federal law and that filing a complaint would be futile; (4) the complainant alleges failure to comply with the due process procedures established pursuant to special education law and regulation to implement a due process hearing order; (5) the complainant alleges facts that indicate that one or more students may be in immediate physical danger or that the health, safety, or welfare of one or more students is threatened; or (6) the complainant alleges failure to follow a student's individualized education program.

(3/16 9/16) 5/17

ACCESS TO DISTRICT RECORDS

Note: The following **optional** policy and accompanying administrative regulation reflect **requirements of the laws regarding public access under the California Public Records Act (CPRA) (Government Code 6250-6270) to pertaining to public access to district-public records of the district under the California Public Records Act (Government Code 6252-6270). "Public records," as defined by Government Code 6252, include any records relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics; see section on "Definitions" in the accompanying administrative regulation.** For information regarding retention of records, see BP/AR 3580 - District Records, **AR 4112.6/4212.6/4312.6 - Personnel Files**, and BP/AR 5125 - Student Records.

The Governing Board recognizes the right of citizens to have access to public records of the district. The Board intends the district to provide any person reasonable access to the public records of the schools and district during normal business hours and within the requirements of law. Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act and other state or federal law.

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3580 - District Records)

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

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

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

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 6162.5 - Student Assessment)

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

(cf. 9321 - Closed Session Purposes and Agendas)

Note: In City of San Jose v. Superior Court, the California Supreme Court held that communications regarding public business transmitted to or by public officials on a personal account or device are not categorically exempt from disclosure under the CPRA (Government Code 6250-6270). The court noted that public agencies are required to disclose all applicable records that can be located "with reasonable effort," including those records contained on a public official's or employee's personal device regardless of whether they were transmitted through district servers. Such searches need not be extraordinary or intrusive. For further information, see CSBA's Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications. Also see AR 3580 - District Records and BB 9012 - Board Member Electronic Communications.

In response to a public records request, the Superintendent or designee shall make reasonable efforts to locate the requested records, including, but not limited to, any electronic communication substantively related to the records, such as email, text messages, instant messages, and other electronic communications, regardless of whether they are transmitted through a district-provided device or account or through an employee's or Board member's personal device or account.

ACCESS TO DISTRICT RECORDS (continued)*(cf. 4040 - Employee Use of Technology)**(cf. 9012 - Board Member Electronic Communications)*

Note: Government Code 6253 authorizes the district to charge a person requesting a copy of a record a fee covering the direct costs of duplication; however, no fee can be charged to a person who wishes to inspect but not copy a record. In North County Parents Organization for Children with Special Needs v. Department of Education, the court determined that direct costs include only the cost of running the copy machine and possibly the expense of the person operating it. Direct costs do not include the other costs that may be associated with the request, such as searching, reviewing, or redacting the record; assisting the requester in formulating the request; responding to the request; or employee time to sit with the requester during inspection of the record. Because it is not clearly authorized by law, districts wishing to charge for the cost of the copy machine operator should consult with legal counsel.

In addition, Government Code 6253 authorizes districts to provide faster access or access to more records than the minimum standards provided by law. According to the court in North County Parents Organization, this provision permits a district to waive or reduce its fees. For example, a district may consider waiving fees below a certain dollar threshold because the costs of collecting the fee exceed the fee amount.

The district may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication, as determined by the Superintendent or designee and as specified in administrative regulation.

Note: The following paragraph is **optional**.

In order to help maintain the security of district records, members of the public granted access shall examine records in the presence of a district staff member.

*Legal Reference:*EDUCATION CODE35145 *Public meetings*35170 *Authority to secure copyrights*35250 *Duty to keep certain records and reports*41020 *Requirement for annual audit*42103 *Publication of proposed budget; hearing*44031 *Personnel file contents and inspections*44839 *Medical certificates; periodic medical examination*49060-49079 **Pupil Student** records49091.10 *Parental review of curriculum and instruction*~~52850 *Applicability of article (School Based Program Coordination Plan availability)*~~GOVERNMENT CODE3547 *Proposals relating to representation*6250-6270 *California Public Records Act*6275-6276.48 *Other exemptions from disclosure*53262 *Employment contracts*54957.2 *Minute book record of closed sessions*

Legal Reference continued: (see next page)

ACCESS TO DISTRICT RECORDS (continued)

Legal Reference: (continued)

GOVERNMENT CODE (continued)

54957.5 Agendas and other writings distributed for discussion or consideration

81008 Political Reform Act, public records; inspection and reproduction

CALIFORNIA CONSTITUTION

Article 1, Section 3 Right of access to governmental information

CODE OF REGULATIONS, TITLE 5

430-438 Individual ~~parent~~ **student** records

COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608

Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282

International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319

Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381

Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324

Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414

North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144

ATTORNEY GENERAL OPINIONS

71 Ops.Cal.Atty.Gen. 235 (1988)

64 Ops.Cal.Atty.Gen. 186 (1981)

Management Resources:

CSBA PUBLICATIONS

Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017

ATTORNEY GENERAL PUBLICATIONS

Summary of the California Public Records Act, 2004

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

The People's Business: A Guide to the California Public Records Act, 2008

WEB SITES

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

California Attorney General's Office: <http://www.caag.state.ca.us> <https://oag.ca.gov>

Institute for Local Government: <http://www.cacities.org/index.jsp?zone=ilsg>

State Bar of California: <http://www.calbar.ca.gov>

(2/99 11/08) 5/17

Policy Reference UPDATE Service

Copyright 2017 by California School Boards Association, West Sacramento, California 95691

All rights reserved.

SUPERINTENDENT'S CONTRACT

Note: The following **optional** policy should be modified to reflect district practice.

The Governing Board believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent are to work together to achieve district goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the need for stability in district administration and shall ensure the best use of district resources.

(cf. 0200 - Goals for the School District)
(cf. 2120 - Superintendent Recruitment and Selection)
(cf. 4312.1 - Contracts)
(cf. 9000 - Role of the Board)

Note: The following list of contract components is consistent with a template for Superintendent contracts developed by CSBA. The annotated template contract with additional context and suggestions is available by contacting legal@csba.org.

The contract shall be reviewed by the district's legal counsel and may include the following:

1. Term of the contract, which shall be for no more than four years pursuant to Education Code 35031
2. Length of the work year and hours of work

Note: The contract should include the salary, health and welfare benefits, and other compensation for the position, as provided in item #3 below. Federal law (26 USC 105; 42 USC 300gg-16; 26 CFR 1.105-11) prohibits favoring "highly compensated" individuals (i.e., the highest paid 25 percent of all employees, with specified exceptions) in terms of the level of benefits provided. Although implementation of this provision with respect to group health plans has been delayed until the issuance of federal regulations or guidance, it is recommended that districts prepare to comply with the expected rules. See AR 4154/4254/4354 - Health and Welfare Benefits.

3. Salary, health and welfare benefits, and other compensation for the position

(cf. 4154/4254/4354 - Health and Welfare Benefits)

4. Reimbursement of work-related expenses, including mileage reimbursement, consistent with Board policies, regulations, and guidelines applicable to other professional administrative staff

(cf. 3350 - Travel Expenses)

SUPERINTENDENT'S CONTRACT (continued)

The contract may also address payment for professional dues and activities, the district's provision of cell phones or other technological devices, and the Superintendent's use of his/her personal vehicle.

(cf. 4040 - Employee Use of Technology)

5. Vacation, illness and injury leave, and personal leaves

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

(cf. 4161.5/4261.5/4361.5 - Military Leave)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

6. General duties and responsibilities of the position

(cf. 2110 - Superintendent Responsibilities and Duties)

7. Criteria, process, and procedure for annual evaluation of the Superintendent

(cf. 2140 - Evaluation of the Superintendent)

8. A statement that any subsequent increase in the Superintendent's salary shall be at the sole discretion of the Board

9. A statement that there shall be no automatic renewal or extension of the contract, although the Board can enter into a new contract with the Superintendent prior to the expiration of the existing contract

Note: Pursuant to Education Code 35031, if the Governing Board decides not to reemploy the Superintendent, it must notify the Superintendent him/her at least 45 days in advance before the contract expires if it decides to not reemploy him/her. If the Board fails to provide the required prior written notice, the Superintendent shall be deemed reemployed for a term of the same length as the one completed, under the same terms and conditions, and with the same compensation.

10. Timeline for providing written notice to the Superintendent if the Board does not wish to enter into a new contract, which shall be at least 45 calendar days in advance of the expiration of the term of the contract pursuant to Education Code 35031, and the responsibility of the Superintendent to remind the Board in writing and in a timely manner of the requirement to give notice

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

SUPERINTENDENT'S CONTRACT (continued)

11. Conditions and process for termination of the contract, including the maximum cash settlement that the Superintendent may receive if the contract is terminated prior to its expiration date
12. Matters related to liability and indemnification against demands, claims, suits, actions, and legal proceedings brought against the Superintendent in his/her official capacity in the performance of duties related to his/her employment

Note: Pursuant to Government Code 54957, personnel matters related to the appointment or employment of an employee may be discussed in closed session under the "personnel exception." However, **Government Code 54957 prohibits the use of closed session for discussion or action on the Board may not discuss or act upon** any proposed change in compensation other than a reduction of compensation that results from the imposition of discipline ~~in closed session under this exception~~. In San Diego Union v. City Council, a California Court of Appeal held that the "personnel exception" provided in Government Code 54957 does not extend to discussions of salary and compensation.

Notwithstanding Government Code 54957, the Board is authorized pursuant to Government Code 54957.6, the "labor exception," to hold closed sessions with the district's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits to its represented and unrepresented employees, including the Superintendent. The Attorney General has opined in 57 Ops. Cal. Atty. Gen. 209 (1974) that a board may only meet in closed session for such purposes with a designated representative who is involved with the "bona fide" negotiations with represented and/or unrepresented employees. The Attorney General's publication The Brown Act: Open Meetings for Local Legislative Bodies, also states that the "labor exception" applies to meeting in closed session to instruct its representatives concerning negotiations with prospective employees. Boards wishing to discuss the Superintendent's salary in closed session under the "labor exception" are encouraged to consult legal counsel before doing so.

In addition, pursuant to Government Code 54956, the Board is prohibited from deliberating on the salary or other compensation of the Superintendent at a special meeting. See BB 9320 - Meetings and Notices and BB 9321 - Closed Session Purposes and Agendas.

The following paragraph should be revised to reflect district practice.

The Board may deliberate about terms of the contract in closed session at a regular meeting. **However, Discussions regarding the salary, salary schedule, or other compensation may occur in the closed session of a regular meeting only as permitted under Government Code 54957.6 between the Board and its designated representative(s), as permitted under Government Code 54957.6** (the "labor exception"), for the purpose of reviewing the Board's position and/or instructing the designated representative(s) prior to or during bona fide negotiations with the current or prospective Superintendent. **Such deliberations shall not be held during a special meeting.** (Government Code 54956, 54957, 54957.6)

The Board may consult with district legal counsel prior to holding a closed session with the designated representative(s) to discuss compensation to be paid to the current or prospective Superintendent.

SUPERINTENDENT'S CONTRACT (continued)

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

Terms of the contract shall remain confidential until the ratification process commences.

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

Note: Pursuant to Government Code 54953, as amended by SB 1436 (Ch. 175, Statutes of 2016), the Board must, in open session, orally report a summary of the recommendation for final action on the Superintendent's salary or benefits and must make related records available to the public in accordance with the California Public Records Act. Thus, Government Code 54953 limits the Board's ability to approve changes to salary or benefits as part of a consent calendar and instead requires such approval to be a separate agenda item. For identical requirements regarding final action on the salary or benefits or other district executives, see BP 4312.1 - Contracts.

The Board shall take final action on the Superintendent's contract ~~in an open meeting~~ **during an open session of a regularly scheduled Board meeting, which and that action** shall be reflected in the Board's minutes. **At that meeting, prior to taking action, the Board shall orally report a summary of the recommendation for the final action on the Superintendent's salary or compensation in the form of fringe benefits.** (Government Code **3511.1, 53262, 54953, 54957.6**)

Copies of the contract **and other public records created or received in the process of developing the recommendation related to the Superintendent's salary, benefits, and other compensation** shall be available to the public upon request. (Government Code 53262, **54953, 54957.6**)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Termination of Contract

Note: Pursuant to Government Code 53260, every employee contract must include a provision limiting the maximum cash settlement the employee may receive upon termination of the contract to an amount equal to his/her monthly salary multiplied by the number of months left on the contract. For a Superintendent contract executed prior to January 1, 2016, if the unexpired term is greater than 18 months, this maximum is equal to the monthly salary multiplied by 18. For a Superintendent contract executed on or after January 1, 2016, Government Code 53260, ~~as amended by AB 215 (Ch. 240, Statutes of 2015)~~, provides that the maximum cash settlement is the monthly salary multiplied by 12. Cash settlements may be less than these maximums. The district must make termination agreements available to the public upon request. See AR 4117.5/4217.5/4317.5 - Termination Agreements.

Prior to the expiration of the contract, the Board may terminate the Superintendent's employment contract in accordance with law and applicable contract provisions.

SUPERINTENDENT'S CONTRACT (continued)

(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

In such an event, any cash settlement that the Superintendent may receive upon termination of the contract shall not exceed his/her monthly salary multiplied by the number of months left on the contract or, if the unexpired term of the contract is more than 18 months and the contract was executed prior to January 1, 2016, no greater than the Superintendent's monthly salary multiplied by 18. For any contract executed on or after January 1, 2016, any cash settlement shall not exceed the Superintendent's monthly salary multiplied by 12. (Government Code 53260)

The cash settlement shall not include any noncash items other than health benefits, which may be continued for the same duration of time as covered in the settlement or until the Superintendent finds other employment, whichever occurs first. (Government Code 53260, 53261)

Note: AB 215 (Ch. 240, Statutes of 2015) amended Government Code 53260 to eliminate the option to provide a settlement equivalent to up to six months' salary when the Superintendent's contract is terminated for specified causes.

However, when the termination of the Superintendent's contract is based upon the Board's belief and subsequent confirmation through an independent audit that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal fiscal practices, no cash or noncash settlement of any amount shall be provided. (Government Code 53260)

In addition, if the Superintendent is convicted of a crime involving an abuse of his/her office or position, he/she shall reimburse the district for payments he/she receives as paid leave salary pending investigation or as cash settlement upon his/her termination, and for any funds expended by the district in his/her defense against a crime involving his/her office or position. (Government Code 53243-53243.4, 53260)

Legal Reference: (see next page)

SUPERINTENDENT'S CONTRACT (continued)

Legal Reference:

EDUCATION CODE

35031 Term of employment

41325-41329.3 Conditions of emergency apportionment

GOVERNMENT CODE

3511.1-3511.2 Local agency executives

6250-6270 California Public Records Act

53243-53243.4 Abuse of office

53260-53264 Employment contracts

54953 Oral summary of recommended salary and benefits of superintendent

54954 Time and place of regular meetings

54956 Special meetings

54957 Closed session personnel matters

54957.1 Closed session, public report of action taken

54957.6 Closed sessions regarding employee matters

UNITED STATES CODE, TITLE 26

105 Self-insured medical reimbursement plan; definition of highly compensated individual

UNITED STATES CODE, TITLE 42

300gg-16 Group health plan; nondiscrimination in favor of highly compensated individuals

CODE OF FEDERAL REGULATIONS

1.105-11 Self-insured medical reimbursement plan

COURT DECISIONS

San Diego Union v. City Council, (1983) 146 Cal.App.3d 947

ATTORNEY GENERAL OPINIONS

57 Ops. Cal. Atty. Gen. 209 (1974)

Management Resources:

CSBA PUBLICATIONS

Superintendent Contract Template, 2015

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

WEB SITES

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

Association of California School Administrators: <http://www.acsa.org>

California Office of the Attorney General, Department of Justice: <http://caag.state.ca.us>;

<https://oag.ca.gov>

(12/15 6/16) 5/17

FOOD SERVICE OPERATIONS/CAFETERIA FUND

Note: The following **optional** policy may be revised to reflect district practice. **Pursuant to U.S. Department of Agriculture (USDA) Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast program (42 USC 1751-1769j, 1773) are mandated to adopt policy addressing delinquent meal charges; see the section "Meal Sales" below and the accompanying administrative regulation.**

Pursuant to 7 CFR 210.9, 210.14, and 220.7, districts participating in the National School Lunch and/or Breakfast program (~~42 USC 1751-1769j, 1773~~) must maintain a nonprofit school food service program. Revenues received through the program may be used **only** for the operation or improvement of the food service program, ~~except that such revenues must not be used to~~ **but not to construct buildings. Revenues also may not be used to** purchase land or buildings, **unless otherwise approved by the USDA.** ~~or construct buildings unless otherwise approved.~~ Authorized expenditures are defined in the California Department of Education's (CDE) California School Accounting Manual.

The Governing Board intends that school food services shall be a self-supporting, nonprofit program. To ensure program quality and increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the district.

- (cf. 3100 - Budget)*
- (cf. 3300 - Expenditures and Purchases)*
- (cf. 3311 - Bids)*
- (cf. 3550 - Food Service/Child Nutrition Program)*
- (cf. 3552 - Summer Meal Program)*
- (cf. 5030 - Student Wellness)*

Note: Pursuant to 42 USC 1776, the USDA has established minimum professional standards for food service personnel. With approval from the CDE, more flexible standards may be used in districts with average daily attendance of less than 500 or in districts of any size when hiring a new acting food services director. For more information about professional standards for food service directors, see CDE's Management Bulletin SNP-17-2016.

The Superintendent or designee shall ensure that all food service personnel possess **appropriate the required** qualifications and receive ongoing professional development related to the effective management and implementation of the district's food service program **in accordance with law.**

- (cf. 4231 - Staff Development)*
- (cf. 4331 - Staff Development)*

Note: The following paragraph is for use by districts participating in the National School Lunch and/or Breakfast Program (42 USC 1751-1769j, 1773). Pursuant to 42 USC 1776, such districts must ensure that food service personnel **and other appropriate personnel** who conduct or oversee administrative

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

procedures ~~and other appropriate personnel~~ receive training on administrative practices (i.e., training in application, certification, verification, meal counting, and meal claiming procedures) at least once each year. In addition, all food service personnel are required to receive annual training that (1) is designed to improve the accuracy of approvals for free and reduced-price meals and the identification of reimbursable meals at the point of service and (2) includes modules on nutrition, health and food safety standards and methodologies, and any other appropriate topics as determined by the U.S. Secretary of Agriculture. The CDE provides online training that meets these requirements; see the CDE's web site.

~~In addition, on a date to be determined by the U.S. Secretary pursuant to 42 USC 1776, food service directors will be required to meet minimum requirements related to education, training, and certification.~~

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by the California Department of Education (CDE). (42 USC 1776)

Meal Sales

Meals may be sold to students, district employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

Note: Pursuant to Education Code 38084, the district may determine meal prices consistent with the goal of paying the costs of maintaining the cafeterias (exclusive of the costs of housing and equipping cafeterias, or other costs determined by ~~Governing~~ Board resolution, pursuant to Education Code 38100).

Students who meet federal eligibility criteria for the reduced-price meal program cannot be charged more than the amounts listed in 42 USC 1758 and 1773; see AR 3553 - Free and Reduced Price Meals. ~~In setting prices for students who are not eligible for the free and reduced price meal program, 42 USC 1760 requires schools to charge those students a price that is, on average, equal to the difference between free meal reimbursement and paid meal reimbursement. Schools that charge less than the average are required to gradually increase their prices over time until they meet the requirement or may cover the difference with nonfederal funds. 42 USC 1760 provides that the price shall generally not increase more than 10 cents each year, but allows districts to establish a higher increase at their discretion. For information about setting prices for full-price meals, see 42 USC 1760 and CDE Management Bulletin USDA-SNP-16-2012.~~

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760.

Note: Education Code 49557 requires the Board to approve a plan that ensures students eligible to receive free or reduced-price meals are not treated differently from other students, including, but not limited to, assurance that eligible students will not be overtly identified by the use of special tokens, tickets, or any other means. For additional language addressing this requirement, see BP/AR 3553 - Free and Reduced Price Meals.

Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation. **Such students shall not be overtly identified or treated differently from other students.**

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5145.3 - Nondiscrimination/Harassment)

Note: Pursuant to USDA Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast program are mandated to have a written and clearly communicated meal charge policy which includes, but is not limited to, policy on the collection of delinquent meal charge debt. Pursuant to CDE Management Bulletin SNP-03-2017, the district's unpaid meals policy must ensure that students with unrecovered or delinquent debt are not overtly identified. See the accompanying administrative regulation for additional language fulfilling this mandate.

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments, and shall clearly communicate these procedures and related district policies to students and parents/guardians. The procedures adopted by the Superintendent or designee shall conform with 2 CFR 200.426 and any applicable CDE guidance, and shall not overtly identify students with unrecovered or delinquent debt or treat them differently than other students.

Cafeteria Fund

Note: Pursuant to Education Code 38090, money received for the sale of food or for any services performed by the cafeterias may be paid into the county treasury to the credit of a "cafeteria fund" for the district.

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

Note: Education Code 38103 allows the Board, at its discretion and with the approval of the County Superintendent of Schools who is responsible for a countywide payroll/retirement system under Education Code 42646, to have wages, salaries, and benefits of food service employees paid either from the district's general fund (Option 1 below) or from the district's cafeteria fund (Option 2).

The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

Note: The following **optional** paragraph may be revised to reflect district practice. **2 CFR 225 2 CFR Part 200, Appendix VII** and **U.S. Department of Agriculture (USDA)** guidance, Indirect Costs: Guidance for State Agencies and School Food Authorities, provide information regarding allowable indirect costs that may be charged to the nonprofit school food service account. Also see the accompanying administrative regulation.

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs as allowed by law.

(cf. 3230 - Federal Grant Funds)

(cf. 3400 - Management of District Assets/Accounts)

(cf. 3460 - Financial Reports and Accountability)

Contracts with Outside Services

Note: The following section is **optional**. Pursuant to Education Code 45103.5, the district is authorized to contract for consulting services related to food service management. 42 USC 1758, 7 CFR 210.16, and Education Code 45103.5 authorize a district, under specified conditions and with approval of the CDE, to contract with a food service management company to manage its food service operation in one or more of its schools. See the accompanying administrative regulation for related requirements.

With Board approval, the district may enter into a contract for food service consulting services or management services in one or more district schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

Procurement of Foods

Note: The following section is for districts participating in the National School Lunch and/or Breakfast Program (42 USC 1751-1769j, 1773). Pursuant to 7 CFR 210.21, districts are required to comply with all requirements for purchasing commercial food products served in the school meals programs, including those outlined in the Buy American provision. This provision indicates that a district participating in the National School Lunch and/or Breakfast Program or any entity purchasing food on its behalf must, to the maximum extent practicable, purchase domestically grown and processed foods, as defined. According to USDA Memorandum SP-24-2016, a domestic commodity or product is deemed to be "substantially using" domestic agricultural commodities when over 51 percent of the final processed product consists of agricultural commodities produced in the United States.

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing food on its behalf shall be domestic commodities or products. *Domestic commodity or product* means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

Note: The following paragraph reflects limited exceptions to the Buy American requirement, as described in USDA Memorandum SP-24-2016. If the district is using one of these exceptions, it must maintain documentation justifying the exception(s).

A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonable quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the exception.

Program Monitoring and Evaluation

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

Note: The following paragraph is for use by districts that have one or more schools participating in the National School Lunch Program, School Breakfast Program, Seamless Summer Feeding Option, and/or other federal meal program. The state monitoring process (the Administrative Review) includes a review of district compliance with requirements for federal meal programs, including a review of resource management in the food service program as provided in the following paragraph. Each district is reviewed at least once every three years. **See the CDE's nutrition services web site for a current list of documents that may be requested for the review.** ~~USDA correspondence dated August 30, 2013, provides a list of documents that may be requested by the CDE for the review.~~

BP 3551(f)

During the Administrative Review, CDE will review district policies on charge accounts, alternate meals, and guidelines for continually notifying parents/guardians of these policies. USDA Memorandum SP 23-2017 adds a requirement to maintain and submit the district's policy on unpaid meal charges to the CDE during the Administrative Review.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by the CDE to ensure compliance of the district's food service program with federal requirements related to maintenance of the nonprofit school food service account, meal charges, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.

(cf. 3555 - Nutrition Program Compliance)

Legal Reference:

EDUCATION CODE

38080-38086 Cafeteria, establishment and use

38090-38095 Cafeterias, funds and accounts

38100-38103 Cafeterias, allocation of charges

42646 Alternate payroll procedure

45103.5 Contracts for management consulting services; restrictions

49490-49493 School breakfast and lunch programs

49500-49505 School meals

49554 Contract for services

49550-49562 Meals for needy students

HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

CODE OF REGULATIONS, TITLE 5

15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769j School lunch programs

1771-1791 Child nutrition, including:

1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 2

200.56 Indirect costs, definition

200.400-200.475 Cost principles

200 Appendix VII Indirect cost proposals

225 Cost Principles for State, Local, and Indian Tribal Governments

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

250.1-250.70 USDA foods

Management Resources: (see next page)

BP 3551(g)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Food Distribution Program Administrative Manual

Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, Management Bulletin, SNP-03-2017, April 2017
Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs, Bad Debt Policies, and the Handling of Unpaid Meal Charges, Management Bulletin USDA-SNP-06-2015, May 2015

Cafeteria Funds--Allowable Uses, Management Bulletin NSD-SNP-07-2013, May 2013

Paid Lunch Equity Requirement, Management Bulletin USDA-SNP-16-2012, October 2012

Storage and Inventory Management of United States Department of Agriculture (USDA) Donated Foods, Management Bulletin USDA-FDP-02-2010, August 2010

Management Bulletin USDA SNP 01 2008, February 2008

Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, Management Bulletin 00-111, July 2000

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Financial Management of the School Meal Programs, Correspondence, August 30, 2013

FAQs About School Meals

Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017

Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016

Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, September 2016

Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016

Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP 24-2016, February 2016

Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014

U.S. DEPARTMENT OF EDUCATION GUIDANCE

FAQs About School Meals

WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California School Nutrition Association: <http://www.calsna.org>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>

U.S. Department of Education: <http://www.ed.gov>

(3/11 12/13) 5/17

FOOD SERVICE OPERATIONS/CAFETERIA FUND

Payments for Meals

Note: State and federal law (Education Code 49550; 42 USC 1758, 1773) require that all students eligible for free and reduced-price meals receive a reimbursable meal during each school day which must be the same meal choice offered to noneligible students; see BP/AR 3553 - Free and Reduced Price Meals. California Department of Education (CDE) Management Bulletin ~~USDA SNP 01 2008~~ **SNP-06-2015** clarifies that districts therefore cannot serve an alternate meal (i.e., a meal that is different than the day's advertised meal) to a student eligible for reduced-price meals who does not have the ability to pay or who fails to provide a meal ticket or other medium of exchange on a given day. Payment ~~and pricing~~ policies for full-price meals are at the discretion of the district and may include decisions on whether or not to extend credit or provide an alternate meal to students in the event of nonpayment.

In addition to providing meals at no cost to students who are eligible, the district may offer meals at no cost to students who qualify for reduced-price benefits. Districts that choose to eliminate reduced-price meal charges may still claim the meals at the reduced-price rate, but the cost difference between the reduced-price meal and the no-cost meal must be covered by the district's cafeteria fund. Districts that choose to do so may modify the following paragraph accordingly. For more information, see the U.S. Department of Agriculture's (USDA) Memorandum SP 17-2014.

The following section includes recommendations of the CDE's Management Bulletin and the ~~U.S. Department of Agriculture's (USDA's)~~ "FAQs About School Meals" on the USDA's web site and may be revised to reflect district practice.

With the exception of students who are eligible to receive meals at no cost, students may pay on a per-meal basis or may submit payments in advance. The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3555 - Nutrition Program Compliance)

Note: The CDE's program monitoring process (the Administrative Review) requires districts to continually notify parents/guardians of district policies regarding meal payments, including charge accounts and alternate meals if applicable. Districts should, at a minimum, inform parents/guardians at the beginning of the school year and on an ongoing basis of district practices for students who have lost or forgotten their meal payment. In addition, districts should set up a parent notification system for when a student's meal payment account has a low or negative balance.

According to the USDA's Memorandum SP-23-2017, beginning in the 2017-18 school year and each year thereafter, the district's policy on delinquent meal payments must be communicated in writing to all households at the start of each school year and to households transferring to the school during the school year. CDE Management Bulletin SNP-03-2017 states that, at a minimum, districts should use the methods specified below to communicate the district's meal policy.

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

At the beginning of the school year, **and whenever a student enrolls during the school year**, parents/guardians shall be notified of the district's meal payment policies and be encouraged to prepay for meals whenever possible. **The Superintendent or designee shall communicate the district's meal payment policies through multiple methods, including, but not limited to:**

- 1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year**
- 2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually**
- 3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of applications at the start of the school year**
- 4. Posting the policy on the district's web site**
- 5. Establishing a system to notify parents/guardians when a student's meal payment account has a low or negative balance**

(cf. 1113 - District and School Web Sites)

(cf. 5145.6 - Parental Notifications)

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

In order to avoid potential misuse of a student's food service account by someone other than the student in whose name the account has been established, the Superintendent or designee shall verify a student's identity when setting up the account and when charging any meal to the account. The Superintendent or designee shall investigate any claim that a bill does not belong to a student or is inaccurate, shall not require a student to pay a bill that appears to be the result of identity theft.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Note: Pursuant to CDE Management Bulletin SNP-03-2017, districts must ensure that students who are approved for reduced-price meals receive all meals that are paid for. Any excess payments must be either carried over or refunded to the parents/guardians. The following paragraph extends this provision to also apply to students paying for full-price meals.

Any payments made to a student's food service account shall, if not used within the school year, be carried over into the next school year or be refunded to the student's parents/guardians.

Unpaid and Delinquent Meal Charges

Note: Pursuant to USDA Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast program are mandated to have a written and clearly communicated meal charge policy which includes, but is not limited to, policy on the collection of delinquent meal charge debt. Such policy may allow students to charge all types of reimbursable meals, impose a limit on charges, provide students paying full price with alternate meals, and/or allow neither meal charges nor alternative meals. Such policy may be consistent for all students or vary by grade level. The following paragraphs should be revised to reflect district practice. Also see the accompanying Board policy.

Students and their parents/guardians shall be notified whenever their account has a **zero low or negative** balance. Whenever a student's account has an unpaid balance of \$50 or more, parents/guardians shall be notified in writing that a minimum payment is due.

In cases of repeated nonpayment by a student, the Superintendent or designee may contact parents/guardians to discuss the reasons for the nonpayment. The Superintendent or designee may evaluate individual circumstances to determine if the student's parents/guardians need assistance completing an application for free or reduced-price meals or need referral to social services.

Note: The following optional paragraph reflects CDE guidance in its Management Bulletin SNP-03-2017.

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

The Superintendent or designee may enter into a repayment plan with a student's parents/guardians for payment of the student's unpaid meal charge balance over a period of time. As necessary, the repayment plan may allow the unrecovered or delinquent debt to carry over into the next fiscal year.

Note: CDE Management Bulletin SNP-03-2017 requires that the district's unpaid meal policy conform with the cost principles set forth in 2 CFR 200.426, as provided below.

The district's efforts to collect debt shall be consistent with district policies and procedures, California Department of Education (CDE) guidance, and 2 CFR 200.426. The district shall not spend more than the actual debt owed in efforts to recover unpaid meal charges.

Note: Pursuant to CDE Management Bulletins SNP 06-2015 and SNP-03-2017, delinquent debt must be reclassified as bad debt and written off as an operating loss if it is not paid by the end of the fiscal year in which the debt was incurred, unless the district enters into a repayment plan with the parent/guardian prior to the end of the fiscal year or the debt occurs fewer than 90 days prior to the end of the fiscal year. Federal funds are not available to reimburse the district for bad debt. Districts are required to maintain related records in accordance with 7 CFR 210.9 and 210.15.

The Superintendent or designee shall maintain records of the efforts made to collect unpaid meal charges and, if applicable, financial documentation showing when the unpaid meal balance has become an operating loss.

Reimbursement Claims

Note: To streamline administration of state and federal meal programs, the CDE has developed an online Child Nutrition Information and Payment System which must be used to submit reimbursement claims and to submit and track the status of applications and USDA food requests.

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free, reduced-price, and full-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to the CDE using the online Child Nutrition Information and Payment System.

Cafeteria Fund

Note: Education Code 38091 authorizes the Governing Board to establish one or more cafeteria revolving accounts to be treated as revolving cash accounts of the cafeteria fund.

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. The income and expenditures of any cafeteria revolving account established by the Governing Board shall be recorded as income and expenditures of the cafeteria fund. (Education Code 38090, 38091)

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)*(cf. 3100 - Budget)**(cf. 3300 - Expenditures and Purchases)*

Note: ~~Education Code 38100-38103 specify allowable expenditures from the cafeteria fund. AB 86 (Ch. 48, Statutes of 2013) repealed Education Code 38102, which had authorized the establishment of a cafeteria equipment reserve fund to be used for the purchase, lease, maintenance, or replacement of cafeteria equipment.~~

The cafeteria fund shall be used only for those expenditures authorized by the Board as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, **2 CFR Part 200 Appendix VII 2 CFR 225**, and the California School Accounting Manual. ~~(Education Code 38091, 38101; 2 CFR 225)~~

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the expenditure's purpose and basis. (Education Code 38101)

(cf. 3110 - Transfer of Funds)

Note: The following **optional** paragraph may be revised to reflect district practice. ~~2 CFR 225 2 CFR Part 200 Appendix VII~~ and USDA guidance, Indirect Costs: Guidance for State Agencies and School Food Authorities, provide information regarding allowable indirect costs that may be charged to the nonprofit school food service account. Indirect costs are those that are incurred for the benefit of multiple programs or objectives and typically support administrative overhead functions (e.g., accounting, payroll, purchasing, utilities, janitorial services). Each program or objective that benefits from the indirect cost bears a commensurate portion of the cost. Costs may be charged to the nonprofit food service account only if properly documented.

Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (Education Code 38101)

Note: Pursuant to ~~2 CFR 210.2 and 210.14~~ **7 CFR 210.7 and 220.14**, net cash resources (i.e., all monies that have accrued to the nonprofit school food service at any given time, less cash payable) should not exceed three months average expenditures. If there is a surplus, then according to USDA guidance, Indirect Costs: Guidance for State Agencies and School Food Authorities, the district must lower the price of paid lunches, improve food quality, or make other improvements to school meal operations. The spending plan developed by the district under such circumstances must be approved by the CDE.

Net cash resources in the nonprofit school food service shall not exceed three months average expenditures. (2 CFR ~~210.14~~ **220.14**)

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)**U.S. Department of Agriculture Foods**

Note: The following **optional** section is for use by districts that participate in the National School Lunch Program and receive foods from the USDA pursuant to 42 USC 1755 and 7 CFR 250.1-250.70. The CDE is responsible for ordering and distributing USDA foods for use in California schools. Pursuant to 42 USC 1758, the USDA must ensure that foods offered through this program reflect the most recent Dietary Guidelines for Americans.

The Superintendent or designee shall ensure that foods received through the U.S. Department of Agriculture (USDA) are handled, stored, and distributed in facilities which: (7 CFR 250.14)

1. Are sanitary and free from rodent, bird, insect, and other animal infestation
2. Safeguard foods against theft, spoilage, and other loss
3. Maintain foods at proper storage temperatures
4. Store foods off the floor in a manner to allow for adequate ventilation
5. Take other protective measures as may be necessary

The Superintendent or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures, and shall ensure that foods are used before their expiration dates.

USDA **donated** foods shall be used in school lunches as far as practicable. USDA foods also may be used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff, and training in nutrition, health, food service, or general home economics instruction for students, provided that any revenues from such activities accrue to the district's nonprofit food service account. (7 CFR ~~250.60~~ **250.59**)

Contracts with Outside Services

Note: The following **optional** section is for use by districts that contract for food service management services pursuant to Education Code 49554, 42 USC 1758, or 7 CFR 210.16 or consulting services pursuant to Education Code 45103.5, and should be modified to reflect the type(s) of contracts in the district; see the accompanying Board policy.

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; 7 CFR 210.16)

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The district shall retain control of the quality, extent, and general nature of its food services, including prices to be charged to students for meals, and shall monitor the food service operation through periodic on-site visits. The district shall not enter into a contract with a food service company to provide a la carte food services only, unless the company agrees to offer free, reduced-price, and full-price reimbursable meals to all eligible students. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

(cf. 3312 - Contracts)

(cf. 3515.6 - Criminal Background Checks for Contractors)

(cf. 3600 - Consultants)

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

(cf. 4212 - Appointments and Conditions of Employment)

(3/11 12/13) 5/17

All Personnel

BP 4127(a)

4227

TEMPORARY ATHLETIC TEAM COACHES

4327

The Governing Board desires to employ highly qualified coaches for the district's sports and interscholastic athletic programs in order to enhance the knowledge, skills, motivation, and safety of student athletes.

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee may **employ hire** a certificated or noncertificated employee, other than a substitute employee, to supervise or instruct interscholastic athletic activities as a temporary employee in a limited assignment capacity. (5 CCR 5590)

(cf. 4121 - Temporary/Substitute Personnel)

Note: When hiring a temporary athletic team coach, Education Code 44919 requires districts to first make the position available to a credentialed teacher presently employed by the district. In CTA v. Rialto Unified School District, the California Supreme Court held that the law is intended to grant a current certificated employee a limited advantage in the hiring process over a noncertificated employee or a nonemployee, provided that the applicant applies for the position and meets qualification criteria established by the district.

When hiring a person to fill a position as a temporary athletic team coach, the position shall first be made available to qualified certificated teachers currently employed by the district. (Education Code 44919)

Note: 5 CCR 5596 specifies a code of ethical conduct for athletic coaches; see the accompanying administrative regulation. In addition, the California Interscholastic Federation (**CIF**) has adopted a set of principles to guide the conduct of coaches and other participants in interscholastic athletic competitions; see BP 6145.2 - Athletic Competition.

All coaches shall be subject to Board policies, administrative regulations, and California Interscholastic Federation bylaws and codes of ethical conduct.

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

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.63 - Steroids)

(cf. 5141.1 - Child Abuse Prevention and Reporting)

Noncertificated coaches **shall** have no authority to **give assign** grades to students. (5 CCR 5591)

(cf. 5121 - Grades/Evaluation of Student Achievement)

TEMPORARY ATHLETIC TEAM COACHES (continued)

Qualifications and Training

Note: 5 CCR 5593 establishes the minimum qualifications for employees serving as temporary athletic team coaches; see the accompanying administrative regulation.

The Superintendent or designee shall establish qualification criteria for all athletic coaches in accordance with law and district standards. These criteria shall ensure that coaches possess an appropriate level of competence, knowledge, and skill.

Note: ~~Effective July 9, 2010, AB 346 (Ch. 52, Statutes of 2010) amended Education Code 49024, to require any noncertificated employee or any volunteer who works with students in a district-sponsored student activity program, such as an interscholastic athletic program, is required to obtain an Activity Supervisor Clearance Certificate (ASCC) from the Commission on Teacher Credentialing, unless the district requires the candidate to clear a Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) criminal background check prior to beginning the paid or volunteer duties. See BP/AR 1240 - Volunteer Assistance and AR 4112.5/4212.5/4312.5 - Criminal Record Check. This legislation was introduced in response to legislation passed in 2009 (AB 1025, Ch. 379, Statutes of 2009) which had required noncertificated personnel or volunteers who "supervise, direct, or coach the activity" to obtain an ASCC. Thus, the Governing Board may choose whether to (1) require a temporary athletic team coach to obtain the ASCC (Option 1 below) and/or to obtain a DOJ/FBI criminal background check; (Option 2 below). The Board may select either one of the options below, combine them to allow (2) permit an individual, at his/her discretion, to obtain either the ASCC or DOJ/FBI check at the individual's discretion; or (3) to apply different requirements to different positions in the district (e.g., head coaches vs. assistant coaches; employees vs. volunteers). The following paragraph should be modified to reflect district practice.~~

~~In addition, AB 346 amended Education Code 45125.01 to allow multiple districts within a county or within contiguous counties to share criminal record information of noncertificated employees and volunteers working in a student activity program; see AR 4112.5/4212.5/4312.5 - Criminal Record Check.~~

OPTION 1: Any noncertificated employee or volunteer who works with students in a district-sponsored interscholastic athletic program shall, prior to beginning his/her duties, ~~possess~~ **submit to the Superintendent or designee either an Activity Supervisor Clearance Certificate issued by the Commission on Teacher Credentialing or a Department of Justice and Federal Bureau of Investigation criminal background clearance.** (Education Code 49024)

~~An individual who obtained both a Department of Justice and Federal Bureau of Investigation criminal background clearance through the district prior to July 9, 2010 shall have satisfied this requirement. (Education Code 49024)~~

TEMPORARY ATHLETIC TEAM COACHES (continued)

OPTION 2: ~~Any noncertificated employee or volunteer who works with students in a district-sponsored interscholastic athletic program shall, prior to beginning his/her duties, obtain a Department of Justice and Federal Bureau of Investigation criminal background check through the district. (Education Code 49024)~~

~~An individual who possesses a current Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing, issued prior to July 9, 2010, shall have satisfied district requirements for the criminal background check. (Education Code 49024)~~

(cf. 1240 - Volunteer Assistance)
(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

Following the selection of a temporary athletic team coach, the Superintendent or designee shall certify to the Board, at the next regular Board meeting or within 30 days, whichever is sooner, that the coach meets the qualifications and competencies required by 5 CCR 5593. By April 1 of each year, the Board shall certify to the State Board of Education that the provisions of 5 CCR 5593 have been met. (5 CCR 5594)

Note: Education Code 49032 requires that all high school coaches complete a district or CIF-developed coaching education program that meets the guidelines of Education Code 35179.1 and includes training on the signs, symptoms, and appropriate response to concussions. Additionally, Education Code 33479.6, as added by AB 1639 (Ch. 792, Statutes of 2016), requires coaches, beginning July 1, 2017, to complete a training course related to the nature and warning signs of sudden cardiac arrest and to retake such a course every two years thereafter. See the accompanying administrative regulation.

In addition, the Superintendent or designee shall regularly report to the Board regarding the extent to which the district's coaches have completed the trainings required by law, including those required pursuant to Education Code 33479.6 and 49032, and by district policy.

Legal Reference: (see next page)

TEMPORARY ATHLETIC TEAM COACHES (continued)

Legal Reference:

EDUCATION CODE

35179-35179.7 Interscholastic athletics

33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act

44010 Sex offense

44011 Controlled substance offense

44332-44332.5 Temporary certificates

44424 Conviction of a crime

44808 Liability when students are not on school property

44916 Written statement indicating employment status

44919 Classification of temporary employees

45125.01 Interagency agreements for criminal record information

45347 Instructional aides subject to requirements for classified staff

45349 Use of volunteers to supervise or instruct students

49024 Activity Supervisor Clearance Certificate

49030-49034 Performance-enhancing substances

49406 Examination for tuberculosis

CODE OF REGULATIONS, TITLE 5

5531 Supervision of extracurricular activities

5590-5596 Duties of temporary athletic team coaches

COURT DECISIONS

Neily v. Manhattan Beach Unified School District, (2011) 192 Cal. App. 4th 187

Kavanaugh v. West Sonoma County Union High School District, (2003) 29 Cal. 4th 911

CTA v. Rialto Unified School District, (1997) 14 Cal. 4th 627 San Jose Teachers Association, CTA,

NEA v. Barozzi, (1991) 230 Cal.App.3d 1376

Management Resources:

CSBA PUBLICATIONS

Steroids and Students: What Boards Need to Know, Policy Brief, July 2005

A School Board Member's Guide to CIF and Interscholastic Sports, 1997

CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

California Interscholastic Federation Constitution and Bylaws

Pursuing Victory with Honor, 1999

COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE

10-11 Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), July 20, 2010

WEB SITES

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

California Athletic Trainers' Association: <http://www.ca-at.org>

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

California Interscholastic Federation: <http://www.cifstate.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

National Athletic Trainers' Association: <http://www.nata.org>

(3/10 7/10) 5/17

Policy Reference UPDATE Service

Copyright 2017 by California School Boards Association, West Sacramento, California 95691

All rights reserved.

All Personnel

AR 4127(a)

TEMPORARY ATHLETIC TEAM COACHES

4227

4327

Qualifications

Note: 5 CCR 5593 establishes minimum qualifications for certificated and noncertificated employees assigned as temporary athletic team coaches. Pursuant to 5 CCR 5593, the Superintendent or designee is required to certify to the Governing Board that each newly hired coach meets the requirements of 5 CCR 5593; see the accompanying Board policy.

The district should modify the following section to reflect any additional criteria. Districts should may consider developing specific criteria for each coaching position.

~~The Superintendent or designee shall establish minimum qualifications criteria for temporary athletic team coaches. These criteria shall include, but are not necessarily be limited to, competencies in the following areas: (5 CCR 5593)~~

1. Care and prevention of athletic injuries, basic sports injury first aid, and emergency procedures, as evidenced by one or more of the following:
 - a. Completion of a college-level course in the care and prevention of athletic injuries and possession of a valid cardiopulmonary resuscitation (CPR) card
 - b. A valid sports injury certificate or first aid card, and a valid CPR card
 - c. A valid Emergency Medical Technician (EMT) I or II card
 - d. A valid trainer's certification issued by the National or California Athletic Trainers' Association (NATA/CATA)
 - e. Possession of both valid CPR and first aid cards and practical experience under the supervision of an athletic coach or trainer or experience assisting in team athletic training and conditioning
2. Coaching theory and techniques in the sport or game being coached, as evidenced by one or more of the following:
 - a. Completion of a college course in coaching theory and techniques
 - b. Completion of inservice programs arranged by a school district or county office of education

TEMPORARY ATHLETIC TEAM COACHES (continued)

- c. Prior service as a student coach or assistant athletic coach in the sport or game being coached
 - d. Prior coaching in community youth athletic programs in the sport being coached
 - e. Prior participation in organized competitive athletics at **the** high school level or above in the sport being coached
3. Knowledge of the rules and regulations pertaining to the sport or game being coached, the league rules, and, at the high school level, regulations of the California Interscholastic Federation (CIF)
 4. Knowledge of child or adolescent psychology, as appropriate, as it relates to sport participation, as evidenced by one or more of the following:
 - a. Completion of a college-level course in child psychology for elementary school positions and adolescent or sports psychology for secondary school positions
 - b. Completion of a seminar or workshop on human growth and development of youth
 - c. Prior active involvement with youth in school or community sports program

The Superintendent or designee may waive competency requirements for persons enrolled in appropriate training courses leading to acquisition of the competency, provided such persons serve under the direct supervision of a fully qualified coach until the competencies are met. (5 CCR 5593)

~~Following the selection of a temporary athletic team coach, the Superintendent or designee shall certify to the Governing Board, at the next regular Board meeting or within 30 days, whichever is sooner, that the coach meets the qualifications and competencies required by 5 CCR 5593. By April 1 of each year, the Board shall certify to the State Board of Education that the provisions of 5 CCR 5593 have been met. (5 CCR 5594)~~

<p>Note: The qualifications required by 5 CCR 5593 for employees serving as temporary athletic team coaches do not apply to volunteer coaches. The following optional paragraph is for use by districts that require volunteers who supervise or direct an athletic program to meet those same qualifications.</p>

TEMPORARY ATHLETIC TEAM COACHES (continued)

Volunteers who supervise or direct an athletic program shall meet the qualification criteria specified in 5 CCR 5593 required for temporary athletic team coaches employed by the district. Any volunteer who does not meet such criteria shall serve only under the supervision of a fully qualified coach and shall not be given charge of an athletic program.

(cf. 1240 - Volunteer Assistance)

Additional Qualifications of Noncertificated Personnel and Volunteers

In addition to the qualifications listed above, any noncertificated employee or volunteer assigned as a temporary athletic team coach shall: (5 CCR 5592)

1. Be free from tuberculosis and any other contagious disease that would prohibit certificated teachers from teaching, as verified by a written statement, renewable every four years, from a licensed physician or other person approved by the district

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

2. Not have been convicted of any offense referred to in Education Code 44010, 44011, or 44424, or any offense involving moral turpitude or evidencing unfitness to associate with children

Note: Effective July 9, 2010, AB 346 (Ch. 52, Statutes of 2010) amended Education Code 49024 to require any noncertificated employee or any volunteer who works with students in a district-sponsored interscholastic athletic program to obtain an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing, or unless the district requires the candidate to clear a Department of Justice and Federal Bureau of Investigation criminal background check prior to beginning his/her duties. See the accompanying Board policy for options that may be selected or adapted by the district.

In addition, AB 346 amended Education Code 45125.01 to allow multiple districts within a county or within contiguous counties to share criminal record information of noncertificated employees and volunteers working in a student activity program; see AR 4112.5/4212.5/4312.5 - Criminal Record Check.

Any noncertificated employee or volunteer assigned as a temporary athletic team coach shall obtain an Activity Supervisor Clearance Certificate or a criminal background check in accordance with Board policy. (Education Code 49024)

(cf. 1240 - Volunteer Assistance)

TEMPORARY ATHLETIC TEAM COACHES (continued)

High School Coaching Education Program Training

Note: The following **section paragraph** is for use by districts that maintain high schools. Education Code 49032 requires that all high school coaches complete a coaching education program developed by the district or the California Interscholastic Federation (CIF) that meets the guidelines listed in Education Code 35179.1 **and includes training on the signs, symptoms, and appropriate response to concussions.** Districts that wish to set their own standards for the coaching education program instead of using the standards developed by the CIF should modify the following paragraph accordingly.

Each **employee or volunteer** high school athletic team coach ~~or volunteer coach~~ shall complete, at his/her expense, a coaching education program that meets the standards developed by the CIF **and includes, but is not limited to, training in regard to sport psychology, sport pedagogy, sport physiology, sport management, statewide and school regulations, and CPR and first aid, including the signs, symptoms, and appropriate response to concussions.** A high school coach who has completed the education program in another California school district shall be deemed to have met the requirement for this district. **An individual who has not completed the education program may be assigned as a coach for no longer than one season of interscholastic competition.** (Education Code **35179.1**, 49032)

Note: Education Code 33479.6, as added by AB 1639 (Ch. 792, Statutes of 2016), requires the coach of an athletic activity, beginning July 1, 2017, to complete, and retake every two years thereafter, a training course related to the nature and warning signs of sudden cardiac arrest, including the risks associated with continuing to play or practice after experiencing fainting or seizures during exercise, unexplained shortness of breath, chest pain, dizziness, racing heart rate, or extreme fatigue. Pursuant to Education Code 33479.7, as added by AB 1639, on or after July 1, 2019 a coach who does not complete the required sudden cardiac arrest training is subject to suspension from coaching any athletic activity until the required training is completed.

Online training fulfilling this requirement is available on the CIF's web site. Furthermore, Education Code 33479.2, as added by AB 1639, requires the California Department of Education to post related information on its web site.

In addition, prior to coaching an athletic activity and every two years thereafter, athletic coaches shall complete an approved training course on the nature and warning signs of sudden cardiac arrest. (Education Code 33479.2, 33479.6, 33479.7)

Code of Ethical Conduct

Employees providing supervisory or instructional services in interscholastic athletic programs and activities shall: (5 CCR 5596)

1. Show respect for players, officials, and other coaches

TEMPORARY ATHLETIC TEAM COACHES (continued)

2. Respect the integrity and judgment of game officials
3. Establish and model fair play, sportsmanship, and proper conduct
4. Establish player safety and welfare as the highest priority
5. Provide proper supervision of students at all times
6. Use discretion when providing constructive criticism and when reprimanding players
7. Maintain consistency in requiring all players to adhere to the established rules and standards of the game
8. Properly instruct players in the safe use of equipment
9. Avoid exerting undue influence on a student's decision to enroll in an athletic program at any public or private postsecondary educational institution
10. Avoid exerting undue influence on students to take lighter academic course(s) in order to be eligible to participate in athletics
11. Avoid suggesting, providing, or encouraging any athlete to use nonprescription drugs, anabolic steroids, or any substance to increase physical development or performance that is not approved by the U.S. Food and Drug Administration, U.S. Surgeon General, or the American Medical Association

(cf. 5131.63 - Steroids)

12. Avoid recruitment of athletes from other schools
13. Follow the rules of behavior and the procedures for crowd control as established by the district and the league in which the district participates

(3/10 7/10) 5/17

CONTRACTS

Note: The following **optional** policy addresses employment contracts for individuals occupying certificated and classified administrative, supervisory, and management positions. For policy language regarding superintendent contracts, see BP 2121 - Superintendent's Contract.

The Governing Board recognizes the importance of **employing** qualified and competent individuals to **lead manage** district programs and to assist the Superintendent in coordinating efforts to achieve district goals and objectives. To that end, the Board may fill certificated administrative and supervisory positions and classified senior management positions on a contract basis.

- (cf. 0000 - Vision)*
- (cf. 2121 - Superintendent's Contract)*
- (cf. 4111/4211/4311 - Recruitment and Selection)*
- (cf. 4300 - Administrative and Supervisory Personnel)*
- (cf. 4313.2 - Demotion/Reassignment)*
- (cf. 4314 - Transfers)*

Note: Education Code 35031 authorizes continuing contracts, as specified below, for any deputy, associate, or assistant superintendent in a position requiring certification qualifications. Pursuant to Education Code 35030, the title of deputy, associate, or assistant superintendent may be assigned to a business management position.

The Board may offer a continuing contract of up to four years to any deputy, associate, or assistant superintendent; any certificated employee holding a position requiring a supervision or administration credential; or any senior manager of the classified service. (Education Code 35031, 44929.20)

Prior to entering into any such contract, the Board and Superintendent shall consider the financial impact of the contract on the district. The proposed contract shall also be reviewed by legal counsel to ensure that all legally required provisions are included in the contract and to address any potentially adverse obligations **to for** the district.

- (cf. 3460 - Financial Reports and Accountability)*

Note: Pursuant to Government Code 54957, personnel matters related to the appointment or employment of any employee may appropriately be discussed in closed session **under the "personnel exception."** ~~However, pursuant to Government Code 54956, as amended by AB 1344 (Ch. 692, Statutes of 2011), the Governing Board is prohibited from calling a special meeting on the salary or other compensation of the Superintendent and other management employee. See BB 9320 - Meetings and Notices and BB 9321 - Closed Session Purposes and Agendas.~~ **However, Government Code 54957 prohibits the use of closed session for discussion or action on any proposed change in compensation other than a reduction that**

CONTRACTS (continued)

results from the imposition of discipline. In San Diego Union v. City Council, a California Court of Appeal held that the "personnel exception" provided in Government Code 54957 does not extend to discussions of salary and compensation.

Notwithstanding Government Code 54957, the Governing Board is authorized pursuant to Government Code 54957.6, the "labor exception," to hold closed sessions with the district's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits to its represented and unrepresented employees. The Attorney General has opined in 57 Ops.Cal.Atty.Gen. 209 (1974) that a board may only meet in closed session under the labor exception with a designated representative who is involved with the "bona fide" negotiations with represented and/or unrepresented employees. The Attorney General's publication The Brown Act: Open Meetings for Local Legislative Bodies, also states that the "labor exception" applies to meeting in closed session to instruct its representatives concerning negotiations with prospective employees. Boards wishing to discuss salary of administrative personnel in closed session under the "labor exception" are encouraged to consult legal counsel before doing so.

In addition, pursuant to Government Code 54956, the Board is prohibited from deliberating on the salary or other compensation of an employee at a special meeting. See BB 9320 - Meetings and Notices and BB 9321 - Closed Session Purposes and Agendas.

The following paragraph should be revised to reflect district practice.

The Board ~~shall~~ **may** deliberate in the closed session of a regular meeting about the terms of an employment contract for a deputy, associate, or assistant superintendent; other certificated employee holding a position requiring a supervision or administration credential; or a senior manager of the classified service. **Discussions regarding salary, salary schedule, or other compensation may occur in the closed session of a regular meeting only between the Board and its designated representative(s), as permitted under Government Code 54957.6 (the "labor exception") for the purpose of reviewing the Board's position and/or instructing the designated representative(s) prior to or during bona fide negotiations with the employee. Such deliberations shall not be held during a special meeting.** (Government Code **54956, 54957, 54957.6**)

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

Note: Pursuant to Government Code 54953, as amended by SB 1436 (Ch. 175, Statutes of 2016), the Board must orally report, in an open session, a summary of the recommendation for final action on the salary and/or benefits of a "local agency executive," as defined in Government Code 3511.1, including a deputy, associate, or assistant superintendent; a department head; and any other person whose position within the district is established through an employment contract with the district. Thus, Government Code 54953 limits the Board's ability to approve changes to salary or benefits as part of a consent calendar and instead requires such approval to be a separate agenda item. For identical requirements regarding final action on the salary or benefits of the Superintendent, see BP 2121 - Superintendent's Contract.

CONTRACTS (continued)

~~Any such employment contract shall be ratified by the Board.~~ **The Board shall take final action on an employment contract** during an open session of a regularly scheduled Board meeting, **and that action shall be and** reflected in the Board's minutes. **At that meeting, prior to taking action, the Board shall orally report a summary of the recommendation for the final action on salary or compensation in the form of fringe benefits.** (Government Code **3511.1**, 53262, **54953**)

Copies of ~~the any~~ contracts **and other public records created or received in the process of developing the recommendation related to the salary, benefits, and other compensation** shall be available to the public upon request. (Government Code 53262, **54953**)

(cf. 1340 - Access to District Records)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9324 - Minutes and Recordings)

Extension of Contract/ ~~and~~ Reemployment

Note: The following **optional** paragraph provides that any contract extension be based on Board action rather than automatic "rollover" or "evergreen" provisions. Government Code 3511.2, **as added by AB 1344 (Ch. 692, Statutes of 2011)**, prohibits the automatic renewal of a contract with a provision for automatic increase that exceeds the cost-of-living adjustment.

A contract shall be extended only by Board action and subsequent to a satisfactory evaluation of the employee's performance. No employment contract shall include a provision for automatic renewal of the contract.

(cf. 4315 - Evaluation/Supervision)

During the term of the contract and with the consent of the employee involved, the Board may reelect or reemploy the employee starting on the next succeeding first day of July and based on terms and conditions mutually agreed upon by the Board and the employee. (Education Code 35031)

If the Board decides not to reelect or reemploy a deputy, associate, or assistant superintendent or a senior manager of the classified service upon the expiration of his/her term, it shall notify the employee in writing 45 **calendar** days prior to the expiration of the term of the contract. (Education Code 35031)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Termination of Contract

The Board may terminate an employment contract prior to its expiration date in accordance with the conditions and process specified in the contract.

BP 4312.1(d)

CONTRACTS (continued)

Note: Pursuant to Government Code 53260-53264, employment contracts must include a provision limiting the maximum cash settlement the employee may receive upon termination of the contract to an amount equal to his/her monthly salary multiplied by the number of months left on the unexpired term of the contract. If the unexpired term is greater than 18 months, this maximum is equal to the monthly salary times 18. Cash settlements may be less than these caps. The cash settlement may not include any noncash items other than health benefits, which may be continued for the unexpired term up to 18 months or until the employee finds other employment, whichever occurs first. The district must make copies of termination agreements available to the public upon request. For language reflecting these requirements, see AR 4117.5/4217.5/4317.5 - Termination Agreements.

Every employment contract shall include a provision specifying the legal maximum cash settlement that the employee may receive in the event that the **contract is terminated** Board finds it necessary to terminate the contract prior to its expiration date. (Government Code **3511.2**, 53260)

(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

Note: Pursuant to Government Code 53243-53243.4, as added by AB 1344 (Ch. 692, Statutes of 2011), effective January 1, 2012, any management employee contract to be executed or renewed by the Board must contain a provision requiring the employee to fully reimburse the district in circumstances specified below.

In addition, all employment contracts shall include a provision that, if the employee is convicted of a crime involving an abuse of his/her office or position, he/she shall fully reimburse the district for payments he/she receives as paid leave salary pending investigation or as cash settlement upon his/her termination and for any funds expended by the district in his/her criminal legal defense. (Government Code 53243-53243.4, 53260)

Legal Reference: (see next page)

CONTRACTS (continued)

Legal Reference:

EDUCATION CODE

35030 Title of deputy, associate or assistant superintendent for certain positions

35031 Term of employment

44842 Automatic declining of employment

44843 Notice of employment to county superintendent

44929.20 Continuing contract

44951 Continuation in position unless notified

GOVERNMENT CODE

3511.1-3511.2 Local agency executives

53260-53264 Employment contracts

54953 Oral summary of recommended salary and benefits of district executive

54954 Time and place of regular meetings

54956 Brown Act - Open meeting laws; special meetings

54957 Closed session, personnel matters

ATTORNEY GENERAL OPINIONS

57 Ops.Cal.Atty.Gen. 209 (1974)

Management Resources:

CSBA PUBLICATIONS

~~Maximizing School Board Governance: The Board's Relationship to District Staff, 2007~~

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

WEB SITES

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

Association of California School Administrators: <http://www.acsa.org>

California Office of the Attorney General: <https://oag.ca.gov>

(7/07 3/12) 5/17

Policy Reference UPDATE Service

Copyright 2017 by California School Boards Association, West Sacramento, California 95691

All rights reserved.

NONDISCRIMINATION/HARASSMENT

Note: The following **mandated** administrative regulation provides measures that may be implemented by a district to comply with state and federal laws and regulations prohibiting, at school or in school-sponsored or school-related activities, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, of any student based on his/her actual or perceived race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression, or any other legally protected category or association with a person or group with one or more of these actual or perceived characteristics. Federal and state law also prohibit retaliation against those who engage in activity to protect civil rights.

5 CCR 4621 **mandates** the district to identify in its policies and procedures the person(s), position(s), or unit(s) responsible for ensuring compliance with applicable state and federal laws and regulations governing educational programs, including the receiving and investigating of complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying. In addition, 34 CFR 106.8 and other federal regulations **mandate** districts that receive federal financial assistance to adopt procedures for the "prompt and equitable" resolution of student and employee discrimination complaints, including the designation of one or more responsible employees to ensure district compliance with federal laws and regulations governing the district's educational programs.

During the Federal Program Monitoring process, California Department of Education (CDE) staff will check to ensure that the district's procedures list the specific title(s) of the employee(s) responsible for investigating complaints. The U.S. Department of Education's **(USDOE)** Office for Civil Rights (OCR) is the agency responsible for the administrative enforcement of federal antidiscrimination laws and regulations in programs and activities that receive federal financial assistance from the department. In reviewing a district's discrimination policies and procedures, OCR will examine whether the district has identified the employee(s) responsible for coordinating compliance with federal civil rights laws, including the investigation of complaints.

The following paragraphs identify the employee(s) designated to coordinate the district's efforts to comply with state and federal civil rights laws (e.g. Title IX and Section 504 coordinators), including the investigation and resolution of discrimination complaints under AR 1312.3 - Uniform Complaint Procedures. Note also that a district may designate more than one employee to coordinate compliance and/or receive and investigate complaints, although each employee designated as a coordinator/compliance officer must be properly trained.

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status,

NONDISCRIMINATION/HARASSMENT (continued)

pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Superintendent
445 Montezuma Street
Rio Vista, CA 94571
(707) 374-1700
superintendent@rdusd.org

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.3 - Uniform Complaint Procedures)

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

Note: As part of its responsibility to monitor district compliance with legal requirements concerning discrimination pursuant to Education Code 234.1, CDE is required to ensure that the district posts its nondiscrimination policies in all schools, offices, staff lounges, and student government meeting rooms. **In addition,** federal regulations enforced by OCR require the district to notify students, parents/guardians, and employees of its policies prohibiting discrimination on the basis of sex (34 CFR 106.8), disability (34 CFR 104.7 and 28 CFR 35.107), and age (34 CFR 110.25) and of related complaint procedures. **In its April 2015 Dear Colleague Letter: Title IX Coordinators,** OCR recommends that districts publicize their nondiscrimination notices and the full contact information for their compliance officer(s) by posting them at prominent locations on school web sites and making them available through social media.

Item #1 below may be revised to specify the means by which the district publicizes its nondiscrimination policies and complaint procedures.

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public, **by** posting them on the district's web site and other prominent locations and providing easy access to them through district-supported social media, when available.

Note: Education Code 221.61, as added by SB 1375 (Ch. 655, Statutes of 2016), requires districts and public schools to post on their web sites information related to Title IX (20 USC 1681-1688). A

NONDISCRIMINATION/HARASSMENT (continued)

comprehensive list of rights based on the federal regulations implementing Title IX can be found in Education Code 221.8. A district that does not maintain a web site may comply by posting the information below on the web site of its county office of education. A school without a web site may comply by posting the information on the web site of the district or county office of education.

- 2. Post in a prominent and conspicuous location on the district and school web sites information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.61)**
 - a. The name and contact information of the district's Title IX coordinator, including the phone number and email address**
 - b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)**
 - c. A description of how to file a complaint of noncompliance with Title IX in accordance with AR 1312.3 - Uniform Complaint Procedures, which shall include:**
 - (1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations**
 - (2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site**
 - (3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office**

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

- 2.3. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)**

NONDISCRIMINATION/HARASSMENT (continued)

Note: In its October 2010 Dear Colleague Letter: Harassment and Bullying, OCR identifies training of the school community as one of the key measures for minimizing discriminatory and harassing behavior in school. See also CSBA's policy brief Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students. Item #~~3~~**4** below may be modified to reflect district practice.

- 3.4.** Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

Note: Both federal and state laws contain requirements for translation of certain information and documents. Title VI of the Civil Rights Act of 1964 requires school districts to ensure meaningful access to their programs and activities by persons with limited English proficiency. OCR has interpreted this to require that, whenever information is provided to parents/guardians, districts must notify limited-English-proficient (LEP) parents/guardians in a language other than English in order to be adequate. OCR enforces this requirement consistent with the Department of Justice's 2002 Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. Under the Guidance, a recipient of federal funds has an obligation to provide language assistance to LEP individuals based on balancing four factors: (1) the number or proportion of LEP individuals likely to encounter the program, (2) the frequency with which LEP individuals come in contact with the program, (3) the nature and importance of the services provided by the program, and (4) the resources available to the recipient. State law is more specific than federal law: Education Code 48985 requires translation of certain information and documents if 15 percent or more of students enrolled in the school speak a single primary language other than English.

- 4.5.** The Superintendent or designee shall ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

NONDISCRIMINATION/HARASSMENT (continued)

- 5.6.** Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: Item #6.7 below is required pursuant to Education Code 234.1 and recommended as a best practice by OCR.

- 6.7.** At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

Note: Item #7.8 below may be revised to reflect district practice. In some situations, the district may need to provide assistance to a student to protect him/her from harassment or bullying. Each situation will need to be analyzed to determine the most appropriate course of action to meet the needs of the student, based on the circumstances involved.

- 7.8.** At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students' privacy rights and ensure their safety from threatened or potentially discriminatory behavior.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond

NONDISCRIMINATION/HARASSMENT (continued)

3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to students, parents/guardians, and the community

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

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

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Process for Initiating and Responding to Complaints

Note: Education Code 234.1 requires that districts adopt a process for receiving and investigating complaints of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying. Such a process, which is required to be consistent with the uniform complaint procedures specified in 5 CCR 4600-4687, must include (1) a requirement that school personnel who witness an act take immediate steps to intervene when safe to do so, (2) a timeline for investigating and resolving complaints, (3) an appeal process, and (4) translation of forms when required by Education Code 48985. In addition, federal regulations require districts to adopt procedures providing for the prompt and equitable resolution of complaints of discrimination on the basis of sex (34 CFR 106.8), disability (34 CFR 104.7 and 28 CFR 35.107), and age (34 CFR 110.25). OCR guidance on federal civil rights requirements notes that districts may have a responsibility to respond to notice of discrimination whether or not a formal complaint is filed. In addition, in its April 2011 [Dear Colleague Letter: Sexual Violence](#), OCR cautions that districts may have an obligation to respond to notice of sexual harassment of students which occurs off school grounds or outside school-sponsored or school-related programs or activities, since the sexual harassment may still create a hostile environment at school. This principle would also apply to harassment on other bases, such as race, gender, or disability.

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

NONDISCRIMINATION/HARASSMENT (continued)

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

Note: Though a formal complaint must be in writing pursuant to 5 CCR 4600, the district's obligation to provide a safe school environment for its students overrides the need to comply with formalities. Thus, once the district receives notice of an incident, whether verbally or in writing, it is good practice to begin the investigation of the report and to take steps to stop any prohibited conduct and address any effect on students. The following paragraph reflects such practice and is consistent with OCR recommendation.

When a verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, he/she shall make a note of the report and encourage the student or parent/guardian to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Once notified verbally or in writing, the principal or compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Transgender and Gender-Nonconforming Students

Note: The following section may be modified to reflect district practice. Pursuant to Education Code 221.5, a district is required to permit a student to use facilities and participate in sex-segregated school programs and activities consistent with the student's gender identity, regardless of the gender listed on his/her educational records. ~~The following guidelines are designed to implement Education Code 221.5, other existing state and federal laws that prohibit discrimination, and regulatory agency guidance such as the May 2016 Dear Colleague Letter: Transgender Students jointly issued by the Civil Rights Division of the U.S. Department of Justice (DOJ) and OCR. According to the jointly issued Dear Colleague Letter, a school's Title IX obligation to ensure nondiscrimination on the basis of sex requires it to provide transgender students equal access to educational programs and activities, even in circumstances in which other students,~~

NONDISCRIMINATION/HARASSMENT (continued)

parents/guardians, or community members raise objections or concerns. **Because Education Code 221.5 affords transgender students these rights, districts in California are not impacted by the February 22, 2017 action of the USDOE and U.S. Department of Justice to rescind earlier federal guidance which had indicated that, under Title IX, students must be allowed to use sex-segregated facilities in accordance with their gender identity. In implementing state law, districts may review recommended practices in** In addition, in May 2016, the U.S. Department of Education's **USDOE's Office of Elementary and Secondary Education's published Examples of Policies and Emerging Practices for Supporting Transgender Students.** as a resource to complement the jointly issued Dear Colleague Letter. Though OCR's enforcement of the May 2016 Dear Colleague Letter has been enjoined by a federal court, many of the recommended practices have already been adopted by California school districts to reflect state law protecting the rights of transgender students. The guidelines address certain issues and circumstances that may arise in relation to the needs of transgender and gender nonconforming students, and are by no means exhaustive. Consequently, each instance or situation should be addressed based on its particular circumstances to ensure that the safety, privacy, and other concerns of all students involved are appropriately addressed. For more information on the rights of transgender students, see CSBA's policy brief Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students and its Final Guidance Regarding Transgender Students, Privacy, and Facilities Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination.

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense of his/her gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity is different from the gender he/she was assigned at birth.

Regardless of whether they are sexual in nature, acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment are prohibited. Examples of **the** types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity

NONDISCRIMINATION/HARASSMENT (continued)

2. Disciplining or disparaging a student or excluding him/her from participating in activities for behavior or appearance that is consistent with his/her gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the bathroom that corresponds to his/her gender identity
4. Taunting a student because he/she participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

Note: Timelines included in items #1-2 below may be modified to reflect district practice.

1. **Right to privacy:** A student's transgender or gender-nonconforming status is his/her private information and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential.

NONDISCRIMINATION/HARASSMENT (continued)

When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this **procedure-administrative regulation**, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to his/her status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Note: In the May 2016 Dear Colleague Letter, DOJ and OCR noted that there is no medical diagnosis or treatment requirement that students must meet as a prerequisite to being treated consistent with their gender identity.

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of his/her gender identity and begin to treat the student consistent with his/her gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.
3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify and develop strategies for ensuring that the student's access to education programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action could be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a

NONDISCRIMINATION/HARASSMENT (continued)

- support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.
4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with his/her gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

Note: 5 CCR 432 requires the legal name, sex, date of birth, etc., of a student to be maintained as part of the student's "mandatory permanent student records" but does not prohibit keeping of other records, such as a student's preferred name, as part of the student's "permitted student records."

5. **Student Records:** A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed pursuant to a court order. However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents. Such preferred name may be added to the student's record and official documents as permitted by law.

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

NONDISCRIMINATION/HARASSMENT (continued)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns ~~shall~~ **will, in general,** not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress Code)

(10/14 9/16) 5/17

SCIENCE INSTRUCTION

Note: The following optional policy may be revised to reflect district practice and the grade levels served by the district.

Education Code 51210 and 51220 require that science instruction, including biological and physical aspects of science, be included in the course of study offered in grades 1-12. For grades 1-6, the course of study must include an emphasis on experimental inquiry and the place of humans in ecological systems. In grades 7-12, the course of study must include an emphasis on basic concepts, theories, and processes of scientific investigation; the place of humans in ecological systems; and appropriate applications of the interrelation and interdependence of the sciences. See AR 6143 - Courses of Study.

In addition, Education Code 51225.3 requires completion of two courses in science, including biological and physical sciences, to meet high school graduation requirements. See BP 6146.1 - High School Graduation Requirements.

Many districts integrate science, technology, engineering, and mathematics instruction (STEM), and sometimes art instruction (STEAM), to teach processes and concepts applied to real-world contexts. Further information about this interdisciplinary approach is available on the web sites of the California Department of Education (CDE) and U.S. Department of Education.

The Governing Board believes that science education should focus on giving students an understanding of the biological and physical aspects of science, of key scientific concepts, and a capacity for methods of scientific inquiry and investigation ways of thinking. Students should become familiar with the natural world and the interrelationship of science, mathematics, and technology, and engineering. As part of their science instruction, students should learn how to apply scientific knowledge and reasoning ways of thinking for individual and social purposes.

(cf. 0440 - District Technology Plan)

(cf. 5145.8 - Refusal to Harm or Destroy Animals)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

Philosophical and religious theories that are based, at least in part, on faith and are not subject to scientific test and refutation shall not be discussed during science instruction.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

Note: The State Board of Education (SBE) adopted the California Next Generation Science Standards (CA-NGSS) in 2013 and the Science Framework for Public Schools in 2016. Under the CA-NGSS, the focus of instruction shifts from knowing science facts to knowing and applying science concepts. The SBE's NGSS Systems Implementation Plan for California requires the CA-NGSS to be fully implemented, including updated instructional materials and science assessments, by the 2018-19 school year.

SCIENCE INSTRUCTION (continued)

The district's academic standards for science instruction shall meet or exceed the California Next Generation Science Standards (CA-NGSS). The Superintendent or designee shall ensure that curricula used in district schools are aligned with these standards and the state curriculum framework.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

Note: The following optional paragraph may be revised to reflect district practice. Education Code 52060 requires that the district's local control and accountability plan include goals related to, among other things, student achievement (including student enrollment in a broad course of study) and the implementation of SBE-adopted academic content and performance standards.

The Superintendent or designee shall ensure that students have access to and are enrolled in a broad course of study including science courses.

(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee shall provide certificated staff with opportunities to participate in professional development activities designed to enhance their knowledge of district-adopted academic standards, instructional strategies for teaching science, and changes in scientific theories.

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

Note: The following paragraphs are consistent with the State Board of Education's 1989 policy statement on the teaching of natural sciences.

~~As a matter of principle, science teachers are professionally bound to limit their teaching to content that meets the criteria of scientific fact, hypothesis and theory as these terms are used in natural sciences. A scientific fact is an understanding based on confirmable observations and is subject to test and rejection. A scientific hypothesis is an attempt to frame a question as a testable proposition. A scientific theory organizes and explains a range of natural phenomena on the basis of facts and hypotheses. Scientific theories are constantly subject to testing, modification and refutation as new evidence and new ideas emerge.~~

~~Philosophical and religious theories are based, at least in part, on faith and are not subject to scientific test and refutation. Such beliefs shall not be discussed in science classes, but may be addressed in the social science and language arts curricula.~~

~~*(cf. 6141.2 - Recognition of Religious Beliefs and Customs)*~~

~~*(cf. 6142.91 - Reading/Language Arts Instruction)*~~

SCIENCE INSTRUCTION (continued)

Note: The following paragraph is for use by districts that offer science laboratory classes and may be modified to reflect district practice. For further information about safety practices in school science laboratories, see the CDE's comprehensive Science Safety Handbook for California Public Schools.

Pursuant to 8 CCR 5191, whenever a school laboratory uses hazardous chemicals, it is required to have a written chemical hygiene plan to protect employees. See BP/AR 3514.1 - Hazardous Substances. In addition, Education Code 49340-49341 encourage educational efforts to increase student and staff awareness dealing with hazardous materials in school laboratories in order to minimize injuries, loss of property, and classroom disruptions.

The Superintendent or designee shall develop and implement appropriate safety measures for science laboratory classes, including, but not limited to, staff and student safety training, use of eye safety devices, hearing protection, first aid procedures, regular equipment maintenance, safe use of heat sources, safe use and disposal of hazardous chemicals, proper ventilation, prevention of exposure to bloodborne pathogens from sharp instruments, fire prevention and control, an emergency response plan, and evacuation procedures. Parents/guardians shall be informed of the types of science laboratory activities that will be conducted and encouraged to sign consent forms for their child's participation.

(cf. 3514.1 - Hazardous Substances)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4157/4257/4357- Employee Safety)

(cf. 5142 - Safety)

Note: The following optional paragraph should be revised to reflect measures that will be used to evaluate program effectiveness as agreed upon by the Board and Superintendent or designee.

Pursuant to Education Code 60640, the California Assessment of Student Performance and Progress includes administration of science assessments at grades 5, 8, and 10. The California Standards Tests are to be used for this purpose until a science assessment that is aligned with the CA-NGSS is adopted. Students with disabilities who are unable to participate in the science assessments, even with allowable testing variations and resources, must be administered either the California Modified Assessment or California Alternate Performance Assessment in accordance with their individualized education program. See AR 6162.51 - State Academic Achievement Tests.

The Superintendent or designee shall regularly report to the Board regarding the implementation and effectiveness of the science curriculum at each grade level. At a minimum, each report shall address the extent to which the program is aligned with the CA-NGSS, any applicable student assessment results, and feedback from students, parents/guardians, and staff regarding the program.

(cf. 0500 - Accountability)

(cf. 6162.51 - State Academic Achievement Tests)

SCIENCE INSTRUCTION (continued)

Legal Reference:

EDUCATION CODE

8774 Residential outdoor science program

32030-32034 Eye safety

32255-32255.6 Student's right to refrain from harmful or destructive use of animals

33475-33475.5 Model curriculum on stem cell science

49340-49341 Hazardous substances education

51210 Areas of study, grades 1 through 6

51210.3 Elementary science coach

51220 Areas of study, grades 7 through 12

51225.3 High school graduation

52060-52077 Local control and accountability plan

60640-60649 California Assessment of Student Performance and Progress

CODE OF REGULATION, TITLE 5

14030 Science laboratories, design specifications

CODE OF REGULATIONS, TITLE 8

5191 Occupational exposure to hazardous chemicals in laboratories; chemical hygiene plan

Management Resources:

CSBA PUBLICATIONS

Supporting Implementation of the California Next Generation Science Standards (CA-NGSS),

Governance Brief, November 2016

~~CDE~~ CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Science Framework for California Public Schools: Kindergarten Through Grade Twelve, 1990 2016

Next Generation Science Standards Systems Implementation Plan for California, 2014

California Next Generation Science Standards, 2013

Science Safety Handbook for California Public Schools, 2012

SBE POLICIES

Policy Statement on the Teaching of Natural Sciences, January 13, 1989

WEB SITES

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

California Alliance for Next Generation Science Standards: <http://cdefoundation.org/stem/ca4ngss>

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

California Science Teachers Association: <http://www.cascience.org>

U.S. Department of Education, STEM Education: <http://www.ed.gov/stem>

EXTRACURRICULAR AND COCURRICULAR ACTIVITIES

Note: Pursuant to Education Code 35160.5, districts maintaining grades 7-12 are mandated to adopt policy establishing eligibility requirements for student participation in extracurricular activities. See section on "Eligibility Requirements" below.

The Governing Board recognizes that extracurricular and cocurricular activities enrich the educational and social development of students and enhance students' feelings of connectedness with the schools. The district shall encourage and support student participation in extracurricular and cocurricular activities without compromising the integrity and purpose of the educational program.

- (cf. 1330 - Use of School Facilities)*
- (cf. 5137 - Positive School Climate)*
- (cf. 6145.2 - Athletic Competition)*
- (cf. 5148.2 - Before/After School Programs)*

Note: Pursuant to various provisions of state and federal law (e.g., Education Code 220; Government Code 11135; 20 USC 1681-1688; 42 USC 2000d-2000d-7 and 12101-12213; 29 USC 794), discrimination in education programs and activities is unlawful when it is based on certain actual or perceived characteristics of an individual. See BP 0410 - Nondiscrimination in District Programs and Activities.

Prerequisites for student participation in extracurricular and cocurricular activities shall be limited to those that have been demonstrated to be essential to the success of the activity. No extracurricular or cocurricular program or activity shall be provided or conducted separately on the basis of any actual or perceived characteristic listed as a prohibited category of discrimination in state or federal law, nor shall any student's participation in an extracurricular or cocurricular activity be required or refused on those bases. ~~Prerequisites for student participation in extracurricular and cocurricular activities shall be limited to those that have been demonstrated to be essential to the success of the activity.~~ (5 CCR 4925)

- (cf. 0410 - Nondiscrimination in District Programs and Activities)*
- (cf. 5145.3 - Nondiscrimination/Harassment)*
- (cf. 5145.7 - Sexual Harassment)*
- (cf. 6145.5 - Student Organizations and Equal Access)*

Any complaint alleging unlawful discrimination in the district's extracurricular or cocurricular programs or activities shall be filed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures.

- (cf. 1312.3 - Uniform Complaint Procedures)*

EXTRACURRICULAR AND COCURRICULAR ACTIVITIES (continued)

Note: ~~The courts have interpreted California's constitutional "free school" guarantee, as specified in Article 9, Section 5, to extend to all activities which constitute an integral part of a student's education, including extracurricular activities. Pursuant to 5 CCR 350, constitutionally permissible fees may be charged only when specifically authorized by law, and any other fees charged for "educational activities" would be unconstitutional. However, the line between "educational activities" (no fees) and "recreational activities" (fees permissible) is not always clear. In *Hartzell v. Connell*, the California Supreme Court held that "educational activities" include extracurricular activities, drama productions, vocal music groups, instrumental groups, and cheerleading. Examples of "recreational activities" include attendance at weekend dances or athletic events. It is important to note that the Court in *Hartzell* determined that a district policy allowing for waivers of the fee based on financial need or inability to pay does not render the fee constitutional. Pursuant to Education Code 49011, a district is prohibited from requiring students to pay a fee, deposit, or other charge in order to participate in an educational activity. As defined by Education Code 49010, "educational activity" includes curricular and extracurricular activities. A district is also required to provide the supplies, materials, and equipment needed by students to participate in educational activities. Education Code 49011 clarifies that an otherwise impermissible fee would not be made permissible by the provision of a waiver for some students. For further information, see BP/AR 3260 - Fees and Charges and CSBA's advisory *Student Fees Litigation Update*. Districts are advised to seek legal counsel before charging fees for any activity which may be construed as related to the educational program.~~

Unless specifically authorized by law, no ~~fee shall be charged to students~~ **student shall be charged a fee** for **his/her** participation in **educational activities, including** extracurricular and cocurricular activities ~~related to the educational program, including and~~ materials or equipment related to ~~the activity~~ **such activities. (Education Code 49010, 49011)**

(cf. 3260 - Fees and Charges)

(cf. 3452 - Student Activity Funds)

Eligibility Requirements

Note: If the district maintains any of grades 7-12, Education Code 35160.5 **mandates** the Governing Board to adopt policy establishing eligibility requirements for student participation in extracurricular and cocurricular activities ~~in grades 7-12~~. Pursuant to Education Code 35160.5, students must demonstrate "satisfactory educational progress," as provided in items #1-2 below, but districts may adopt stricter academic eligibility criteria provided such action is taken at a public meeting in accordance with Education Code 35145. Districts that have adopted stricter criteria should modify the following ~~paragraph list~~ accordingly.

For interscholastic athletic programs governed by the California Interscholastic Federation (CIF), student athletes are subject to additional eligibility criteria specified in CIF bylaws, including criteria related to age, grade, attendance, scholastic achievement, residence, transfers, and discipline. See BP 6145.2 - Athletic Competition.

To be eligible to participate in extracurricular and cocurricular activities, students in grades 7-12 must demonstrate satisfactory educational progress in the previous grading period, including, but not limited to: (Education Code 35160.5)

EXTRACURRICULAR AND COCURRICULAR ACTIVITIES (continued)

1. Maintenance of a minimum of 2.0 grade point average on a 4.0 scale in all enrolled classes
2. Maintenance of minimum progress toward meeting high school graduation requirements

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

The Superintendent or designee may grant ineligible students a probationary period not to exceed one semester. Students granted probationary eligibility must meet the required standards by the end of the probationary period in order to remain eligible for participation. (Education Code 35160.5)

Note: Education Code 48850 specifies that **a homeless student, or a foster youth whose** ~~residence of a student in foster care~~ ~~changes pursuant to a court order or decision of a child welfare worker, the student~~ shall be immediately deemed to meet all residency requirements for participation in extracurricular activities, **including, but not limited to, and** interscholastic sports. See **AR 6173 - Education for Homeless Children and** AR 6173.1 - Education for Foster Youth.

In addition, Education Code 49700-49701 establish a uniform means of assisting children of active duty military families transferred from one state to another, by reducing or eliminating the barriers to their educational success caused by the frequent moves and deployments of their parents/guardians. Among other things, Education Code 49701 requires flexibility of districts' local rules to facilitate eligibility for extracurricular activities. See BP/AR 6173.2 - Education of Children of Military Families.

Any decision regarding the eligibility of **any homeless student, foster youth, child in foster care** or a child of an active duty military family for extracurricular or cocurricular activities shall be made by the Superintendent or designee in accordance with Education Code 48850 and 49701.

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

The Superintendent or designee may revoke a student's eligibility for participation in extracurricular and cocurricular activities when the student's poor citizenship is serious enough to warrant loss of this privilege.

Student Conduct at Extracurricular/Cocurricular Events

Note: The following paragraph is **optional**. Pursuant to Education Code 35181, the Board has authority to set expectations and/or rules for student attendance, academic performance, in-school behavior, and any other aspect of school life that it deems relevant to maintaining order in district schools.

EXTRACURRICULAR AND COCURRICULAR ACTIVITIES (continued)

When attending or participating in extracurricular and cocurricular activities on or off campus, district students are subject to district policies and regulations relating to student conduct. Students who violate district policies and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or cocurricular activities in accordance with Board policy and administrative regulation. When appropriate, the Superintendent or designee shall notify local law enforcement.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Annual Policy Review

Note: Education Code 35160.5 requires annual review of this policy, as it relates to the participation of students in grades 7-12 in extracurricular and cocurricular activities. The following paragraph is optional for districts without any of grades 7-12.

The Board shall annually review this policy and implementing regulations. **(Education Code 35160.5)**

Legal Reference: (see next page)

EXTRACURRICULAR AND COCURRICULAR ACTIVITIES (continued)*Legal Reference:*EDUCATION CODE

35145 Public meetings

35160.5 District policy rules and regulations; requirements; matters subject to regulation

35179 Interscholastic athletics; associations or consortia

35181 Students' responsibilities

48850 Participation of **homeless students and** foster youth in extracurricular activities and interscholastic sports

48930-48938 Student organizations

49010-49013 Student fees

49024 Activity Supervisor Clearance Certificate

49700-49704 Education of children of military families

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

5531 Supervision of extracurricular activities of pupils

UNITED STATES CODE, TITLE 42

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

COURT DECISIONSHartzell v. Connell, (1984) 35 Cal. 3d 899*Management Resources:*CSBA PUBLICATIONSStudent Fees Litigation Update, ELA Advisory, May 20, 2011CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONSPupil Fees, Deposits, ~~or~~ and Other Charges, Fiscal Management Advisory ~~11-01, November 9, 2011~~ 12-02, April 24, 2013CALIFORNIA TASK FORCE REPORT TO THE LEGISLATURECompact on Educational Opportunity for Military Children: Preliminary Final Report, March 2009COMMISSION ON TEACHER CREDENTIALING ~~CODED CORRESPONDENCE~~ PUBLICATIONS~~10-11~~ Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), **Coded Correspondence 10-11**, July 20, 2010WEB SITESCSBA: <http://www.csba.org>California Association of Directors of Activities: <http://www.cadal.org>California Department of Education: <http://www.cde.ca.gov>**California Interscholastic Federation: <http://www.cifstate.org>**Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

(11/09 3/12) 5/17

Policy Reference UPDATE Service

Copyright 2017 by California School Boards Association, West Sacramento, California 95691

All rights reserved.

ATHLETIC COMPETITION

Note: Pursuant to Education Code 35179, the Governing Board has control of and responsibility for all aspects of district interscholastic athletic policies, programs, and activities.

Pursuant to Education Code 51242, the Board may exempt any high school student engaged in a school-sponsored interscholastic athletic program after regular school hours from the requirement to attend physical education courses; see BP 6142.7 - Physical Education and Activity.

The Governing Board recognizes that the district's athletic program constitutes an integral component of the educational program and helps to build a positive school climate. The athletic program also promotes the physical, social, and emotional well-being and character development of participating students. The **district's** athletic program shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation.

- (cf. 3541.1 - Transportation for School-Related Trips)*
- (cf. 5030 - Student Wellness)*
- (cf. 5137 - Positive School Climate)*
- (cf. 6142.7 - Physical Education and Activity)*
- (cf. 7110 - Facilities Master Plan)*

All athletic teams shall be supervised by qualified coaches to ensure that student athletes receive appropriate instruction and guidance related to safety, health, sports skills, and sportsmanship. Athletic events shall be officiated by qualified personnel.

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

The Board encourages business and community support for district athletic programs, subject to applicable district policies and regulations governing advertisements and donations.

- (cf. 1260 - Educational Foundation)*
- (cf. 1321 - Solicitation of Funds from and by Students)*
- (cf. 1325 - Advertising and Promotion)*
- (cf. 1700 - Relations Between Private Industry and the Schools)*
- (cf. 3290 - Gifts, Grants and Bequests)*

Nondiscrimination and Equivalent Opportunities in the Athletic Program

Note: Pursuant to Education Code 35179, the Board is responsible for ensuring that district and interscholastic athletic policies, programs, and activities are in compliance with federal and state law. Gender equity and nondiscrimination in district and interscholastic athletic programs and activities are governed by both federal and state laws (Title IX, 20 USC 1681-1688; Education Code 200-262.4; 5 CCR 4900-4965).

ATHLETIC COMPETITION (continued)

~~See the accompanying administrative regulation for factors that the district must consider in determining whether equivalent opportunities are being provided.~~

In Mansourian v. Regents of University of California, the Ninth Circuit Court of Appeals ruled that a university receiving federal funds can be held liable for failing to effectively accommodate the athletic interests of both men and women even if the aggrieved women did not first provide the appropriate university officials with notice of their disadvantageous treatment and an opportunity to cure it. **See the accompanying administrative regulation for factors the district must consider in determining whether equivalent opportunities are being provided.**

Education Code 221.2-221.3 (the California Racial Mascot Act) declare the use of racially derogatory or discriminatory school or athletic team names, mascots, or nicknames in public schools to be contrary to an equal education and specifically prohibit public schools from using the term "Redskins" as a school or athletic team name, mascot, or nickname. The following paragraph includes an expansion of this prohibition to cover any racially derogatory or discriminatory athletic team name, mascot, or nickname and may be revised to reflect district practice. Also see BP 0410 - Nondiscrimination in District Programs and Activities.

The district's athletic program shall be free from discrimination and discriminatory practices prohibited by state and federal law, **including, but not limited to, the use of any racially derogatory or discriminatory school or athletic team name, mascot, or nickname.** The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females, **and that students are permitted to participate in athletic activities consistent with their gender identity.**

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Any complaint regarding the district's athletic program shall be filed in accordance with the district's uniform complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

California Interscholastic Federation

Note: The following **optional** section is for use by districts that maintain grades 9-12. Pursuant to Education Code 35179, the district may join an association, such as the California Interscholastic Federation (CIF), for the purpose of providing regional or statewide interscholastic athletic programs and activities **for district students.** Pursuant to Education Code 33353, CIF is responsible for **regulating secondary school athletic programs, including establishing rules for participation, under the general direction of school boards setting rules governing interscholastic athletic programs. Students who attend schools that participate in interscholastic sports are therefore subject to CIF regulations as well as applicable district rules.** SB 107 (Ch. 230, Statutes of 2011) amended Education Code 33353 to extend CIF operations until January 1, 2017.

~~The Board maintains membership~~ **Any district school that participates** in the California Interscholastic Federation (CIF) **and requires that interscholastic shall conduct its** athletic

ATHLETIC COMPETITION (continued)

activities ~~be conducted~~ in accordance with ~~Board policy, administrative regulations, and~~ CIF bylaws and rules **and any applicable district policy and regulation**. The Superintendent or designee shall have responsibility for the district's interscholastic athletic program, while the principal or designee at each participating school shall be responsible for site-level decisions, as appropriate.

Note: Pursuant to CIF rules established in accordance with Education Code 33353, the Board is required to designate an individual from each school that participates in CIF sports to serve as a representative to the local CIF league. The name and contact information of these representatives must be annually reported to the CIF. The following paragraph may be revised to reflect district practice.

~~Upon recommendation of the Superintendent, t~~The Board shall annually designate ~~an employee from each high school to serve as a~~ representative to the local CIF league **from each school that participates in CIF sports**. Appointees ~~shall represent the district in performing all duties required by the CIF league. In making this selection, the Board shall consider the employee's~~**The Superintendent or designee shall recommend a candidate for the position who demonstrates an** understanding of the district's goals for student learning and interscholastic ~~and extracurricular~~ activities, knowledge of the athletic programs, awareness of the implications of league decisions for the school and the district, and ~~individual~~ interpersonal communication and leadership skills.

The **designated representative(s) shall vote on issues that impact interscholastic athletics at the league and section levels, perform any other duties required by the CIF league, and** Superintendent or designee shall ensure that the district representatives ~~to CIF~~ report regularly to the Board on league, section, and statewide issues, ~~as well as activities and prospective actions~~ related to athletic programs.

(cf. 0500 - Accountability)

Student Eligibility

Note: The following section provides that student eligibility for participation in athletic programs shall be based on ~~applies~~ the same criteria ~~for student eligibility as~~ adopted by the Board for all other extracurricular or cocurricular activities (see BP/AR 6145 - Extracurricular and Cocurricular Activities), ~~including criteria related to academic eligibility and residency, to athletic programs~~ and may be revised to reflect district practice.

Education Code 48850 specifies that, ~~when the residence of a student in foster care~~ **a homeless student or a foster youth whose residence** changes pursuant to a court order or decision of a child welfare worker, ~~the student~~ shall be deemed to meet all residency requirements for participation in extracurricular activities and interscholastic sports; see **AR 6173 - Education for Homeless Children and** ~~BP/AR 6173.1 - Education for Foster Youth.~~

ATHLETIC COMPETITION (continued)

In addition, Education Code 49700-49701 establish a uniform means of assisting children of active duty military families transferred from one state to another, by reducing or eliminating the barriers to their educational success caused by the frequent moves and deployments of their parents/guardians; see BP/AR 6173.2 - Education of Children of Military Families. Among other things, Education Code 49701 requires flexibility of districts' local rules to facilitate eligibility for extracurricular activities of children of military personnel.

Eligibility requirements for **student** participation in the district's interscholastic athletic program, including requirements pertaining to academic achievement **and residency**, shall be the same as those set by the district for participation in extracurricular and cocurricular activities.

(cf. 3530 - Risk Management/Insurance)
 (cf. 5111.1 - District Residency)
 (cf. 5121 - Grades/Evaluation of Student Achievement)
 (cf. 6145 - Extracurricular and Cocurricular Activities)
 (cf. 6146.1 - High School Graduation Requirements)
~~(cf. 6162.52 - High School Exit Examination)~~
(cf. 6173 - Education for Homeless Children)
 (cf. 6173.1 - Education for Foster Youth)
 (cf. 6173.2 - Education of Children of Military Families)

Note: The following **optional** paragraph is for use by districts that participate in CIF. CIF bylaws specify eligibility criteria for participating student athletes, including criteria related to age, grade, attendance, scholastic achievement, residence, transfers, and discipline. In addition, in accordance with CIF bylaws, students in home schooling or home study/independent study programs are not eligible for CIF interscholastic competition unless they are enrolled in a program under the jurisdiction of a CIF member school district (i.e., a program in which the district approves the curriculum, administers the program, and evaluates the student).

In addition, the Superintendent or designee shall ensure that students participating in interscholastic athletics governed by CIF satisfy CIF eligibility requirements.

Note: ~~The California Supreme Court in *Hartzell v. Connell* rendered the assessment of fees for extracurricular activities illegal. CSBA's advisory entitled "Student Fees Litigation Update" clarifies that districts must provide, free of charge, all the required supplies which are necessary to fulfill the district's educational program or extracurricular activity. Thus, the district **Education Code 49010-49011 and the California Department of Education's (CDE) Fiscal Management Advisory 12-02, Pupil Fees, Deposits, and Other Charges**, clarify that districts may not charge a fee for student participation in extracurricular activities, regardless of whether the activity is elective. Such prohibited fees ~~the athletic program~~, including, but are not limited to, the cost of uniforms, locks, lockers, and equipment.~~

However, **pursuant to Education Code 32220-32224**, the district may charge a fee for **required medical and accident insurance for athletic team members that is not paid for with school district or student body funds**, as long as costs for insurance are covered for those determined to be financially unable to pay; see the accompanying administrative regulation and AR 5143 - Insurance. **The district may also charge a fee for** other students to attend athletic events as spectators since such attendance is not directly related to the educational program. Districts are advised to seek legal counsel before charging **a fee** for any activity which may be construed as related to the educational program.

ATHLETIC COMPETITION (continued)

Students shall not be charged a fee to participate in an athletic program, **including, but not limited to, a fee to cover the cost of uniforms, locks, lockers, or athletic equipment.**

(cf. 3260 - Fees and Charges)

(cf. 5143 - Insurance)

Sportsmanship

Note: CIF has adopted a set of principles entitled Pursuing Victory with Honor to **guide participants in interscholastic athletic competitions provide the tools for teaching character development to student athletes.** Districts that are not affiliated with CIF may delete or modify the following **optional** section to reflect district practice.

The Board values the quality and integrity of the athletic program and the character development of student athletes. Student athletes, coaches, parents/guardians, spectators, and others are expected to demonstrate good sportsmanship, ethical conduct, and fair play during all athletic competitions. They shall also abide by the core principles of trustworthiness, respect, responsibility, fairness, caring, and good citizenship, and the Codes of **Ethics Conduct** adopted by CIF.

Students and staff **may shall** be subject to disciplinary action for improper conduct.

(cf. 3515.2 - Disruptions)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.4 - Student Disturbances)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

Health and Safety

The Board desires to give student health and safety the highest consideration in planning and conducting athletic activities.

Note: CIF requires students in grades 9-12 to undergo medical examinations before participating in interscholastic competition; see BP 5141.3 - Health Examinations. Pursuant to Education Code 49458, any examination required for participation in an interscholastic athletic program may be conducted by a physician or physician assistant.

Students shall have a medical clearance before participating in interscholastic athletic programs. Care shall be taken to ensure that all athletic trainings and competitions are conducted in a manner that will not overtax the physical capabilities of the participants. When appropriate, protective equipment shall be used to prevent or minimize injuries.

ATHLETIC COMPETITION (continued)

(cf. 5131.61 - Drug Testing)

(cf. 5131.63 - Steroids)

(cf. 5141.3 - Health Examinations)

(cf. 5141.6 - School Health Services)

(cf. 5141.7 - Sun Safety)

(cf. 5143 - Insurance)

Coaches and appropriate district employees shall take every possible precaution to ensure that athletic equipment is kept in safe and serviceable condition. The Superintendent or designee shall ensure that all athletic equipment is cleaned and inspected for safety before the beginning of each school year.

(cf. 5142 - Safety)

Note: CIF bylaws specify procedures to follow in order to prevent the spread of communicable diseases when handling student injuries, including the use of universal precautions.

In addition, Education Code 49475, as added by AB 25 (Ch. 456, Statutes of 2011), requires that an athlete a student at any grade level who is suspected of sustaining a concussion be immediately removed from the athletic activity and not returned until a health care provider provides written clearance. Education Code 33479.5, as added by AB 1639 (Ch. 792, Statutes of 2016), and CIF bylaws require that a student athlete who passes out or faints, or is known to have passed out or fainted, while participating in or immediately following an athletic activity be removed from participation and not be allowed to return until he/she has been evaluated and given written clearance to return to participation by a health care provider. See the accompanying administrative regulation.

Education Code 33479.5 and 49475 specify that these requirements do not apply during an athletic activity occurring within the regular school day or in physical education class unless it constitutes a practice, interscholastic practice, or scrimmage. However, to promote student safety, it is recommended that district staff remove a student from an athletic activity at any time of day if he/she exhibits the symptoms of a concussion or sudden cardiac arrest.

In the event that of an injury occurs or a perceived imminent risk to a student's health, such as a concussion or passing out, fainting, or other sign of sudden cardiac arrest, during or immediately after an athletic activity, the coach or any other appropriate district employee who is present shall observe universal precautions and shall remove the student athlete from the activity, and observe universal precautions in handling blood or other bodily fluid, and/or seek medical treatment for the student as appropriate.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.22 - Infectious Diseases)

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

ATHLETIC COMPETITION (continued)

Whenever an injury is suffered by a student, the Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury suffered by the student and any actions taken to treat the student.

*Legal Reference:*EDUCATION CODE

200-262.4 Prohibition of discrimination

17578 Cleaning and sterilizing of football equipment

17580-17581 Football equipment

32220-32224 Insurance for athletic teams, especially:

32221.5 Required insurance for athletic activities

33353-33353.5 California Interscholastic Federation; implementation of policies, insurance program

33354 California Department of Education authority over interscholastic athletics

33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act

35160.5 District policies; rules and regulations

35179 Interscholastic athletics

35179.1 California High School Coaching Education and Training Program

35179.5 Interscholastic athletics; limitation on full-contact practices

48850 Interscholastic athletics; students in foster care **and homeless students**

48900 Grounds for suspension and expulsion

48930-48938 Student organizations

49010-49013 Student fees

49020-49023 Athletic programs; legislative intent, equal opportunity

49030-49034 Performance-enhancing substances

49458 Health examinations, interscholastic athletic program

49475 Health and safety, concussions and head injuries

49700-49701 Education of children of military families

51242 Exemption from physical education for high school students in interscholastic athletic program

PENAL CODE

245.6 Hazing

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs, especially:

4920-4922 Nondiscrimination in intramural, interscholastic, and club activities

5531 Supervision of extracurricular activities of students

5590-5596 Employment of noncertificated coaches

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

CODE OF FEDERAL REGULATIONS, TITLE 34

106.31 Nondiscrimination on the basis of sex in education programs or activities

106.33 Comparable facilities

106.41 Nondiscrimination in athletic programs

COURT DECISIONSMansourian v. Regents of University of California, (2010) ~~594 F. 3d 1095~~ **602 F. 3d 957**McCormick v. School District of Mamaroneck, (2004) 370 F.3d 275Kahn v. East Side Union High School District, (~~2004~~ **2003**) 31 Cal. 4th 990Hartzell v. Connell, (1984) 35 Cal. 3d 899*Management Resources: (see next page)*

ATHLETIC COMPETITION (continued)

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination, March 2017

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities and Facilities, March 2014

Student Fees Litigation Update, Education Legal Alliance Advisory, May 20, 2011

A School Board Member's Guide to CIF and Interscholastic Sports, 1997

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

California Interscholastic Federation Constitution and Bylaws

A Guide to Equity in Athletics

Guidelines for Gender Identity Participation

Keep Their Heart in the Game: A Sudden Cardiac Arrest Information Sheet for Athletes and Parents/Guardians

Pursuing Victory with Honor, 1999

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Heads Up: Concussion in High School Sports, Tool Kit, June 2010

Heads Up: Concussion in Youth Sports, Tool Kit, July 2007

Acute Concussion Evaluation (ACE) Care Plan, 2006

~~OFFICE FOR CIVIL RIGHTS~~, U.S. DEPARTMENT OF EDUCATION **OFFICE FOR CIVIL RIGHTS** PUBLICATIONS

Withdrawal of Dear Colleague Letter on Transgender Students, Dear Colleague Letter, February 22, 2017

Intercollegiate Athletics Policy Clarification: The Three-Part Test - Part Three, Dear Colleague Letter, April 20, 2010

WEB SITES

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

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

California Interscholastic Federation: <http://www.cifstate.org>

Centers for Disease Control and Prevention, Concussion Resources: <http://www.cdc.gov/concussion>

National Federation of State High School Associations: <http://www.nfhs.org>

National Operating Committee on Standards for Athletic Equipment: <http://www.nocsae.org>

U.S. Anti-Doping Agency: <http://www.usada.org>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

(11/09 11/11) 5/17

Instruction

AR 6145.2(a)

ATHLETIC COMPETITION

Nondiscrimination and Equivalent Opportunities in the Athletic Program

Note: The following section reflects pertinent provisions of federal and state law regarding nondiscrimination (Title IX, 20 USC 1681-1688; Education Code 200-262.4; 5 CCR 4900-4965). The Office for Civil Rights (OCR) in the U.S. Department of Education oversees complaints regarding violations of Title IX.

No student shall be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in, or otherwise be discriminated against in interscholastic, intramural, or club athletics on the basis of actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, or any other basis specified in law. (Education Code 220, 221.5, 230; 5 CCR 4920; 34 CFR 106.41)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

Note: 5 CCR 4921 and 34 CFR 106.41 authorize the establishment of separate teams for males and females where the selection of teams is based on competitive skills. 34 CFR 106.41 also authorizes single-sex teams for contact sports, as defined. Because state regulations do not address single-sex teams for contact sports, districts should consult legal counsel prior to establishing any such single-sex team for a contact sport for which selection is not based on competitive skills.

The Superintendent or designee may provide single-sex teams when selection for the teams is based on competitive skills. (5 CCR 4921; 34 CFR 106.41)

Note: Pursuant to Education Code 221.5, a district is required to permit a transgender student to participate in sex-segregated school programs and activities, including athletic teams and competitions, consistent with his/her gender identity, regardless of the gender listed in the student's records; see BP/AR 5145.3 - Nondiscrimination/Harassment. The California Interscholastic Federation's (CIF) bylaws and Guidelines for Gender Identity Participation contain procedures for addressing student complaints regarding gender identity-based participation in interscholastic sports. Also see CSBA's Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities and Facilities-Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination. Districts should consult legal counsel about applicable standards for determining a student's gender identity.

Each student shall be allowed to participate in any single-sex athletic program or activity consistent with his/her gender identity and for which he/she is otherwise eligible to participate, irrespective of the gender listed on the student's records. (Education Code 221.5)

(cf. 5125 - Student Records)

ATHLETIC COMPETITION (continued)

When a school provides only one team in a particular sport for members of one sex, but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have been previously limited, members of the excluded sex shall be allowed to try out and compete with the team. The same standards for eligibility shall be applied to every student trying out for the team, regardless of sex, sexual orientation, gender, gender identity, gender expression, or other protected group status. (5 CCR 4921; 34 CFR 106.41)

Note: 5 CCR 4922 and 34 CFR 106.41, as reflected in items #1-11 below, list factors that districts must consider when determining whether equivalent opportunities are being provided. The CIF's A Guide to Equity in Athletics provides suggested suggests actions that districts can take for each of the factors to help the district meet its equivalence goals. Any district with questions about equivalent athletic opportunities for its students should consult legal counsel.

The Superintendent or designee shall ensure that equivalent opportunities are available to both sexes in athletic programs by considering, among other factors: (5 CCR 4922; 34 CFR 106.41)

1. Whether the offered selection of sports and levels of competition effectively accommodate the interests and abilities of both sexes

Note: Education Code 230 provides the following three-part test to determine if a district has effectively accommodated the interests and abilities of both sexes in athletics. This test is the same three-part test that is used by OCR for helping to determine equivalent opportunities under Title IX.

The athletic program may be found to effectively accommodate the interests and abilities of both sexes using any one of the following tests: (Education Code 230)

Note: CIF's A Guide to Equity in Athletics advises that, in order to meet the criterion specified in item #a below, the ratio of male/female athletes should be within five percent of the ratio of male/female district enrollment.

- a. Whether the interscholastic-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments
- b. Where the members of one sex have been and are underrepresented among interscholastic athletes, whether the district can show a history and a continuing practice of program expansion that is demonstrably responsive to the developing interests and abilities of the members of that sex

Note: OCR issued a letter in April 2010 withdrawing its earlier guidance which relied on a single survey instrument to demonstrate that an institution is accommodating student interests and abilities in compliance with item #c below. Although OCR's letter applies to intercollegiate athletic programs, OCR's web site clarifies that the general principles also apply to interscholastic and intramural programs at elementary and secondary schools.

ATHLETIC COMPETITION (continued)

In evaluating whether there is an unmet interest in a particular sport and sufficient ability to sustain a team in the sport (**item #1c below**), OCR considers (1) whether an institution uses nondiscriminatory methods of assessment when determining the athletic interests and abilities of its students, (2) whether a viable team for the underrepresented sex was recently eliminated, (3) multiple indicators of interest, (4) multiple indicators of ability, and (5) frequency of conducting assessments. Thus, a student survey is one of multiple indicators that may be used. **The A letter issued by OCR in April 2010 letter** provides information that the district might consider in developing its own survey. In addition, CIF's A Guide to Equity in Athletics provides sample surveys.

- c. Where the members of one sex are underrepresented among interscholastic athletes and the district cannot show a history and continuing practice of program expansion as required in item #1b above, whether the district can demonstrate that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program
2. The provision and maintenance of equipment and supplies
 3. Scheduling of games and practice times, selection of the season for a sport, and location of the games and practices
 4. Travel and per diem allowances
 5. Opportunities to receive coaching and academic tutoring
 6. Assignment and compensation of coaches and tutors
 7. Provision of locker rooms, practice facilities, and competitive facilities
 8. Provision of medical and training facilities and services
 9. Provision of housing and dining facilities and services
 10. Publicity

Note: 5 CCR 4922 clarifies that unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams shall not by itself constitute a failure to provide equivalent opportunities. However, the provision of necessary funding for teams of both sexes is a factor in the determination, as specified below.

11. Provision of necessary funds

Note: Education Code 221.9, as added by SB 1349 (Ch. 258, Statutes of 2014), requires each school that offers competitive athletics (i.e., any sport that has a coach and a governing organization, practices and competes during a defined season, and has competition as its primary goal) to post the following

ATHLETIC COMPETITION (continued)

information on its school web site beginning in the 2015-16 school year and every year thereafter. If the school does not have its own web site, then the district must post that information on the district web site, disaggregated by school site. The following paragraph may be revised to reflect district practice.

~~Beginning with the 2015-16 school year and every year thereafter, e~~Each school that offers competitive athletics shall, **at the end of the school year, post the following information post** on its school web site, or on the district web site if the school does not have a web site, **at the end of the school year the following information:** (Education Code 221.9)

1. The total enrollment of the school, classified by gender
2. The number of students enrolled at the school who participate in competitive athletics, classified by gender
3. The number of boys' and girls' teams, classified by sport and by competition level

(cf. 1113 - District and School Web Sites)

The data reported for items #1-3 above shall reflect the total number of players on a team roster on the official first day of competition. The materials used to compile this information shall be retained by the school for at least three years after the information is posted on the web site. (Education Code 221.9)

(cf. 3580 - District Records)

Health and Safety Concussions and Head Injuries

Note: Education Code 49475 requires districts to distribute information on concussions and head injuries to student athletes and their parents/guardians. The district may use fact sheets developed by the Centers for Disease Control and Prevention (**CDC**), available on CIF's web site, or other resources to develop the information sheet.

The requirements of Education Code 49475 apply to any district that offers an athletic program at any grade level and for any sport. These requirements do not apply to students engaging in an athletic activity during the regular school day or as part of a physical education course.

The Superintendent or designee shall annually distribute to student athletes and their parents/guardians an information sheet on concussions and head injuries. The student and parent/guardian shall sign and return the information sheet before the student's initiating practice or competition. (Education Code 49475)

(cf. 5145.6 - Parental Notifications)

Note: Education Code ~~35179.1 encourages the establishment of a California High School Coaching Education and Training Program for coaches' training including,~~ **49032 requires that each high school coach complete**

ATHLETIC COMPETITION (continued)

an education program that includes, but **is** not limited to, **CPR and** a basic understanding of the signs and symptoms of concussions and appropriate response to them. CIF makes **a free online courses** available through its web site. **Also see AR 4127/4227/4327 - Temporary Athletic Team Coaches.**

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding concussion symptoms, prevention, and appropriate response. **(Education Code 35179.1, 49032)**

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

Note: Education Code 49475 requires that **an athlete a student** at any grade level **engaged in an athletic program apart from the regular school day or physical education course** who is suspected of sustaining a concussion be immediately removed from the athletic activity and not **be** allowed to return until a health care provider provides written clearance. **CIF's CDC's** web site includes an Acute Concussion Evaluation form which may be used to provide injured students and their parents/guardians with information about monitoring symptoms and the health care provider's recommendations regarding returning to daily activities, school, and sports. **See also CIF's web site for additional information regarding concussions.**

~~As amended by AB 2127 (Ch. 165, Statutes of 2014), Education Code 49475 requires that, if the health care provider determines that the athlete sustained a concussion or head injury, the athlete must complete a graduated return-to-play protocol as described below.~~

If a student athlete is suspected of sustaining a concussion or head injury in an athletic activity, he/she shall be immediately removed from the activity for the remainder of the day. The student shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider trained in the management of concussions and receives the health care provider's written clearance to return to the activity. If the health care provider determines that the athlete sustained a concussion or a head injury, the athlete shall also complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of a licensed health care provider. (Education Code 49475)

Note: The following paragraph is for use by districts that offer a football program and may be revised to reflect the grade levels offered by the district. ~~AB 2127 (Ch. 165, Statutes of 2014) added Education Code 35179.5 to limit full contact practices by a middle school or high school football team, as follows.~~

A middle school or high school football team shall not hold a full-contact practice during the off-season and shall not conduct more than two full-contact practices per week during the preseason and regular season (from 30 days before the commencement of the regular season until the completion of the final interscholastic football game of that season). In addition, the full-contact portion of a practice shall not exceed 90 minutes in any single day. For these purposes, full-contact practice means a practice where drills or live action is conducted that involves collisions at game speed, where players execute tackles and other activity that is typical of an actual tackle football game. (Education Code 35179.5)

ATHLETIC COMPETITION (continued)**Sudden Cardiac Arrest**

Note: Education Code 33479.3, as added by AB 1639 (Ch. 792, Statutes of 2016), requires that student athletes and their parents/guardians receive information on the nature and warning signs of sudden cardiac arrest, as provided below. This information is available from the CIF or, if the athletic activity is not governed by the CIF, on the California Department of Education's (CDE) web site. In addition, Education Code 33479.2, as added by AB 1639, encourages districts to post on their web sites the information provided on the CDE's web site pertaining to sudden cardiac arrest.

The Superintendent or designee shall distribute the California Interscholastic Federation (CIF) information sheet on sudden cardiac arrest to all student athletes who will be participating in a CIF-governed athletic activity and to their parents/guardians. The student and parent/guardian shall sign and return the information sheet prior to the student's participation in the athletic activity. If an athletic activity is not covered by the CIF, the student and his/her parent/guardian shall, prior to participating in the athletic activity, sign and return an acknowledgement that they have received and reviewed the sudden cardiac arrest information posted on the California Department of Education's web site. (Education Code 33479.2, 33479.3)

Note: Beginning July 1, 2017, Education Code 33479.6, as added by AB 1639 (Ch. 792, Statutes of 2016), requires the coach of an athletic activity to complete, every two years, a training course related to the nature and warning signs of sudden cardiac arrest. See AR 4127/4227/4327 - Temporary Athletic Team Coaches. CIF makes free online courses available through its web site.

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding the nature and warning signs of sudden cardiac arrest. (Education Code 33479.6, 33479.7, 35179.1, 49032)

Note: Education Code 33479.5, as added by AB 1639 (Ch. 792, Statutes of 2016), and CIF bylaws provide for a student's removal from participation in an athletic activity if he/she passes out or faints. As defined by Education Code 33479.1, as added by AB 1639, an "athletic activity" includes (1) interscholastic athletics; (2) an athletic contest or competition sponsored by a school, including cheerleading and club-sponsored sports activities; (3) noncompetitive cheerleading sponsored by a school; and (4) practices, interscholastic practices, and scrimmages for all these activities.

Pursuant to Education Code 33479.5, this requirement does not apply when a student engages in an athletic activity during the regular school day or as part of a physical education course, unless the activity constitutes a practice, interscholastic practice, or scrimmage. Furthermore, Education Code 33479.5 authorizes, but does not require, the removal of a student from an athletic activity if he/she exhibits symptoms of sudden cardiac arrest other than passing out or fainting, as provided below. However, to promote student safety, the district may choose to require its staff to remove a student from an athletic activity if he/she exhibits any symptom of sudden cardiac arrest at any time.

If a student athlete passes out or faints, or is known to have passed out or fainted, while participating in or immediately following his/her participation in an athletic activity,

ATHLETIC COMPETITION (continued)

the student shall be removed from participation at that time. If a student exhibits any other symptoms of sudden cardiac arrest, including seizures during exercise, unexplained shortness of breath, chest pains, dizziness, racing heart rate, or extreme fatigue, he/she may be removed from participation by a coach or other employee who observes these symptoms. If any such symptoms are observed, notification shall be given to the student's parent/guardian so that the parent/guardian can determine the treatment, if any, the student should seek. A student who has been removed from participation shall not be permitted to return until he/she is evaluated and given written clearance to return to participation by a health care provider. (Education Code 33479.2, 33479.5)

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

~~The Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury suffered by the student and any actions taken to treat the student.~~[MOVED TO BP]

Additional Parental Notifications

Note: The following **optional** section lists notices that the district may send to parents/guardians of students participating in interscholastic athletics. This section should be revised to reflect district practice.

Before a student participates in interscholastic athletic activities, the Superintendent or designee shall, **in addition to providing his/her parents/guardians with information on the signs and symptoms of concussions and sudden cardiac arrest as described above,** send a notice to the student's parents/guardians which:

Note: Education Code 33353 requires CIF to provide information to students and parents/guardians about procedures for discrimination complaints arising from interscholastic athletic activities. Education Code 33354 allows a complainant to file a discrimination complaint directly with the ~~California Department of Education (CDE).~~

1. Contains information about the procedures for filing a discrimination complaint that arises out of an interscholastic athletic activity, including the name of the district's Title IX Coordinator

(cf. 1312.3 - Uniform Complaint Procedures)

Note: ~~Education Code 221.6 and 221.8, as amended and renumbered pursuant to AB 1538 (Ch. 43, Statutes of 2015), require the CDE to post on its web site a list of student rights based on Title IX. Education Code 221.61, as added by SB 1375 (Ch. 655, Statutes of 2016), requires districts to post specified information on their web sites related to Title IX. A district that does not maintain a web site may comply by posting the information on the web site of its county office of education. A comprehensive~~

ATHLETIC COMPETITION (continued)

list of rights based on the provisions of the federal regulations implementing Title IX can be found in Education Code 221.8. See AR 5145.3 - Nondiscrimination/Harassment. Optional item #2 below provides that this information will also be provided in writing to the parents/guardians of student athletes.

2. Includes a copy of students' Title IX rights pursuant to Education Code 221.8

Note: In Kahn v. East Side Union High School District, the California Supreme Court analyzed the liability of a coach for an injury to a member of a high school diving team. The court acknowledged that some risk of injury is inherent in sports and part of a coach's job is to "push" a student athlete to advance his/her skill level and to undertake more difficult tasks. According to the court, a coach could be found liable only when he/she intentionally injures the student or engages in conduct that is so reckless that it is outside of the ordinary activity involved in teaching or coaching the sport.

The district may or may not wish to seek a waiver of liability for accidents or injuries resulting from participation in athletic activities. Whether a liability waiver is legally effective is likely to be determined on a case-by-case basis, and it is questionable whether a student's right to participate in extracurricular activities could be made contingent upon the submission of a waiver. Legal counsel should be consulted when addressing the complex issues related to liability waivers.

3. Explains that there is an element of risk associated with all athletic competitions and that the district cannot guarantee that students will not be injured, despite a commitment to every participant's health and welfare

(cf. 3530 - Risk Management/Insurance)

Note: Education Code 32221.5 requires the district to provide information about insurance protection to each student participating on a school athletic team. For specific language that must be contained in this statement, see AR 5143 - Insurance.

4. Provides information about insurance protection pursuant to Education Code 32221.5

(cf. 5143 - Insurance)

5. Requests parental permission for the student to participate in the program and, if appropriate, be transported by the district to and from competitions

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

Note: Pursuant to Education Code 48900, a student may be subject to suspension or expulsion if he/she engages, or attempts to engage, in hazing.

6. States the district's expectation that students adhere strictly to all safety rules, regulations, and instructions, as well as rules and guidelines related to conduct and sportsmanship

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

ATHLETIC COMPETITION (continued)

7. Includes a copy of the local California Interscholastic Federation (CIF) league rules

Note: ~~As required by~~ Pursuant to Education Code 49033, and CIF bylaws, ~~require~~ any student participating in athletics and his/her parent/guardian ~~must to~~ sign a statement that the student will not use ~~androgenic/anabolic~~ steroids, ~~unless he/she has a written prescription from a licensed health care practitioner,~~ or dietary supplements banned by the U.S. Anti-Doping Agency as well as the substance synephrine, ~~unless the student has a written prescription from a licensed health care practitioner to treat a medical condition.~~ See BP/AR/E 5131.63 - Steroids.

8. Includes information about the CIF bylaw and district policy requiring any student athlete and his/her parent/guardian to sign a statement that the student will not use steroids, ~~unless prescribed by a licensed health care practitioner,~~ or ~~prohibited~~ dietary supplements ~~that include substances~~ banned by the U.S. Anti-Doping Agency

(cf. 5131.63 - Steroids)

(12/14 10/15) 5/17

GENERAL OBLIGATION BONDS

Note: Article 16, Section 18 of the California Constitution permits school districts to issue bonds for the construction of school facilities with either a 66.67 percent or 55 percent approval by local voters. To qualify for the lower 55 percent (Proposition 39) threshold, districts must use the bond funds for certain purposes and fulfill additional accountability requirements, as specified in this Board policy and accompanying administrative regulation.

Education Code 15100 sets forth conditions under which the Governing Board may call for a bond election. Pursuant to Education Code 15266, these conditions must be satisfied if the Board is seeking either the 66.67 percent or 55 percent approval threshold. ~~The following paragraph is consistent with Education Code 15100.~~

In 88 Ops.Cal.Atty.Gen. 46 (2005), the Attorney General opined that a school district may use district funds to hire a consultant to assess the feasibility of developing a bond measure and to assess the public's support and opposition. ~~However, according to the Attorney General, a district may not use district funds to hire a consultant, but not~~ to develop and implement a strategy to build a coalition to support the bond because such activities would be an impermissible use of public funds for campaign purposes in violation of Education Code 7054. **However, in 99 Ops.Cal.Atty.Gen. 18 (2016), the Attorney General, while reaffirming the 2005 opinion, clarified that costs incurred from hiring consultants for pre-election services could not be paid from bond proceeds.** For further discussion regarding use of district funds for political purposes, see BP 1160 - Political Processes.

The Governing Board recognizes that school facilities are an essential component of the educational program and that the Board has a responsibility to ensure that the district's facilities needs are met in the most cost-effective manner possible. When the Board determines that it is in the best interest of district students, it may order an election on the question of whether bonds shall be issued to pay for school facilities.

(cf. 1160 - Political Processes)

(cf. 7110 - Facilities Master Plan)

(cf. 7210 - Facilities Financing)

Note: **Pursuant to Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), the Board is required to adopt a debt management policy prior to issuing any debt, including a general obligation bond. For sample policy language fulfilling this mandate, see BP 3470 - Debt Issuance and Management.**

For bonds requiring a 55 percent majority, Education Code 15268 and 15270 set limits as to the maximum amount of the bond and the tax rate that may be levied as a result of the bond. Limitations for bonds requiring a 66.67 percent majority are detailed in Education Code 15102-15109.

The Board shall determine the appropriate amount of the bonds in accordance with law. The Board's decision to order a bond election, as well as its determinations regarding the appropriate amount, timing, and structure of the bond issuance, shall be consistent with law and the district's debt management policy.

GENERAL OBLIGATION BONDS (continued)*(cf. 3470 - Debt Issuance and Management)*

Note: Pursuant to Education Code 15100, as amended by AB 2116 (Ch. 129, Statutes of 2016), the following requirement applies to bond elections ordered by the Board regardless of whether the Board is seeking the 66.67 percent or 55 percent approval threshold.

Before ordering a bond election, the Board shall obtain reasonable and informed projections of assessed valuations that take into consideration projections of assessed property valuations made by the county assessor. (Education Code 15100)

When any project to be funded by bonds will require state matching funds for any phase of the project, the ballot for the bond measure shall include a statement as specified in Education Code 15122.5, advising voters that, because the project is subject to approval of state matching funds, passage of the bond measure is not a guarantee that the project will be completed. (Education Code 15122.5)

Bonds Requiring 55 Percent Approval by Local Voters

Note: Pursuant to Education Code 15266, upon adoption of the resolution specified below, the district must comply with the accountability provisions required for the 55 percent threshold, even if the bond ultimately passes by a 66.67 percent majority of the voters.

The Board may decide to pursue the authorization and issuance of bonds by approval of 55 percent majority of the voters pursuant to Article 13A, Section 1(b)(3) and Article 16, Section 18(b) of the California Constitution. If two-thirds of the Board agrees to such an election, the Board shall vote to adopt a resolution to incur bonded indebtedness if approved by a 55 percent majority of the voters. (Education Code 15266)

(cf. 9323.2 - Actions by the Board)

Note: Education Code 15266 requires ~~that the~~ bond elections ~~to~~ be held only during a regularly scheduled local election at which all of the electors (voters) in the district are entitled to vote. Therefore, those school districts whose boundaries encompass more than one city or county or whose board members are elected by trustee area must ensure that the bond election is on a ballot in which all of the electors in the district are entitled to vote, such as a statewide primary, general, or special election.

The bond election may only be ordered at a primary or general election, a statewide special election, or a regularly scheduled local election at which all of the electors of the district are entitled to vote. (Education Code 15266)

Bonded indebtedness incurred by the district shall be used only for the following purposes: (California Constitution Article 13A, Section 1(b)(3) and 1(b)(3)(A))

GENERAL OBLIGATION BONDS (continued)

1. The construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities
2. The acquisition or lease of real property for school facilities
3. The refunding of any outstanding debt issuance used for the purposes specified in items #1-2 above

The proposition approved by the voters shall include the following accountability requirements: (California Constitution Article 13A, Section 1(b)(3))

1. ~~A requirement that~~ **Certification that** proceeds from the sale of the bonds **will** be used only for the purposes specified in items #1-2 above, and not for any other purposes including teacher and administrative salaries and other school operating expenses
2. A list of specific school facilities projects to be funded and certification that the Board has evaluated safety, class size reduction, and information technology needs in developing that list

(cf. 0440 - District Technology Plan)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 6151 - Class Size)

Note: The question of whether or not bond proceeds may be used to pay the costs of the audits required pursuant to items #3-4 below should be referred to the district's legal counsel. However, an Attorney General opinion (87 Ops.Cal.Atty.Gen. 157 (2004)) supports the use of bond proceeds to pay the salaries of district employees to the extent they perform administrative oversight work on bond projects. According to the opinion, because these audits are expressly required by Proposition 39 and are directly related to the bond projects rather than routine school operations, these project administration costs may be considered as within the purposes specified in California Constitution Article 13A, Section 1(b)(3)(A) and therefore are an appropriate expenditure of bond proceeds.

The performance audit described in item #3 may include an evaluation of the planning, financing, and implementation of the overall facilities program.

3. A requirement that the Board conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed
4. A requirement that the Board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects

GENERAL OBLIGATION BONDS (continued)

Note: If the district has a general obligation bond approved ~~under~~ **according to** the 55 percent threshold **provisions**, Education Code 15278 requires that the Board appoint a citizens' oversight committee. See the accompanying administrative regulation for requirements related to the composition and duties of the committee.

If a district general obligation bond requiring a 55 percent majority is approved by the voters, the Board shall appoint an independent citizens' oversight committee to inform the public concerning the expenditure of bond revenues as specified in Education Code 15278 and the accompanying administrative regulation. This committee shall be appointed within 60 days of the date that the Board enters the election results in its minutes pursuant to Education Code 15274. (Education Code 15278)

(cf. 1220 - Citizen Advisory Committees)

(cf. 9324 - Minutes and Recordings)

~~Note: Pursuant to Education Code 15286, as amended by SB 581 (Ch. 91, Statutes of 2013), the district is required to ensure that performance and financial audits specified in items #3-4 above are issued in accordance with law and provided to the citizens' oversight committee as specified in the following paragraph.~~

The Superintendent or designee shall ensure that the annual, independent performance and financial audits required pursuant to items #3-4 above are issued in accordance with the U.S. Comptroller General's Government Auditing Standards and submitted to the citizens' oversight committee at the same time they are submitted to him/her and no later than March 31 of each year. (Education Code 15286)

The Board shall provide the citizens' oversight committee with responses to all findings, recommendations, and concerns addressed in the performance and financial audits within three months of receiving the audits. (Education Code 15280)

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

The Board may disband the citizens' oversight committee when the committee has completed its review of the final performance and financial audits.

Bonds Requiring 66.67 Percent Approval by Local Voters

The Board may decide to pursue the authorization and issuance of bonds by approval of 66.67 percent majority of the voters pursuant to Education Code 15100 and Article 13A, Section 1(b)(2) of the California Constitution. If a majority of the Board agrees to such an election, or upon a petition of the majority of the qualified electors residing in the district, the Board shall adopt a resolution ordering an election on the question of whether to incur bonded indebtedness if approved by a 66.67 percent majority of the voters. (Education Code 15100)

GENERAL OBLIGATION BONDS (continued)

Note: Pursuant to Education Code 15101, an election for a bond measure that requires 66.67 percent approval may be held only on specified days. Districts using this option should coordinate efforts with their local elections officials to ensure compliance with law.

The bond election may be ordered to occur on any Tuesday, except a Tuesday that is a state holiday or the day before or after a state holiday, is within 45 days before or after a statewide election unless conducted at the same time as the statewide election, or is an established election date pursuant to Elections Code 1000 or 1500. (Education Code 15101)

Note: Items #1-10 below reflect the purposes for which funds generated from a general obligation bond authorized with 66.67 percent voter approval may be used, pursuant to Education Code 15100. Some of these purposes may be inconsistent with Article 13A, Section 1 of the California Constitution, which permits a district to raise funds in this manner only for the acquisition or improvement of real property. Districts should consult with legal counsel when determining whether to order a bond election for any of the purposes specified in Education Code 15100. The district may revise the following list to reflect the specific purposes authorized by the Board.

Subject to limits specified in Article 13A, Section 1 of the California Constitution, bonds shall be sold to raise money for any of the following purposes: (Education Code 15100)

1. Purchasing school lots
2. Building or purchasing school buildings
3. Making alterations or additions to school building(s) other than as may be necessary for current maintenance, operation, or repairs
4. Repairing, restoring, or rebuilding any school building damaged, injured, or destroyed by fire or other public calamity
5. Supplying school buildings and grounds with furniture, equipment, or necessary apparatus of a permanent nature
6. Permanently improving school grounds
7. Refunding any outstanding valid indebtedness of the district, evidenced by bonds or state school building aid loans
8. Carrying out sewer or drain projects or purposes authorized in Education Code 17577
9. Purchasing school buses with a useful life of at least 20 years

GENERAL OBLIGATION BONDS (continued)

10. Demolishing or razing any school building with the intent to replace it with another school building, whether in the same location or in any other location

Except for refunding any outstanding indebtedness, any of the purposes listed above may be united and voted upon as a single proposition by **an** order of the Board **and that is** entered into the minutes. (Education Code 15100)

Note: The following paragraph is **optional**. **Although Education Code 15278 requires that the Board appoint a citizens' oversight committee if the district has a general obligation bond approved according to the 55 percent threshold provisions, districts that have had approval of a bond with 66.67 percent majority vote are not required by law to appoint a citizens' oversight committee. However, such districts but** may, at their discretion, form an oversight committee under requirements and guidelines adopted by the Board.

The Board may appoint a citizens' oversight committee to review and report to the Board and the public as to whether the expenditure of bond revenues complies with the intended purposes of the bond.

Certificate of Results

Note: The following section applies to bond elections requiring either a 55 percent or 66.67 percent approval by local voters. Pursuant to Elections Code 15372, following a bond election, the county elections official must submit a certificate of the election results to the Board, which then must provide certification to the County Board of Supervisors, as specified below.

If the certificate of election results received by the Board shows that the appropriate majority of the voters is in favor of issuing the bonds, the Board shall record that fact in its minutes. The Board shall then certify to the County Board of Supervisors all proceedings it had in connection with the election results. (Education Code 15124, 15274)

Resolutions Regarding Sale of Bonds

Note: The following section applies to bond elections requiring either a 55 percent or 66.67 percent approval by local voters. Pursuant to Education Code 15140, bonds may be offered for sale by either the County Board of Supervisors or the County Superintendent of Schools. However, the County Board of Supervisors may adopt a resolution authorizing a district to sell bonds on its own behalf when the district has not received a qualified or negative certification in its most recent interim financial report; see BP/AR 3460 - Financial Reports and Accountability.

In addition to districts' authority to issue bonds pursuant to Education Code 15100-15254, Government Code 53506-53509.5 provide an alternative method. However, **effective January 1, 2014**, any district that intends to issue bonds using this alternative method is subject to stricter requirements pursuant to Government Code 53508.5, **as added by AB 182 (Ch. 477, Statutes of 2013)**. Districts using the alternative method may need to further modify this policy and accompanying administrative regulation and should consult with legal counsel as necessary.

GENERAL OBLIGATION BONDS (continued)

Regardless of the method used to issue bonds, pursuant to Education Code 15144.1 and 15144.2, ~~as added by AB 182,~~ the district's total debt service to principal ratio must not exceed four to one and, if the bond allows for the compounding of interest, such as a capital appreciation bond (CAB), and matures more than 10 years after its issuance date, the bond must be redeemable by the district no later than 10 years from issuance. Pursuant to Government Code 53508.6, ~~as added by AB 182,~~ a current interest bond (CIB) may ~~now~~ have a maturity of up to 40 years provided that the district complies with the disclosure requirements specified in Education Code 15146, ~~as amended by AB 182~~ and makes a finding that the useful life of the facility to be financed with the bonds is at least equal to the maturity date of the bonds.

Following passage of the bond measure by the appropriate majority of voters, the Board shall pass a resolution directing the issuance and sale of bonds. In accordance with law, the resolution shall prescribe the total amount of bonds to be sold and may also prescribe the maximum acceptable interest rate, not to exceed eight percent, and the time(s) when the whole or any part of the principal of the bonds shall be payable. (Education Code 15140; Government Code 53508.6)

Note: To ensure prudence in the expenditure of district resources, the Board should carefully consider all available funding instruments, such as CIBs, CABs, and convertible capital appreciation bonds, ~~how the manner in which~~ the bonds will be sold, and other related issues as specified in Education Code 15146. Districts considering the method of bond sale and kinds of bonds to sell are encouraged to review CSBA's Governance Brief Bond Sales - Questions and Considerations for Districts.

In passing the resolution, the Board shall consider each available funding instrument, including, but not limited to, the costs associated with each and their relative suitability for the project to be financed.

Prior to the sale of bonds, ~~the Board shall disclose, as an agenda item at a public meeting, either in the bond issuance resolution or a separate resolution,~~ **the Board shall place an agenda item at a public meeting and adopt as part of the bond issuance resolution, or in a separate resolution, disclosures of the** available funding instruments, the costs and sustainability of each, and all of the following information: (Education Code 15146; Government Code 53508.9)

1. Express approval of the method of sale (i.e., competitive, negotiated, or hybrid)
2. Statement of the reasons for the method of sale selected
3. Disclosure of the identity of the bond counsel, and the identities of the bond underwriter and the financial adviser if either or both are utilized for the sale, unless these individuals have not been selected at the time the resolution is adopted, in which case the Board shall disclose their identities at the public meeting occurring after they have been selected

GENERAL OBLIGATION BONDS (continued)

4. Estimates of the costs associated with the bond issuance, including, but not limited to, bond counsel and financial advisor fees, printing costs, rating agency fees, underwriting fees, and other miscellaneous costs and expenses of issuing the bonds

Note: Pursuant to Education Code 15146, as amended by AB 182 (Ch. 477, Statutes of 2013), the district must comply with the requirements specified in the following two paragraphs if it intends to sell bonds that allow for compounding of interest, including, but not limited to, CABs.

When the sale involves bonds that allow for the compounding of interest, such as a capital appreciation bond (CAB), **the resolution to be adopted by the Board shall include** items #1-4 above **as well as and** the financing term and time of maturity, repayment ratio, and the estimated change in the assessed value of taxable property within the district over the term of the bonds ~~shall be included in the resolution to be adopted by the Board~~. The resolution shall be publicly noticed on at least two consecutive meeting agendas, first as an information item and second as an action item. The agendas shall identify that bonds that allow for the compounding of interest are proposed. (Education Code 15146)

Prior to adopting a resolution for the sale of bonds that allow for the compounding of interest, the Board shall be presented with the following: (Education Code 15146)

1. An analysis containing the total overall cost of the bonds that allow for the compounding of interest
2. A comparison to the overall cost of current interest bonds
3. The reason bonds that allow for the compounding of interest are being recommended
4. A copy of the disclosure made by the underwriter in compliance with Rule G-17 adopted by the federal Municipal Securities Rulemaking Board

Note: Government Code 8855 requires that the district report any proposed issuance of debt to the California Debt and Investment Advisory Commission (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 management policy and that the issuance is consistent with that policy. Pursuant to Government Code 8855, the district must also annually submit, on or before January 31, a report to the CDIAC regarding all outstanding debt and the use of the proceeds of the issued debt. See BP 3470 - Debt Issuance and Management.

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). (Government Code 8855)

GENERAL OBLIGATION BONDS (continued)

After the sale, the Board shall be presented with the actual issuance cost information and shall disclose that information at the Board's next scheduled meeting. The Board shall ensure that an itemized summary of the costs of the bond sale and all necessary information and reports regarding the sale are submitted to the **California Debt and Investment Advisory Commission CDAIC**. (Education Code 15146; Government Code 53509.5)

Bond Anticipation Notes

Note: Pursuant to Education Code 15150, the district is authorized to issue a bond anticipation note when the Board determines by resolution that it is in the best interest of the district to finance a facilities project on an interim basis in anticipation of the sale of bonds that has been approved by voters. The note may only be issued in accordance with law and subject to terms and conditions prescribed by the Board.

Whenever the Board determines that it is in the best interest of the district, it may, by resolution, issue a bond anticipation note, on a negotiated or competitive-bid basis, to raise funds that shall be used only for a purpose authorized by a bond that has been approved by the voters of the district in accordance with law. (Education Code 15150)

Note: Education Code 15150 clarifies that interest on a bond anticipation note may be paid at maturity from the proceeds of the sale of the bond in anticipation of which it was issued or paid periodically from a property tax levied for that purpose if certain conditions are satisfied.

Payment of principal and interest on any bond anticipation note shall be made at note maturity, not to exceed five years, from the proceeds derived from the sale of the bond in anticipation of which that note was originally issued or from any other source lawfully available for that purpose, including state grants. Interest payments may also be made from such sources. However, interest payments may be made periodically and prior to note maturity from an increased property tax if the following conditions are met: (Education Code 15150)

1. A resolution of the Board authorizes the property tax for that purpose.
2. The principal amount of the bond anticipation note does not exceed the remaining principal amount of the authorized but unissued bonds.

A bond anticipation note may be issued only if the tax rate levied to pay interest on the note would not cause the district to exceed the tax rate limitation set forth in Education Code 15268 or 15270, as applicable.

Deposit of Bond Proceeds

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

GENERAL OBLIGATION BONDS (continued)

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)

Legal Reference:

EDUCATION CODE

7054 Use of district property, campaign purposes
15100-15254 Bonds for school districts and community college districts
15264-15288 Strict Accountability in Local School Construction Bonds Act of 2000
17577 Sewers and drains
47614 Charter school facilities

ELECTIONS CODE

324 General election
328 Local election
341 Primary election
348 Regular election
356 Special election
357 Statewide election
1302 ~~School district~~ Local election
15372 Elections official certificate
1090-1099 Prohibitions applicable to specified officers
1125-1129 Incompatible activities
8855 California Debt and Investment Advisory Commission
53506-53509.5 General obligation bonds
53580-53595.5 Bonds
54952 Definition of legislative body, Brown Act

CALIFORNIA CONSTITUTION

Article 13A, Section 1 Tax limitation
Article 16, Section 18 Debt limit

CODE OF FEDERAL REGULATIONS, TITLE 17

240.10b-5 Prohibition against fraud or deceit
240.15c2-12 Municipal securities disclosure

COURT DECISIONS

San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District (2006) 139 Cal.App.4th 1356

ATTORNEY GENERAL OPINIONS

99 Ops. Cal. Atty. Gen. 18 (2016)
88 Ops. Cal. Atty. Gen. 46 (2005)
87 Ops. Cal. Atty. Gen. 157 (2004)

GENERAL OBLIGATION BONDS (continued)

Management Resources:

CSBA PUBLICATIONS

California's Challenge: Adequately Funding Education in the 21st Century, December 2015

Bond Sales - Questions and Considerations for Districts, Governance Brief, December 2012

Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011

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

WEB SITES

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

California Debt and Investment Advisory Commission: <http://www.treasurer.ca.gov/cdiac>

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

California Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

Government Finance Officers Association: <http://www.gfoa.org>

Municipal Security Rulemaking Board, Electronic Municipal Market Access (EMMA):

<http://www.emma.msrb.org>

BOARD MEMBER ELECTRONIC COMMUNICATIONS

Note: The following **optional** Board bylaw should be modified to reflect district practice. The Brown Act (Government Code 54950-54963) requires that Governing Board members conduct district business at properly noticed and agendized public meetings. In general, Board members should keep in mind that, for purposes of the Brown Act, electronic communications are subject to the same conditions and the same rules of confidentiality that are applicable to other forms of communication, such as individual conversations, telephone calls, or paper copies of documents. However, the ease with which electronic communication can be shared and forwarded requires extra caution.

Furthermore, although Board members are not considered employees, there may be tax implications if the district provides Board members with laptop computers or subsidies for an Internet connection. In some circumstances, such provision or reimbursement may be considered a taxable benefit. Also see ~~BP 3350 - Travel Expenses~~ and ~~BP/AR 3513.1 - Cellular Phone Reimbursement~~.

The Governing Board recognizes that electronic communication ~~among Board members and between Board members, district administration, and members of the public~~ is an efficient and convenient way **for Board members** to communicate and expedite the exchange of information **within the district and with members of the public.** ~~and to help keep the community informed about the goals, programs, and achievements of the district and its schools.~~ Board members shall exercise caution so as to ensure that electronic communications are not used as a means for the Board to deliberate outside of an agendized Board meeting **nor to circumvent the public's right to access records regarding district business.**

(cf. 1100 - Communication with the Public)

~~*(cf. 6020 - Parent Involvement)*~~

(cf. 9000 - Role of the Board)

(cf. 9322 - Agenda/Meeting Materials)

Note: Government Code 54952.2 defines a "meeting" as any congregation of a majority of the members of the Board at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the Board. ~~As amended by SB 1732 (Ch. 63, Statutes of 2008),~~ Government Code 54952.2 ~~revises the definition of a prohibited~~ **prohibits a** serial meeting, **defined** as a series of communications involving a majority of the Board to discuss, deliberate, or take action on any item of district business outside of an authorized meeting. Thus, a series of emails, as well as other electronic communications such as postings on an online forum, that ultimately include a majority of the Board could lead to a Brown Act violation. While the safest course of action is to not send an email to another Board member that, if forwarded, could lead to a discussion about district business by a majority of the Board, given the prevalence of email, such a practice may not be practical. However, in order to help prevent an inadvertent violation, Board members may wish to consider including a "do not reply/forward alert" in the subject line of emails, as appropriate.

BOARD MEMBER ELECTRONIC COMMUNICATIONS (continued)

A majority of the Board shall not, outside of an authorized meeting, use a series of electronic communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

(cf. 9320 - Meetings and Notices)

Note: CSBA's Agenda Online is an electronic board meeting agenda service for use by districts and county offices of education which allows development of and access to Board meeting agendas, supporting documents, and minutes from any computer that has Internet access. Further information can be found on CSBA's web site.

Examples of permissible electronic communications concerning district business include, but are not limited to, dissemination of Board meeting agendas and agenda packets, reports of activities from the Superintendent, and reminders regarding meeting times, dates, and places.

Note: The prohibitions in the Brown Act apply only to discussions regarding district business. Like other citizens, Board members are permitted to use email to discuss personal, nondistrict matters.

In addition, Board members may use electronic communications to discuss matters **other than that do not pertain to** district business **with each other**, regardless of the number of **Board** members participating in the discussion.

Note: **The following optional paragraph may be revised to reflect district practice.** ~~In general, Board members have no individual authority.~~ Many districts have established bylaws or other protocols describing how the Board has agreed to handle questions, concerns, or complaints received from members of the community. For example, see BB 9200 - Limits of Board Member Authority **and** ~~—The district's communications plan may designate the Board president or Superintendent as spokesperson to respond to media inquiries; see BP 1112 - Media Relations and BB 9121 - Board President.~~

~~The following optional paragraph concerning electronic communications from the community should be reviewed carefully and revised as necessary for consistency with any such protocols or bylaws.~~

Board members shall make every effort to ensure that their electronic communications conform to the same standards and protocols established for other forms of communication. A Board member may respond, as appropriate, to an electronic communication received from a member of the community and should make clear that his/her response does not necessarily reflect the views of the Board as a whole. Any complaint or request for information should be forwarded to the Superintendent in accordance with Board bylaws and protocols so that the issue may receive proper consideration and be handled through the appropriate district process. As appropriate, communication received from the **press media** shall be forwarded to the designated district spokesperson.

(cf. 1112 - Media Relations)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

BOARD MEMBER ELECTRONIC COMMUNICATIONS (continued)

(cf. 1312.3 - Uniform Complaint Procedures)
 (cf. 1312.4 - Williams Uniform Complaint Procedures)
 (cf. 3320 - Claims and Actions Against the District)
 (cf. 9005 - Governance Standards)
 (cf. 9121 - **Board President**)
 (cf. 9200 - Limits of Board Member Authority)
 (cf. 9270 - **Conflict of Interest**)

In order to minimize the risk of improper disclosure, Board members shall avoid reference to confidential information and information acquired during closed session.

(cf. 4112.6/4212.6/4312.6 - Personnel Files)
 (cf. 5125 - Student Records)
 (cf. 9011 - Disclosure of Confidential/Privileged Information)
 (cf. 9321 - Closed Session Purposes and Agendas)

Note: The prohibitions in the Brown Act apply only to discussions regarding district business. Like other citizens, Board members are permitted to use email to discuss personal, nondistrict matters.

Board members may use electronic communications to discuss matters other than district business with each other, regardless of the number of members participating in the discussion.

Note: Electronic communications received and sent by Board members **may raise issues under are subject to disclosure upon request pursuant to** the California Public Records Act (CPRA) (Government Code 6250-6270). Depending on the content **of the communication** and whether **the message it** is "prepared, owned, used, or retained" by the district in its normal course of business, **the message may be subject to disclosure.** Other legal issues arise if a Board member is using a non-district owned computer or personal email address. District legal counsel should be consulted as appropriate. Also see BP/AR 1340 - Access to District Records **and BP/AR 3580 - District Records.**

In City of San Jose v. Superior Court, the California Supreme Court held that a public official's communications about public business, even if sent or received on the official's personal account or device, are public records and are not categorically excluded from disclosure under the CPRA. The court observed that the CPRA requires public agencies to use "reasonable effort" to locate existing records in response to a public records request, but that such searches need not be extraordinary or intrusive. For further information, see CSBA's Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications.

In addition, although Board members are not considered employees, there may be tax implications if the district provides Board members with laptop computers or subsidies for an Internet connection. In some circumstances, such provision or reimbursement may be considered a taxable benefit. See BP 3350 - Travel Expenses and BP/AR 3513.1 - Cellular Phone Reimbursement.

Like other writings concerning district business, a Board member's electronic communications may be subject to disclosure under the California Public Records Act. **To the extent possible, electronic communications regarding any district-related business**

BOARD MEMBER ELECTRONIC COMMUNICATIONS (continued)

shall be transmitted through a district-provided device or account. When any such communication is transmitted through a Board member's personal device or account, he/she shall copy the communication to a district electronic storage device for easy retrieval.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

35140 Time and place of meetings

35145 Public meetings

35145.5 Agenda; public participation; regulations

35147 Open meeting law exceptions and applications

GOVERNMENT CODE

6250-6270 California Public Records Act

11135 State programs and activities, discrimination

54950-54963 The Ralph M. Brown Act, especially:

54952.2 Meeting, defined

54953 Meetings to be open and public; attendance

54954.2 Agenda posting requirements, board actions

COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608

Management Resources:

CSBA PUBLICATIONS

Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017

The Brown Act: School Boards and Open Meeting Laws, rev. ~~2006~~ 2014

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, 2003

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public IV: A Guide to the Ralph M. Brown Act, rev. 2007

WEB SITES

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

CSBA, Agenda Online:

<http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx>

<https://www.csba.org/ProductsAndServices/AllServices/AgendaOnline.aspx>

California Attorney General's Office: <https://oag.ca.gov>

Institute for Local Government: <http://www.cacities.org/index.jsp?zone=ilsg>

(11/08) 5/17

Policy Reference UPDATE Service

Copyright 2017 by California School Boards Association, West Sacramento, California 95691

All rights reserved.

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

445 Montezuma Street
Rio Vista, CA 94571-1651



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017 Attachments: X

From: Elizabeth Keema-Aston, Chief Business Officer Item Number: 12

SUBJECT: Request to approve the Actuarial Valuation of Post-Retirement Benefits prepared by Nicolay Consulting Action: _____
Consent Action: x
Information Only: _____

Background:

In 2004, the Government Accounting Standards Board (GASB) issued Statement No. 45, Account and Financial Reporting by Employers for Post-Employment Benefits Other Than Pensions, which requires public agencies, including school districts, to report their costs and obligations for post-employment healthcare and other post-employment benefits much like they now report pension plan obligation. The philosophy behind the rule is that the costs of these post-employment benefits should be recognized as a current cost during the working years of an employee rather than after they retire. The district implemented GASB 45 in fiscal year 2006-07. In addition, actuarial reports are *required to be updated every two years* to capture changes in reporting requirements and significant changes that may have occurred within the district's post-retirement benefit plan.

Status:

Nicolay Consulting conducted a current actuarial valuation of post-retirement benefits in order to satisfy the bi-annual reporting requirement. The district's long term liability is projected at \$5,467,777 and districts can utilize either a "pay-as-you-go" method or fund the total annual contribution. Currently the district is paying more than required for the "pay-as-you-go" method. The district has included with the budget an additional assigned amount of \$250,000 to be deposited into the districts irrevocable pension trust.

Presenter: Elizabeth Keema-Aston, Chief Business Officer

Other People Who Might Be Present: N/A

Cost &/or Funding Sources N/A

Recommendation:

That the Board approve the Actuarial Valuation of Post-Retirement Benefits prepared by Nicolay Consulting.

Time: 5 mins.

RIVER DELTA UNIFIED SCHOOL DISTRICT (REVISED)

**Actuarial Valuation of
Postemployment Medical Benefits
Valuation Date: February 1, 2017
(with results rolled back to July 1, 2016)**



June 30, 2017

Ms. Sharon Silva
Director of Accounting
River Delta Unified School District
445 Montezuma Street
Rio Vista, CA 94571

Dear Ms. Silva:

Re: Actuarial Valuation of Postemployment Medical Plans

River Delta Unified School District ("the District") has retained Nicolay Consulting Group to complete this valuation of the River Delta Unified School District postemployment medical program as of July 1, 2016. *This report has been revised to show results at 6.85%.*

The purpose of this valuation is to determine the value of the expected postretirement benefits for current and future retirees and the Actuarial Accrued Liability and Annual Required Contribution recognized under Government Accounting Standards Board Statement No. 45 (GASB 45) requirements for the fiscal year ending June 30, 2017. The amounts reported herein are not necessarily appropriate for use for a different fiscal year without adjustment.

In preparing this report we relied on employee data and plan information provided by the District. The results of the valuation are dependent on the accuracy of the data and other information provided. These data are not audited by Nicolay Consulting Group, although they were reviewed for reasonableness. Calculations presented in this valuation do not reflect any other postemployment benefits than those described in this report.

The financial projections presented in this report are intended for internal use in evaluating the potential cost of the retiree medical program and for the plan sponsor's financial statements. Use of this report for any other purpose may not be appropriate and may result in mistaken conclusions due to failure to understand applicable assumptions, methodologies, or inapplicability of the report for that purpose. No one may make any representations or warranties based on any statements or conclusions contained in this report without the written consent of Nicolay Consulting Group.



On the basis of the data provided, this report has been prepared in accordance with generally accepted actuarial principles and methods. The assumptions for termination, retirement, mortality and health care claims morbidity rates are those used in the most recent California PERS Public Agency and the California STRS retirement plan valuations.

Mortality improvement was reflected based on the most recent tables published by the Society of Actuaries. Morbidity rates for age-adjusting claims rates are based on the most recent tables published by CalPERS. Certain other assumptions were selected specifically for this valuation, and in many cases, including assumed health care trend, reflect changes from that used in the prior valuation. For all other assumptions, we believe they are reasonable for the measurement of the obligation involved. It should be recognized, however, that there can be significant differences between actual experience and the assumptions. Moreover, other sets of reasonable assumptions can yield materially lesser or greater results.

Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following: retiree group benefits program experience differing from that anticipated by the assumptions; changes in assumptions; increases or decreases expected as part of the natural operation of the methodology used for these measurements (such as the end of an amortization period); and changes in retiree group benefits program provisions or applicable law. Retiree group benefits models necessarily rely on the use of approximations and estimates, and are sensitive to changes in these approximations and estimates. Small variations in these approximations and estimates may lead to significant changes in actuarial measurements. Because of limited scope, we have not performed analysis of the potential range of such future differences.

Based on the foregoing, the cost results and actuarial exhibits presented in this report were determined on a consistent and objective basis in accordance with applicable Actuarial Standards of Practice and generally accepted actuarial procedures. We believe they fully and fairly disclose the actuarial position of the Plan based on the plan provisions, employee and plan cost data submitted.

The passage of healthcare reform in March 2010 ushered in a number of changes that might be expected to impact postretirement medical plans over time. We considered the possible effects of these changes for the District and summarized the results in this report.

On December 18, 2015, President Obama signed the Omnibus Appropriations Act of 2015. There are significant provisions in this law relating to the Cadillac tax, the annual fee on health insurers, and the medical device tax. This valuation reflects this new legislation.

Ms. Sharon Silva
June 30, 2017
Page 3



This report represents a statement of actuarial opinion by the undersigned actuary, who is a member of the American Academy of Actuaries (AAA) and is qualified to issue that opinion. Questions about the report should be directed to Gary Cline at (415) 512-5300 x231.

Sincerely,

By: 
Gary E. Cline, ASA, FCA, MAAA

RIVER DELTA UNIFIED SCHOOL DISTRICT

Actuarial Valuation of Postemployment Medical Benefits

Table of Contents

SECTION	TITLE	PAGE
SECTION I	Summary of Valuation Results	1
SECTION II	Development of Annual Required Contribution (ARC) and GASB 45 Disclosures	4
SECTION III	Plan Description and Demographic Summary	9
SECTION IV	Actuarial Method and Assumptions	12
SECTION V	Glossary	25

Valuation Date: February 1, 2017

SECTION I

Summary of Valuation Results

Table 1-1 Summary of Valuation Results		
	<u>7/1/2016</u>	<u>1/1/2015¹</u>
Present Value of Future Benefits		
Active	\$6,255,704	\$5,331,249
Retiree	<u>\$1,859,322</u>	<u>\$833,700</u>
Total	\$8,115,026	\$6,164,949
Actuarial Accrued Liability		
Active	\$3,897,241	\$2,773,973
Retiree	<u>\$1,859,322</u>	<u>\$833,700</u>
Total	\$5,756,563	\$3,607,673
Fair Market Value of Assets	\$281,501	\$229,210
Actuarial Value of Assets	\$288,786	\$233,286
Unfunded Actuarial Accrued Liability	\$5,467,777	\$3,374,387
Expected Employer Share of Current Year Plan Cost (Pay-As-You-Go)²	\$109,557	\$51,756
Annual Required Contribution	\$652,050	\$432,306
Annual Required Contribution as Percentage of Pay	5.75%	Unknown
Number of Plan Participants		
Actives	248	248
Retirees and Surviving Spouses	<u>60</u>	<u>47</u>
Total	308	295
Estimated 2016/2017 Annual Payroll	\$11,333,682	Unknown
Discount rate	6.85%	4.60%
Assumed Increase in Per-Capita Claim Costs		
PEMHCA Minimum	4.00%	4.00%
Health Care Costs		
Initial Rate		
Pre-65	8.00%	³
Post-65	5.50%	³
Ultimate Rate	5.00%	³
Year Ultimate Rate Reached	2030	³

¹Based on prior actuary's January 1, 2015 valuation report.

²Excludes implicit subsidy related to retiree premiums (since unadjusted premiums represent the current cash cost) and the implied subsidy related to active employee premiums (but the District can elect to recognize this as a retiree cash cost under GASB 45).

³Not given in the prior valuation report.

The Actuarial Accrued Liability (AAL) has increased \$2,148,890 from \$3,607,673 as of January 1, 2015 to \$5,756,563 as of July 1, 2016. A breakdown of the sources of this change in liability is shown in Table 1-2.

	<u>Amount</u>	<u>Percent</u>
Expected Benefits Earned, Benefit Payments and Interest	\$550	15%
Recognition of an Age-Related Implicit Subsidy	\$3,173	88%
Revised CalSTRS Assumed Mortality Rates	\$190	5%
Revised CalPERS Assumed Mortality Rates	\$184	5%
Revised CalSTRS Assumed Withdrawal Rates	\$117	3%
Revised CalPERS Assumed Retirement Rates	(\$0)	0%
Actual 2016 and 2017 Benefit Caps	(\$114)	(3%)
Revised CalSTRS Assumed Retirement Rates	(\$157)	(4%)
Revised Spouse Coverage Assumption	(\$324)	(9%)
Change in Discount Rate from 4.60% to 6.85%	(\$2,358)	(65%)
Actual Demographic and Other Experience	<u>\$887</u>	<u>25%</u>
Total Liability Change*	\$2,149	59%

*Individual amounts may not add to total due to rounding.

Expected Benefits Earned, Benefit Payments and Interest: The liabilities were expected to increase 15% from the prior actuarial valuation due to net effect of active employees continuing to earn benefits, retirees receiving benefit payments, and interest.

Recognition of an Age-Related Implicit Subsidy: Since healthcare costs generally increase with age, an implied subsidy exists. This subsidy is caused by the difference between the flat-rate premiums participants are charged and the assumed average age-related claims costs.

Effective with measurement dates on or after March 31, 2015, Actuarial Standard of Practice No. 6 (ASOP 6) requires actuarial valuations to reflect the impact of aging on claims for “community-rated” plans. For the District, this means we were required to revise the pre and post-Medicare plan liabilities to base them on a claims cost curve as opposed to premiums. The resulting implicit subsidy identified from this assumption increased liabilities approximately \$3,173,000, or roughly 88%. This subsidy is positive (an increase in the liability), which reflects the fact that the flat-rate premiums are lower than the assumed age-adjusted cost of coverage (e.g., for the pre-Medicare plans the younger active employees are subsidizing the older retired participants).

Revised CalSTRS Assumed Mortality Rates: We updated the valuation assumed mortality rates to reflect the projection scales most recently published by CalSTRS, which drove a 5% increase in liabilities. This increase is primarily caused by an observed improvement in longevity for the overall population in the CalSTRS study.

Revised CalPERS Assumed Mortality Rates: We updated the valuation assumed mortality rates to reflect those rates most recently published by CalPERS, which drove a 5% increase in liabilities. This increase is primarily caused by an observed improvement in longevity for the overall population in the SOA study.

Revised CalSTRS Assumed Withdrawal Rates: We updated the valuation assumed retirement rates to reflect those rates most recently published by CalSTRS, resulting in a 3% increase in liabilities.

Revised CalPERS Assumed Retirement Rates: We updated the valuation assumed retirement rates to reflect those rates most recently published by CalPERS, which had a near zero impact on liabilities.

Actual 2016 and 2017 Benefit Caps: The increase in the PEMHCA Minimum from 2015 to 2016 and 2017 was lower than assumed, resulting in a 3% decrease in liabilities.

Revised CalSTRS Assumed Retirement Rates: We updated the valuation assumed retirement rates to reflect those rates most recently published by CalSTRS, resulting in a 4% decrease in liabilities.

Revised Spouse Coverage Assumption: We have changed from assuming that 80% of future retirees will cover spouses to assuming that 30% will cover spouses, based on observed data among current retirees and retirees in previous valuations. This change has resulted in a 9% decrease in liabilities.

Change in Discount Rate from 4.60% to 6.85%: Based on client input, we have changed the discount rate from 4.60% to 6.85%, the discount rate for the Balanced investment allocation strategy for the PARS Trust. This change has reduced liabilities by 65%.

Actual Demographic and Other Experience: This is a catch-all category that refers to actual demographic experience (e.g., withdrawal, retirement, death, disability, marriage, etc.) and other experience (e.g., plan participation, plan selection, etc.) other than expected. Actual demographic experience is driven by the participant census data we collect from the District for our valuations. Demographic experience since the July 1, 2015 valuation resulted in an overall 25% increase in the liability.

SECTION II

Development of ARC and GASB 45 Disclosures

Table 2-1 presents the Present Value of Future Benefits (i.e., liability based on all future service) and the Actuarial Accrued Liability (i.e., liability based on past service only) broken down by participant status and benefit type.

The implicit subsidy is the obligation associated with the difference between premiums and the assumed true per capita healthcare costs for District participants.

	<u>District Contribution</u>	<u>Implicit Subsidy</u>	<u>Total</u>
Present Value of Future Benefits			
Actives	\$3,510,457	\$2,745,247	\$6,255,704
Retirees	<u>\$1,265,568</u>	<u>\$593,754</u>	<u>\$1,859,322</u>
Total	\$4,776,025	\$3,339,001	\$8,115,026
Actuarial Accrued Liability (AAL)			
Actives	\$2,237,009	\$1,660,233	\$3,897,241
Retirees	<u>\$1,265,568</u>	<u>\$593,754</u>	<u>\$1,859,322</u>
Total	\$3,502,577	\$2,253,986	\$5,756,563

This valuation was completed using the Entry Age Normal Actuarial Cost method and assumes a closed 30-year amortization (started in 2008) of the Unfunded Actuarial Accrued Liability using the level percentage of payroll amortization method.

Projected Expected Health Benefit Payments

Table 2-2 contains a 10-year projection of District pay-as-you-go cost to provide postemployment medical benefits and the total Expected Benefit Payments.

	<u>District Premiums*</u>	<u>Implicit Subsidy</u>	<u>Total</u>
2016/17	\$109,557	\$81,731	\$191,288
2017/18	\$118,885	\$89,871	\$208,756
2018/19	\$128,111	\$96,196	\$224,307
2019/20	\$135,506	\$97,597	\$233,103
2020/21	\$144,444	\$96,291	\$240,735
2021/22	\$159,905	\$101,158	\$261,063
2022/23	\$182,427	\$123,567	\$305,994
2023/24	\$211,654	\$148,565	\$360,219
2024/25	\$241,363	\$164,351	\$405,714
2025/26	\$271,460	\$186,297	\$457,757

*This is actual pay-as-you-go cost and excludes the implicit subsidy related to retiree premiums (since unadjusted premiums represent the current cash cost) and the implied subsidy related to active employee premiums (but the District can elect to recognize this as a retiree cost under GASB 45).

Health Benefit Costs Under GASB 45

The Annual Required Contribution (ARC) consists of the Normal Cost plus the current period amortization of the Unfunded Actuarial Accrued Liability.

Normal Cost is the portion of the actuarial present value of future benefits that is allocated to a particular year. Another interpretation is that the Normal Cost is the present value of future benefits that are "earned" by employees for service rendered during the current year. This valuation is based on the Entry Age Normal actuarial cost method and an attribution period that runs from date of hire until the expected retirement date.

Employers are allowed to amortize the Unfunded Actuarial Accrued Liability (UAAL) over a period not to exceed 30 years. The following Tables are based on amortization of the UAAL over a closed 30-year period using the level percentage of payroll amortization method. The District adopted GASB 45 in the 2008/09 fiscal year. The remaining amortization period is 22 years.

Table 2-3
Fiscal Year 2016/17 OPEB Annual Required Contribution

	<u>7/1/2016</u>	<u>1/1/2015¹</u>
Discount rate	6.85%	4.60%
Actuarial Accrued Liability	\$5,756,563	\$3,607,673
Actuarial Value of Assets	<u>\$288,786</u>	<u>\$233,286</u>
Unfunded Actuarial Accrued Liability	\$5,467,777	\$3,374,387
Remaining Amortization Period	22 years	23 years
Level percent of pay Amortization Factor (based on the discount rate and a 2.75% annual increase in payroll)	17.551	18.607 ²
Estimated 2016/2017 Annual Payroll	\$11,333,682	³
Normal Cost (based on the Entry Age Normal Method)	\$263,643	\$250,958
Annual Level Percentage of Pay Amort. of Unfunded AAL	<u>\$388,407</u>	<u>\$181,348</u>
Annual Required Contribution	\$652,050	\$432,306
Annual Required Contribution as a Percentage of Payroll	5.75%	³
Interest on Net OPEB Obligation	\$143,384	³
Adjustment to ARC	<u>(\$148,691)</u>	³
Annual OPEB Cost	\$646,743	³
Expected Contribution	<u>(\$293,048)</u>	(\$51,756) ⁴
Increase in Net OPEB Obligation	\$353,695	³
Net OPEB Obligation – Beginning of Year	<u>\$2,093,194³</u>	³
Net OPEB Obligation – End of Year	\$2,446,889	\$2,093,194 ⁵

¹From the 1/1/2015 valuation report.

²Calculated from 1/1/2015 valuation unfunded liability and amortization.

³Not given in the 1/1/2015 valuation report.

⁴Pay-as-you-go cost from prior valuation; no trust contributions assumed.

⁵Obtained from the District FY 2015-16 CAFR.

A substantial change in GASB accounting rules has just been published which is scheduled to become effective for Fiscal Year 2017/18 and beyond. We have not attempted to quantify the change in actuarial liabilities that may result.

Amounts that can be counted as contributions towards the ARC include:

- Contributions made to a Trust
- Employer paid premium payments for retirees made directly to providers net of any reimbursements from the Trust
- Implicit rate subsidy payments related to premium payments for active employees, if elected.
- Interest on the above amounts to the end of the measurement period

Table 2-4 presents a projection of District funding policy contributions. The funding policy contributions shown below include (i) pay-go costs unreimbursed by the Trust, (ii) \$113,337 cash contributions to the Trust and (iii) active implicit rate subsidy contributions that could be transferred to OPEB accounting.

Table 2-4
Total OPEB Contributions for Years Ending June 30, 2017
 Cash, Active Benefit Expense Transfer of Premium Implicit Subsidies and Pay-go Costs

	FYE <u>June 30, 2017</u>	<u>% Payroll</u>
Cash Contributions to the Trust	\$113,337	1.00%
Projected Pay-go Costs ¹	\$109,557	0.97%
Active Implicit Rate Subsidy ²	\$70,154	0.62%
Cross-Employer Active Implicit Rate Subsidy ³	<u>\$0</u>	<u>0.00%</u>
Estimated Total OPEB Contributions	\$293,048	2.59%
ARC Explicit Subsidy ⁴	\$376,163	3.32%
ARC Implicit Subsidy ⁵	<u>\$275,887</u>	<u>2.43%</u>
Total ARC	\$652,050	5.75%

¹ Retiree premiums paid by the District.

² The active implicit rate subsidy represents a subsidy toward pre-Medicare retiree medical costs paid via active premiums, since the claims from both groups are combined to calculate a blended premium. This amount can be transferred from active employee benefit expense to OPEB expense and counted as a contribution toward the ARC.

³ A Cross-Employer Subsidy of \$12,451 comes from an Active Implicit Rate Subsidy that is not subsidizing the employer's own retirees. This may be counted as a contribution to OPEB, but GASB has not yet provided guidance on this issue. To consider it a contribution to OPEB, the District should seek approval from their auditor. Some auditors have allowed it to be considered a contribution on the basis that there is lack of guidance, but have stipulated that should guidance indicate it should not be counted as a contribution then the employer would have to retroactively reverse the accounting entry.

⁴ The portion of the ARC attributable to current and future retiree premiums paid by the District.

⁵ The portion of the ARC attributable to pre-Medicare retiree average claims costs in excess of premiums.

Plan Assets

The District pre-funds liabilities by contributing to a PARS/US Bank Trust through the CSBA. We understand that the District's Trust Fund balance was \$281,501 as of June 30, 2016. Using five-year asset smoothing, we have determined the Actuarial Value of Assets to be \$288,786, by the calculations shown in Table 2-5.

Table 2-5
Calculation of Actuarial Value of Assets
Using Five-Year Asset Smoothing

a. Market Value of Assets as of July 1, 2015	\$249,339
b. Employer Contribution to the trust in FY 2015/16	\$98,480
c. Expected Disbursements in FY 2015/16	\$68,682
d. Expected Investment Earnings = (a) x 4.6%	<u>\$11,470</u>
e. Expected Market Value of Assets, June 30, 2016 = (a) + (b) - (c) + (d)	\$290,607
f. Market Value of Assets as of June 30, 2016	\$281,501
g. Asset gain/(loss) = (f) - (e)	(\$9,107)
h. Preliminary Actuarial Value of Assets = (f) - (g) x (1 - 1/5)	\$288,786
i. Minimum Actuarial Value of Assets = (h) x 80%	\$231,029
j. Maximum Actuarial Value of Assets = (h) x 120%	\$346,543
k. Actuarial Value of Assets as of July 1, 2016 = Max((i), Min((h), (j)))	\$288,786

SECTION III

Plan Description and Demographic Summary

Eligibility and Benefits

Employees who retire at age 55 or older with 10 or more years of continuous District service are eligible to receive postemployment benefits from the District until they reach age 65. The District will contribute \$300 per month (prorated if the retiree was a part-time employee) toward the cost of postemployment medical, dental, vision and life insurance coverage. Retirees may elect any plan available through the CalPERS medical program and they may continue their enrollment in the District's dental and vision plans. A retiree life insurance plan is also available. Any remaining amount is paid directly to the retiree.

On September 1, 2008 the District joined the CalPERS medical program (PEMHCA). The District elected the "unequal" contribution approach in which District contributions will increase steadily; ultimately reaching 100% of the CalPERS Minimum Employer Contribution. Any employee who retires from the District and receives a PERS or STRS pension is eligible for this benefit. The benefit continues throughout the life of the retiree and surviving spouse, independently of the aforementioned stipend.

Demographic Data

The District provided demographic information on all current active and retired employees. The following Tables contain summaries of the demographic information used in the valuation.

Table 3-1

Active Certificated Employees - including those not enrolled in a CalPERS medical plan as of February 1, 2017

Age	Years of Service							Total
	0-4	5-9	10-14	15-19	20-24	25-29	30+	
Under 25	4	0	0	0	0	0	0	4
25 - 29	12	2	0	0	0	0	0	14
30 - 34	8	5	2	0	0	0	0	15
35 - 39	11	6	5	2	0	0	0	24
40 - 44	5	3	4	3	0	0	0	15
45 - 49	2	2	1	7	4	1	0	17
50 - 54	6	0	2	2	2	1	0	13
55 - 59	3	2	1	2	0	0	2	10
60 - 64	2	1	2	3	0	0	3	11
65 - 69	2	0	0	1	0	0	1	4
70 +	0	0	0	1	0	0	0	1
Total	55	21	17	21	6	2	6	128*

*4 are part-time employees

Table 3-2

Active Classified Employees – including those not enrolled in a CalPERS medical plan as of February 1, 2017

Age	Years of Service							Total
	0-4	5-9	10-14	15-19	20-24	25-29	30+	
Under 25	5	0	0	0	0	0	0	5
25 - 29	7	2	0	0	0	0	0	9
30 - 34	4	5	0	0	0	0	0	9
35 - 39	4	4	3	2	0	0	0	13
40 - 44	0	2	2	1	1	0	0	6
45 - 49	4	0	4	5	1	1	0	15
50 - 54	0	6	3	6	0	0	0	15
55 - 59	3	0	3	7	7	0	0	20
60 - 64	3	2	1	2	4	2	1	15
65 - 69	2	5	0	1	0	1	0	9
70 +	1	0	0	1	1	0	1	4
Total	33	26	16	25	14	4	2	120*

*64 are part-time employees

Table 3-3
Age Table for Retirees
Currently Receiving Postemployment Healthcare Benefits
as of February 1, 2017

<u>Age</u>	<u>Certificated</u>	<u>Classified</u>	<u>Total</u>
50-54	0	0	0
55-59	0	3	3
60-64	6	7	13
65-69	6	8	14
70-74	12	5	17
75-79	4	3	7
80-84	1	2	3
85-89	0	2	2
90 and Older	<u>0</u>	<u>1</u>	<u>1</u>
Total	29	31	60

Table 3-4 shows the premiums used to calculate the implicit subsidy:

Table 3-4
2017 CalPERS premium rates per Retiree, Spouse,
or Surviving Spouse for the "Sacramento Area"

2017	<u>Younger than 65</u>	<u>Medicare Supplement</u>
Blue Shield Access+	\$859.42	n/a
Blue Shield Net Value	n/a	n/a
Kaiser	\$690.56	\$300.48
PERS Choice	\$723.47	\$353.63
PERS Select	\$641.47	\$353.63
PERS Care	\$812.40	\$389.76
United Healthcare	\$756.78	\$324.21

SECTION IV

Actuarial Method and Assumptions

In order to project the District's liabilities into the future, a number of economic, demographic, and baseline cost assumptions are necessary. For this valuation, we have used assumptions consistent with those specified in the "OPEB Assumption Model" released by the CalPERS Health Benefits Committee.

Actuarial Cost Method

The valuation was completed using the Entry Age Normal Cost Method. An Actuarial Cost Method is a procedure for allocating the actuarial present value of benefits and expenses and for developing an actuarially equivalent allocation of such value to time periods, usually in the form of a Normal Cost and an Actuarial Accrued Liability. The Entry Age Normal cost method allocates the present value of future benefits on a level basis over the earnings or service (in this case earnings) of each employee between the hire date and assumed retirement age. The portion of the present value of future benefits allocated to a valuation year is called the Normal Cost. The portion allocated to all prior years is called the Actuarial Accrued Liability.

Valuation Date

The valuation date is February 1, 2017. This date is the starting point from which current health premium costs are increased according to the assumed annual rates of health care cost trend. The District's census is projected from the valuation date to the date of the final benefit payment for each employee and retiree on the census. After calculating future costs for the projected retiree and dependent population, all liabilities are discounted back to the valuation date to obtain the present value of future costs. These results are then actuarially "rolled back" to July 1, 2016 to coincide with the District's fiscal year.

Economic Assumptions

Discount Rate

A discount rate is required to calculate the present value of future benefit payments which are used to determine financial statement expense. The District bases the discount rate on the long-term rate of return of Trust assets, incorporating the investment allocation of the fund. We used a 6.85% discount rate for this valuation based on the District's selection of the Balanced PARS Asset Allocation Strategy.

Administrative Expenses

We did not include any internal administrative expenses in this valuation, as it has been assumed that expenses are included as part of the health premium.

Plan Assets

The Market Value of Assets as reported by the California School Board Association (CSBA) as of June 30, 2016 is \$281,501. The Actuarial Value of Assets is \$288,786. The CSBA utilizes the partnership between PARS and US Bank to provide the Trust and investment management services. The District contributes 1% of payroll (as an employer contribution) to the Trust each year.

Health Care Trend

The rate of increase in per capita health care costs is commonly referred to as the *health care trend* rate. Based on our extensive experience with postemployment health plans, we selected the following annual trend rates for use in this valuation:

Year <u>Beginning</u>	Increase in CalPERS Regional Premium Rates	
	<u>Pre-65</u>	<u>Post-65</u>
January 1, 2018	8.00%	5.50%
January 1, 2019	7.75%	5.25%
January 1, 2020	7.50%	5.00%
January 1, 2021	7.25%	5.00%
January 1, 2022	7.00%	5.00%
January 1, 2023	6.75%	5.00%
January 1, 2024	6.50%	5.00%
January 1, 2025	6.25%	5.00%
January 1, 2026	6.00%	5.00%
January 1, 2027	5.75%	5.00%
January 1, 2028	5.50%	5.00%
January 1, 2029	5.25%	5.00%
January 1, 2030 and later	5.00%	5.00%

The initial trend rate assumption represents an estimate of short term cost increases based on recent health care marketplace experience, and taking into consideration the cost characteristics of plans available to District retirees. Annual increases in national health expenditures have exceeded the general growth in GDP for many years. However, there are practical limitations to how long these trends can continue. Therefore, we assume the ultimate rate to be comprised of real growth in per capita GDP, long-term growth attributable to technology innovations, and the assumed long-term inflation rate. The initial trend is assumed to decrease ratably to this ultimate rate over time.

Payroll Increases

In this valuation we assumed 2.75% annual rate of increase in payroll. This rate is a component of the Entry Age Normal Actuarial Cost Method and is used in the calculation of the amortization component of the Annual Required Contribution and in calculation of the Normal Cost.

Amortization Methodology

This valuation is based on a closed, 30-year amortization of the Unfunded Actuarial Accrued Liability. The amortization payment is a level percentage of covered payroll and will increase each year as covered payroll increases. The amortization will continue for the next 22 years.

Per Capita Health Plan Costs

Due to the small size of the retiree population, the per capita claims were developed using the age adjusted premiums for the current CalPERS population. These premiums are assumed to include administrative costs. The premiums for CalPERS are based on community-rated claims experience by region for all CalPERS member agencies.

Age-Adjusted Costs

The gender distinct age morbidity factors for pre- and post-Medicare morbidity were developed by CalPERS based on 2013 data. CalPERS developed these tables for use in complying with ASOP 6. Table 4-2 illustrates the age-graded premiums based on the premiums and the male and female morbidity factors that were provided by CalPERS for HMO plans.

<u>Age</u>	<u>Male</u>	<u>Female</u>
50	\$8,065	\$9,097
55	\$10,806	\$10,436
60	\$13,377	\$11,425
65	\$3,011	\$2,821
70	\$3,493	\$3,235
75	\$3,849	\$3,848
80	\$4,135	\$4,340
85	\$4,242	\$4,535

Because so few have elected PPO plans, we have assumed that all future retirees will elect HMO plans.

Demographic Assumptions

In estimating this obligation, a number of demographic assumptions are needed. In most cases, the same demographic assumptions used in valuing an employer's pension obligation can be used in projecting retiree health care obligations. Following are the demographic assumptions used in this valuation:

Withdrawal

Sample withdrawal rates are shown below. They match rates used by PERS and STRS in recent PERS and STRS pension valuations.

Service	----- Entry Age -----						
	20	25	30	35	40	45	50
0	0.1730	0.1627	0.1525	0.1422	0.1319	0.1217	0.1114
1	0.1585	0.1482	0.1379	0.1277	0.1174	0.1071	0.0968
2	0.1440	0.1336	0.1234	0.1131	0.1028	0.0926	0.0823
3	0.1295	0.1192	0.1089	0.0987	0.0884	0.0781	0.0677
4	0.1149	0.1046	0.0944	0.0841	0.0738	0.0636	0.0533
5	0.1094	0.0982	0.0870	0.0758	0.0646	0.0135	0.0107
6	0.1036	0.0924	0.0812	0.0699	0.0587	0.0117	0.0089
7	0.0978	0.0866	0.0752	0.0639	0.0526	0.0098	0.0071
8	0.0920	0.0807	0.0693	0.0580	0.0466	0.0081	0.0055
9	0.0862	0.0748	0.0634	0.0519	0.0406	0.0065	0.0039
10	0.0801	0.0687	0.0572	0.0457	0.0074	0.0049	0.0025
15	0.0652	0.0534	0.0418	0.0053	0.0032	0.0011	0.0002
20	0.0493	0.0372	0.0038	0.0020	0.0002	0.0002	0.0002
25	0.0328	0.0023	0.0010	0.0002	0.0002	0.0002	0.0002
30	0.0015	0.0003	0.0002	0.0002	0.0002	0.0002	0.0002
35+	0.0002	0.0002	0.0002	0.0002	0.0002	0.0002	0.0000

For the January 1, 2015 valuation, the 2009 California PERS rates for were used.

Table 4-4
STRS Employees - Annual Withdrawal Rates

<u>Service</u>	<u>Male</u>	<u>Female</u>
0	0.160	0.150
1	0.110	0.090
2	0.085	0.070
3	0.063	0.055
4	0.040	0.040
5	0.035	0.030
10	0.018	0.018
15	0.012	0.012
20	0.009	0.009
25	0.007	0.007
30	0.006	0.006

For the January 1, 2015 valuation, the 2009 California STRS rates for were used.

Retirement Rates

We used the retirement rates that match those used in the most recent California PERS and STRS retirement plan valuations. Table 4-5a illustrates the rates used for school employees participating in the CalPERS pension plan (employees hired prior to January 1, 2013) and Table 4-5b illustrates the rates used for miscellaneous employees participating in the CalPERS 2%@62 pension plan (employees hired on or after January 1, 2013). Selected rates are shown below.

Age	----- Years of Service -----						
	5	10	15	20	25	30	35
50	0.0050	0.0090	0.0130	0.0150	0.0160	0.0180	0.0220
51	0.0050	0.0100	0.0140	0.0170	0.0190	0.0210	0.0250
52	0.0060	0.0120	0.0170	0.0200	0.0220	0.0250	0.0290
53	0.0070	0.0140	0.0190	0.0230	0.0260	0.0290	0.0330
54	0.0120	0.0240	0.0330	0.0390	0.0440	0.0490	0.0570
55	0.0240	0.0480	0.0670	0.0790	0.0880	0.0990	0.1160
56	0.0200	0.0390	0.0550	0.0650	0.0720	0.0810	0.0950
57	0.0210	0.0420	0.0590	0.0700	0.0780	0.0870	0.1020
58	0.0250	0.0500	0.0700	0.0830	0.0920	0.1030	0.1210
59	0.0290	0.0570	0.0800	0.0950	0.1050	0.1180	0.1380
60	0.0370	0.0730	0.1020	0.1210	0.1340	0.1500	0.1760
61	0.0460	0.0900	0.1260	0.1490	0.1660	0.1860	0.2180
62	0.0760	0.1510	0.2120	0.2500	0.2780	0.3110	0.3660
63	0.0690	0.1360	0.1910	0.2250	0.2510	0.2810	0.3300
64	0.0670	0.1330	0.1850	0.2190	0.2440	0.2730	0.3200
65	0.0910	0.1800	0.2510	0.2970	0.3310	0.3700	0.4350
66	0.0720	0.1430	0.2000	0.2370	0.2640	0.2950	0.3470
67	0.0670	0.1320	0.1850	0.2180	0.2430	0.2720	0.3190
68	0.0600	0.1180	0.1650	0.1950	0.2170	0.2430	0.2860
69	0.0670	0.1330	0.1870	0.2200	0.2460	0.2750	0.3230
70	0.0660	0.1310	0.1830	0.2160	0.2410	0.2700	0.3160
71	0.0510	0.1020	0.1430	0.1680	0.1880	0.2100	0.2460
72	0.0450	0.0900	0.1260	0.1490	0.1660	0.1850	0.2180
73	0.0440	0.0880	0.1220	0.1450	0.1610	0.1800	0.2120
74	0.0550	0.1090	0.1530	0.1800	0.2010	0.2250	0.2640
75	0.0550	0.1080	0.1510	0.1790	0.1990	0.2230	0.2620
76	0.0440	0.0860	0.1210	0.1430	0.1590	0.1780	0.2090
77	0.0500	0.0980	0.1370	0.1620	0.1810	0.2020	0.2380
78	0.0500	0.1000	0.1400	0.1650	0.1840	0.2060	0.2420
79	0.0930	0.1850	0.2580	0.3050	0.3400	0.3800	0.4470
80	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Table 4-5b
Annual Rates of Retirement
CalPERS 2%@62 Public Agency Miscellaneous

Age	----- Years of Service -----						
	5	10	15	20	25	30	35
50	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
51	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
52	0.0103	0.0132	0.0160	0.0188	0.0216	0.0244	0.0272
53	0.0131	0.0167	0.0202	0.0238	0.0273	0.0309	0.0345
54	0.0213	0.0272	0.0330	0.0388	0.0446	0.0504	0.0562
55	0.0440	0.0560	0.0680	0.0800	0.0920	0.1040	0.1160
56	0.0303	0.0385	0.0468	0.0550	0.0633	0.0715	0.0798
57	0.0363	0.0462	0.0561	0.0660	0.0759	0.0858	0.0957
58	0.0465	0.0592	0.0718	0.0845	0.0972	0.1099	0.1225
59	0.0578	0.0735	0.0893	0.1050	0.1208	0.1365	0.1523
60	0.0616	0.0784	0.0952	0.1120	0.1288	0.1456	0.1624
61	0.0619	0.0788	0.0956	0.1125	0.1294	0.1463	0.1631
62	0.0968	0.1232	0.1496	0.1760	0.2024	0.2288	0.2552
63	0.0888	0.1131	0.1373	0.1615	0.1857	0.2100	0.2342
64	0.0941	0.1197	0.1454	0.1710	0.1967	0.2223	0.2480
65	0.1287	0.1638	0.1989	0.2340	0.2691	0.3042	0.3393
66	0.1045	0.1330	0.1615	0.1900	0.2185	0.2470	0.2755
67	0.1045	0.1330	0.1615	0.1900	0.2185	0.2470	0.2755
68	0.1045	0.1330	0.1615	0.1900	0.2185	0.2470	0.2755
69	0.1045	0.1330	0.1615	0.1900	0.2185	0.2470	0.2755
70	0.1254	0.1596	0.1938	0.2280	0.2622	0.2964	0.3306
71	0.1254	0.1596	0.1938	0.2280	0.2622	0.2964	0.3306
72	0.1254	0.1596	0.1938	0.2280	0.2622	0.2964	0.3306
73	0.1254	0.1596	0.1938	0.2280	0.2622	0.2964	0.3306
74	0.1254	0.1596	0.1938	0.2280	0.2622	0.2964	0.3306
75	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

For the January 1, 2015 valuation, the 2009 CalPERS School Employees rates were used.

Table 4-6a illustrates the rates used for CalSTRS pension plan (employees hired prior to January 1, 2013) and Table 4-6b illustrates the rates used pension plan employees in the 2%@62 pension plan (employees hired on or after January 1, 2013). Selected rates are shown below.

Table 4-6a
STRS Employees - Annual Rates of Retirement

Age	Male Years of Service		Female Years of Service	
	0-29	30+	0-29	30+
50	0.000	0.050	0.000	0.050
51	0.000	0.030	0.000	0.030
52	0.000	0.030	0.000	0.030
53	0.000	0.030	0.000	0.030
54	0.000	0.030	0.000	0.030
55	0.027	0.060	0.035	0.080
56	0.018	0.060	0.025	0.080
57	0.018	0.080	0.025	0.100
58	0.027	0.120	0.035	0.150
59	0.045	0.160	0.050	0.180
60	0.063	0.250	0.070	0.290
61	0.070	0.500	0.090	0.500
62	0.110	0.450	0.125	0.450
63	0.120	0.350	0.160	0.400
64	0.130	0.300	0.140	0.350
65	0.140	0.325	0.170	0.375
66	0.130	0.300	0.150	0.320
67	0.130	0.270	0.150	0.320
68	0.120	0.270	0.140	0.300
69	0.120	0.250	0.140	0.300
70	0.120	0.250	0.140	0.300
71	0.110	0.250	0.135	0.300
72	0.110	0.250	0.135	0.300
73	0.110	0.250	0.135	0.300
74	0.110	0.250	0.135	0.300
75	1.000	1.000	1.000	1.000

Note: The rates shown above are multiplied by 2.25 for employees who retire with at least 25 but fewer than 28 years of service, and by 1.25 for employees who retire with at least 28 but fewer than 30 years of service

Table 4-6b
STRS Employees - Annual Retirement Rates, 2% @ 62

<u>Service</u>	<u>Male</u>	<u>Female</u>
Under 55	0.000	0.000
55	0.030	0.040
56	0.020	0.030
57	0.030	0.035
58	0.040	0.040
59	0.060	0.060
60	0.090	0.090
61	0.150	0.150
62	0.150	0.170
63	0.150	0.180
64	0.150	0.180
65	0.300	0.300
66	0.250	0.250
67	0.250	0.250
68	0.200	0.200
69	0.200	0.200
70	0.200	0.200
71	0.200	0.200
72	0.200	0.200
73	0.200	0.200
74	0.200	0.200
75	1.000	1.000

For the January 1, 2015 valuation, the 2009 CalSTRS rates were used.

Disability Retirement

Because of the anticipated low incidence of disability retirements we did not value disability retirement.

Mortality

Table 4-7 and Table 4-8 contain samples of mortality rates used in the valuation. These rates match those used in the most recent PERS and STRS pension valuations.

Table 4-7
Sample California PERS Mortality Rates

<u>Age</u>	<u>Active Employees</u>		<u>Retired Employees</u>	
	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
55	0.228%	0.138%	0.599%	0.416%
60	0.308%	0.182%	0.710%	0.436%
65	0.400%	0.257%	0.829%	0.588%
70	0.524%	0.367%	1.305%	0.993%
75			2.205%	1.722%
80			3.899%	2.902%
85			6.969%	5.243%
90			12.974%	9.887%

For the 2015 valuation, the 2009 CalPERS Mortality for Active Miscellaneous Employees was used.

Table 4-8
Sample California STRS Mortality Rates
(prior to the application of generational projection)

<u>Age</u>	<u>Preretirement</u>		<u>Postemployment</u>	
	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
25	0.036%	0.014%		
30	0.031%	0.017%		
35	0.035%	0.022%		
40	0.040%	0.029%		
45	0.056%	0.045%		
50	0.095%	0.076%	0.248%	0.138%
55	0.161%	0.121%	0.366%	0.218%
60	0.265%	0.177%	0.491%	0.289%
65	0.461%	0.263%	0.697%	0.437%
70			1.116%	0.720%
75			2.002%	1.323%
80			3.673%	2.537%
85			7.062%	5.061%
90			13.573%	10.260%
95			23.098%	19.148%

The STRS mortality rates used in this valuation are those used in the most recent California STRS pension valuations.

The rates for healthy retirees are the RP2014 White Collar rates, with a 1-year setback for males and a 4-year setback for females until age 70. For ages higher than 70, the setbacks for both sexes were then graduated and smoothed to a 1-year set-forward at age 95. The rates for active employees are the RP-2014 White Collar rates with a 2-year setback. These rates were generationally projected from 2016 for both sexes using the RP-2016 ultimate (2032) rates, increased by 10%.

Health Plan Participation

We assumed 95% of eligible retirees will elect to participate in the District's program until they reach age 65. We assumed that upon reaching age 65, 80% of eligible retirees will elect to continue coverage under a CalPERS medical plan.

Spouse Coverage

We assumed that 30% of participating retirees will enroll a spouse.

Medicare Coverage

We assumed that all future retirees will be eligible for Medicare when they reach age 65.

Health Care Reform Considerations

Health care delivery is going through an evolution due to enactment of Health Care Reform. The Patient Protection and Affordable Care Act (PPACA), was signed March 23, 2010, with further changes enacted by the Health Care and Education Affordability Reconciliation Act (HCEARA), signed March 30, 2010. This valuation uses various assumptions that may have been modified based on considerations under PPACA. This section discusses particular legislative changes that were reflected in our assumptions. We have not identified any other specific provision of PPACA that would be expected to have a significant impact on the measured obligation. As additional guidance on the Act continues to be issued, we'll continue to monitor impacts.

Individual Mandate

Under PPACA, individuals (whether actively employed or otherwise) must be covered by health insurance or else pay a penalty tax to the government. While it is not anticipated that the Act will result in universal coverage, it is expected to increase the overall portion of the population with coverage. We believe this will result in an increased demand on health care providers, resulting in higher trend for medical services for non-Medicare eligible retirees. (Medicare costs are constrained by Medicare payment mechanisms already in place, plus additional reforms added by PPACA and HCEARA.) While we believe that the mandate may result in somewhat higher participation overall, this issue is moot since we assume 100% participation upon retirement.

Employer Mandate

Health Care Reform includes various provisions mandating employer coverage for active employees, with penalties for non-compliance. Those provisions do not directly apply to the postemployment coverage included in this valuation.

Medicare Advantage Plans

Effective January 1, 2011, the Law provides for reductions to the amounts that would be provided to Medicare Advantage plans starting in 2011. We considered the effect of these reductions in federal payments to Medicare Advantage plans when setting our trend assumption.

Expansion of Child Coverage to Age 26

Health Care Reform mandates that coverage be offered to any child, dependent or not, through age 26, consistent with coverage for any other dependent. We assume that this change has been reflected in current premium rates. While this plan covers dependents, we do not currently assume non-spouse dependent coverage. We believe the impact this assumption has on the valuation is immaterial due to the lack of retirees that have had or are expected to have non-spouse dependents for any significant amount of time during retirement.

Elimination of Annual or Lifetime Maximums

Health Care Reform provides that annual or lifetime maximums have to be eliminated for all “essential services.” We assume that current premium rates already reflect the elimination of any historic maximums.

Cadillac Tax (High Cost Plan Excise Tax)

The PPACA legislation added a new High-Cost Plan Excise Tax (also known as the “Cadillac Tax”) starting in calendar year 2020. For valuation purposes, we assumed that the value of the tax will be passed back to the plan in higher premium rates.

- The tax is 40% of the excess of (a) the cost of coverage over (b) the limit. We modeled the cost of the tax by calculating (a) using the working rates projected with trend. We calculated (b) starting with the statutory limits (\$10,200 single and \$27,500 family), adjusted for the following:
 - Limits will increase from 2020 to 2021 by 4.25% (CPI plus 1%);
 - Limits will increase after 2021 by 3.25% (CPI); and
 - For retirees over age 55 and not on Medicare, the limit is increased by an additional dollar amount of \$1,650 for single coverage and \$3,450 for family coverage.
- Based on the above assumptions, we estimate that the tax will apply as early as 2020 for some of the District's pre-Medicare plans. In addition, we estimate that the tax will not apply to any of the post-Medicare plans.

Other Revenue Raisers

The Health Care Reform includes a variety of other revenue raisers that involve additional costs on providers (such as medical device manufacturers) and insurers. We considered these factors when developing the trend assumptions.

SECTION V

Glossary

- Accrual Accounting – A method of matching the cost of an employee’s service, including long term obligations such as OPEB, to that employee’s period of active service.
- Actuarial Accrued Liability (AAL) – The Actuarial Present Value of all postemployment benefits attributable to past service. Note: the AAL is sometimes referred to as the Past Service Liability.
- Actuarial Cost Method – A procedure for allocating the actuarial present value of benefits and expenses and for developing an actuarially equivalent allocation of such value to time periods, usually in the form of a Normal Cost and an Actuarial Accrued Liability.
- Actuarial Present Value – The value of an amount or series of amounts payable or receivable at various times. Each such amount or series of amounts is:
 - a. adjusted for the probable financial effect of certain intervening events (such as changes in healthcare costs, compensation levels, Medicare, marital status, etc.)
 - b. multiplied by the probability of the occurrence of an event (such as survival, death, disability, termination of employment, etc.) on which the payment is conditioned, and
 - c. discounted according to an assumed rate (or rates) of return to reflect the time value of money
- Actuarial Valuation – The determination, as of a valuation date, of the Normal Cost, Actuarial Accrued Liability, Actuarial Value of Assets and related Actuarial Present Values.
- Actuarial Value of Assets – The value of cash, investments and other property belonging to a plan. These are amounts that may be applied to fund the Actuarial Accrued Liability. Note: assets must be segregated and placed in a Trust in order to be considered OPEB assets
- Age-Adjusted Costs – The process of converting flat premiums to average annual health care costs that vary by age.

- **Amortization Payment** – That portion of the Annual OPEB cost which is designed to pay interest on and to amortize the Unfunded Actuarial Accrued Liability.

In the year that Statement 45 becomes effective an employer is allowed to commence amortization of the Unfunded Actuarial Accrued Liability, over a period not to exceed 30 years.

- **Annual Other Postemployment Benefit (OPEB) Cost** - An accrual-basis measure of the periodic cost of an employer's participation in a defined benefit OPEB plan. The annual OPEB cost is the amount that must be calculated and reported as an expense.

When an employer has no net OPEB obligation (e.g., in the year of implementation) the annual OPEB cost is equal to the Annual Required Contribution (ARC).

In subsequent years the Annual OPEB cost will include:

- the ARC (equal to the Normal Cost plus one year's amortization of the Unfunded Actuarial Accrued Liability);
 - one year's interest on the net OPEB obligation at the beginning of the year using the valuation discount rate; and
 - an adjustment to the ARC. This adjustment is intended to provide a reasonable approximation of that portion of the ARC that consists of interest associated with past contribution deficiencies. GASB Statement No. 45 specifies that this adjustment should be equal to an amortization of the discounted present value of the net OPEB obligation at the beginning of the year. The amortization should be calculated using the same amortization method and period used in determining the ARC for that year. If the net OPEB obligation is positive the adjustment should be deducted from the ARC.
 - Note: As long as the net OPEB obligation is zero, there will not be any interest charge or adjustment to the ARC. However, if an employer does not contribute the full amount of the ARC, a net OPEB obligation will emerge.
- **Annual required contributions of the employer (ARC)** - The employer's periodic required contributions to a defined benefit OPEB plan, calculated in accordance with the parameters.
 - **ASOP 6** – Actuarial Standards of Practice No. 6 (ASOP 6) – *Measuring Retiree Group Benefits Obligations and Determining Retiree Group Benefits Program Periodic Costs or Actuarially Determined Contributions*, is published by the American Academy of Actuary's Actuarial Standards Board.

- Cadillac Tax – The Patient Protection and Affordability Care Act’s (PPACA) high-cost plan tax (HCPT), popularly known as the “Cadillac tax,” is a 40% excise tax on employer health plans exceeding \$10,200 in premiums per year for individuals and \$27,500 for families. The tax only applies on amounts exceeding these thresholds and is scheduled to take effect in 2020.
- Defined benefit OPEB plan - An OPEB plan having terms that specify the *benefits* to be provided at or after separation from employment. The benefits may be specified in dollars (for example, a flat dollar payment or an amount based on one or more factors, such as age, years of service, and compensation), or as a type or level of coverage (for example, prescription drugs or a percentage of healthcare insurance premiums).
- Defined contribution plan - A pension or OPEB plan having terms that (a) provide an individual account for each plan member and (b) specify how contributions to an active plan member’s account are to be determined, rather than the income or other benefits the member or his beneficiaries are to receive at or after separation from employment. Those benefits will depend only on the amounts contributed to the member’s account, earnings on investments of those contributions, and forfeitures of contributions made for other members that may be allocated to the member’s account. For example, an employer may contribute a specified amount to each active member’s postemployment healthcare account each month. At or after separation from employment, the balance of the account may be used by the member or on the member’s behalf for the purchase of health insurance or other healthcare benefits.
- Employer’s contributions - Contributions made in relation to the annual required contributions of the employer (ARC). An employer has made a contribution in relation to the ARC if the employer has (a) made payments of benefits directly to or on behalf of a retiree or beneficiary, (b) made premium payments to an insurer, or (c) irrevocably transferred assets to a trust, or an equivalent arrangement, in which plan assets are dedicated to providing benefits to retirees and their beneficiaries in accordance with the terms of the plan and are legally protected from creditors of the employer(s) or plan administrator.
- Entry Age Normal Actuarial Cost Method – An actuarial cost method under which the Actuarial Present Value of the Projected Benefits of each individual included in the valuation is allocated on a level basis over the earnings or service of the individual between entry age and assumed exit age(s). The portion of this Actuarial Present Value allocated to a valuation year is called the Normal Cost.
- Explicit Subsidy – The portion of the retiree health premium borne by the employer.
- HCEARA - The Health Care and Education Affordability Reconciliation Act of 2010 was signed into law on March 30, 2010. Together HCEARA and PPACA, or Patient

Protection and Affordability Care Act of 2010 (signed into law on March 23, 2010), comprise what we usually think of as “ObamaCare”.

- Healthcare cost trend rate - The rate of change in per capita health claims costs over time as a result of factors such as medical inflation, utilization of healthcare services, plan design, and technological developments.
- Implicit Subsidy – The implicit subsidy is the difference between average claims cost and the premiums paid for retirees. CalPERS charges the same flat premium for both active employees and retirees. However, retirees are observed to have a higher incidence of ill health (morbidity) on average than active employees. As a result, active employee premiums are subsidizing the cost of the retiree medical plan premiums. Therefore, basing retiree medical valuations on premiums would tend to understate the true liabilities of the plan.
- Investment return assumption (discount rate) - The rate used to adjust a series of future payments to reflect the time value of money.
- Morbidity and Mortality – Morbidity refers to the incidence of ill health within a population. Mortality refers to the incidence of death within a population.
- Net OPEB obligation - The cumulative difference since the effective date of GASB Statement 45 between annual OPEB cost and the employer's contributions to the plan, including the OPEB liability (asset) at transition, if any, and excluding (a) short-term differences and (b) unpaid contributions that have been converted to OPEB-related debt.

Most employers will have no net OPEB obligation at the beginning of the year in which Statement 45 is implemented.

If an employer contributes the annual OPEB cost to the plan each year, and there are no actuarial or investment gains or losses then the net OPEB Obligation will remain zero.

- Normal Cost - That portion of the Actuarial Present Value of benefits and expenses which is allocated to a valuation year by the Actuarial Cost Method. Another interpretation is that the Normal Cost is the present value of future benefits that are “earned” by employees for service rendered during the current year.
- OPEB assets - The amount recognized by an employer for contributions to an OPEB plan greater than OPEB expenses.
- OPEB expense - The amount recognized by an employer in each accounting period for contributions to an OPEB plan on the accrual basis of accounting.

- Other postemployment benefits (OPEB) - Postemployment benefits other than pension benefits. Other postemployment benefits (OPEB) include postemployment healthcare benefits, regardless of the type of plan that provides them, and all postemployment benefits provided separately from a pension plan, except benefits defined as special termination benefits.
- Plan assets - Resources, usually in the form of stocks, bonds, and other classes of investments, that have been segregated and restricted in a trust, or in an equivalent arrangement, in which (a) employer contributions to the plan are irrevocable, (b) assets are dedicated to providing benefits to retirees and their beneficiaries, and (c) assets are legally protected from creditors of the employer(s) or plan administrator, for the payment of benefits in accordance with the terms of the plan.
- PPACA - The Patient Protection and Affordability Care Act of 2010 was signed into law on March 23, 2010. Together PPACA and HCEARA, or Health Care and Education Affordability Reconciliation Act of 2010 (signed into law on March 30, 2010), comprise what we usually think of as "ObamaCare".
- Present Value – See Actuarial Present Value.
- Projected Unit Credit Cost Method – An actuarial cost method under which the projected benefits of each individual included in an Actuarial Valuation are separately calculated and allocated to each year service by a consistent formula.
- Substantive plan - The terms of an OPEB plan as understood by the employer(s) and plan members.
- Unfunded Actuarial Accrued Liability (UAAL) – The excess of the Actuarial Accrued Liability over the Actuarial Value of Assets.
- Valuation date – The date as of which the postemployment benefit obligation is determined.
- Withdrawal Rates – The incidence of termination from active employment within a population.

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



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017 Attachments: X
From: Elizabeth Keema-Aston, Chief Business Officer Item Number: 13.

SUBJECT Request to Approve Resolution #732 authorizing Temporary Transfer of Funds for Payment of Obligations for FY 2017-18. Action: X
Consent Action:
Information Only:

Background:

This resolution will allow the district to temporarily borrow funds within those on deposit at the Sacramento County Treasury in River Delta’s fund accounts. This is strictly on a short term basis and is allowed by Education Code Section 42603 which provides districts the ability to temporarily borrow between funds to satisfy operating costs.

Status: Currently, the district has positive balances in various funds that can be transferred as needed to meet operating costs. Education Code Section 42603 provides the authorization for districts to borrow between funds and sets limitations on this type of borrowing. The authorization and limitations are stated in the attached resolution.

Presenter: Elizabeth Keema-Aston, Chief Business Officer

Other People Who Might Be Present: Not Applicable

Cost &/or Funding Sources: Not Applicable

Recommendation:

That the Board approves Resolution 732 authorizing temporary borrowing between funds for FY 2017-18

Time: 5 mins.

RIVER DELTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 732

ESTABLISH TEMPORARY INTERFUND TRANSFERS OF SPECIAL OR RESTRICTED FUND MONEYS

WHEREAS, the governing board of any school district may direct that moneys held in any fund or account may be temporarily transferred to another fund or account of the district for payment of obligations as authorized by Education Code Section 42603; and

WHEREAS, the transfer shall be accounted for as temporary borrowing between funds or accounts and shall not be available for appropriation or be considered income to the borrowing fund or account; and

WHEREAS, amounts transferred shall be repaid either in the same fiscal year, or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the River Delta Unified School District, in accordance with the provisions of Education Code section 42603 adopts the following authorization for fiscal year 2017-18 to temporarily transfer funds between the following funds provided that all transfers are approved by the Superintendent or his designee:

General Fund #01
Cafeteria Fund #13
Building Fund Capital Projects Fund #21
SFID #1 – South (GO Bond) Fund #22
SFID #2-North (GO Bond) Fund #23
Capital Facilities (Developer Fees) Fund # 25
State School Facilities – Fund #35

PASSED AND ADOPTED the 8th day of August 2017 by the Board of Trustees of the River Delta Unified School District of Sacramento County, California, by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

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. 732 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

August 8, 2017
Date

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



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017

Attachments: _____

From: Antonia Slagle, Isleton Elementary Principal

Item #: 14 _____

SUBJECT

Request to allow the District to contract with CDE for California State Preschool for 2017-2018 school year at Isleton Elementary School.

Action: _____
Consent Action: _____
Information Only: _____

Background & Status:

Name of Vendor: California Department of Education

Description of Service(s): At the end of May, CDE notified RDUSD that the district was awarded a contract for preschool through its expansion effort. The proposed award amount is up to \$258,552. based on enrollment of 24 children in a year round (244 days) program. The contract will cover staffing, supplies and professional development to expand the preschool program for the district. The contract also provides startup funds for new equipment, including play structure, bikes, tables and chairs up to \$36,750.

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

Presenter:

Antonia Slagle, Principal, Isleton Elementary

Cost &/or Funding Sources (be specific)

Requested contract will be up to \$258,552.

Recommendation:

That the Board approve the Contract for California State Preschool for the 2017-2018 school year at a cost not to exceed \$258,552. for main program, with startup funds up to \$36,750.

Time: _____ 4 mins. _____



CALIFORNIA
DEPARTMENT OF
EDUCATION



TOM TORLAKSON
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

May 26, 2017

Kathy Wright, Executive Director
River Delta Unified School District
445 Montezuma Street
Rio Vista, CA 94571

Proposed Award

Vendor Number: 6741
County Number: 34
Proposed FY 2017-18 Award Amount: \$258,552

Dear Ms. Wright:

Subject: Fiscal Year 2016–17 California State Preschool Program Expansion Funds
Request for Applications Round Three

The California Department of Education (CDE), Early Education and Support Division (EESD) has completed its review of applications submitted in response to the California State Preschool Program (CSPP) Expansion Funds Request for Applications (RFA). We are pleased to inform River Delta Unified School District that your application is eligible for CSPP funding. Because the amount of funding authorized in the Fiscal Year (FY) 2016–17 Budget Act for the CSPP Expansion Funds exceeds the amount of funding requested in all applications received, your agency has been selected to receive the total amount requested in your application. This offer of funding is made pursuant to Management Bulletin 17-05, for sites listed on Attachment A.

The proposed award amount for FY 2017-18 represents July 1, 2017 through June 30, 2018.

Final contract terms will be negotiated between your agency and the CDE Child Development and Nutrition Fiscal Services (CDNFS) Unit. A fiscal representative from the CDNFS unit will contact your agency to finalize the contract terms. Upon completion of contract negotiations, your agency will be mailed a contract for your signature. Any costs incurred outside the performance period of a fully executed contract may not be reimbursed. Contracts for subsequent fiscal years (July 1 through June 30, annually) are renewed each spring through a continued funding application process and are subject to CDE approval.

Congratulations on the submission of a successful application. Your commitment to provide CSPP services to eligible children is highly commendable. The EESD looks forward to maintaining an ongoing positive relationship in support of families and children of California.

ATTACHMENT A

FY 2017–18 CSPP Expansion RFA

Agency Name:	River Delta Unified School District
Headquartered County:	Sacramento
Vendor Number:	6741
Total Amount Requested:	\$258,552
Proposed Award Amount:	\$258,552

Site Name:	Iselton Elementary School
Site Address:	412 Union Street, Sacramento, CA 95641
County Name	Sacramento
LPC Priority Number:	3
Time-base:	Full-day/Full-year
Funds Requested:	\$258,552
Funds Awarded:	\$258,552

Fiscal Year 2017-18 Program Calendar

Name of Contractor	Vendor Number	County	Contract Type
River Delta Unified School District	6741	48 Solano	CSPP - Full Year

Enter an "X" for Days of Operation.

July 2017						
S	M	T	W	T	F	S
						1
2	x	4	x	x	x	8
9	x	x	x	x	x	15
16	x	x	x	x	x	22
23	x	x	x	x	x	29
30	x					

Days of Operation

August 2017						
S	M	T	W	T	F	S
		x	x	x	x	5
5	6	x	x	x	x	12
13	x	x	x	x	x	19
20	x	x	x	x	x	26
27	x	x	x	x		

Days of Operation

September 2017						
S	M	T	W	T	F	S
					x	2
3	4	x	x	x	x	9
10	x	x	x	x	x	16
17	x	x	x	x	x	23
24	x	x	x	x	x	30

Days of Operation

Quarterly Subtotal

October 2017						
S	M	T	W	T	F	S
1	x	x	x	x	x	7
8	x	x	x	x	x	14
15	x	x	x	x	x	21
22	x	x	x	x	x	28
29	x	x				

Days of Operation

November 2017						
S	M	T	W	T	F	S
			x	x	x	4
5	x	x	x	x	10	11
12	x	x	x	x	x	18
19	x	x	22	23	24	25
26	x	x	x	x		

Days of Operation

December 2017						
S	M	T	W	T	F	S
					x	2
3	x	x	x	x	x	9
10	x	x	x	x	x	16
17	x	x	x	x	22	23
24	25	26	x	x	29	30
31						

Days of Operation

Quarterly Subtotal

January 2018						
S	M	T	W	T	F	S
	1	x	x	x	x	6
7	x	x	x	x	x	13
14	15	x	x	x	x	20
21	x	x	x	x	x	27
28	x	x	x			

Days of Operation **21**

February 2018						
S	M	T	W	T	F	S
				x	x	3
4	x	x	x	x	x	10
11	12	x	x	x	x	17
18	19	x	x	x	x	24
25	x	x	x			

Days of Operation **18**

March 2018						
S	M	T	W	T	F	S
				x	x	3
4	x	x	x	x	x	10
11	x	x	x	x	x	17
18	x	x	x	x	x	24
25	x	x	x	x		30
						31

Days of Operation **21**

Quarterly Subtotal **60**

April 2018						
S	M	T	W	T	F	S
1	x	x	x	x	x	7
8	x	x	x	x	x	14
15	x	x	x	x	x	21
22	x	x	x	x	x	28
29	x					

Days of Operation **21**

May 2018						
S	M	T	W	T	F	S
		x	x	x	x	5
6	x	x	x	x	x	12
13	x	x	x	x	x	19
20	x	x	x	x	x	26
27	28	x	x	x		

Days of Operation **22**

June 2018						
S	M	T	W	T	F	S
					x	2
3	x	x	x	x	x	9
10	x	x	x	x	x	16
17	x	x	x	x	x	23
24	x	x	x	x	x	30

Days of Operation **21**

Quarterly Subtotal **64**

Total Days of Operation **244**

EESD Consultant Initials _____

Date approved by EESD Consultant _____

BOARD OF TRUSTEES



RIVER DELTA UNIFIED SCHOOL DISTRICT

Meeting Date: August 8, 2017

Attachments: _____
Item no. 15.

From: Bonnie Kauzlarich, Director of Personnel

SUBJECT Request to approve the Variable Term Waiver as
authorized by the Commission on Teacher
Credentialing for 2017-18

Action: X
Consent: _____
Information Only:

Background Due to the unavailability of fully qualified and acceptable Elementary Counseling candidates for the Elementary Counselor position for D.H. White School and Isleton Elementary, RDUSD has had to assign a counselor under the provisions of a Variable Term Waiver as authorized by the Commission on Teacher

Status: The application for the Variable Term Waiver has been prepared and is ready to be submitted to the Commission on Teacher Credentialing for Rosa Camargo Nunez, as an Elementary Counselor for D.H. White School & Isleton Elementary.

Presenter: Don Beno, Superintendent

Other People Who Might Be Present:

Cost &/or Funding Sources

Recommendation: That the Board approve the Variable Term Waiver Request for Rosa Camargo Nunez.

Time: 3 Minutes

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

445 Montezuma Street
Rio Vista, CA 94571-1651



BOARD AGENDA BRIEFING

Meeting Date: August 8, 2017

Attachments: _____

From: Don Beno, Superintendent

Item Number: _16._

SUBJECT

Action: X

Request to approve the Amended and Restated School Facilities
Mitigation Agreement between River Delta Unified School District and
Encore Liberty, LLC (formerly Shea Homes Project)

Consent Action: _____

Information Only: _____

Background:

River Delta USD is in process of amending the School Facilities Mitigation Agreement with Encore Liberty, LLC (formerly Shea Homes Project). Pending the outcome of closed session the Board will approve the amended agreement or pull from this evening's agenda.

Status:

Presenter: Don Beno

Other People Who Might Be Present: Staff

Cost &/or Funding Sources

Recommendation:

That the Board approves the Amended and Restated School Facilities Mitigation Agreement between RDUSD and Encore Liberty, LLC.

Time: _____5 mins.____