

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:

February 18, 2020

Isleton Elementary School • 412 Union Street, Isleton, CA

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

REGULAR MEETING AGENDA

1. Call the Open Session to Order (@ 5:30 p.m.)
2. Roll Call
3. Review Closed Session Agenda (see attached agenda)
 - 3.1 Announce Closed Session Agenda
 - 3.2 Public Comment on Closed Session Agenda Items Only
4. Approve Closed Session Agenda and Adjourn to the **Closed Session** (@5:35 p.m.)
Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____ Time: _____
5. Reconvene to Open Session (@ approx. 6:30 p.m.) Time: _____
 - 5.1 Retake Roll Call
Member Fernandez ____; Member Olson ____; Member Riley ____;
Member Stone ____; Member Elliott ____; Member Casillas ____; Member Mahoney ____
 - 5.2 Pledge of Allegiance
 - 5.3 Delta High School's Future Farmers of America (FFA) Presentation – Shanan Spears, Teacher
6. Report of Action taken, if any, during the Closed Session (Government Code Section 54957.1) – Board President Fernandez
7. Review and Approve the **Open Session** Agenda
Motioned: _____ Second: _____ Ayes: _____ Noes: _____ Absent: _____
8. Public Comment: **Anyone may address the Board at this time regarding any subject that is within the Board's subject-matter jurisdiction which is not on this night's agenda** [Government Code Section 54954.3 and Education Code Sections 35145.5 and 72121.5]. **However, please hold your comments on a specific item listed until it is brought up for discussion.** To address the Board, please complete a Speaker Card and hand it to the Recording Secretary, 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 listed on this agenda** (except as authorized by Government Code Section 54954.2). (BB9323) **Individual speakers shall be allowed two minutes to address the Board on any non-agendized item. The Board may limit the total time for public input on each agenda or non-agenda item to 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)
 - 9.1.2.1 City and District 2x2 Committee
 - 9.1.2.2 Special Olympics Committee
 - 9.1.2.3 Facilities Steering Committee
 - 9.1.2.4 LCAP Goal and Stakeholder
- 9.1.3 Superintendent Wright's report(s)
 - 9.1.3.1 Bond Feasibility Presentation – Matt Kolker, Governmental Financial Strategies, Inc.
- 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; Ken Gaston, Directors of MOT
 - 9.2.1 ADA/Enrollment Report – Elizabeth Keema-Aston, Chief Business Officer
 - 9.2.2 Monthly Financial Report – Elizabeth Keema-Aston, Chief Business Officer
 - 9.2.2.1 D.H. White Modular Classroom Construction Project Update – Elizabeth Keema-Aston, Chief Business Officer
 - 9.2.3 Summary of the Governor's Budget Report – Elizabeth Keema-Aston, Chief Business Officer
 - 9.2.4 Maintenance, Operations & Transportation Update, Ken Gaston, Director of MOT
- 9.3 Education Services' Reports and/or Presentation(s) - Nicole Latimer, Director of Educational Services and Special Education
 - 9.3.1 Differentiated Assistance Status and CA Dashboard Update – Nicole Latimer, Director of Education Services
- 9.4 River Delta Unified Teacher's Association (RDUTA) Update
- 9.5 California State Employees Association (CSEA) Chapter #319 Update

10. **Consent Calendar**

- 10.1 Approve Board Minutes
 - Regular Meeting of the Board, January 14, 2020
 - Special Meeting of the Board, February 7, 2020
- 10.2 Receive and Approve Monthly Personnel Reports
 - As of February 18, 2020
- 10.3 District's Monthly Expenditure Report
 - January 2020
- 10.4 Request to approve the out-of-state travel for Rio Vista High School students to travel to the Oregon Shakespeare Festival in Ashland, Oregon April 24 -26, 2020 – Vicky Turk, Principal
- 10.5 Request to approve the Rio Vista High School FFA fundraising activity "Metal Rose" to benefit the Ag Mechanics Class – Vicky Turk, Principal
- 10.6 Request approval to apply for the California Fertilizer Foundation (CFF) School Garden Program for Bates Elementary School – Maria Elena Becerra, Principal
- 10.7 Request to approve the D.H. White Elementary School's PTC fundraising event "Penny War" to raise funds for replacement of the playground equipment – Samy D'Amico, Interim Principal
- 10.8 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 for the 2019-2020 school year – Nicole Latimer, Director of Education Services
- 10.9 Donations
 - Rio Vista High School – In memory of Jerry Rubier for the Radio Rio Program**
 - Marci Coglianese
 - Barry Waldie
 - Jerry and Nadine Penick
 - Edythe Harlan
 - Jane McDaniel
 - Theta Theta, c/o Sue Esperson
 - Danny & Delinda Bowers

Action Items -- Individual speakers shall be allowed two minutes to address the Board on any agenda item. The Board may limit the total time for public input on each agenda item to 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 First Reading of the updated or new Board Policies, Administrative Regulations and Exhibits due to new legislation, mandated language and/or citation revisions as of December 2019 – Katherine Wright, Superintendent

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

- 12. Request to approve a contract with Williams & Associates LLC, School Facilities Program (SFP) consultant to analyze the District’s eligibility for state funding for facilities– not to exceed \$27,450 General Fund - Elizabeth Keema-Aston, Chief Business Officer

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

- 13. Request to approve the 2020 Districtwide Comprehensive Safety Plan – Katherine Wright, Superintendent

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

- 14. Request the approval to conduct a Public Opinion Survey to determine Bond Measure(s) feasibility and to authorize Superintendent Wright to contract with a Public Opinion Survey firm– Katherine Wright, Superintendent

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

- 15. Request to approve the contract with Parker & Covert, LLC for legal counsel services regarding Bond Measures – Katherine Wright, Superintendent

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

- 16. Request to approve Resolution #779 the transferring of funds from Fund 17 to Fund 01 – Elizabeth Keema-Aston, Chief Business Officer

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

- 17. Request to approve Resolution #780 endorsing the Schools and Communities First Initiative – Bill Hodges, RDUTA President

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

- 18. Request to approve the contract with Datapath for Cloudpath services (3-year licensing), at a cost not to exceed \$23,511 - General Funds - Elizabeth Keema-Aston, Chief Business Officer

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

- 19. Re-Adjourn to continue Closed Session, if needed

- 20. Report of Action taken, if any, during continued Closed Session (Government Code Section 54957.1) - Board President Fernandez

- 21. 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, at least 72 hours prior to the announced meeting of the Board of Trustees. The full agenda is also available online at <http://riverdelta.org>.

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

AFFIDAVIT OF NOTICING AND POSTING:

I, Jennifer Gaston, Executive Assistant to the Board of Trustees, declare that a copy of this Regular Meeting Agenda/Notice was posted in the bulletin board in front of the District Office, District administrative offices and that the Board of Trustees Members, school sites, and the community libraries were provided notice or caused to be provided notice via fax, e-mail and/or hand delivery on Friday, February 14, 2020, 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:

February 18, 2020
Isleton Elementary School • 412 Union Street, Isleton, CA
CLOSED SESSION

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

A Closed Session will be held beginning at 5:35 p.m. on February 18, 2020, 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)].

4.1.1 Student Case # 1920-340-002

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; Burke, Williams & Sorensen, LLP) – Pending or Anticipated Litigation/Potential Case(s) Update(s)

4.2.1 Name(s) unspecified as disclosure would jeopardize the service of process and/or existing/possible settlement negotiations

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

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

Public Employee(s) Evaluation:

4.3.1 Certificated

4.3.2 Classified

4.3.3 Public Employee(s) Searches, Appointment, Employment conditions

4.3.4 Complaint, Discipline, Dismissal, Non-Reelects, & Releases

4.3.4.1 Resolution #777 Release and Non-Reelect of certificated employees hired under temporary contracts for the 2019-2020 school year – Katherine Wright, Superintendent

Motion: _____ Second: _____

Roll Call Vote:

Member Fernandez ___; Member Olson ___; Member Riley ___; Member Stone ___; Member Elliott ___; Member Casillas ___; Member Mahoney ___

4.3.4.2 Resolution #778 non-re-employment for the 2020-2021 school year for Probationary 0, I & II Certificated Staff – Katherine Wright, Superintendent

Motion: _____ Second: _____

Roll Call Vote:

Member Fernandez ___; Member Olson ___; Member Riley ___; Member Stone ___; Member Elliott ___; Member Casillas ___; Member Mahoney ___

4.3.5 Employee/Employer Negotiations [Government Code Section 3549.1 and 54957.6]
Following negotiation meetings any/all units.

4.3.5.1 RDUTA

4.3.5.2 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, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: _____

From: Shanan Spears – Delta HS/FFA

Item Number: 5.3

Type of item: (Action, Consent Action or Information Only): _____

SUBJECT:

Mrs. Spears and selected members of Delta FFA would like to give a 5 minute informational presentation of department events and activities and present the Board and selected school district staff with flowers.

BACKGROUND:

The Agriculture Department/FFA of Delta High school has traditionally presented to the school Board each February during National FFA Week.

STATUS:

PRESENTER:

Shanan Spears and Delta High School FFA Students

OTHER PEOPLE WHO MIGHT BE PRESENT:

Delta FFA students and Ag Boosters parents

COST AND FUNDING SOURCES:

There is no cost for the presentation; the DHS Floral Department will be providing a floral gift.

RECOMMENDATION:

That the Board receives the presentation

Time allocated: 5 minutes

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Katherine Wright, Superintendent

Item Number: 9.1.3.1

Type of item: (Action, Consent Action or Information Only): Information only

SUBJECT:

Bond Feasibility Presentation from Matt Kolker of Governmental Financial Strategies, Inc. (GFS)

BACKGROUND:

School Bond Measures "U" (SFID 1) and "V" (SFID 2) formed in 2004. River Delta Unified Schools' voters voted affirmatively to secure the Bonds for our school facilities.

STATUS:

The River Delta Unified School District must decide if it will put forth to voters the opportunity to secure funding for facilities needs through a Bond Measures on the ballot for the November 2020 Election.

Mr. Kolker of Governmental Financial Strategies will give a presentation on general obligation bonds, the current status of Bond Measures U and V for River Delta USD, the development of Bond financing plans for potential Bond Measures and a schedule for submitting it for the ballot of the November 2020 Election.

PRESENTER:

Matt Kolker of Governmental Financial Strategies, Inc.

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff and community members

COST AND FUNDING SOURCES:

The presentation is one of the services that is offered with the approved contract with GFS.

RECOMMENDATION:

That the Board receives and considers the information provided

Time allocated: 15 minutes

DRAFT

River Delta Unified School District

Securing Funding for Facilities Needs through 2020 Bond Measure



Presented by Matt Kolker
February 18, 2020

Our Agenda for Today

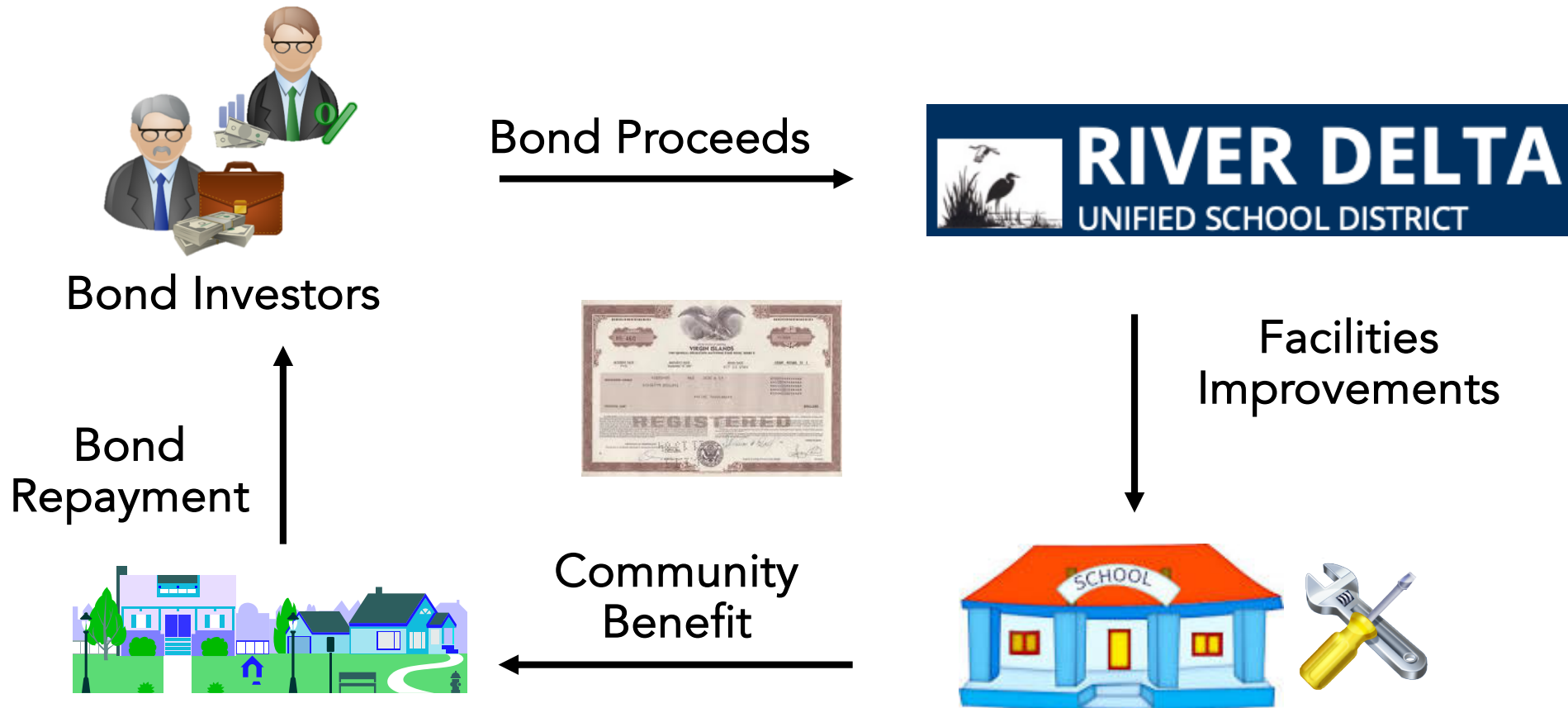
- ◆ Brief Review of General Obligation Bonds
- ◆ General Obligation Bond Election History and Issuance Portfolio
- ◆ Status of 2004 Bond Measures "U" (SFID No. 1) and "V" (SFID No. 2)
- ◆ Opportunity for November 2020 Bond Measure to Fund Facilities Needs
- ◆ For Reference



Why All the Due Diligence?



A Bond is a Loan

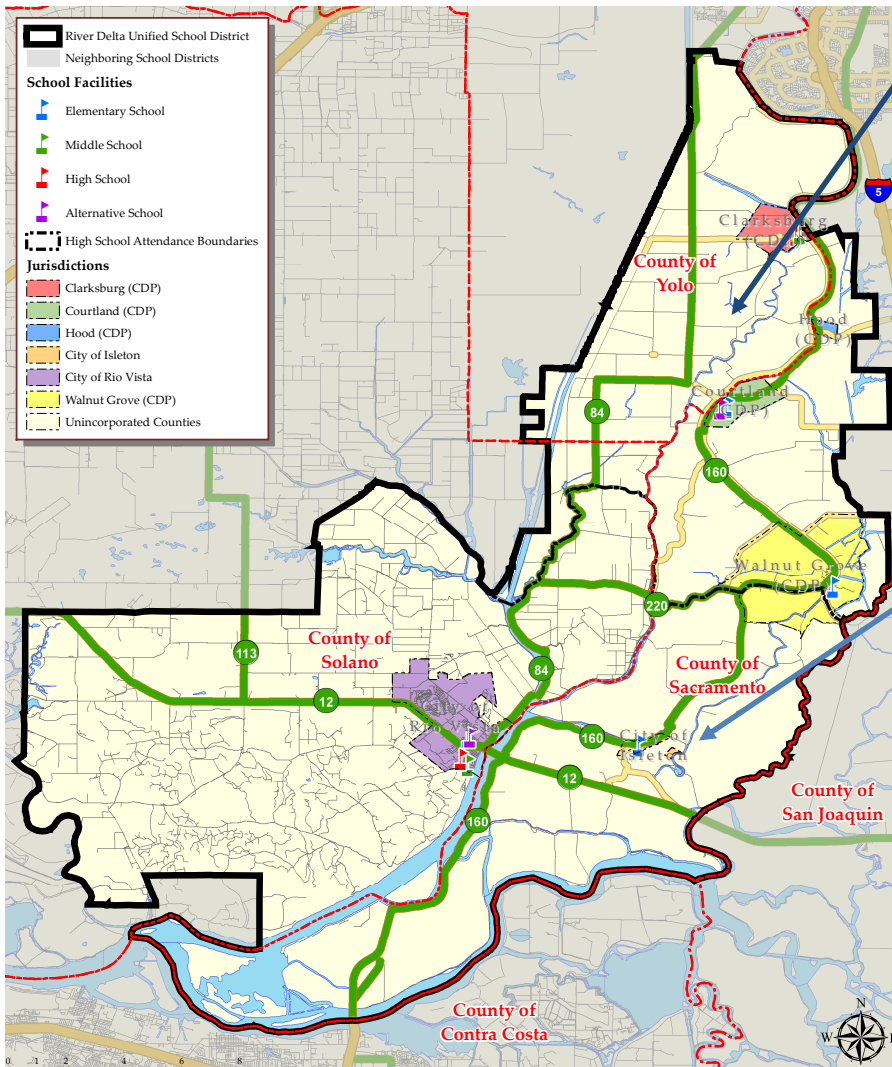


- ◆ A bond is a loan. Just like a home mortgage, a general obligation bond allows the taxpayers to buy and receive the benefit of the facilities now, and pay for them over time.

General Obligation (GO) Bonds

- ◆ Traditional method of school construction financing (since early 20th century)
- ◆ “Full Faith and Credit Bond” - unlimited taxing authority
- ◆ “Ad Valorem” (= according to value) taxation
- ◆ County responsible for ongoing administration
- ◆ No political discretion
- ◆ Two types of bond measures
 - ▶ Traditional two-thirds voter approval (early 1900’s)
 - ▶ Newer 55% voter approval (Proposition 39 - 2000)
- ◆ School Facilities Improvement District (SFID) allows general obligation bond election (either two-thirds or 55% voter approval) and taxation within a geographic sub-area of a school district

SFIDs No. 1 and No. 2



◆ SFID No. 2

- ▶ Formed in 2004
- ▶ Boundary equals attendance boundary of Delta High School
- ▶ Includes Clarksburg, Courtland, Walnut Grove, and unincorporated portions of Sacramento, Solano and Yolo Counties
- ▶ 22.4% of current total School District AV

◆ SFID No. 1

- ▶ Formed in 2004
- ▶ Boundary equals attendance boundary of Rio Vista High School
- ▶ Includes Rio Vista, Isleton, and other unincorporated portions of Sacramento and Solano Counties
- ▶ 77.6% of current total School District AV

GO Bond Election History and Issuance Portfolio

Election History, General Obligation Bonds

<u>Election Date</u>	<u>SFID #</u>	<u>Measure</u>	<u>Vote Required</u>	<u>Vote in Favor</u>	<u>Measure Amount</u>	<u>Bonds Issued</u>	<u>Remaining Authorization</u>
November 2004	SFID No. 1	U	55.0%	72.7%	\$14,000,000	\$13,999,973	\$27
November 2004	SFID No. 2	V	55.0%	78.4%	\$9,000,000	\$8,999,996	\$4
Totals					\$23,000,000	\$22,999,969	\$31

SFID #1 - General Obligation Bonds, November 2004 Election - Measure U, \$14,000,000

<u>Series</u>	<u>Close Date</u>	<u>Bond Type</u>	<u>Issuance - New Money</u>	<u>Issuance - Refinancing</u>	<u>Total Issuance</u>	<u>Total Net Debt Service</u>	<u>Debt Service to Principal at Issuance</u>	<u>Principal Paid & to be Paid as of Sep 1, 2019</u>	<u>Debt Service Paid & to be Paid as of Sep 1, 2019</u>	<u>Outstanding Principal as of Sep 1, 2019</u>	<u>Final Maturity</u>	<u>Able to Call?</u>	<u>Next Call Date</u>	<u>Callable Principal</u>	<u>Weighted Average Callable Coupon</u>	<u>Next Call Premium</u>
2005	Mar-05	CIBs	\$7,795,000	\$0	\$7,795,000	\$11,980,173	1.85 : 1	\$2,540,000	\$5,101,117	\$0	Aug 1, 2015	n/a	n/a	\$0	n/a	n/a
		CABs	\$454,979	\$0	\$454,979	\$3,270,000		\$454,979	\$3,270,000	\$454,979	Aug 1, 2029	No	n/a	\$0	n/a	n/a
2006	Dec-06	CIBs	\$5,030,000	\$0	\$5,030,000	\$6,818,492	1.36 : 1	\$5,030,000	\$6,818,492	\$60,000	Aug 1, 2020	Yes	Any	\$60,000	4.00%	0%
		CABs	\$719,994	\$0	\$719,994	\$975,000		\$719,994	\$975,000	\$0	Aug 1, 2010	No	n/a	\$0	n/a	n/a
2014 Rfg	Nov-14	CIBs	\$0	\$5,550,800	\$5,550,800	\$6,513,362	1.17 : 1	\$5,550,800	\$6,513,362	\$3,609,584	Aug 1, 2025	Yes	Any	\$3,609,584	3.13%	0%
			\$13,999,973	\$5,550,800				\$22,677,970	\$4,124,563							

Debt Service to Principal Ratios

Debt service of new money issuances to new money principal: 1.65 : 1
 Total debt service after refinancing to new money principal: 1.62 : 1

SFID #2 - General Obligation Bonds, November 2004 Election - Measure V, \$9,000,000

<u>Series</u>	<u>Close Date</u>	<u>Bond Type</u>	<u>Issuance - New Money</u>	<u>Issuance - Refinancing</u>	<u>Total Issuance</u>	<u>Total Net Debt Service</u>	<u>Debt Service to Principal at Issuance</u>	<u>Principal Paid & to be Paid as of Sep 1, 2019</u>	<u>Debt Service Paid & to be Paid as of Sep 1, 2019</u>	<u>Outstanding Principal as of Sep 1, 2019</u>	<u>Final Maturity</u>	<u>Able to Call?</u>	<u>Next Call Date</u>	<u>Callable Principal</u>	<u>Weighted Average Callable Coupon</u>	<u>Next Call Premium</u>
2005	Mar-05	CIBs	\$3,505,000	\$0	\$3,505,000	\$5,512,663	2.06 : 1	\$875,000	\$2,168,841	\$0	Aug 1, 2015	n/a	n/a	\$0	n/a	n/a
		CABs	\$494,987	\$0	\$494,987	\$2,710,000		\$494,987	\$2,710,000	\$494,987	Aug 1, 2029	No	n/a	\$0	n/a	n/a
2006	Dec-06	CIBs	\$1,075,000	\$0	\$1,075,000	\$1,538,062	2.19 : 1	\$360,000	\$651,962	\$0	Aug 1, 2016	n/a	n/a	\$0	n/a	n/a
		CABs	\$624,994	\$0	\$624,994	\$2,182,807		\$624,994	\$2,182,807	\$624,994	Aug 1, 2031	No	n/a	\$0	n/a	n/a
2008	May-08	CABs	\$3,300,015	\$0	\$3,300,015	\$19,510,582	5.91 : 1	\$3,300,015	\$19,510,582	\$3,300,015	Apr 1, 2048	No	n/a	\$0	n/a	n/a
2015 Rfg	Feb-15	CIBs	\$0	\$3,510,000	\$3,510,000	\$3,997,572	1.14 : 1	\$3,510,000	\$3,997,572	\$2,249,382	Aug 1, 2024	Yes	Any	\$2,249,382	2.59%	0%
			\$8,999,996	\$3,510,000				\$31,221,765	\$6,669,378							

Debt Service to Principal Ratios

Debt service of new money issuances to new money principal: 3.49 : 1
 Total debt service after refinancing to new money principal: 3.47 : 1

(1) SFID #1 Series 2005 CIBs refinanced by Series 2014 Refunding Bonds saving taxpayers \$365,695;
 (2) SFID #2 Series 2005 CIBs refinanced by Series 2015 Refunding Bonds saving taxpayers \$232,349.

Bond Tax Levies

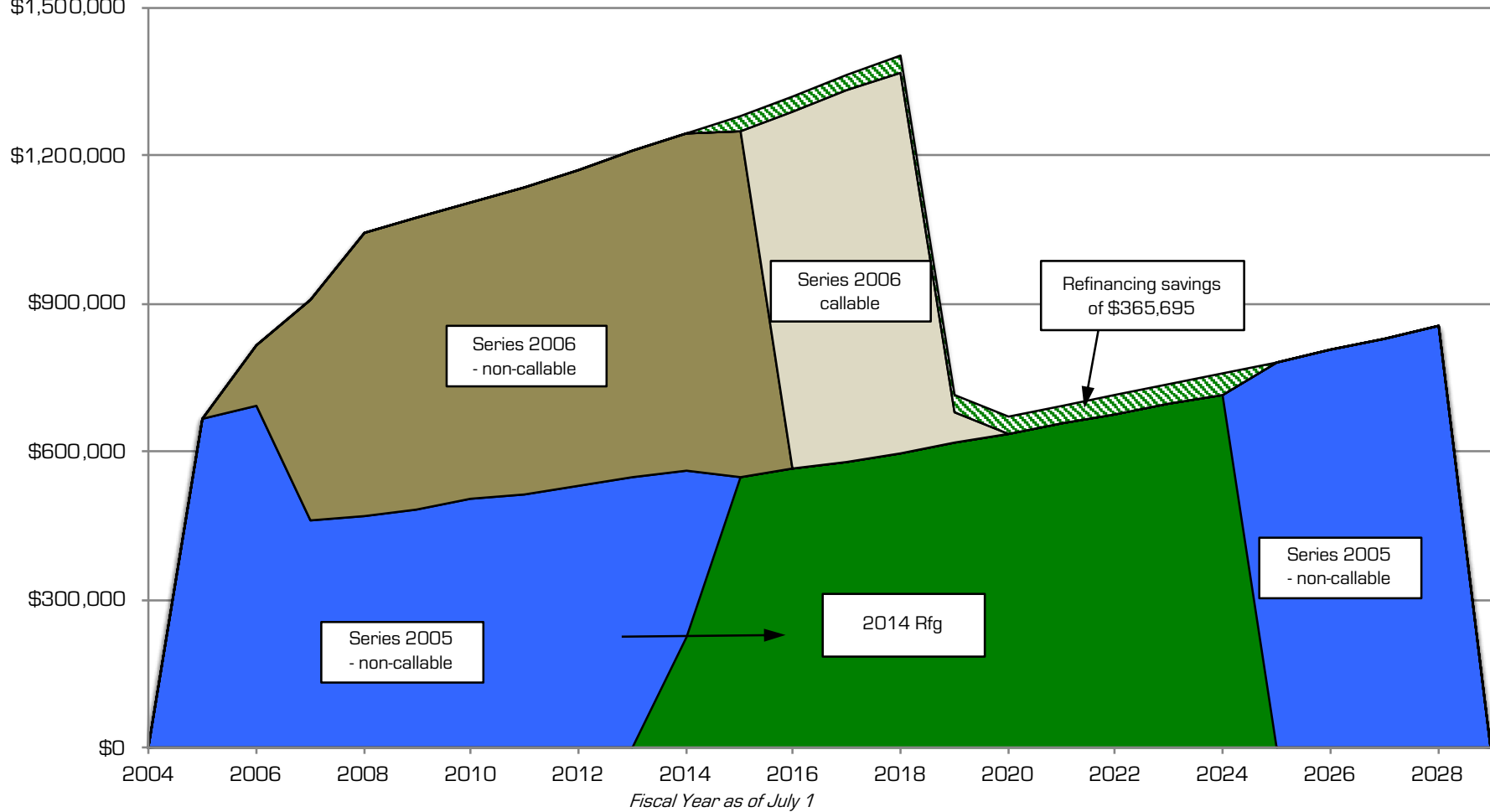
- ◆ Bond tax rate \approx debt service \div assessed value
- ◆ Each property in the District pays its pro rata share, based on its individual assessed value (not market value)



Existing Measure U (SFID No. 1) Bonds Debt Service

Debt Service
Collection
\$1,500,000

Future Total Debt Service for Measure U (SFID No. 1) Bonds is Scheduled to Increase, and End in 2029

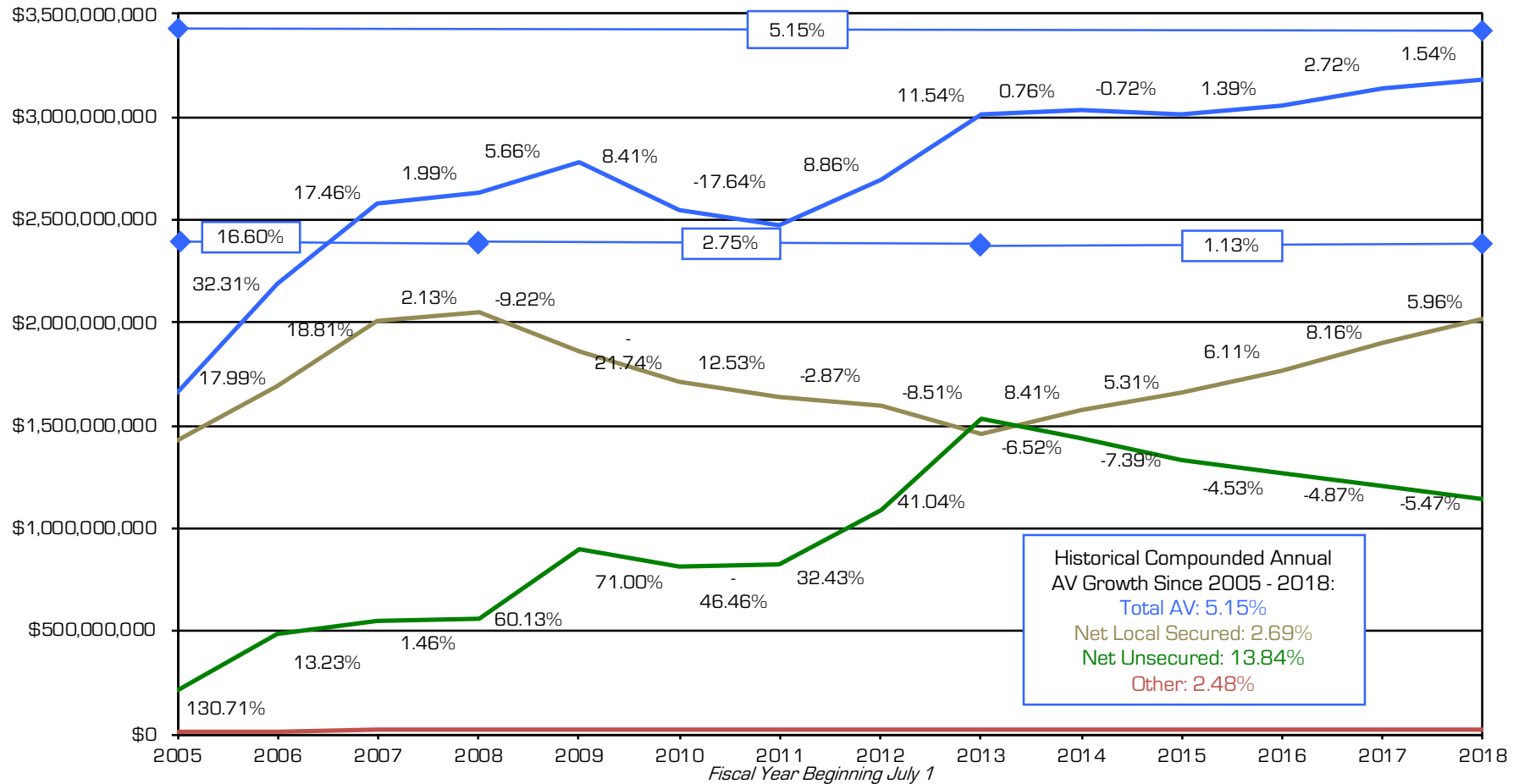


Actual debt service from Official Statements.

SFID No. 1 - Historical Assessed Value

**SFID #1's Primary Assessed Value Component, Net Local Secured,
has Ranged from 48% - 86% of Total AV**

Assessed Value



Historical assessed value (AV) provided by the Sacramento & Solano Auditor-Controller's Offices. The District's total AV is comprised of net local secured, mineral (oil) and other (utility & homeowners exemption). Changes shown are annual changes.

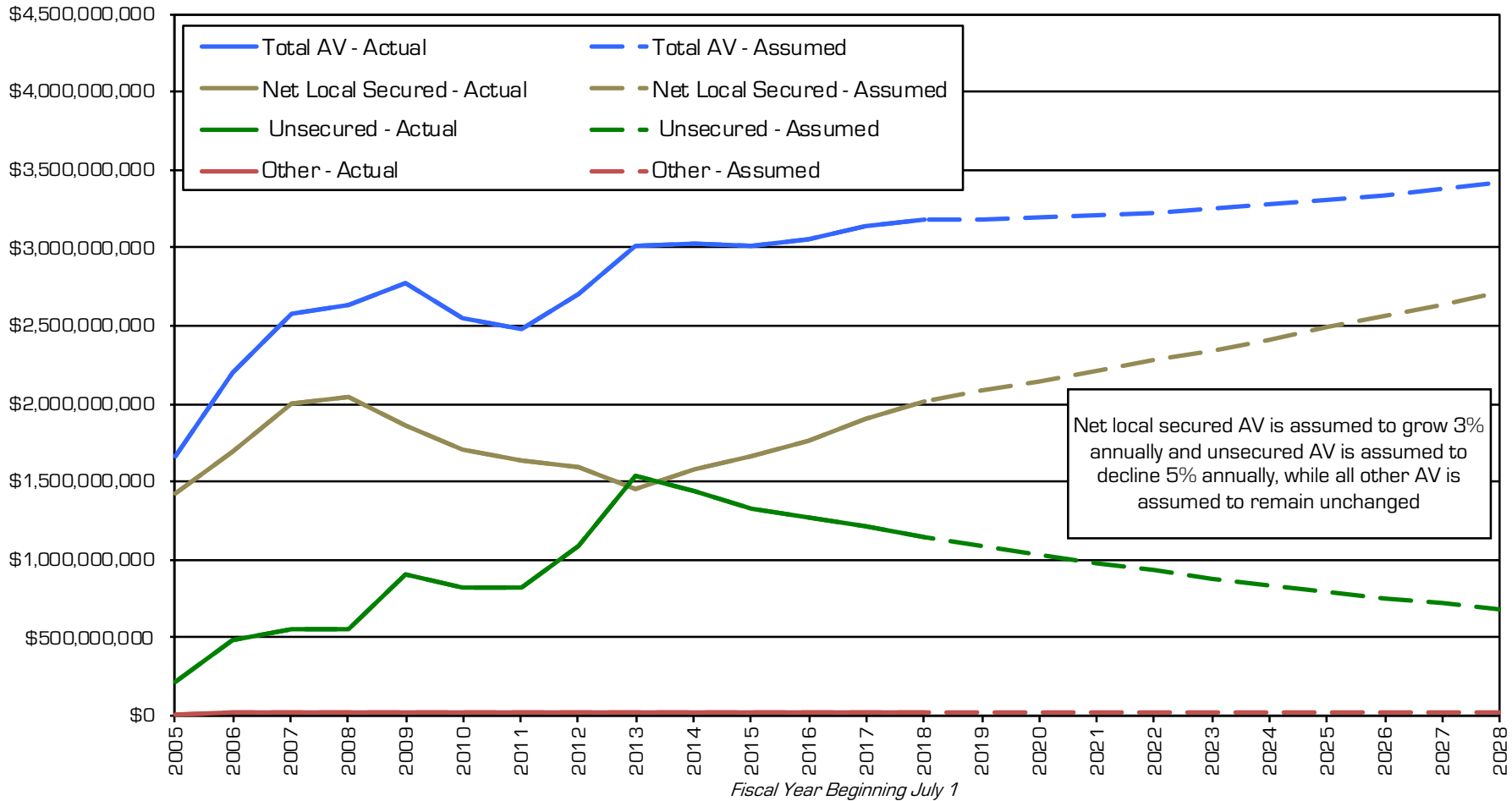
Reasons Secured Assessed Value Can Change

- ◆ Pursuant to Proposition 13 (and embodied in Article 13A of the California Constitution), a school district's real property tax base can change for four reasons:
 - ▶ Properties are sold (and reassessed at the sale price).
 - ▶ Properties are improved (and reassessed with the value of the improvement).
 - ▶ A year passes (each property's assessed value increases by the lesser of 2% or the change in the California Consumer Price Index).
 - ▶ Market value of one or more properties declines below assessed value - assessed value can be adjusted downward to the market value. If market value subsequently increases, assessed value can "catch up" to pre-decline AV plus allowable adjustments (e.g. 2% annual increase).

SFID No. 1 - Currently Assumed Future Assessed Value

Different AV Assumptions Based on the AV Types Lead to Moderate Long-Term AV Growth Assumptions

Assessed Value

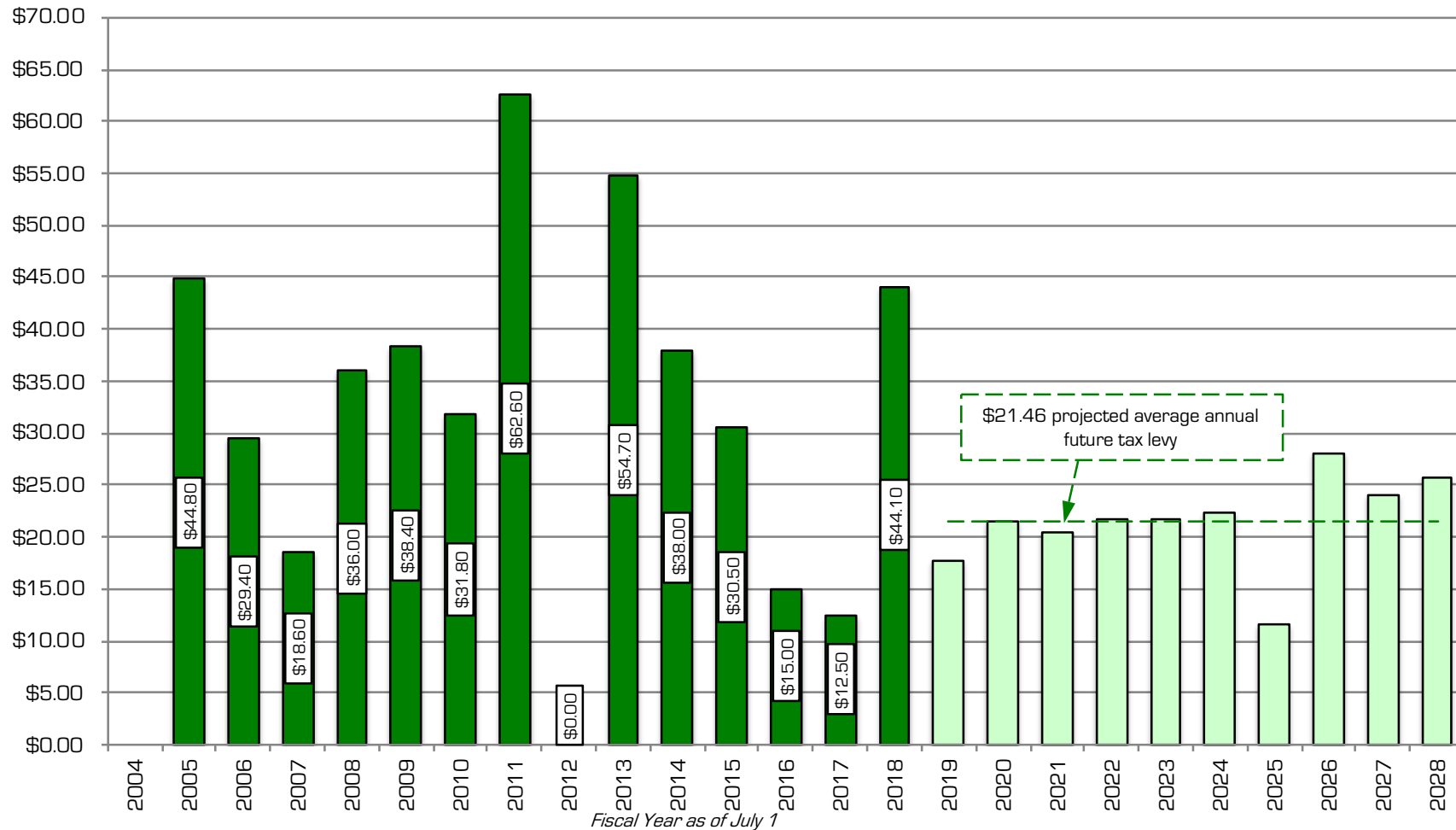


Historical assessed value (AV) provided by Sacramento & Solano County Auditor-Controller's Offices. The District's total AV is comprised of net local secured, utility, homeowners exemption, and unsecured values. As homeowners exemption & unsecured components are relatively small and tend to be subject to less predictable volatility, the AV focuses on net local secured. Other AV consists of utility, homeowners exemption and unsecured AV.

SFID No. 1 - Historical & Projected Tax Levies

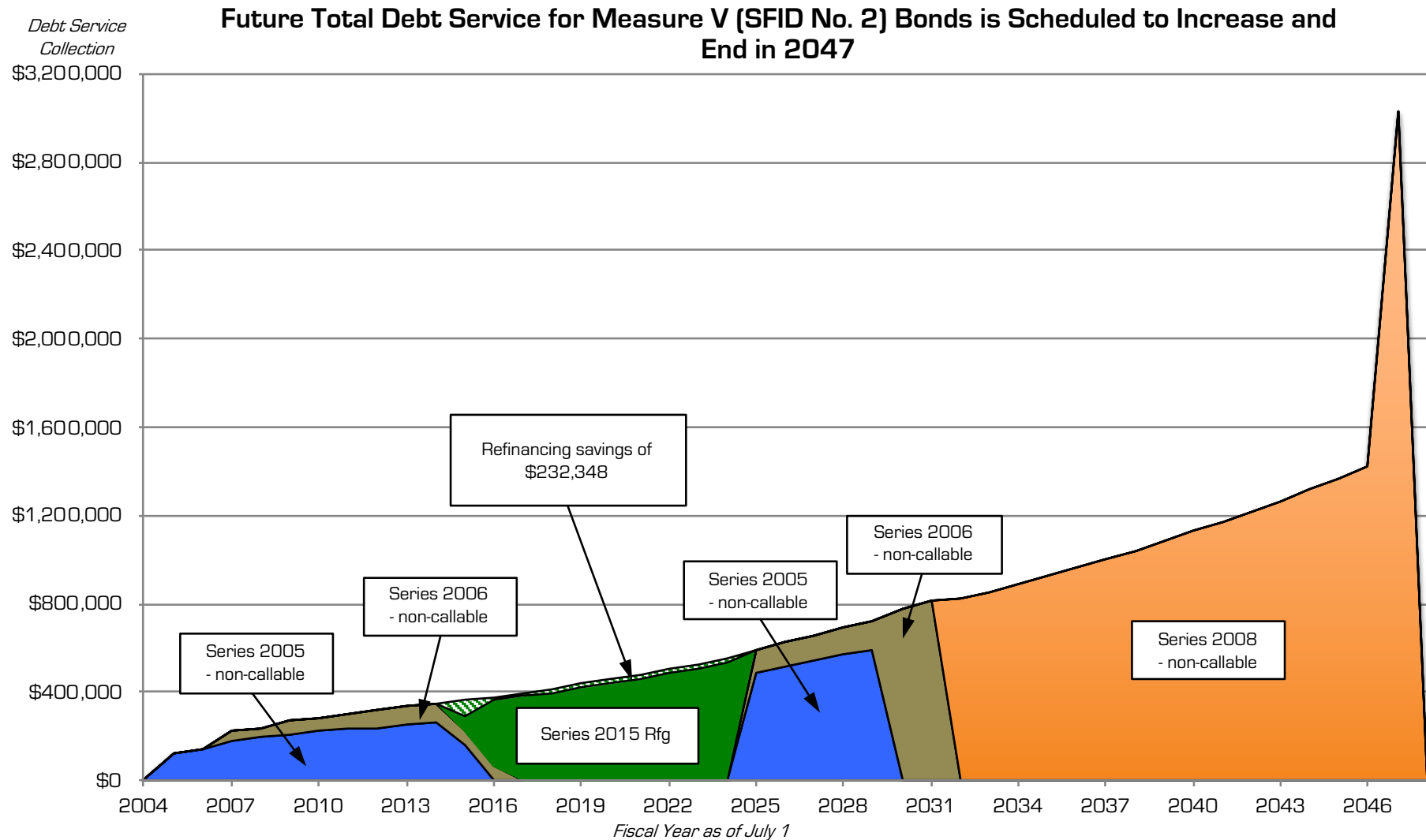
Tax Levies per
\$100,000 of AV

\$21.46 Future Average Annual Projected Tax Levy from 2019-20 to 2028-29



Tax levies provided by Sacramento Co. Auditor-Controller's Department. Projected levies based on assumed 5% annual growth in net local secured AV from 2019-20 onward, while all other types of AV are assumed to remain unchanged and Sacramento Co. taxing methodology.

Existing Measure V (SFID No. 2) Bonds Debt Service

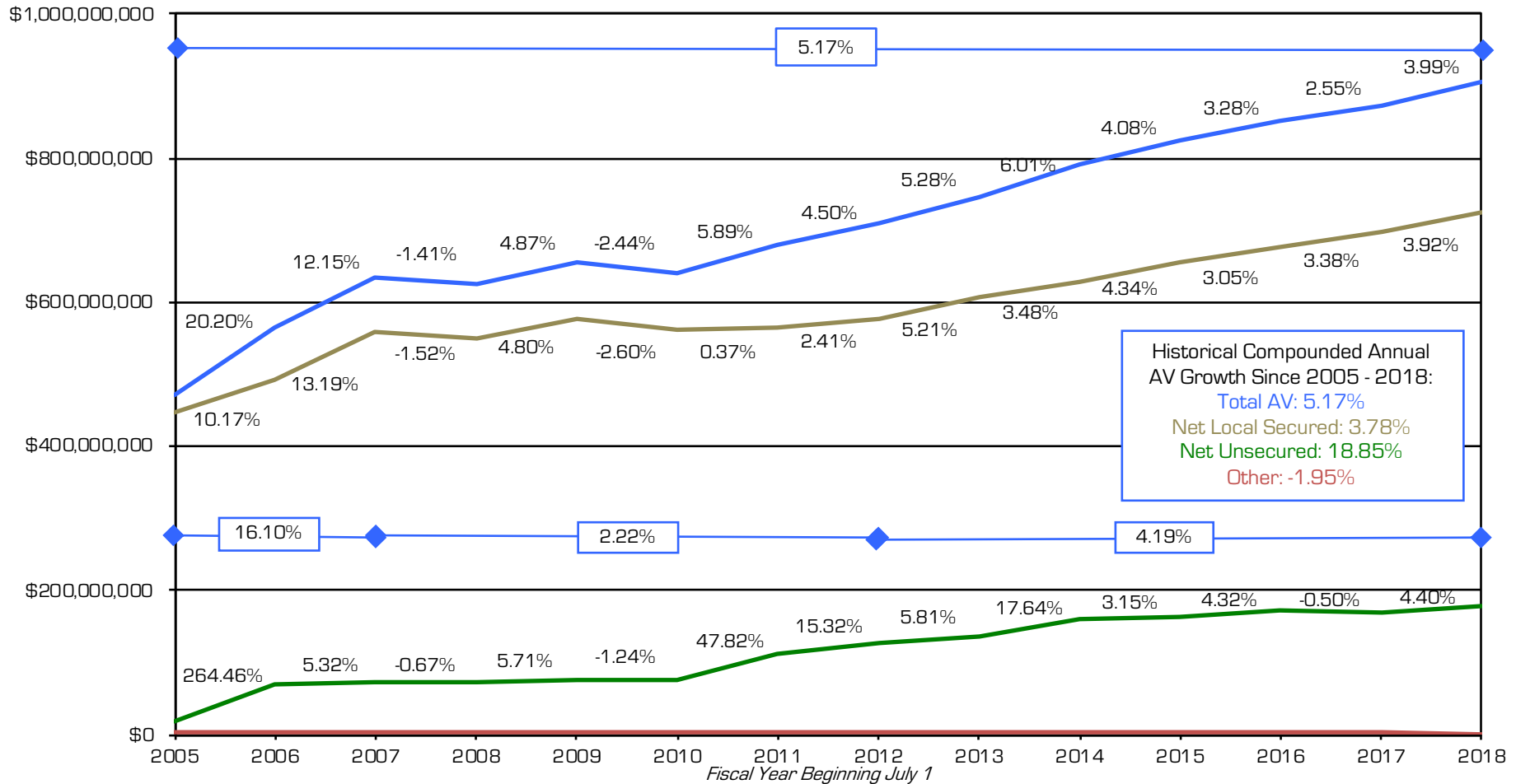


Actual debt service from *Official Statements*.

SFID No. 2 - Historical Assessed Value

District's Primary Assessed Value Component, Net Local Secured,
has Ranged from 79% - 95% of Total AV

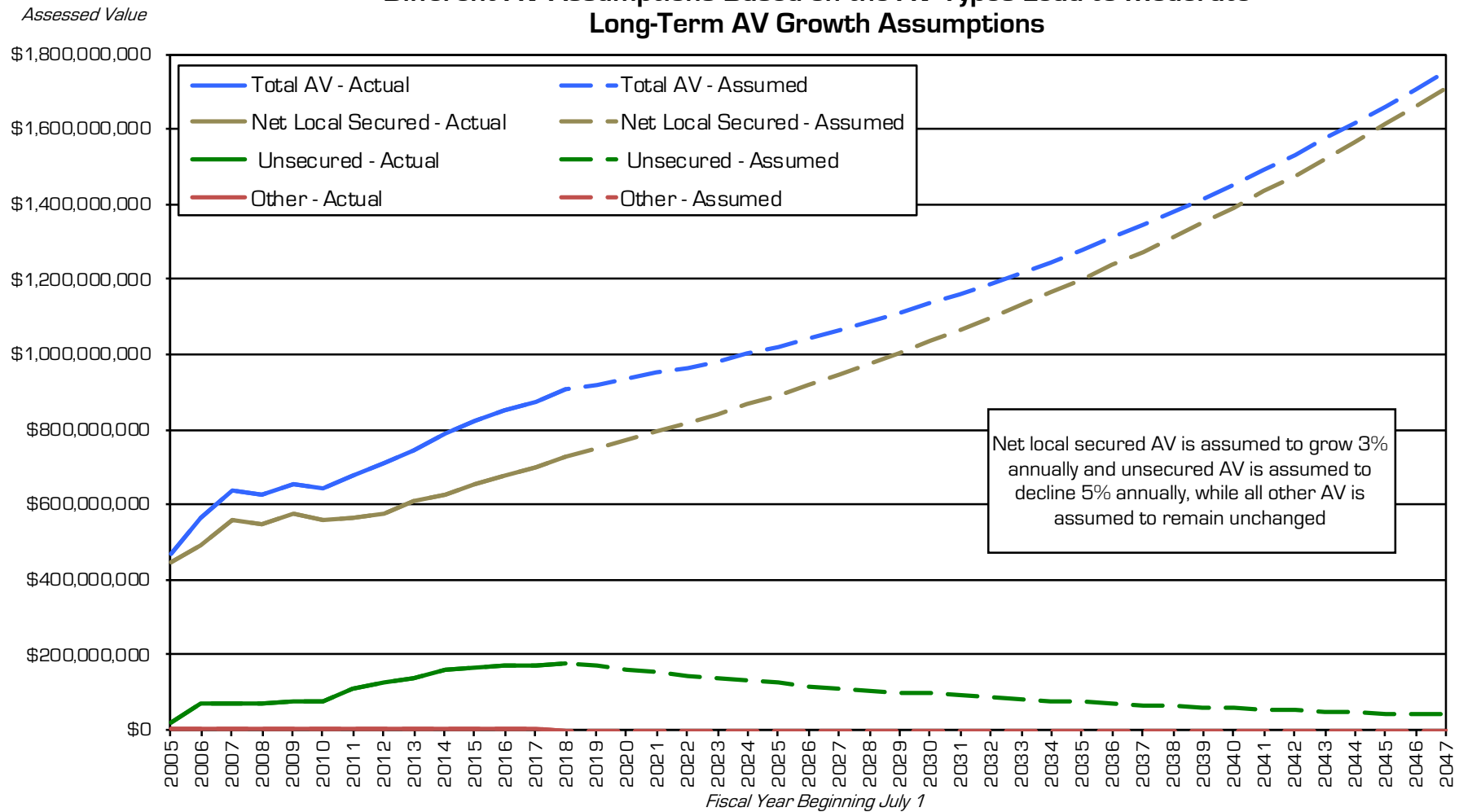
Assessed Value



Historical assessed value (AV) provided by the Sacramento, Solano, & Yolo Auditor-Controller's Offices. The District's total AV is comprised of net local secured, mineral (oil) and other (utility & homeowners exemption). Changes shown are annual changes.

SFID No. 2 - Currently Assumed Future Assessed Value

Different AV Assumptions Based on the AV Types Lead to Moderate Long-Term AV Growth Assumptions

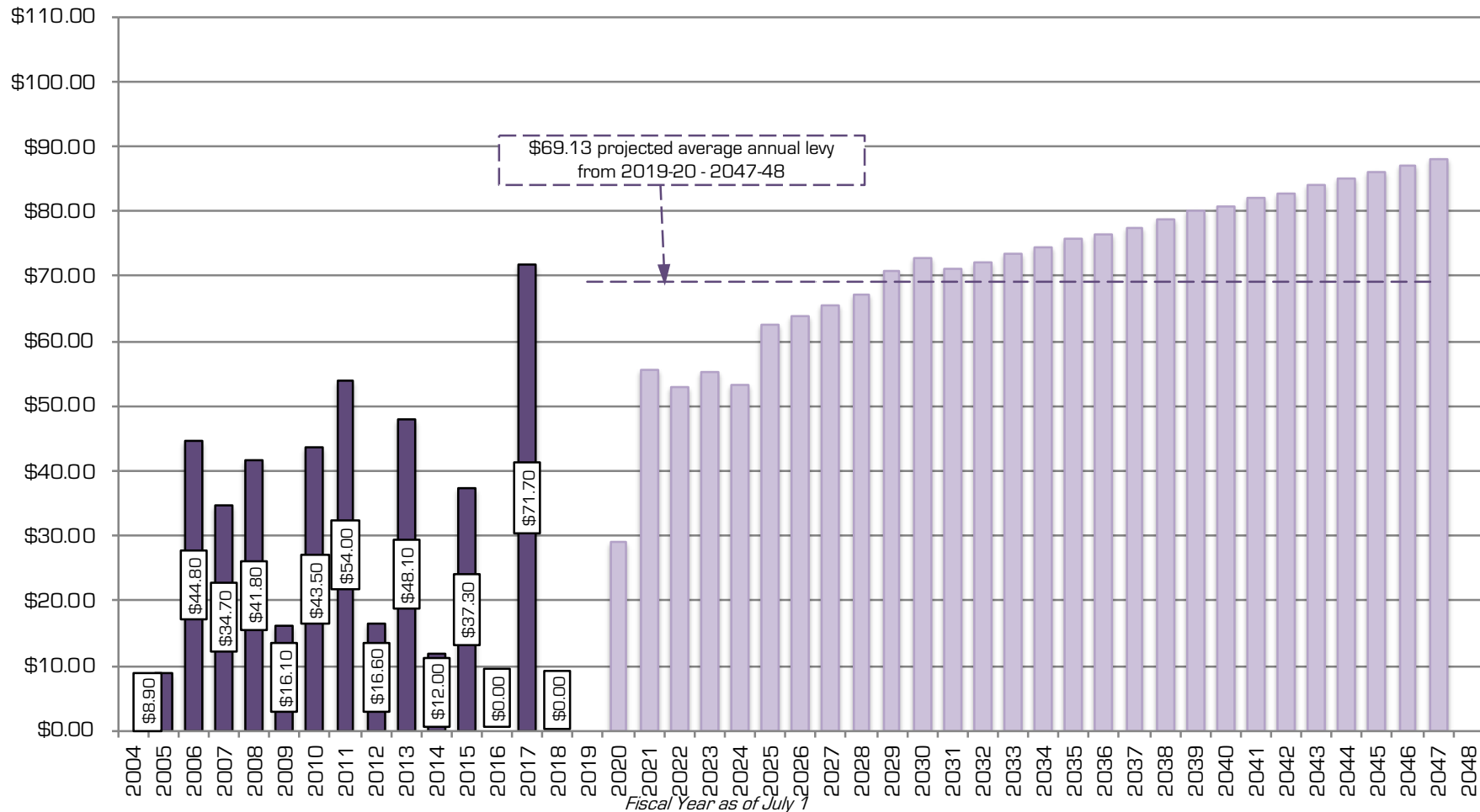


Historical assessed value (AV) provided by Sacramento, Solano, & Yolo County Auditor-Controller's Offices. The District's total AV is comprised of net local secured, utility, homeowners exemption, and unsecured values. As homeowners exemption & unsecured components are relatively small and tend to be subject to less predictable volatility, the AV focuses on net local secured. Other AV consists of utility, homeowners exemption and unsecured AV.

SFID No. 2 - Historical & Projected Tax Levies

Tax Levies per
\$100,000 of AV

Tax Levy Projected to Average \$69.13 from 2019-20 to 2047-48



Tax levies provided by Sacramento Co. Auditor-Controller's Department. Projected levies based on assumed 2% annual growth in net local secured AV from 2019-20 onward, while all other types of AV are assumed to remain unchanged and Sacramento Co. taxing methodology.

We Have Significant Facilities Needs

RIVER DELTA UNIFIED SCHOOL DISTRICT



FACILITY CONDITION ASSESSMENT REPORT

PROVIDED BY
RGM KRAMER INC.



Total Cost Summary by Site

Site	Construction	Soft Costs & Contingencies 30%	Total Cost	Escalations 10%	Total with Escalations
SFID #1					
Rio Vista High School	\$28,458,438	\$8,537,531	\$36,995,969	\$3,699,597	\$40,695,566
Riverview Middle School	\$12,872,258	\$3,861,678	\$16,733,936	\$1,673,394	\$18,407,329
D. H. White Elementary School	\$9,521,397	\$2,856,419	\$12,377,816	\$1,237,782	\$13,615,598
Isleton Elementary School	\$9,890,648	\$2,967,194	\$12,857,842	\$1,285,784	\$14,143,627
Subtotal SFID #1	\$60,742,742	\$18,222,822	\$78,965,564	\$7,896,556	\$86,862,120
SFID #2					
Walnut Grove Elementary School	\$10,544,976	\$3,163,493	\$13,708,469	\$1,370,847	\$15,079,315
Bates Elementary School	\$10,063,179	\$3,018,954	\$13,082,132	\$1,308,213	\$14,390,346
Clarksburg Middle School	\$6,130,871	\$1,839,261	\$7,970,132	\$797,013	\$8,767,146
Delta High School	\$23,562,112	\$7,068,633	\$30,630,745	\$3,063,075	\$33,693,820
Subtotal SFID #2	\$50,301,137	\$15,090,341	\$65,391,479	\$6,539,148	\$71,930,626
Total All Sites	\$111,043,879	\$33,313,164	\$144,357,043	\$14,435,704	\$158,792,747

Cost Summary by Site and Condition

Site	Condition 1 (w/o Escalations)	Condition 2 (w/o Escalations)	Condition 3 (w/o Escalations)	Site Total (w/o Escalations)	Total with Escalations
SFID #1					
Rio Vista High School	\$16,212,846	\$7,474,397	\$13,308,726	\$36,995,969	\$40,695,566
Riverview Middle School	\$14,290,424	\$711,735	\$1,731,777	\$16,733,936	\$18,407,329
D. H. White Elementary School	\$9,712,313	\$676,534	\$1,988,970	\$12,377,816	\$13,615,598
Isleton Elementary School	\$8,212,420	\$1,655,711	\$2,989,711	\$12,857,842	\$14,143,627
Subtotal SFID #1	\$48,428,002	\$10,518,378	\$20,019,184	\$78,965,564	\$86,862,120
SFID #2					
Walnut Grove Elementary School	\$12,749,444	\$486,841	\$472,184	\$13,708,469	\$15,079,315
Bates Elementary School	\$12,328,105	\$554,294	\$199,733	\$13,082,132	\$14,390,346
Clarksburg Middle School	\$7,108,460	\$741,228	\$120,444	\$7,970,132	\$8,767,146
Delta High School	\$17,910,828	\$845,894	\$11,874,023	\$30,630,745	\$33,693,820
Subtotal SFID #2	\$50,096,836	\$2,628,258	\$12,666,384	\$65,391,479	\$71,930,626
Total All Sites	\$98,524,838	\$13,146,636	\$32,685,568	\$144,357,043	\$158,792,747

Facilities Matter



Development of Bond Financing Plans for Potential New Bond Measures

◆ Elements of Plan

- ▶ Tax Base Analysis
 - Historical and projected assessed value
- ▶ Bonding capacity (maximum bonds outstanding)
- ▶ Taxing capacity (maximum projected tax levy)
- ▶ Interest rate assumptions
- ▶ Facilities funding cash flow needs
- ▶ 3-year Expenditure Reasonable Expectations Test



Sound pre-election planning maximizes chances of successful post-election implementation.

Bond Measure Financial Plan - Key Legal Constraints

◆ Bonding Capacity: limit on amount of outstanding bonds
(this is for all bond measures combined)

▶ 1.25% of total assessed value for union districts

- Education Code 15268

▶ 2.50% of total assessed value for unified districts

- Education Code 15270(a) ✓

◆ Taxing Capacity: limit on maximum projected tax levies
(this is for 55% voter approval bond measures only)

▶ \$30 per \$100,000 of assessed value for union districts

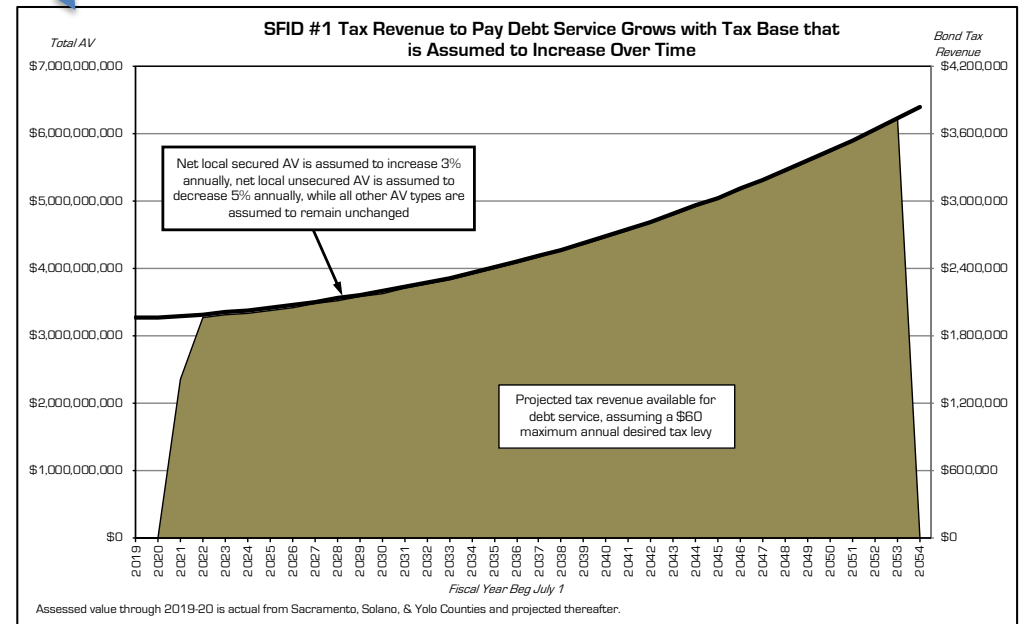
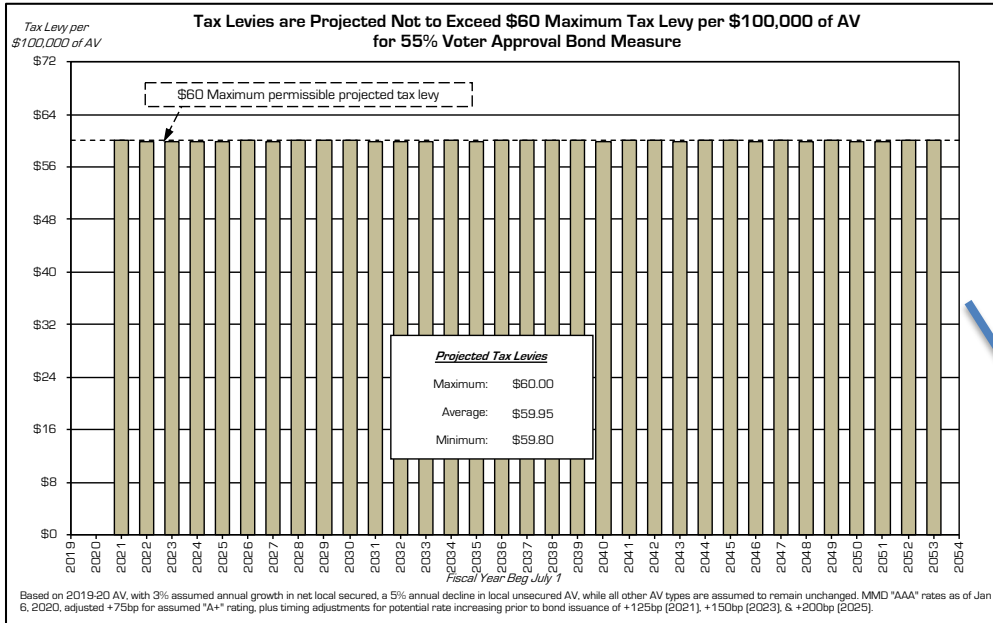
- Education Code 15268

▶ \$60 per \$100,000 of assessed value for unified districts

- Education Code 15270(a) ✓



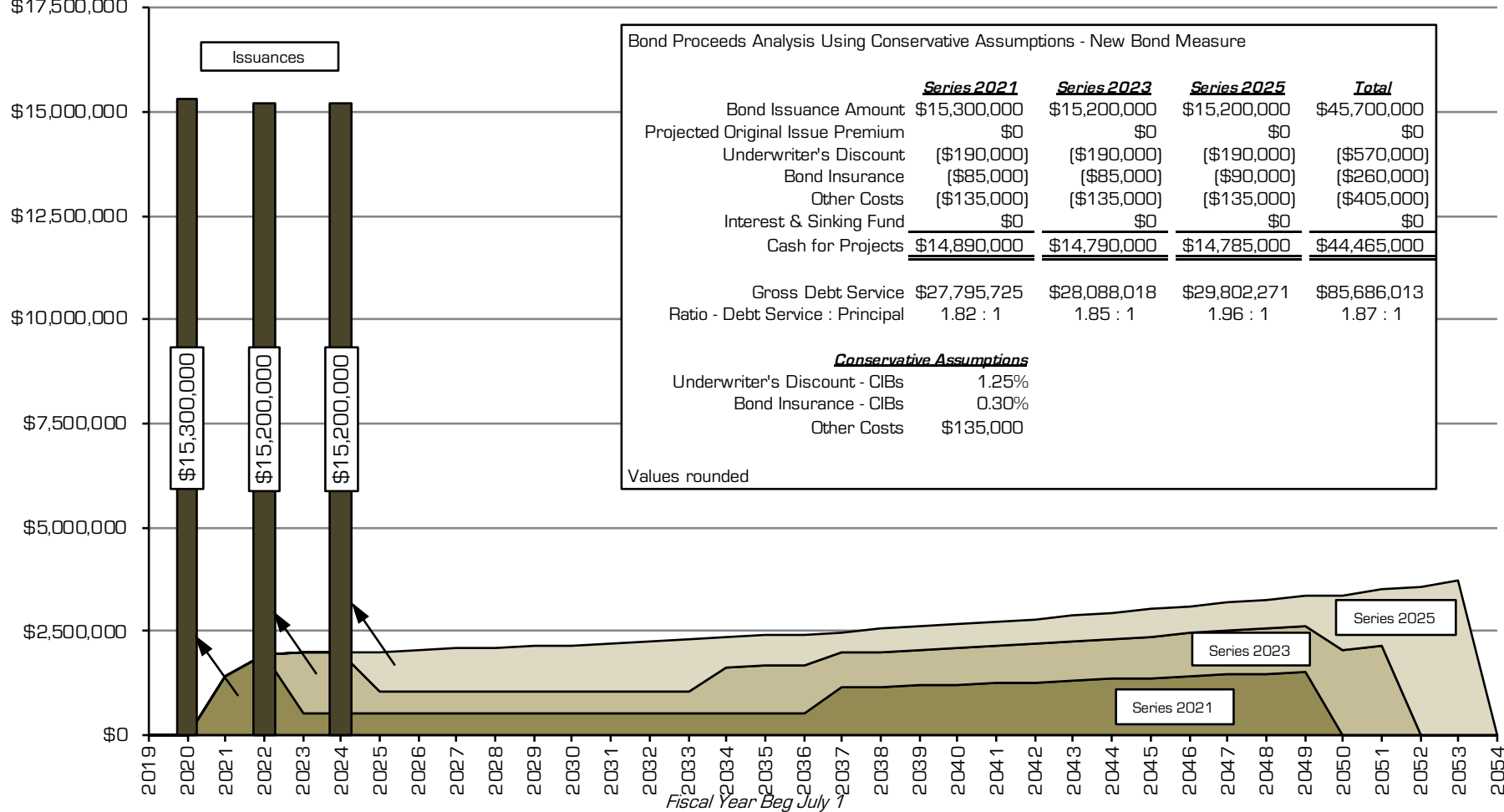
SFID No. 1 - Stable \$60/\$100K of AV Tax Levy → Payments Grow w/Proj. AV



SFID No. 1 - \$45.7 Mil. Nets \$44.5 Mil. For Facilities

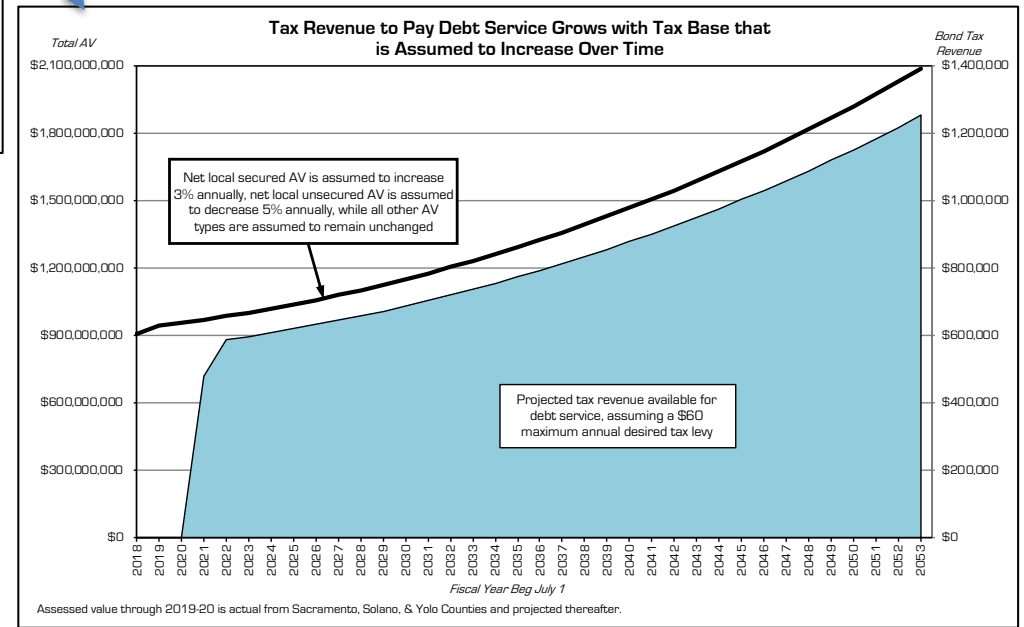
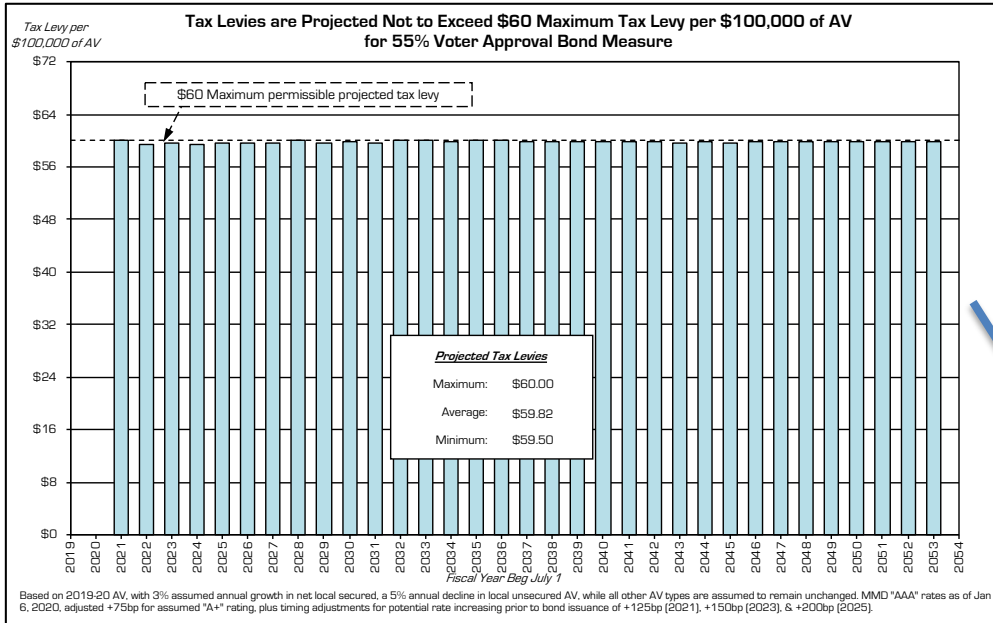
Issuance/Net
Debt Service
\$17,500,000

\$45.7 Million Projected for New SFID #1 Bond Measure



Based on 2019-20 AV, with 3% assumed annual growth in net local secured, a 5% annual decline in local unsecured AV, while all other AV types are assumed to remain unchanged. MMD "AAA" rates as of Jan 6, 2020, adjusted +75bp for assumed "A+" rating, plus timing adjustments for potential rate increasing prior to bond issuance of +125bp (2021), +150bp (2023), & +200bp (2025).

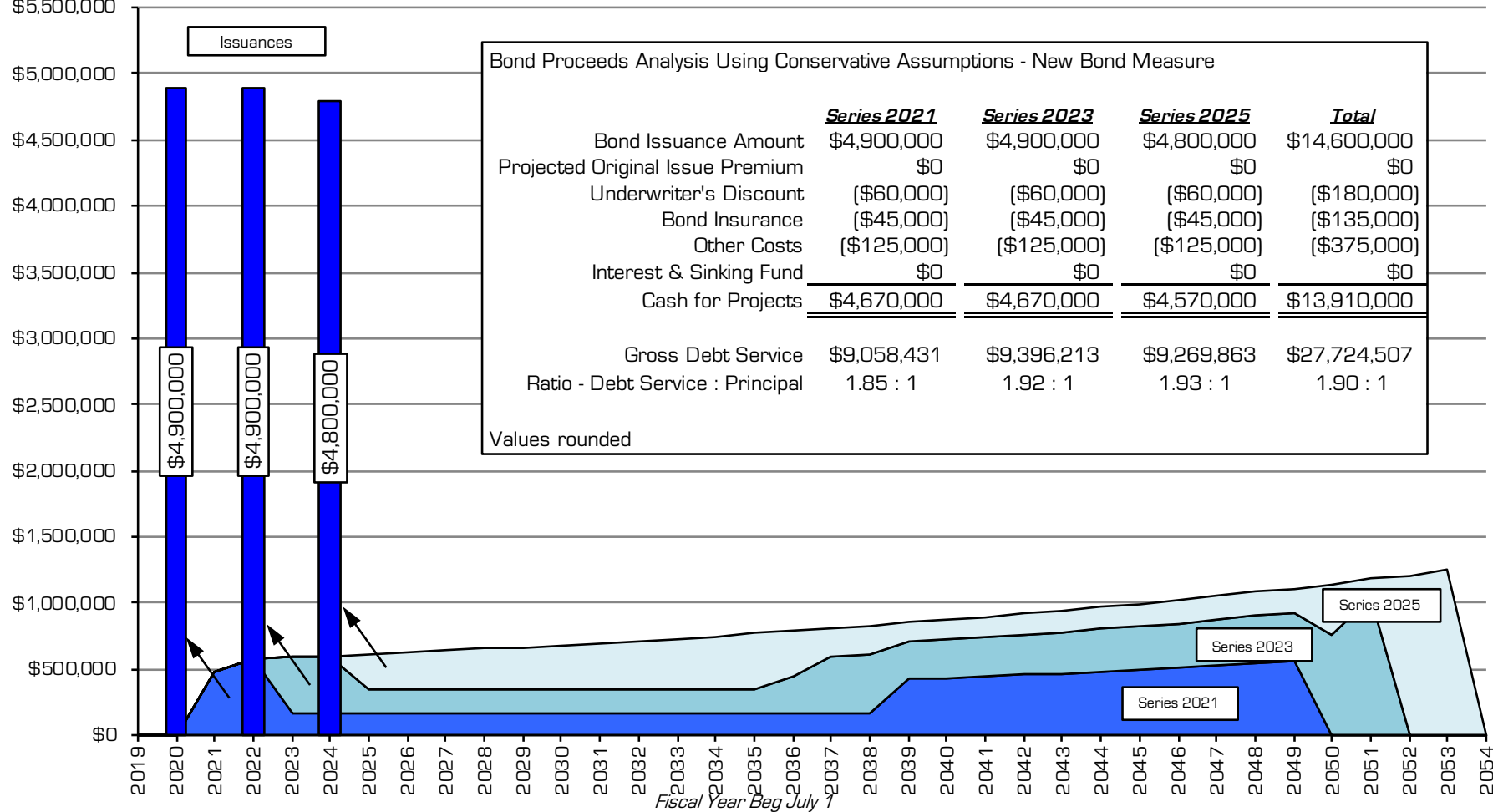
SFID No. 2 - Stable \$60/\$100K of AV Tax Levy → Payments Grow w/Proj. AV



SFID No. 2 - \$14.6 Mil. Nets \$13.9 Mil. For Facilities

Issuance/Net
Debt Service
\$5,500,000

\$14.6 Million Projected for New SFID #2 Bond Measure

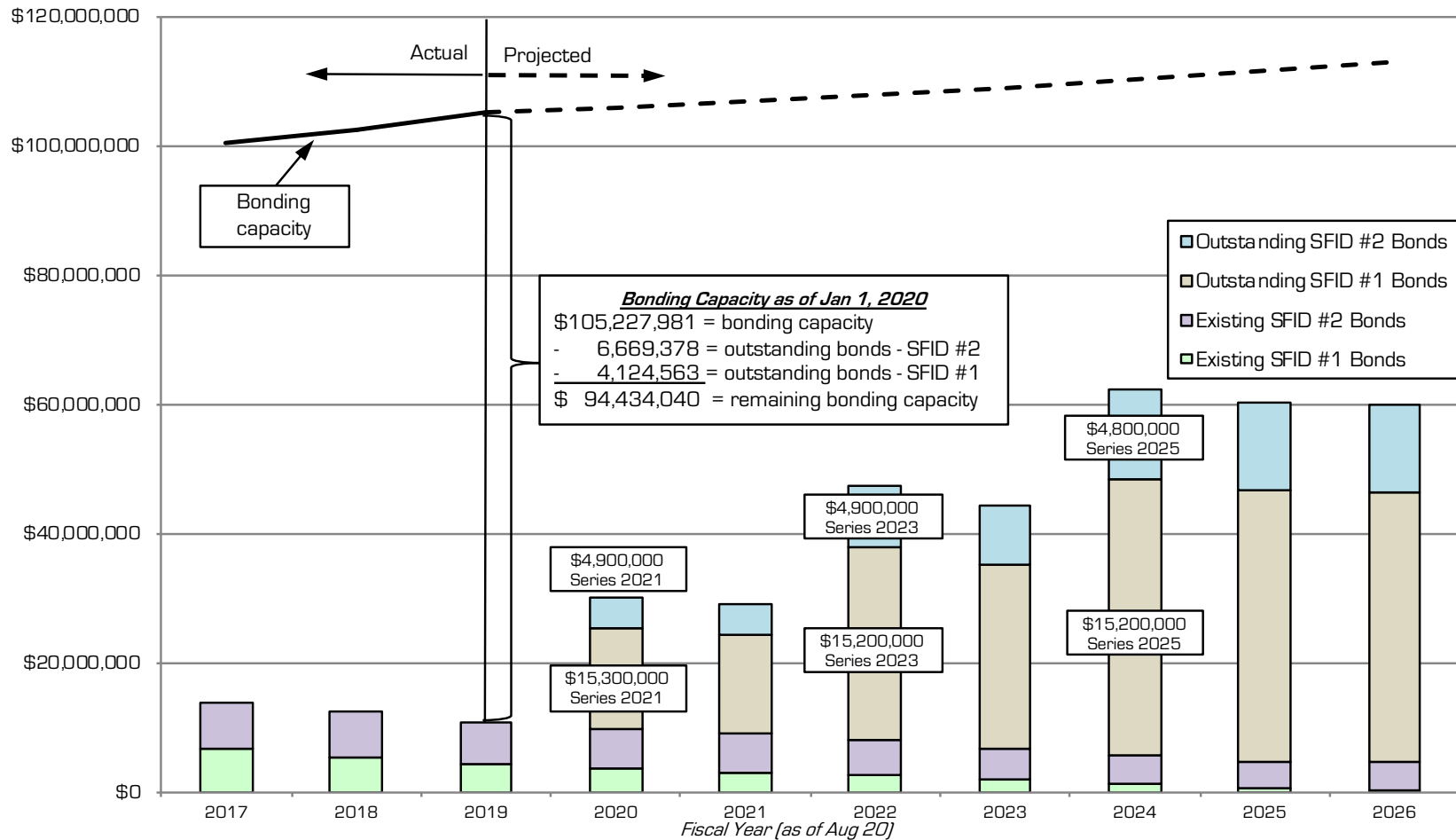


Based on 2019-20 AV, with 3% assumed annual growth in net local secured, a 5% annual decline in local unsecured AV, while all other AV types are assumed to remain unchanged. MMD "AAA" rates as of Jan 6, 2020, adjusted +75bp for assumed "A+" rating, plus timing adjustments for potential rate increasing prior to bond issuance of +125bp (2021), +150bp (2023), & +200bp (2025).

SFIDs - Bonding Capacity Sufficient

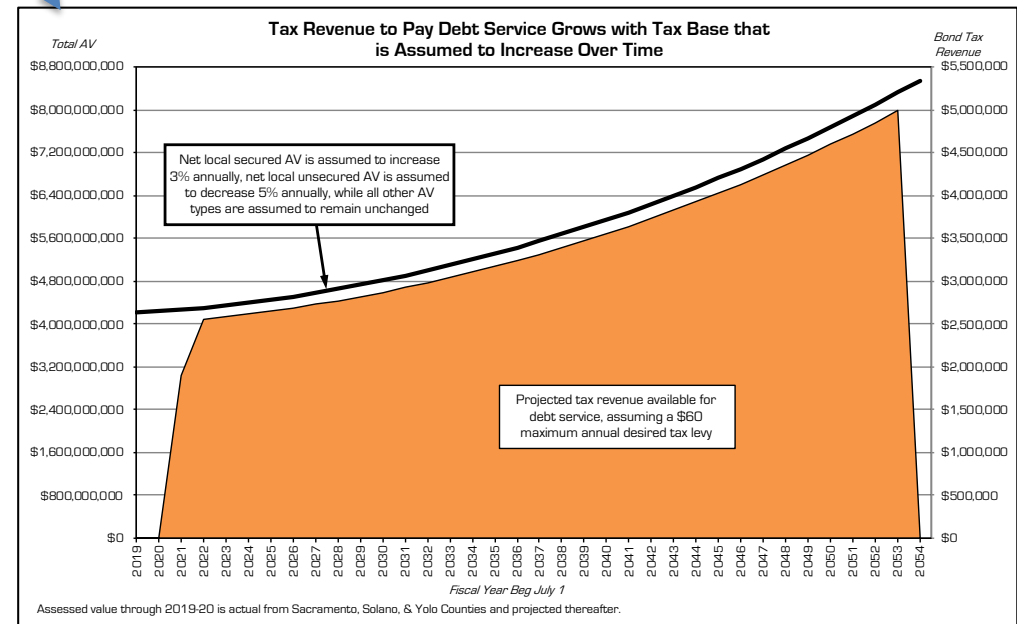
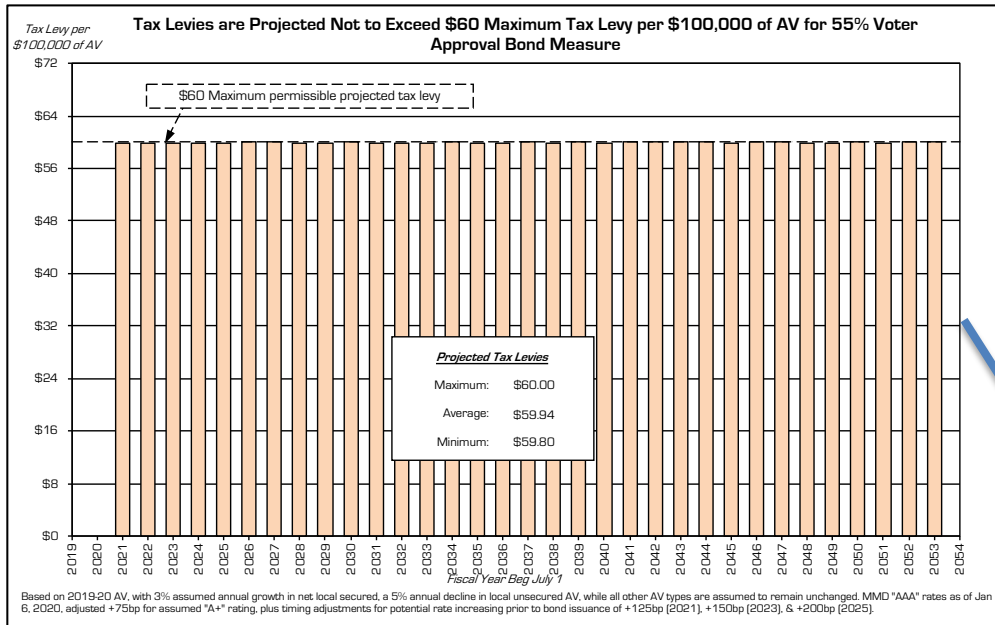
Bonding Capacity/
Outstanding Bonds

Sufficient Bonding Capacity for \$60.3 Million in New Bond Measures



Bonding capacity is equal to 2.5% of total assessed value for a unified school district. Net local secured AV assumed to increase 3% annually with unsecured declining 5% annually in both CFD #1 & CFD #2, while all other types of AV are assumed to remain unchanged. Outstanding bonds from *Official Statements*. Bonding capacity as of August 20, when assessed value becomes "equalized."

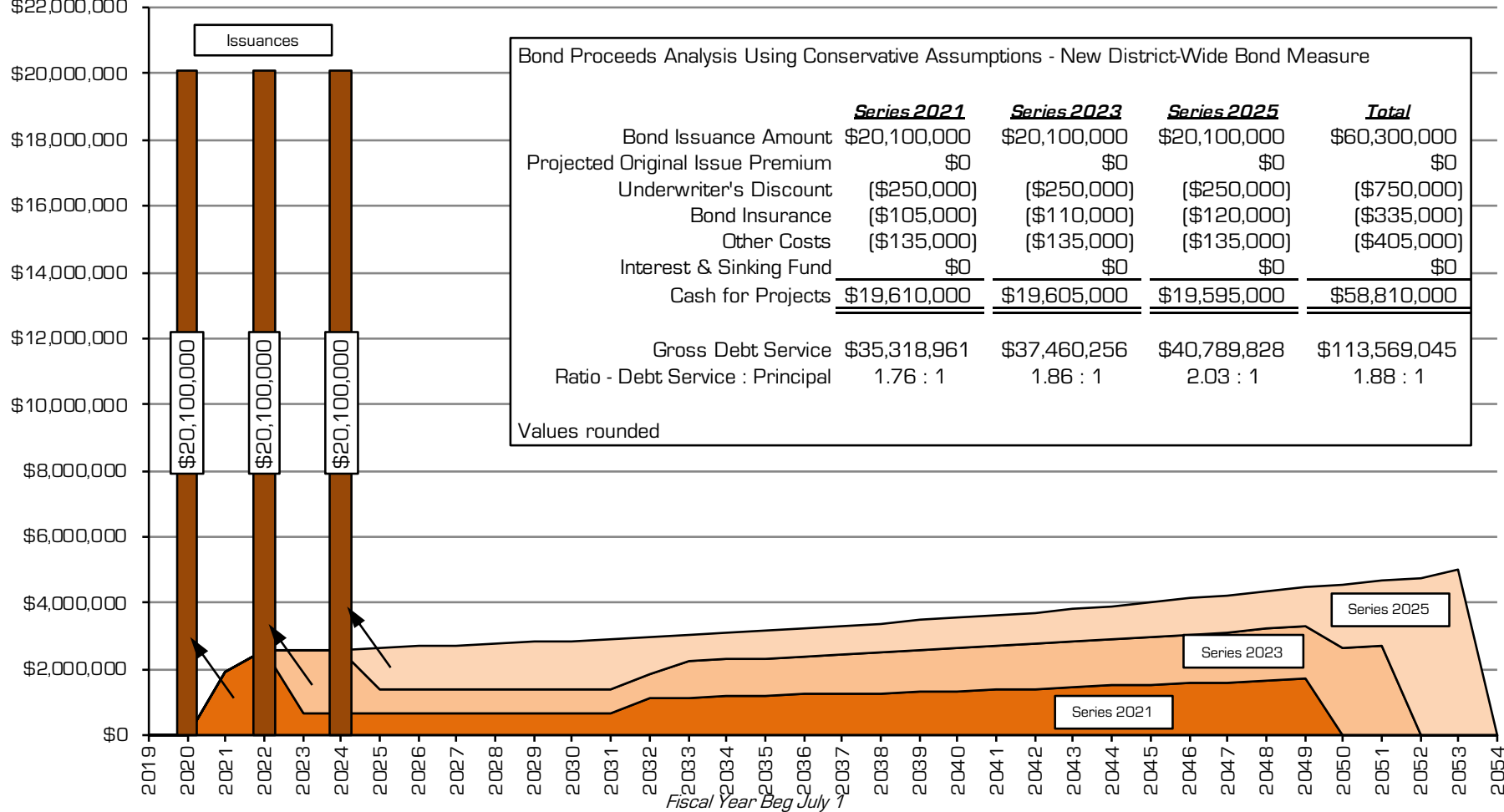
Unified District - Stable \$60/\$100K of AV Tax Levy → Payments Grow w/Proj. AV



Unified District - \$60.3 Mil. Nets \$58.8 Mil. For Facilities

Issuance/Net
Debt Service
\$22,000,000

\$60.3 Million Projected for New District-Wide Bond Measure

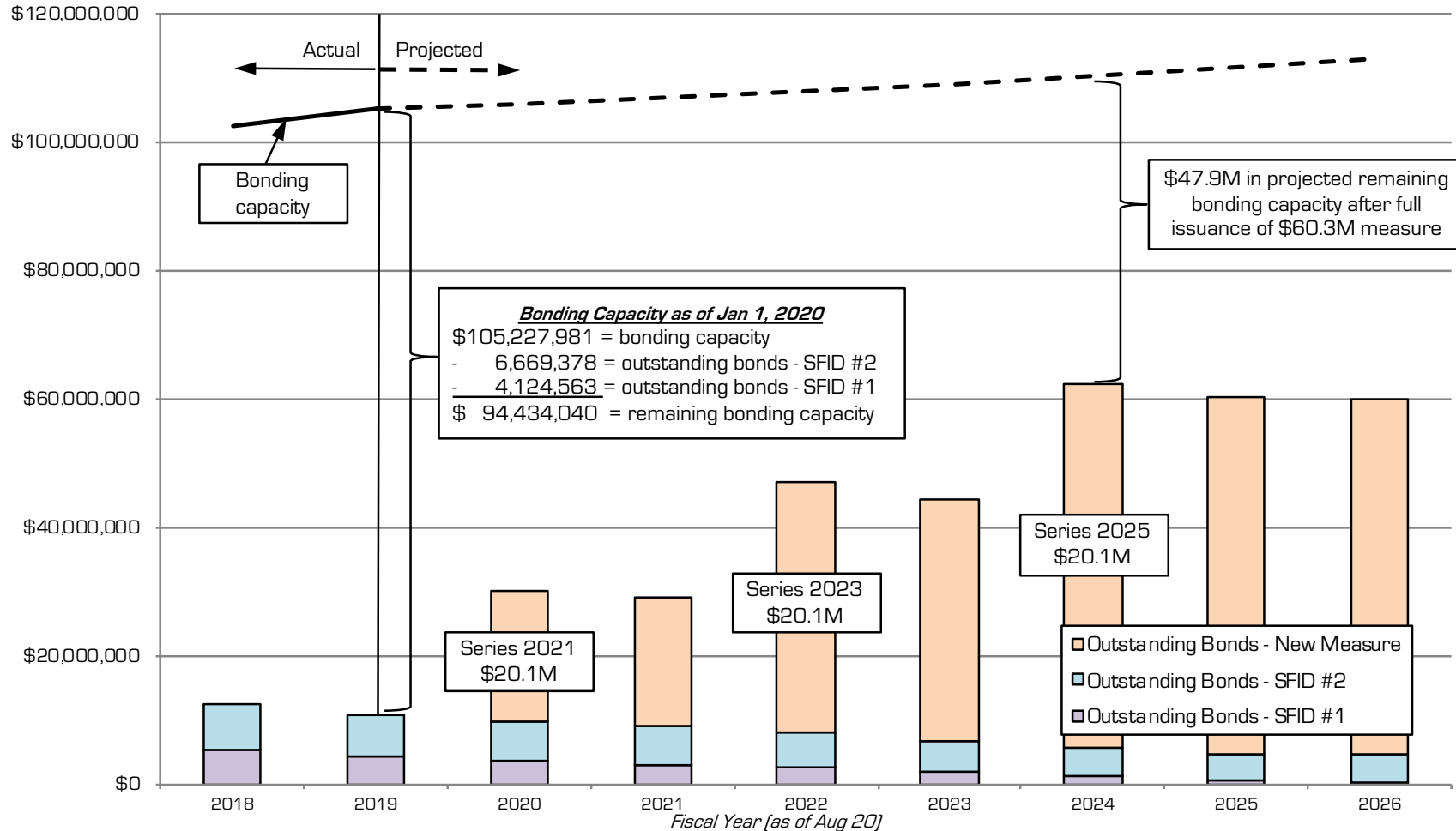


AV through 2019-20 is actual, with 3% assumed annual growth in net local secured thereafter, with a 5% annual decline in local unsecured AV, while all other AV types are assumed to remain unchanged. MMD "AAA" rates as of Jan 6, 2020 adjusted +75bp for assumed "A+" rating, plus timing adjustments for potential rate increasing prior to bond issuance of +125bp (2021), +150bp (2023), & +200bp (2025).

Unified District - Bonding Capacity Sufficient

Bonding Capacity/
Outstanding Bonds

Bonding Capacity is No Impediment to Issuing a \$60.3 Million New Bond Measure



Bonding capacity is equal to 2.5% of total assessed value for a unified school district. Net local secured AV is assumed to increase 3% annually, and unsecured AV is assumed to decline 5% annually, while all other types of AV are assumed to remain unchanged. Outstanding bonds from *Official Statements*. Bonding capacity as of August 20, when assessed value becomes "equalized."



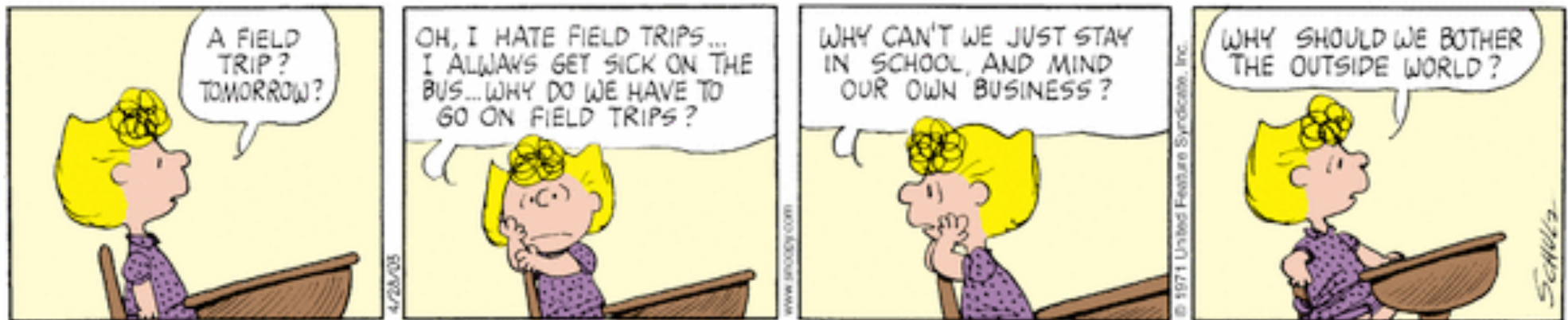
Public Opinion Survey

- ◆ A professional independent public opinion survey may be conducted to determine:
 - ▶ Whether a measure could be successful
 - ▶ Elements of a measure crucial for success
 - Include facilities, bond amount and messaging
 - ▶ Recommended election date
 - ▶ Should employ scientific based research methods
 - ▶ Survey likely voters

- ◆ Recommend selecting survey firm through an RFP/RFQ process



A School Bond is a Community Endeavor



November 2020 Bond Election(s) Schedule

DATE	ITEM	RESPONSIBILITY
January - February 2020	Public opinion survey firm selection process - develop list of potential firms and obtain proposals.	Govt Finl Strategies District
Thursday, February 6, 2020	Board Agenda Deadline: Presentation regarding potential November 2020 bond measure delivered for Board Agenda packet.	Govt Finl Strategies District
Tuesday, February 18, 2020	Board Meeting: Presentation regarding potential November 2020 bond measures.	Govt Finl Strategies District
February 2020 - March 2020	Public opinion survey firm selection process - select firm (if District wishes to have survey). Public opinion survey questionnaire developed, and survey conducted (if District wishes to have survey).	Survey Firm Govt Finl Strategies District
Tuesday, April 14, 2020	Board Meeting: Presentation of public opinion survey results (if District wishes to have survey).	Survey Firm District Staff
No later than Thursday, April 30, 2020	Development of bond measure facilities and financial plan.	Govt Finl Strategies District
Thursday, April 30, 2020	Board Agenda Deadline: Presentation regarding proposed bond measure facilities and financial plan delivered for Board Agenda packet.	Govt Finl Strategies District
Tuesday, May 12, 2020	Board Meeting: Presentation regarding proposed bond measure facilities and financial plan.	Govt Finl Strategies District
No later than Thursday, June 11, 2020	Development of bond resolution(s) and ballot statement(s).	Govt Finl Strategies Parker & Covert District
Thursday, June 11, 2020	Board Agenda Deadline: Bond resolution and related documents delivered for Board Agenda packet.	Parker & Covert Govt Finl Strategies District
Tuesday, June 23, 2020	Board Meeting: Board considers resolution(s) calling for election(s).	School Board Parker & Covert
After Board action	Resolution(s) calling for election(s) delivered to Sacramento County (preferred deadline is 113 days prior to election), Yolo County (preferred deadline is first week of July), and Solano County.	District
Monday, July 6, 2020	Yolo County preferred deadline for providing adopted resolution(s) to County (first week of July).	District
Monday, July 13, 2020	Sacramento County preferred deadline for providing adopted resolution(s) to County (at least 113 days prior to election).	District
Friday, August 7, 2020	Statutory deadline for filing election resolution(s) and tax rate statement(s) with Counties of Sacramento, Yolo, and Solano.	District
Tuesday, November 3, 2020	Election Day.	District Voters

Thank You, Any Questions?



For Reference

- ◆ Additional Information Regarding General Obligation Bonds
- ◆ Additional Data Regarding Assessed Value
- ◆ Assessed Value Growth Assumptions - Historical Tests

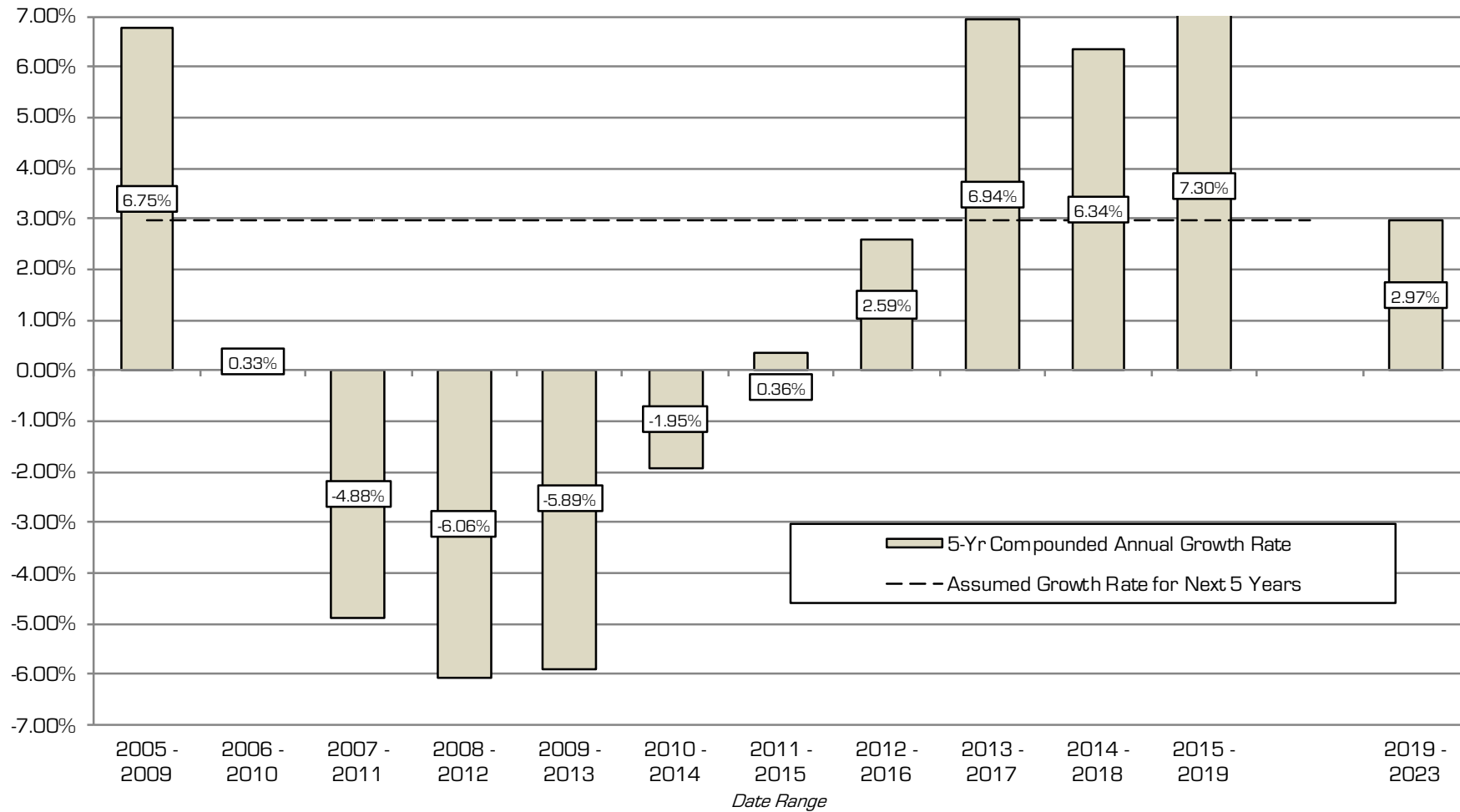
2/3 vs. 55% Voter Approval G.O. Bonds

Subject	55% Voter Approval	Two-Thirds Voter Approval
Board Approval Required To Place Measure on Ballot	Two-thirds	Majority
Allowable Election Dates	Primary or general election, regularly scheduled local election, or statewide special election	Any Tuesday that is not the day before or the day after a State holiday, or within 45 days of a regularly scheduled election
Maximum Projected Tax Rates/Levies	For unified district, \$60 per \$100,000 of assessed value; for union district, \$30 per \$100,000 of assessed value	No projected maximum tax rate
Bonding Capacity (i.e. Maximum Bonds Outstanding)	2.5% of assessed value for unified districts and 1.25% of assessed value for union districts	2.5% of assessed value for unified districts and 1.25% of assessed value for union districts
Audits	Independent financial and performance audits must be conducted annually	None specifically required
Oversight Committee	If election is successful, Board must establish independent citizens oversight committee within 60 days of Board adoption of resolution declaring election results	None specifically required
Allowable Expenditures	Construction, reconstruction, rehabilitation, or replacement of school facilities, including furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities	Acquisition or improvement of real property
Facilities List	State Constitution requires a list of the specified school facilities project(s) to be funded	No requirement for a specific facilities list

SFID No. 1 - Historical AV Analysis - 5 Year Periods

Compounded Annual
Growth Rate - Secured AV

2.97% Total AV Growth Assumption for Next 5 Years

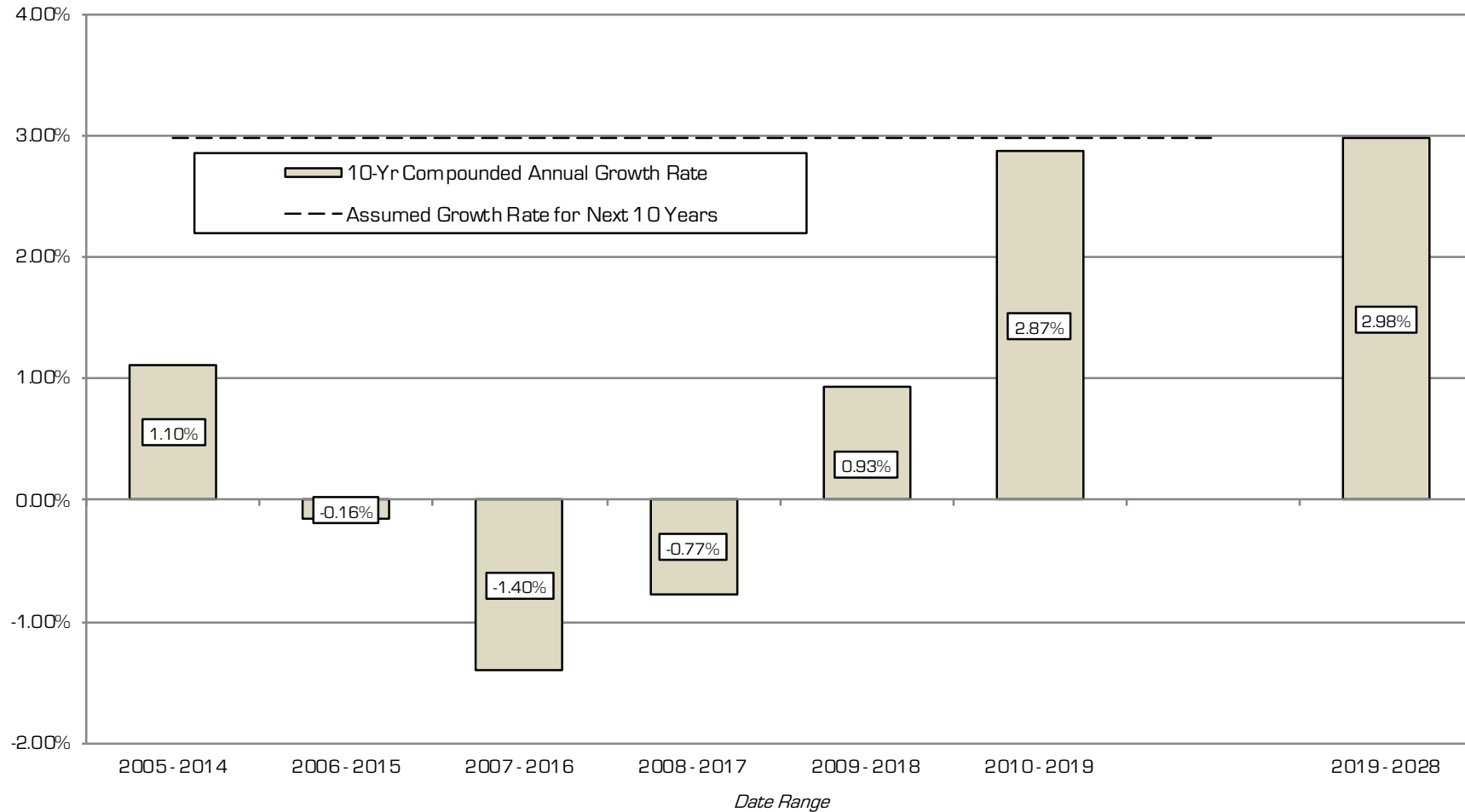


Historical data from Sacramento & Solano County Auditor-Controller's offices. Net local secured AV is assumed to increase 3%, and unsecured is assumed to decline 5% annually, while all other AV types are assumed to remain unchanged.

SFID No. 1 - Historical AV Analysis - 10 Year Periods

Compounded Annual
Growth Rate - Secured AV

2.98% Total Secured AV Growth Assumption for Next 10 Years

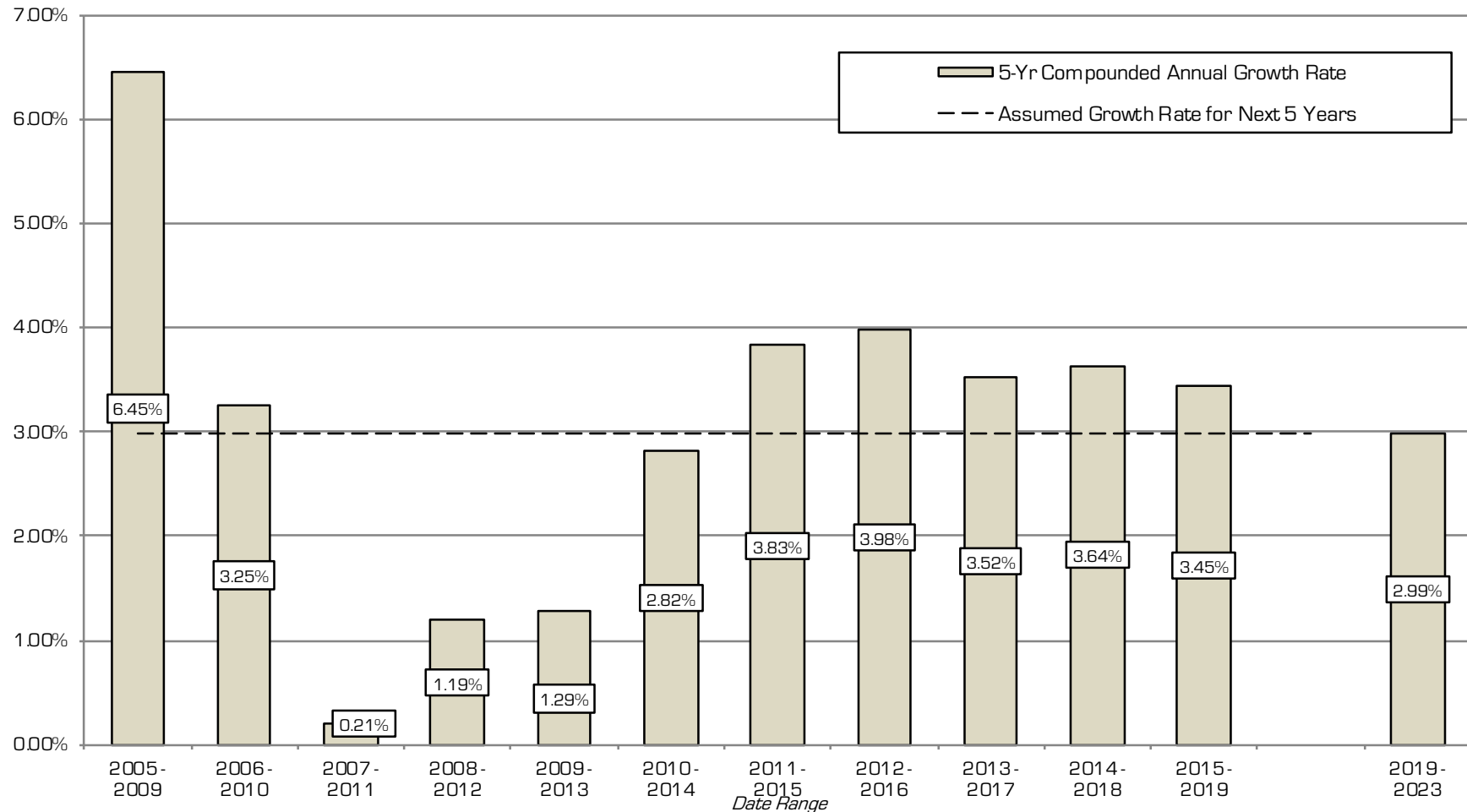


Historical data from Sacramento & Solano County Auditor-Controller's offices. Net local secured AV is assumed to increase 3%, and unsecured is assumed to decline 5% annually, while all other AV types are assumed to remain unchanged.

SFID No. 2 - Historical AV Analysis - 5 Year Periods

Compounded Annual
Growth Rate - Secured AV

2.99% AV Growth Assumption for Next 5 Years

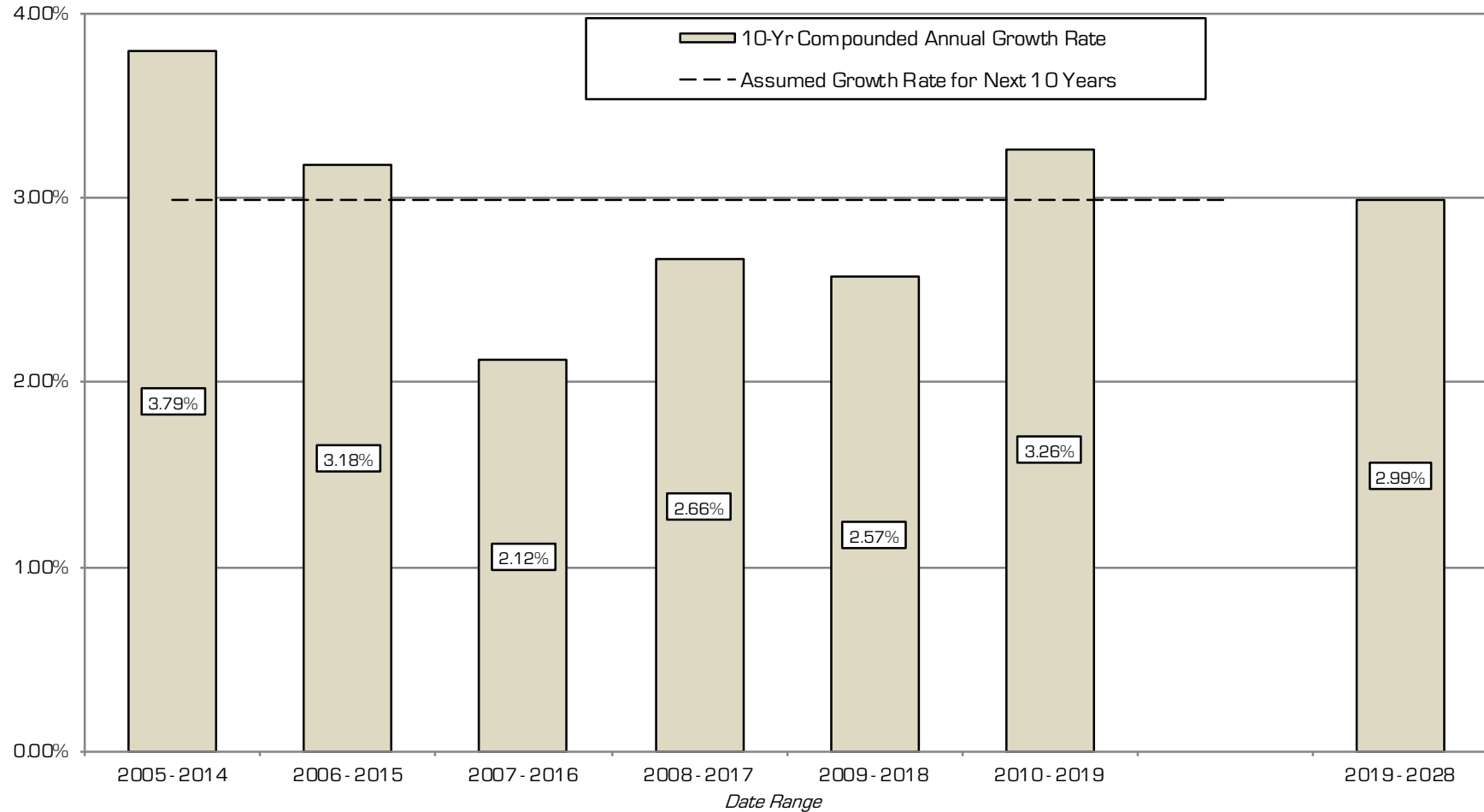


Historical data from Sacramento, Solano & Yolo County Auditor-Controller's offices. Net local secured AV is assumed to increase 3% annually, unsecured AV is assumed to decline 5% annually, while all other AV types are assumed to remain unchanged.

SFID No. 2 - Historical AV Analysis - 10 Year Periods

Compounded Annual
Growth Rate - Secured AV

2.99% Secured AV Growth Assumption for Next 10 Years

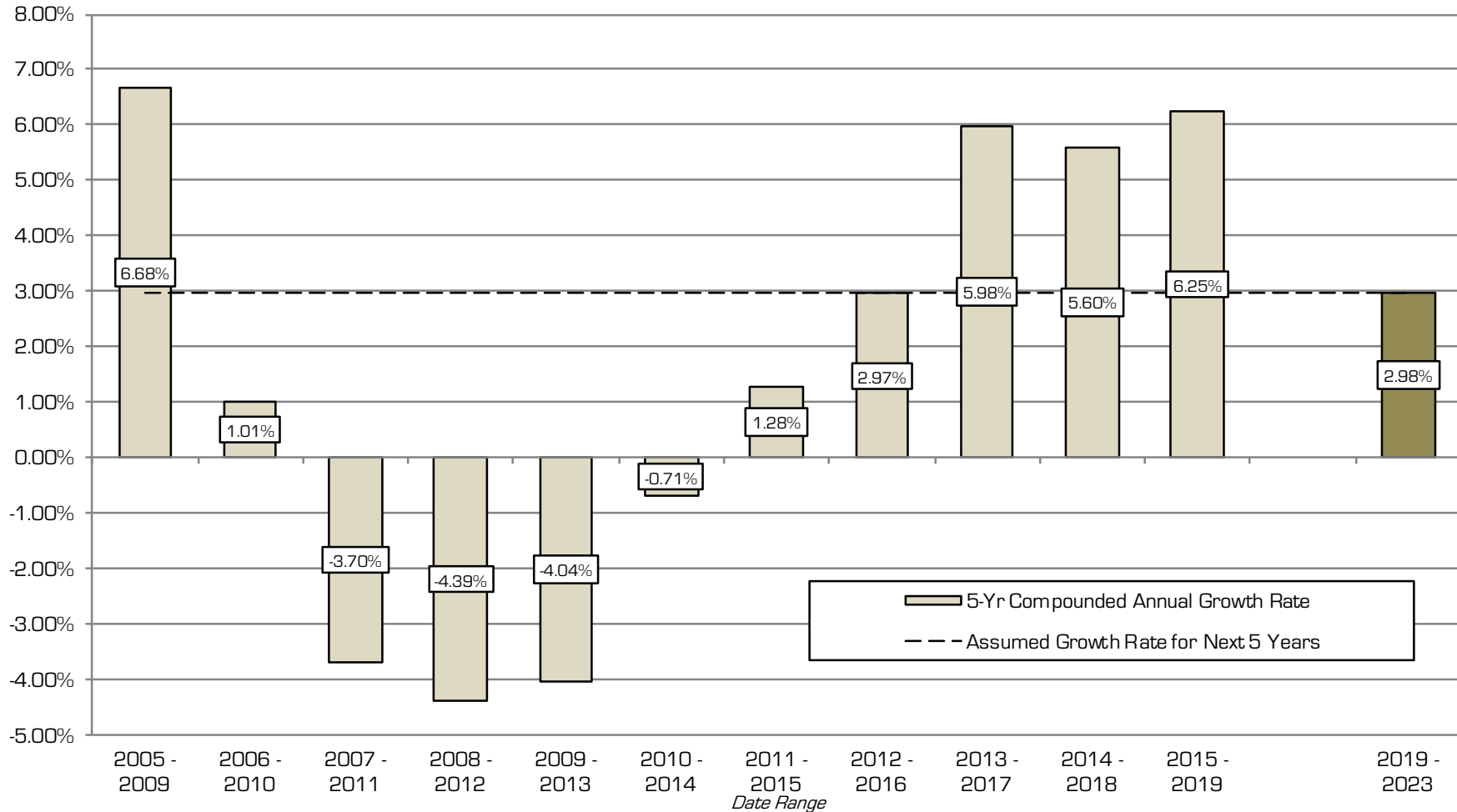


Historical data from Sacramento, Solano & Yolo County Auditor-Controller's offices. Net local secured AV is assumed to increase 3% annually, unsecured AV is assumed to decline 5% annually, while all other AV types are assumed to remain unchanged.

Unified District - Historical AV Analysis - 5 Year Periods

Compounded Annual
Growth Rate - Secured AV

2.98% District-Wide AV Growth Assumption for Next 5 Years

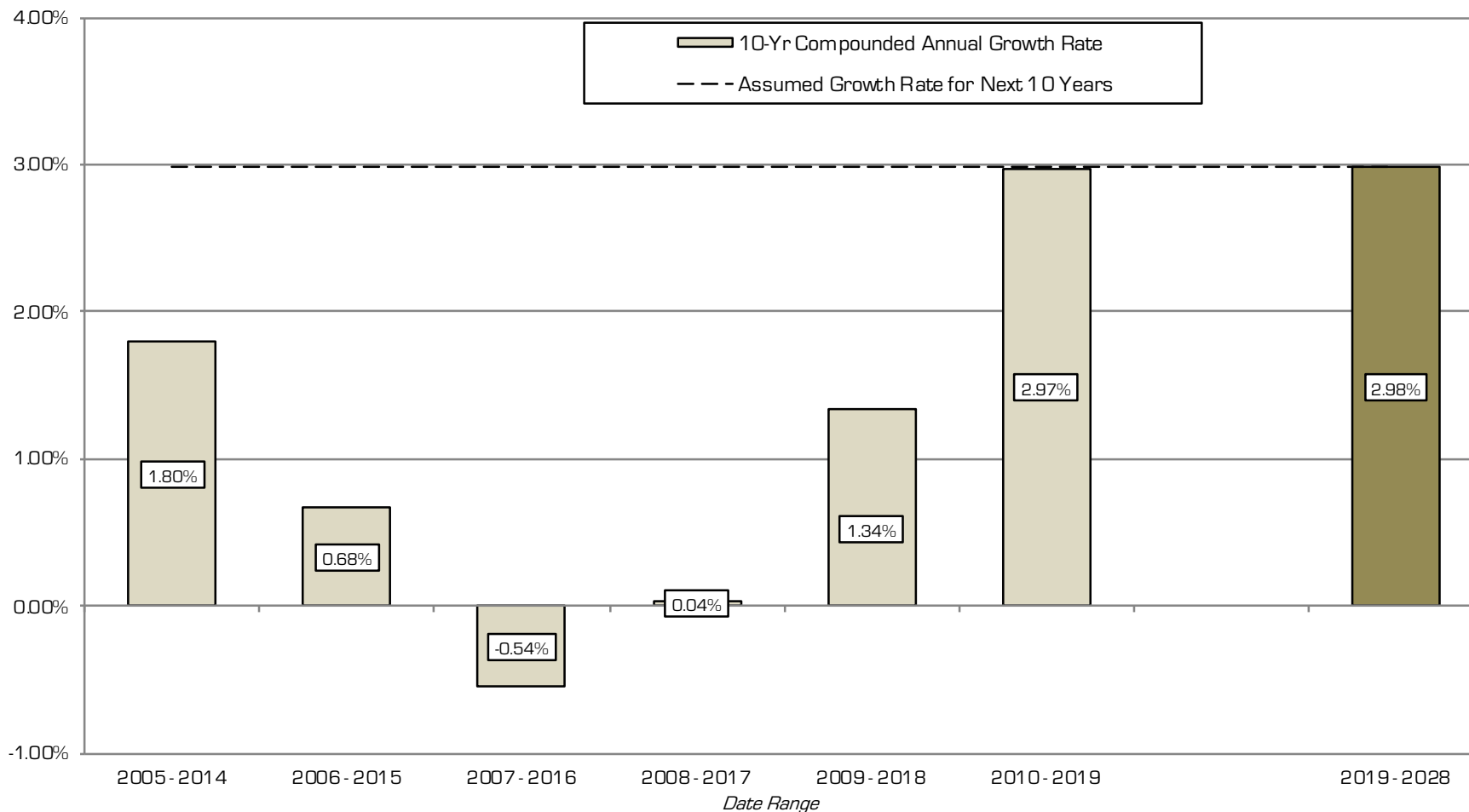


Historical data from Sacramento, Solano & Yolo County Auditor-Controller's offices. Net local secured AV is assumed to increase 2% annually thereafter, while all other AV types are assumed to remain unchanged.

Unified District - Historical AV Analysis - 10 Year Periods

Compounded Annual
Growth Rate - Secured AV

2.98% District-Wide Secured AV Growth Assumption for Next 10 Years



Historical data from Sacramento, Solano & Yolo County Auditor-Controller's offices. Net local secured AV is assumed to increase 2% annually thereafter, while all other AV types are assumed to remain unchanged.

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Elizabeth Keema-Aston, Chief Business Officer

Item Number: 9.2.1

Type of item: (Action, Consent Action or Information Only): Information Only

SUBJECT: Monthly Enrollment and ADA Report (**JANUARY MONTH 6**)

BACKGROUND: Each month district staff compiles attendance and enrollment data for all school sites. The attached summary shows comparative enrollment an ADA for 2018-2019 and 2019-2020. The summary also shows the increase/decrease enrollment for current and prior months. The attached charts compare the ADA with Enrollment for the current year and five (5) prior years.

STATUS: District-wide enrollment ***increased by 8 students*** compared to the same month last year, *increasing* from 1,928 to 1,936. (Does not include Adult Ed)

District-wide enrollment ***increased by 18 students*** compared to **last month (December)**, **increasing** from 1,918 to 1,936. (Does not include Adult Ed)

District-wide attendance ***increased 8 ADA*** compared to **last month (December)**, **increasing** from 1,818 to 1,824 (Does not include Adult Ed)

PRESENTER:

Elizabeth Keema-Aston, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

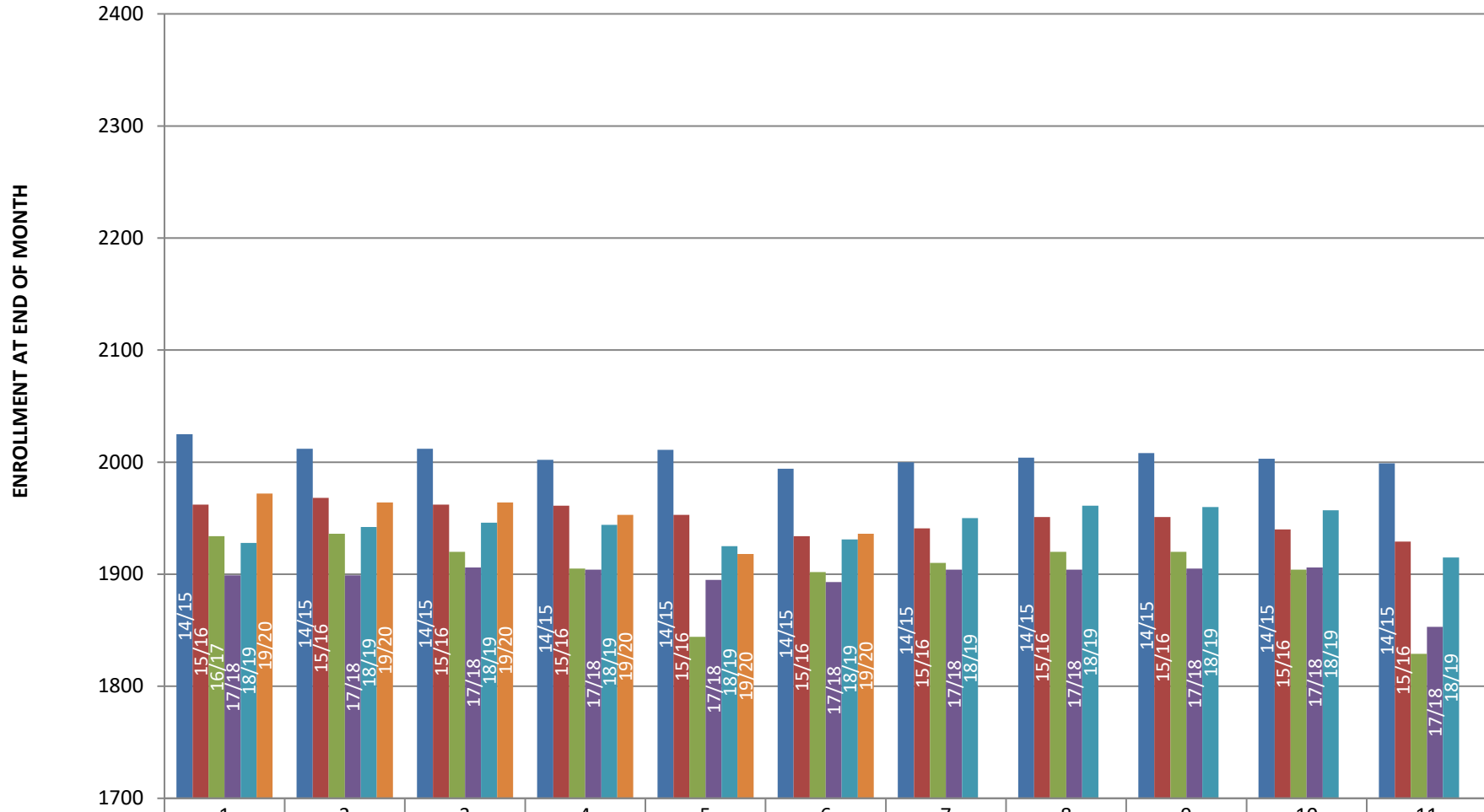
RECOMMENDATION:

That the Board receives the information presented.

Time allocated: 3 minutes

SITE		AUG	AUG	% of ADA		SEPT	SEPT	Incr/Decr From Pr Month	% of ADA	OCT	OCT	Incr/Decr From Pr Month	% of ADA	NOV	NOV	Incr/Decr From Pr Month	% of ADA	DEC	DEC	Incr/Decr From Pr Month	% of ADA	JAN	JAN	Incr/Decr From Pr Month	% of ADA
		18-19	19-20			18-19	19-20			18-19	19-20			18-19	19-20			18-19	19-20			18-19	19-20		
BATES	ENR	118	118	98.3%		121	123	5	98.4%	122	123	0	97.6%	127	123	0	97.6%	127	111	-12		125	121	10	94.2%
	ADA	116	116			117	121			117	120			121	120			120	117			120	120		
CLARKSBURG (7th & 8th Gr)	ENR	193	176	96.6%		195	177	1	97.2%	191	177	0	97.2%	192	178	1	94.9%	192	177	-1		191	177	0	94.9%
	ADA	188	170			188	172			188	172			182	169			184	167			184	168		
ISLETON	ENR	162	155	96.8%		158	158	3	94.9%	158	156	-2	96.8%	158	153	-3	95.4%	150	149	-4		159	152	3	98.7%
	ADA	155	150			153	150			152	151			151	146			151	143			152	150		
RIVERVIEW	ENR	234	256	96.1%		233	253	-3	96.4%	236	253	0	95.7%	235	253	0	96.0%	229	250	-3		229	253	3	95.7%
	ADA	222	246			222	244			226	242			224	243			217	235			220	242		
WALNUT GROVE	ENR	165	176	94.9%		168	172	-4	97.1%	168	174	2	95.4%	166	176	2	94.9%	167	176	0		173	176	0	94.3%
	ADA	158	167			160	167			163	166			161	167			156	158			161	166		
D.H. WHITE	ENR	333	351	94.0%		346	346	-5	95.4%	350	345	-1	95.1%	350	338	-7	96.4%	333	337	-1		341	347	10	93.7%
	ADA	319	330			327	330			332	328			335	326			327	319			331	325		
ELEMENTARY SUB TOTAL	ENR	1,205	1,232			1,221	1,229	-3		1,225	1,228	-1		1,228	1,221	-7		1,198	1,200	-21		1,218	1,226	26	
	ADA	1,158	1,179			1,167	1,184			1,178	1,179			1,174	1,171			1,155	1,139			1,168	1,165		
CLARKSBURG (9th Grade)	ENR	83	96	97.9%		83	95	-1	96.8%	84	94	-1	97.9%	83	94	0	95.7%	82	96	2		83	94	-2	92.6%
	ADA	81	94			80	92			79	92			78	90			79	89			82	87		
DELTA HIGH	ENR	191	209	98.1%		191	207	-2	96.6%	192	207	0	95.7%	190	206	-1	93.7%	190	205	-1		184	205	0	91.7%
	ADA	183	205			184	200			183	198			183	193			179	194			171	188		
RIO VISTA HIGH	ENR	414	409	95.8%		412	402	-7	94.8%	407	405	3	94.6%	407	396	-9	94.7%	391	379	-17		410	388	9	94.3%
	ADA	398	392			395	381			393	383			391	375			391	368			402	366		
HIGH SCHOOL SUB TOTAL	ENR	688	714			686	704	-10		683	706	2		680	696	-10		663	680	-16		677	687	7	
	ADA	662	691			659	673			655	673			652	658			649	651			655	641		
Mokolumne High (Continuation)	ENR	14	17			14	18	1		14	15	-3		12	16	1		12	16	0		11	10	-6	
	ADA	11	12			12	13			11	11			11	9			9	10			7	7		
River Delta High/Elem (Alternative)	ENR	18	7			18	9	2		21	11	2		20	15	4		15	16	1		17	10	-6	
	ADA	16	8			16	8			16	10			18	11			18	15			14	10		
Community Day	ENR	3	2			3	4	2		3	4	0		3	5	1		5	6	1		5	3	-3	
	ADA	3	2			3	2			3	3			4	3			3	3			1	1		
TOTAL K-12 LCFF Funded	ENR	1,928	1,972			1,942	1,964	-8		1,946	1,964	0		1,943	1,953	-11		1,893	1,918	-35		1,928	1,936	18	
	ADA	1,850	1,892			1,857	1,880			1,863	1,876			1,859	1,852			1,834	1,818			1,848	1,824		
Wind River- Adult Ed	ENR	0	0			30	6	6		27	9	3		39	11	2		42	14	3		45	0	-14	
TOTAL DISTRICT	ENR	1,928	1,972			1,972	1,970	-2		1,973	1,973	3		1,982	1,964	-9		1,935	1,932	-32		1,973	1,936	4	

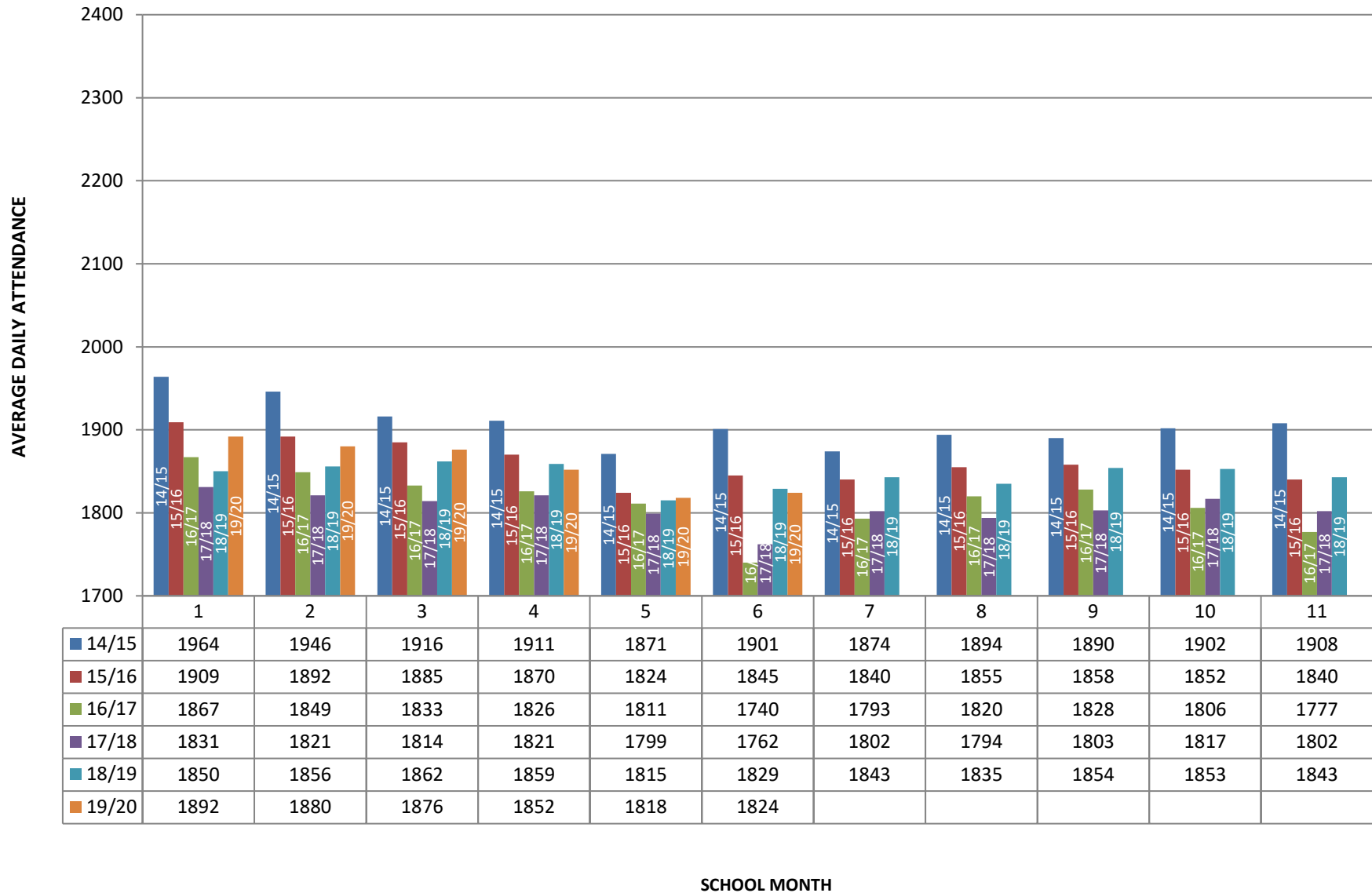
ENROLLMENT



	1	2	3	4	5	6	7	8	9	10	11
■ 14/15	2025	2012	2012	2002	2011	1994	2000	2004	2008	2003	1999
■ 15/16	1962	1968	1962	1961	1953	1934	1941	1951	1951	1940	1929
■ 16/17	1934	1936	1920	1905	1844	1902	1910	1920	1920	1904	1829
■ 17/18	1899	1899	1906	1904	1895	1893	1904	1904	1905	1906	1853
■ 18/19	1928	1942	1946	1944	1925	1931	1950	1961	1960	1957	1915
■ 19/20	1972	1964	1964	1953	1918	1936					

SCHOOL MONTH

ACTUAL ATTENDANCE



BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Elizabeth Keema-Aston

Item Number: 9.2.2

Type of item: (Action, Consent Action or Information Only): Information Only

SUBJECT:

Monthly Financial Report

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 AND FUNDING SOURCES: NOT APPLICABLE

RECOMMENDATION:

That the Board receives the Monthly Financial report as submitted

Time allocated: 3 minutes

River Delta Unified School District
 2019-20 Working Budget vs. Actuals Report
 January 31, 2020

Working Budget						Actuals thru: 1/31/2020					
	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	5,684,341	16,536,713	17,897,188	4,323,866	10,956,929	1,033,933	9,922,996	60.01%	9,868,148	55.14%	
Restricted	955,689	7,869,581	8,507,482	317,788	1,072,861		1,072,861	13.63%	3,500,604	41.15%	
Combined	6,640,030	24,406,294	26,404,669	4,641,655	12,029,790	1,033,933	10,995,857	45.05%	13,368,752	50.63%	
2019-20 TRAN's \$500,000											
Other Funds											
Adult Ed. (11)	58,321	106,875	165,196	-	47,714		47,714	44.64%	56,650	34.29%	
Child Development (12)	5,996	299,381	305,377	-	132,211		132,211	44.16%	133,439	43.70%	
Cafeteria (13)	60,295	1,053,172	1,088,434	25,033	298,384		298,384	28.33%	511,071	46.95%	
Sp. Res-Other than Cap. Outlay (17)	70,659	700	-	71,359	367		367	52.43%	-	0.00%	
Bond Fund (21)	274,451	38,600	255,493	57,558	15,600		15,600	40.41%	244,717	95.78%	
Bond Fund- SFID #1 South (22)	-	-	-	-	-		-	0.00%	-	0.00%	
Bond Fund - SFID #2 North (23)	-	-	-	-	-		-	0.00%	-	0.00%	
Developer Fees (25)	1,324,219	655,311	272,990	1,706,540	166,910		166,910	25.47%	227,659	83.39%	
County School Facilities (35)	3,305	18	-	3,323	17		17	94.44%	-	0.00%	
Capital Projects (49)	3,309	128,903	8,334	123,878	60,265		60,265	46.75%	5,902	70.82%	

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Elizabeth Keema-Aston, Chief Business Officer

Item Number: 9.2.4

Type of item: (Action, Consent Action or Information Only): Information Only

SUBJECT:

Monthly Board update on the two modular classroom construction project at DH White Elementary

BACKGROUND:

Due to development and increased student enrollment in the Rio Vista area, the Board approved the reconfiguration of D.H. White Elementary School site from a K-5 site to a K-6 site beginning in school year 2020-21. To accommodate the 6th grade classes at D.H. White, the district is installing two modular classrooms on site.

STATUS:

Each month until the project is completed, the Chief Business Officer will prepare a monthly summary of the on-going costs of the project: the original budget, vendor contracts, change orders, expenses to date and the remaining funds.

PRESENTER:

Elizabeth Keema-Aston, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT: N/A

COST AND FUNDING SOURCES: N/A

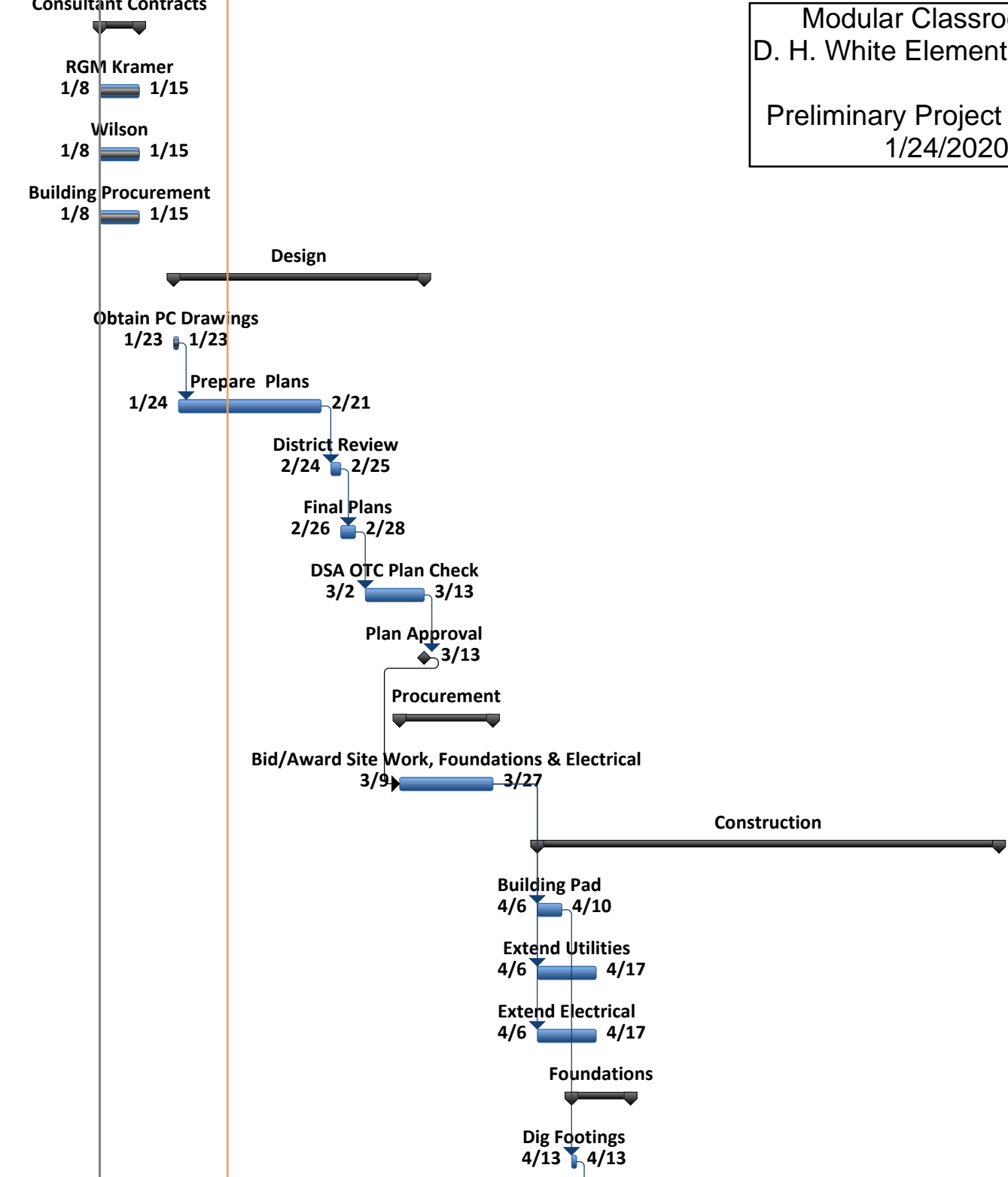
RECOMMENDATION:

That the Board receives the monthly project summary report.

Time allocated: 3 minutes

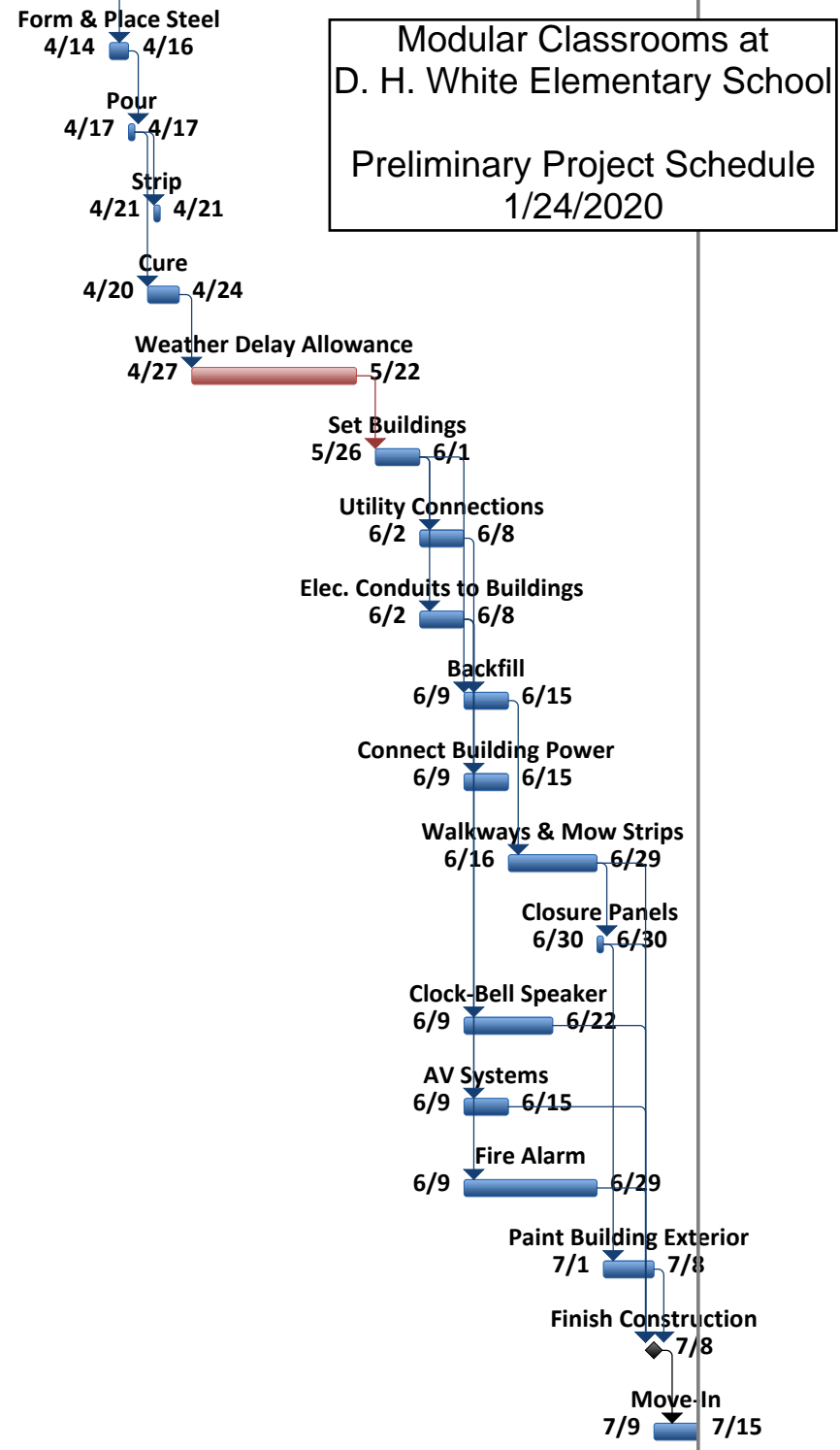
ID	Task Name	Duration	Start	Finish	Predecessors	Actual Start	Actual Finish	December 1	January 1		February 1		March 1		April 1		May 1		June 1		July 1		August
								12/15	12/29	1/12	1/26	2/9	2/23	3/8	3/22	4/5	4/19	5/3	5/17	5/31	6/14	6/28	7/12
1	Consultant Contracts	6 days	Wed 1/8/20	Wed 1/15/20		Wed 1/8/20	Wed 1/15/20																
2	RGM Kramer	6 days	Wed 1/8/20	Wed 1/15/20		Wed 1/8/20	Wed 1/15/20																
3	Wilson	6 days	Wed 1/8/20	Wed 1/15/20		Wed 1/8/20	Wed 1/15/20																
4	Building Procurement	6 days	Wed 1/8/20	Wed 1/15/20		Wed 1/8/20	Wed 1/15/20																
5	Design	36 days	Thu 1/23/20	Fri 3/13/20		Thu 1/23/20	NA																
6	Obtain PC Drawings	1 day	Thu 1/23/20	Thu 1/23/20		Thu 1/23/20	Thu 1/23/20																
7	Prepare Plans	20 days	Fri 1/24/20	Fri 2/21/20	6	NA	NA																
8	District Review	2 days	Mon 2/24/20	Tue 2/25/20	7	NA	NA																
9	Final Plans	3 days	Wed 2/26/20	Fri 2/28/20	8	NA	NA																
10	DSA OTC Plan Check	10 days	Mon 3/2/20	Fri 3/13/20	9	NA	NA																
11	Plan Approval	0 days	Fri 3/13/20	Fri 3/13/20	10	NA	NA																
12	Procurement	15 days	Mon 3/9/20	Fri 3/27/20		NA	NA																
13	Bid/Award Site Work, Foundations & Electrical	15 days	Mon 3/9/20	Fri 3/27/20	11FS-5 days	NA	NA																
14	Construction	66 days?	Mon 4/6/20	Wed 7/8/20		NA	NA																
15	Building Pad	5 days	Mon 4/6/20	Fri 4/10/20	13FS+5 days	NA	NA																
16	Extend Utilities	10 days	Mon 4/6/20	Fri 4/17/20	13FS+5 days	NA	NA																
17	Extend Electrical	10 days	Mon 4/6/20	Fri 4/17/20	13FS+5 days	NA	NA																
18	Foundations	10 days?	Mon 4/13/20	Fri 4/24/20		NA	NA																
19	Dig Footings	1 day?	Mon 4/13/20	Mon 4/13/20	15	NA	NA																

**Modular Classrooms at
D. H. White Elementary School**
**Preliminary Project Schedule
1/24/2020**



Project: 20200122 Preliminary Sch Date: Mon 2/3/20	Task		Project Summary		Inactive Milestone		Manual Summary Rollup		Deadline	
	Split		External Tasks		Inactive Summary		Manual Summary		Progress	
	Milestone		External Milestone		Manual Task		Start-only			
	Summary		Inactive Task		Duration-only		Finish-only			

ID	Task Name	Duration	Start	Finish	Predecessors	Actual Start	Actual Finish	December 1	January 1		February 1		March 1		April 1		May 1		June 1		July 1		August
								12/15	12/29	1/12	1/26	2/9	2/23	3/8	3/22	4/5	4/19	5/3	5/17	5/31	6/14	6/28	7/12
20	Form & Place Steel	3 days	Tue 4/14/20	Thu 4/16/20	19	NA	NA																
21	Pour	1 day	Fri 4/17/20	Fri 4/17/20	20	NA	NA																
22	Strip	1 day	Tue 4/21/20	Tue 4/21/20	21FS+1 day	NA	NA																
23	Cure	5 days	Mon 4/20/20	Fri 4/24/20	21	NA	NA																
24	Weather Delay Allowance	20 days	Mon 4/27/20	Fri 5/22/20	23	NA	NA																
25	Set Buildings	5 days	Tue 5/26/20	Mon 6/1/20	24	NA	NA																
26	Utility Connections	5 days	Tue 6/2/20	Mon 6/8/20	25	NA	NA																
27	Elec. Conduits to Buildings	5 days	Tue 6/2/20	Mon 6/8/20	25	NA	NA																
28	Backfill	5 days	Tue 6/9/20	Mon 6/15/20	25,26	NA	NA																
29	Connect Building Power	5 days	Tue 6/9/20	Mon 6/15/20	27	NA	NA																
30	Walkways & Mow Strips	10 days	Tue 6/16/20	Mon 6/29/20	28	NA	NA																
31	Closure Panels	1 day	Tue 6/30/20	Tue 6/30/20	30	NA	NA																
32	Clock-Bell Speaker	10 days	Tue 6/9/20	Mon 6/22/20	27	NA	NA																
33	AV Systems	5 days	Tue 6/9/20	Mon 6/15/20	27	NA	NA																
34	Fire Alarm	15 days	Tue 6/9/20	Mon 6/29/20	27	NA	NA																
35	Paint Building Exterior	5 days	Wed 7/1/20	Wed 7/8/20	31	NA	NA																
36	Finish Construction	0 days	Wed 7/8/20	Wed 7/8/20	31,32,33,34,3	NA	NA																
37	Move-In	5 days	Thu 7/9/20	Wed 7/15/20	36	NA	NA																



Project: 20200122 Preliminary Sch Date: Mon 2/3/20	Task		Project Summary		Inactive Milestone		Manual Summary Rollup		Deadline	
	Split		External Tasks		Inactive Summary		Manual Summary		Progress	
	Milestone		External Milestone		Manual Task		Start-only			
	Summary		Inactive Task		Duration-only		Finish-only			

Description: New Modular Classrooms
Buildings: 2
Square Feet: 1,920

<input checked="" type="checkbox"/>	Preliminary
<input type="checkbox"/>	Pre Final
<input type="checkbox"/>	Final

A. SITE		
1	SITE ACQUISITION/APPRaisal/TITLE	\$ 0
2	SURVEY	\$ 0
3	SITE SUPPORT - BOND FEES	\$ 0
4	LEGAL FEES - Allowances	\$ 3,500
5	OTHER (EIR/Negative Declaration)	\$ 0
6	OTHER	\$ 0
	SITE SUBTOTAL	\$ 3,500
B. PLANS		
1	ARCHITECT'S FEE FOR PLANS	\$ 21,800
2	DSA PLAN CHECK FEE - SSS/FLS	\$ 8,530
3	DSA HOURLY FEES ALLOWANCE	\$ 0
4	HEALTH DEPARTMENT	\$ 0
5	ENERGY ANALYSIS FEES	\$ 0
6	DEPARTMENT OF EDUCATION - PLAN CHECK FEE	\$ 0
7	PRELIMINARY TESTS	\$
	A. SOILS	\$ 15,000
	B. OPSC & YRE CONSULTANTS	\$ 0
	C. BIDDING AND ADVERTISING	\$ 2,500
	D. ENGINEERING/CONSULTING	\$ 0
	E. HAZARDOUS MATERIAL SURVEY/SPECS	\$ 0
8	ADMINISTRATIVE COSTS	\$ 0
	PLANS SUBTOTAL	\$ 47,830
C. CONSTRUCTION		
1	A. UTILITY SERVICE FEES	\$ 0
	B. UTILITY SERVICE IMPROVEMENTS	\$ 0
2	OFF-SITE DEVELOPMENT	\$ 0
3	SERVICE SITE DEVELOPMENT	\$ 0
4	GENERAL SERVICE SITE DEVELOPMENT	\$ 188,658
5	MODERNIZATION	\$ 0
6	DEMOLITION / INTERIM HOUSING*	\$ 0
7	NEW CONSTRUCTON	\$ 356,048
8	A. UNCONVENTIONAL ENERGY SOURCES	\$ 0
	B. SPECIAL ACCESS COMPLIANCE	\$ 0
	C. TECHNOLOGY ALLOWANCE	\$ 0
9	ENVIRONMENTAL ABATEMENT	\$ 0
10	AIR MONITOR CLEARANCE	\$ 0
11	PROJECT MANAGEMENT	\$ 79,000
12	OTHER (ITEMIZE)	\$
	A. Labor Compliance	\$ 0
	B. MOVING/STORAGE (District Expense)	\$ 0
	C. UNDERGROUND UTILITY SEARCH	\$ 0
	CONSTRUCTION SUBTOTAL	\$ 623,706
D.	TESTS (CONSTRUCTION LAB)	\$ 5,447
E.	INSPECTION (IOR)	\$ 31,800
F.	FURNITURE AND EQUIPMENT	\$ 27,500
G.	CONTINGENCIES	\$ 54,471
	TOTAL ESTIMATED COSTS (ITEMS A THROUGH G)	\$ 794,254

1 SITE ACQUISITION/APPRAISAL/TITLE - Allowance **\$0**

Include the Cost of Real Property Purchased. Include the Cost of Any Appraisal Fee Escrow/Title Costs Associated with Eligible Projects.

Property	\$0
Land Bank	\$0
Assess.	\$0
Total	\$0

2 SURVEYS **\$0**

Include the Cost for General Surveys, Lot Line Adjustments & Property Line Establishments.

3 SITE SUPPORT - BOND FEES - Allowance **\$0**

Include the Cost For Any Legal or Professional Fees or Services Associated With Setting Up and Maintaining the Bond. Includes portions of Administrative Salaires/Hourly Wages for District Staff Support Relative to Bond Projects and/or OPSC Funding.

4 LEGAL FEES - Allowance **\$3,500**

Include the Cost for Legal Consultation or Administrative Assistance as Follows:

- * Document Review*
- * Bid Review*
- * Contract Review*
- * Bond Review*
- * Insurance Review*
- * Miscellaneous Correspondence/Issue Conference*

5 EIR/Negative Declaration

6 OTHER **\$0**

1	ARCHITECT'S FEE FOR PLANS			\$21,800
	Fees per Wilson Proposal		\$14,600.00	
	Add for Foundation Design		\$5,200.00	
	Total Basic Fee			\$19,800
	Design Contingency			Incl.
	CO Contingency			\$0
		Total Fees with Contingencies		\$19,800
	Reimbursables			\$2,000
		Total Architectural Costs		\$21,800
2	DSA PLAN CHECK FEE - (per DSA Calculator)			\$8,530
	Access Compliance		\$2,550.00	
	Fire & Life Safety		\$1,560.00	
	Structural Safety		\$4,420.00	
3	Allowance for DSA Hourly Fees:			\$0
	DSA Hourly Fees	Hours @ \$215	\$0.00	
4	HEALTH DEPARTMENT - Allowance			\$0
	Food Processing Establishment	Trips @ \$1,500	\$0.00	
	Application Fee		\$0.00	
	Special Service Fee		\$0.00	
	Consultation	Hours @ \$200	\$0.00	
	TOTAL		\$0.00	
5	ENERGY ANALYSIS FEES - ALLOWANCE			\$0
	<i>Include the Cost for Professional Services Associated With Energy Analysis</i>			
6	DEPARTMENT OF EDUCATION - PLAN CHECK FEE		#REF!	\$0
	<i>Include the Cost for Plan Check Fees for Eligible Projects.</i>			
		\$0 @ 0.07%	\$0.00	

7.A SOILS - ALLOWANCE			\$15,000
. Soil Report	\$	10,000	
. Soil Inspection / Testing	\$	5,000	
. Reimbursables			
	Total	\$15,000	
7.B OPSC & YRE CONSULTANTS - Allowance			\$0
<i>Include the Cost for Consulting Services Associated With Establishing Eligibility and Pursuing Additional Support Through the State Funding Program.</i>			
7.C BIDDING & ADVERTISING - Allowance			\$2,500
<i>Include the Estimated Cost for Printing, Reproduction, and Advertising Costs:</i>			
7.D ENGINEERING/CONSULTING - Allowance			\$0
<i>Include the Estimated Cost for Special Engineering or Consultant Review.</i>			
7.E HAZARDOUS MATERIAL SURVEY/SPECS - Allowance			
8 ADMINISTRATIVE COSTS - Allowance			\$0
<i>Include the Estimated Cost for Additional District Administrative/Personnel Cost.</i>			

1A. UTILITY SERVICE FEES - Allowance **\$0**

Itemize Estimated Costs for Utility Service and Connection Fees.

UTILITY	Cost
Electrical	\$0.00
Gas	\$0.00
Water District	\$0.00
Telephone	\$0.00
Sanitary Sewer	\$0.00
Storm Drain	\$0.00
Cable T.V.	\$0.00
City Encroachment	\$0.00
Public Facilities	\$0.00
TOTAL BUDGET	\$0.00

Architect should instruct respective engineers to provide plans and relative information to the various agencies to initiate the permit process and ascertain actual costs.

Mod/New Const.	Total Cost
---------------------------	-------------------

1B. UTILITY SERVICE IMPROVEMENTS - Budget

List Estimated Costs for Utility Service Installation

2. OFF-SITE DEVELOPMENT - Allowance

List Estimated Off-Site Development Costs.

3. SERVICE SITE DEVELOPMENT - Allowance

List Estimated Service Site Development Costs.

4. GENERAL SITE DEVELOPMENT - Allowance

N	\$188,658
---	------------------

List General Site Development Costs.

5. MODERNIZATION

6. DEMOLITION / INTERIM HOUSING*

**List Estimated Cost to Provide, Install and Connect Basic Utilities to Temporarily Portable Housing During Construction Operations.*

7. NEW CONSTRUCTION N **\$356,048**

8A. UNCONVENTIONAL ENERGY - Allowance
8B. SPECIAL ACCESS COMPLIANCE - Allowance
8C. TECHNOLOGY ALLOWANCE - Allowance

Total Construction (Lines 1B-8) **\$544,706**

9. ENVIRONMENTAL ABATEMENT - Allowance **\$0**
Include Estimated Cost for Hazardous Abatement.

Asbestos
 Lead
 PCB
TOTAL

\$0.00

10. AIR MONITOR/CLEARANCE - Allowance **\$0**
Include the Estimated Cost for Professional Services Engaged in Air Monitoring/Surveillance and Administration of Abatement Contracts.

11. PROJECT MANAGEMENT - RGM KRAMER **\$79,000**

Fees \$77,500.00
 Reimbursables \$1,500.00

Total **\$79,000.00**

12. OTHER

A. Labor Compliance **\$0**
Include the Estimated Cost for Misc. Reimbursables/General Condition Costs.

B. MOVING/STORAGE (District Expense) - Allowance **\$0**
List the Estimated Costs for District Maintenance Staff or Outside Moving Company to Remove and Replace Furnishings and Supplies from Major Construction Areas, General Clean-up, Floor Waxing, Etc.

C. UNDERGROUND UTILITY SEARCH - Allowance
Estimated Cost for Ultra Sonic Location Service.

D. TESTS

Construction Lab/Testing - Allowance **\$5,447**
*Include the Cost for Testing Lab and Special Inspections as may be
 Required by the Structural Engineer or the Division of the State Architect.*

\$544,706	1.00%	\$5,447.06
-----------	-------	------------

E. INSPECTION **\$31,800**

Inspector of Record (IOR)
Include the Estimated Cost for Independent Inspector of Record (IOR) Fees.

265	Hours @ \$120	\$31,800
-----	---------------	----------

F. FURNITURE AND EQUIPMENT **\$27,500**

Include the Cost for the Purchase of Furniture and Equipment.

Classroom Furniture	\$15,000
Technology Equipment	\$10,000
AV Equipment	\$2,500
Total	\$27,500

G. CONTINGENCIES **\$54,471**

Include a Provision for Contingency.

Calculation:

Architect Bid/Design	0%	\$0
Distict Project/C.O.	10%	\$54,471
Total		\$54,471

Table of Contents

- 1 Cost Estimate Recap
- 2 Assumptions
- 3 Estimate Summary
- 4 Site Improvements Estimate Summary
- 5 Site Improvements Estimate Detail
- 6 Modular Buildings Estimate Summary
- 7 Modular Buildings Estimate Detail



**D. H. White Elementary School
Preliminary Cost Estimate
New Modular Classrooms**

**Date 01/30/20
Estimate No.: 1
Plans Dated: none
Estimator: Marlin
Checked By: TBD**

Construction Cost Estimate Recap

Description	Area (SF)	Estimated Construction Cost*	\$/SF	Escalations 0.0%	Total with Escalations	\$/SF
Site Improvements	NA	\$ 188,658	NA	-	\$ 188,658	NA
Buildings	1,920 sf	\$ 356,048	\$ 185.44	-	\$ 356,048	\$ 185.44
Total Estimated Construction Costs		\$ 544,706		\$ -	\$ 544,706	

* Includes Design Contingency



**D. H. White Elementary School
Preliminary Cost Estimate
New Modular Classrooms**

Cost Estimate Assumptions:

Site	D. H. White Elementary School
Project	New Modular Classrooms
Estimate Title	Preliminary Cost Estimate
Estimate Date	01/30/20
Estimate No.	1
Plan Date	none
Estimator	Marlin
Checked By	TBD
General Conditions	10.0%
GC P&O	12.0%
Design Contingency	15.0%
Bonds & Insurance	2.0%
Escalation	0.0%
Soft Costs	NIC
FF&E	NIC
Construction Contingency	NIC

Exclusions:

- Abatement
- Soft Costs
- FF&E
- Technology Equipment
- AV Equipment & Monitors
- Permit Fees
- Temporary housing and utilities
- Construction Contingency

Clarifications:

D. H. White Elementary School
Preliminary Cost Estimate
New Modular Classrooms

Date 01/30/20
Estimate No.: 1
Estimator: Marlin
Checked By: TBD

Estimate Summary

Div.	Description	Site Impr.	Buildings	Total
01	General Requirements	\$ -	\$ -	\$ -
02	Existing Conditions	\$ -	\$ -	\$ -
03	Concrete	\$ -	\$ 71,600	\$ 71,600
04	Masonry	\$ -	\$ -	\$ -
05	Metals	\$ -	\$ -	\$ -
06	Wood, Plastics, Composites	\$ -	\$ 600	\$ 600
07	Thermal and Moisture Protection	\$ -	\$ -	\$ -
08	Openings	\$ -	\$ 1,300	\$ 1,300
09	Finishes	\$ -	\$ 4,500	\$ 4,500
10	Specialties	\$ -	\$ 680	\$ 680
11	Equipment	\$ -	\$ -	\$ -
12	Furnishings	\$ -	\$ -	\$ -
13	Special Construction	\$ -	\$ 171,829	\$ 171,829
14	Conveying Equipment	\$ -	\$ -	\$ -
21	Fire Suppression	\$ -	\$ -	\$ -
22	Plumbing	\$ -	\$ -	\$ -
23	Heating, Ventilating and Air Conditioning	\$ -	\$ -	\$ -
25	Integrated Automation	\$ -	\$ -	\$ -
26	Electrical	\$ 38,060	\$ -	\$ 38,060
27	Communications	\$ 6,330	\$ 12,720	\$ 19,050
28	Electronic Safety and Security	\$ 10,200	\$ 18,240	\$ 28,440
31	Earthwork	\$ 26,848	\$ -	\$ 26,848
32	Exterior Improvements	\$ 23,950	\$ -	\$ 23,950
33	Utilities	\$ 25,160	\$ -	\$ 25,160
	Subtotal Cost	\$ 130,547	\$ 281,469	\$ 412,016
	General Conditions	\$ 13,055	\$ 10,964	\$ 24,019
	Profit & Overhead	\$ 17,232	\$ 14,472	\$ 31,705
	Design Contingency	\$ 24,125	\$ 46,036	\$ 70,161
	Bonds & Insurance	\$ 3,699	\$ 3,107	\$ 6,806
	Total Estimated Construction Cost	\$ 188,658	\$ 356,048	\$ 544,706

No markup included on building purchase. Included in price quoted.



D. H. White Elementary School
 New Modular Classrooms
 Preliminary Cost Estimate

Date 01/30/20
 Estimate No.: 1
 Estimator: Marlin
 Checked By: TBD

Site Improvements Estimate Summary

Div.	Description	Totals	Comments
01	General Requirements	\$ -	
02	Existing Conditions	\$ -	
03	Concrete	\$ -	
04	Masonry	\$ -	
05	Metals	\$ -	
06	Wood, Plastics, Composites	\$ -	
07	Thermal and Moisture Protection	\$ -	
08	Openings	\$ -	
09	Finishes	\$ -	
10	Specialties	\$ -	
11	Equipment	\$ -	
12	Furnishings	\$ -	
13	Special Construction	\$ -	
14	Conveying Equipment	\$ -	
21	Fire Suppression	\$ -	
22	Plumbing	\$ -	
23	Heating, Ventilating and Air Conditioning	\$ -	
25	Integrated Automation	\$ -	
26	Electrical	\$ 38,060	Site Electrical
27	Communications	\$ 6,330	Site Data
	Electronic Safety and Security	\$ 10,200	Site Fire Alarm Extension & Security
31	Earthwork	\$ 26,848	
32	Exterior Improvements	\$ 23,950	
33	Utilities	\$ 25,160	
	Subtotal Cost	\$ 130,547	
	General Conditions 10.0%	\$ 13,055	
	Profit & Overhead 12.0%	\$ 17,232	
	Design Contingency 15.0%	\$ 24,125	
	Bonds & Insurance 2.0%	\$ 3,699	
	Total Estimated Construction Cost	\$ 188,658	



D. H. White Elementary School
Preliminary Cost Estimate
New Modular Classrooms

Date 01/30/20
Estimate No.: 1
Plans Dated: none
Estimator: Marlin
Checked By: TBD

Site Improvements

CSI	Description	Qty	Unit	\$/Unit	Extension	Subtotal by Division	GC's 10%	P&O 12.0%	Design Contingency 15%	Bonds & Insurance 2%	Total Including Markups	Comments
26	Electrical					\$38,060						
26 05 13	Conductors and Cables											
	#1	1,400	lf	\$ 9.69	\$13,566		\$1,357	\$1,791	\$2,507	\$384	\$19,605	
	#8	470	lf	\$ 3.80	\$1,786		\$179	\$236	\$330	\$51	\$2,581	
26 05 26.	Grounding and Bonding											
	Ground Modular Building Panels	2	EA	\$ 1,750.00	\$3,500		\$350	\$462	\$647	\$99	\$5,058	
26 05 33	Raceways and Boxes											
	UG Conduit (DB120) w/o Trenching (See Div 31)											
	3"	88	lf	\$ 35.00	\$3,080		\$308	\$407	\$569	\$87	\$4,451	
	2-1/2"	155	lf	\$ 27.10	\$4,201		\$420	\$554	\$776	\$119	\$6,070	
	2"	175	lf	\$ 17.80	\$3,115		\$312	\$411	\$576	\$88	\$4,502	
	1"	88	lf	\$ 12.75	\$1,122		\$112	\$148	\$207	\$32	\$1,621	
	Rigid Conduit Riser Allowance	1	LS	\$ 2,500.00	\$2,500		\$250	\$330	\$462	\$71	\$3,613	
	N16 U/G Pull Box	3	EA	\$ 650.00	\$1,950		\$195	\$257	\$360	\$55	\$2,818	
	N9 U/G Pull Box	1	EA	\$ 450.00	\$450		\$45	\$59	\$83	\$13	\$650	
260583	Wiring Connections											
	Connect Power to Modular Panel	2	EA	\$ 750.00	\$1,500		\$150	\$198	\$277	\$43	\$2,168	
26 28 16.	Switches & Circuit Breakers											
	125A 120/240V 2P Breaker	2	EA	\$ 645.00	\$1,290		\$129	\$170	\$238	\$37	\$1,864	
27	Communications					\$6,330						
27 00 00	General Technology Requirements											
	STC Cabinet	1	EA	\$ 1,725.00	\$1,725		\$173	\$228	\$319	\$49	\$2,493	
27 15 00	Horizontal Cabling											
	Fiber to IDF's	560	lf	\$ 8.00	\$4,480		\$448	\$591	\$828	\$127	\$6,474	
	Terminate Fiber	2	ea	\$ 62.50	\$125		\$13	\$17	\$23	\$4	\$181	
28	Electronic Safety and Security					\$10,200						
28 16 00	Intrusion Systems											
	Site Security Conductors	110	lf	\$ 8.50	\$935		\$94	\$123	\$173	\$26	\$1,351	
	Motion Sensors	2	ea	\$ 690.00	\$1,380		\$138	\$182	\$255	\$39	\$1,994	
	IP Camera	1	ea	\$ 3,125.00	\$3,125		\$313	\$413	\$578	\$89	\$4,516	
28 31 00	Fire Alarm System											
	Site FA Conductors	560	lf	\$ 8.50	\$4,760		\$476	\$628	\$880	\$135	\$6,879	
	Building FA System											See Modular Building Estimate
31	Earthwork					\$26,848						
31 00 00	Earthwork and Grading											
	Building Pad											
	Cut to Subgrade	249	CY	\$ 20.00	\$4,980		\$498	\$657	\$920	\$141	\$7,197	
	Scarify/Recompact Subgrade	2,584	SF	\$ 0.50	\$1,292		\$129	\$171	\$239	\$37	\$1,867	

D. H. White Elementary School
Preliminary Cost Estimate
New Modular Classrooms

Date 01/30/20
Estimate No.: 1
Plans Dated: none
Estimator: Marlin
Checked By: TBD

Site Improvements

CSI	Description	Qty	Unit	\$/Unit	Extension	Subtotal by Division	GC's 10%	P&O 12.0%	Design Contingency 15%	Bonds & Insurance 2%	Total Including Markups	Comments
	Engineer Fill with On-Site Material	96	CY	\$ 58.65	\$5,630		\$563	\$743	\$1,040	\$160	\$8,137	
	Backfill/Compact Around Buildings	52	CY	\$ 72.50	\$3,770		\$377	\$498	\$697	\$107	\$5,448	
	Walkway											
	Cut to Subgrade	13	CY	\$ 20.00	\$260		\$26	\$34	\$48	\$7	\$376	
	Scarify/Recompact Subgrade	530	SF	\$ 0.50	\$265		\$27	\$35	\$49	\$8	\$383	
31 23 33	Trenching and Backfilling											
	Trench for Electrical	160	LF	\$ 56.80	\$9,088		\$909	\$1,200	\$1,679	\$258	\$13,133	
	Off-Haul Spoils	125	CY	\$ 12.50	\$1,563		\$156	\$206	\$289	\$44	\$2,258	
32	Exterior Improvements					\$23,950						
32 05 05.	Selective Demolition for Site Improvements											
	Demo Walkway at Water POC	1	LS	\$ 1,500.00	\$1,500		\$150	\$198	\$277	\$43	\$2,168	
32 13 13	Site Concrete											
	Concrete Walkway (5" over 6" AB)	530	sf	\$ 25.00	\$13,250		\$1,325	\$1,749	\$2,449	\$375	\$19,148	
	Concrete Patch at Water POC	1	LS	\$ 1,500.00	\$1,500		\$150	\$198	\$277	\$43	\$2,168	
	Mow Strip	208	LF	\$ 25.00	\$5,200		\$520	\$686	\$961	\$147	\$7,515	
32 90 00.	Landscaping											
	Landscaping/Irrigation Repair Allowance	1	LS	\$ 2,500.00	\$2,500		\$250	\$330	\$462	\$71	\$3,613	
33	Utilities					\$25,160						
33 10 00	Water System											
	1.5" DWL	97	LF	\$ 48.00	\$4,656		\$466	\$615	\$860	\$132	\$6,729	
	SOV in Util Box	2	EA	\$ 570.00	\$1,140		\$114	\$150	\$211	\$32	\$1,647	
	Connect to Existing WL	1	EA	\$ 500.00	\$500		\$50	\$66	\$92	\$14	\$723	
33 30 00	Sanitary Sewer System											
	4" SDR 35 Sanitary Sewer	92	LF	\$ 58.80	\$5,410		\$541	\$714	\$1,000	\$153	\$7,818	
	SSCO	2	EA	\$ 520.00	\$1,040		\$104	\$137	\$192	\$29	\$1,503	
	Connect to Existing SS	1	EA	\$ 1,250.00	\$1,250		\$125	\$165	\$231	\$35	\$1,806	
33 40 00.	Storm Drainage Systems											
	4" SDR35 Storm Drain	130	LF	\$ 58.80	\$7,644		\$764	\$1,009	\$1,413	\$217	\$11,047	
	Area Drain	2	EA	\$ 750.00	\$1,500		\$150	\$198	\$277	\$43	\$2,168	
	SDCO	1	EA	\$ 520.00	\$520		\$52	\$69	\$96	\$15	\$751	
	Connect to Existing DI	1	EA	\$ 1,500.00	\$1,500		\$150	\$198	\$277	\$43	\$2,168	
	TOTALS				\$130,547		\$13,055	\$17,232	\$24,125	\$3,699	\$188,658	

D. H. White Elementary School
 New Modular Classrooms
 Preliminary Cost Estimate

Date 01/30/20
 Estimate No.: 1
 Estimator: Marlin
 Checked By: TBD

Modular Buildings Estimate Summary

Div.	Description	Totals	Comments
01	General Requirements	\$ -	
02	Existing Conditions	\$ -	
03	Concrete	\$ 71,600	Foundations
04	Masonry	\$ -	
05	Metals	\$ -	
06	Wood, Plastics, Composites	\$ 600	Closure Panels
07	Thermal and Moisture Protection	\$ -	
08	Openings	\$ 1,300	Lockset Replacement
09	Finishes	\$ 4,500	Paint Exterior
10	Specialties	\$ 680	ADA Room Signage
11	Equipment	\$ -	
12	Furnishings	\$ -	
13	Special Construction	\$ 171,829	Modular Buildings. See detail.
14	Conveying Equipment	\$ -	
21	Fire Suppression	\$ -	
22	Plumbing	\$ -	
23	Heating, Ventilating and Air Conditioning	\$ -	
25	Integrated Automation	\$ -	
26	Electrical	\$ -	
27	Communications	\$ 12,720	Data
28	Electronic Safety and Security	\$ 18,240	Fire Alarm
31	Earthwork	\$ -	
32	Exterior Improvements	\$ -	
33	Utilities	\$ -	
	Subtotal Cost	\$ 281,469	Markups for General Conditions, P&O and Bonds/Insurance are included in building purchase price. Markups shown in this estimate are for the additional items excluded from the building purchase price.
	General Conditions 10.0%	\$ 10,964	
	Profit & Overhead 12.0%	\$ 14,472	
	Design Contingency 15.0%	\$ 46,036	
	Bonds & Insurance 2.0%	\$ 3,107	
	Total Estimated Construction Cost	\$ 356,048	



D. H. White Elementary School
Preliminary Cost Estimate
New Modular Classrooms

Date 01/30/20
Estimate No.: 1
Plans Dated: none
Estimator: Marlin
Checked By: TBD

Modular Buildings

CSI	Description	Prev. Est. Qty	Qty	Unit	\$/Unit	Extension	Subtotal by Division	GC's 10.0%	P&O 12.0%	Design Contingency 15.0%	Bonds & Insurance 2.0%	Total Including Markups	Comments
03	Concrete						\$71,600						
	Footings & Stem Walls		50	CY	\$ 1,250.00	\$62,500		\$6,250	\$8,250	\$11,550	\$1,771	\$90,321	
	Add Vent Wells		4	EA	\$ 1,450.00	\$5,800		\$580	\$766	\$1,072	\$164	\$8,382	
	Add Access Well		2	EA	\$ 1,450.00	\$2,900		\$290	\$383	\$536	\$82	\$4,191	
	Add sleeve for utilities		4	EA	\$ 100.00	\$400		\$40	\$53	\$74	\$11	\$578	
06	Wood, Plastics, Composites						\$600						
	Closure Panels		2	EA	\$ 300.00	\$600		\$60	\$79	\$111	\$17	\$867	
08	Openings						\$1,300						
	Door Hardware Upgrade		2	EA	\$ 650.00	\$1,300		\$130	\$172	\$240	\$37	\$1,879	
09	Finishes						\$4,500						
	Paint Exterior		3,000	SF	\$ 1.50	\$4,500		\$450	\$594	\$832	\$128	\$6,503	
10	Specialties						\$680						
00 10 14.	Signage												
	ADA Room Signs		2	ea	\$ 90.00	\$180		\$18	\$24	\$33	\$5	\$260	
10 44 00	Fire Protection Specialties												
	FE w/Bracket		2	ea	\$ 250.00	\$500		\$50	\$66	\$92	\$14	\$723	
13	Special Construction						\$171,829						
	Modular Buildings		1	LS	\$140,393.00	\$140,393				\$21,059		\$161,452	
	Crane Set (50T w/Operator)		10	HRS	\$ 490.00	\$4,900				\$735		\$5,635	
	Add Casework & Sink		2	CR	\$ 12,344.00	\$24,688				\$3,703		\$28,391	Change Order 1
	Add Plumbing for Sink		Incl.										Included in Casework Cost
	Add VCT Walk-off Area		2	CR	\$ 924.00	\$1,848				\$277		\$2,125	Change Order 1
27	Communications						\$12,720						
27 00 00	General Technology Requirements												
	IDF Cabinet & Patch Panel		1	ea	\$ 4,500.00	\$4,500		\$450	\$594	\$832	\$128	\$6,503	
	Wireless Access Point		2	ea	\$ 1,250.00	\$2,500		\$250	\$330	\$462	\$71	\$3,613	
27 15 00	Horizontal Cabling												
	Data Drops		16	ea	\$ 170.00	\$2,720		\$272	\$359	\$503	\$77	\$3,931	
27 51 23.	Intercom and Clock System												
	Clock Speaker		2	ea	\$ 1,500.00	\$3,000		\$300	\$396	\$554	\$85	\$4,335	
00 27 40.	AV Equipment												
	See Furniture & Equipment Budget												
28	Electronic Safety and Security						\$18,240						

D. H. White Elementary School
Preliminary Cost Estimate
New Modular Classrooms

Date 01/30/20
Estimate No.: 1
Plans Dated: none
Estimator: Marlin
Checked By: TBD

Modular Buildings

CSI	Description	Prev. Est. Qty	Qty	Unit	\$/Unit	Extension	Subtotal by Division	GC's 10.0%	P&O 12.0%	Design Contingency 15.0%	Bonds & Insurance 2.0%	Total Including Markups	Comments
	Fire Alarm System		1,920	SF	\$ 9.50	\$18,240		\$1,824	\$2,408	\$3,371	\$517	\$26,359	
	TOTALS					\$281,469		\$10,964	\$14,472	\$46,036	\$3,107	\$356,048	

Building Area 1,920 sf
Cost /sf \$185.44

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Elizabeth Keema-Aston

Item Number: 9.2.3

Type of item: (Action, Consent Action or Information Only): Information Only

SUBJECT:

A Summary analysis of the Governor's Proposed 2020-21 State Budget for California's Schools

BACKGROUND:

Every year in January, Schools Services of California holds a meeting to explain the implications of the Governor's Budget Act to California's public schools. This is schools first glimpse into the projections of funding for the coming year. We use these projections as the basis for the Proposed Budget in June.

STATUS:

Attached is a summary of the key items in the Governor's proposed budget. This information will possibly change and be presented in May at the Governor's May Revise Conference.

PRESENTER:

Elizabeth Keema-Aston, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT: N/A

COST AND FUNDING SOURCES: N/A

RECOMMENDATION:

That the Board receives the information.

Time allocated: 3 minutes

Agency, and shift all but the California State Pre-school Program from the Department of Education into the new department, beginning in July 2021. As it relates to programs affecting public agency providers, the Governor's State Budget proposals include the following investments:

- \$75 million in Proposition 98 funding to expand the Inclusive Early Education Expansion program that provides one-time grants to construct or modernize preschool facilities that serve children with disabilities
- Increases the provider reimbursement rates for General Child Care and State Preschool by a 2.29% COLA
- Proposes future changes in the State School Facility Program if voters approve the \$15 billion statewide school bond (Proposition 13) to provide facility grant enhancements to expand preschool programs on school campuses
- Proposes diverting a portion of the funds allocated for school districts to retrofit and construct facilities to support full-day kindergarten programs to instead construct preschool facilities at schools

Teacher Investments

The State Budget proposal includes over \$900 million in one-time Proposition 98 funds to address California's persistent educator shortage and crisis in the following programs:

- \$350 million to expand the existing Educator Workforce Investment Grant Program
- \$193 million for the Workforce Development Grant Program
- \$175 million to expand the Teacher Residency Program
- \$100 million to provide \$20,000 stipends for teachers who participate in the California Teacher Credential Award Program

- \$64.1 million to expand the Classified School Employees Credentialing Program

Community Schools

In reinforcing efforts to serve the whole child, the 2020–21 State Budget proposes to invest \$300 million in one-time Proposition 98 funds to establish Community School grants accessible by LEAs that employ the community school model.

School Nutrition

The Governor proposes to increase funding for school nutrition by an ongoing \$60 million Proposition 98 appropriation and proposes a \$10 million Proposition 98 fund to train school food service workers in promoting healthier and more nutritious meals.

Computer Science

The Governor proposed investing \$15 million in one-time funds for grants to support training approximately 10,000 K–12 teachers to earn a supplementary authorization on their credential to teach computer science.

System of Support

The 2020–21 State Budget proposal reinforces the statewide system of support with a one-time \$300 million investment to establish Opportunity Grants and expand the capacity of the California Collaborative for Educational Excellence. The grants are for the lowest-performing schools and school districts to pair with federal Title I resources to provide integrated and intensive interventions to close achievement gaps.

POCKET BUDGET 2020–21

A Summary Analysis of the Governor's Proposed 2020–21 State Budget for California's Schools

Prepared By:



January 2020

*Public Education's Point of Reference
for Making Educated Decisions*

© 2020 SCHOOL SERVICES OF CALIFORNIA INC.

Permission to reprint is granted by School Services of California Inc.
1121 L Street, Suite 1060 | Sacramento, CA 95814
(916) 446-7517 | Fax (916) 446-2011 | Email: ssc@sscal.com

The 2020-21 Governor’s Budget Proposal

Governor Gavin Newsom is proposing a \$157 billion General Fund Budget for the upcoming fiscal year, a 2.23% increase over the current year. The total State Budget proposed by the Governor measures at \$222.2 billion. He uses a significant amount of one-time funds as a way to provide flexibility during times of economic uncertainty. Being fiscally prudent, examples of proposed flexibility are found in the education budget where nearly 60% of the \$3 billion in available new revenue is proposed for new or the extension of one-time investments.

Economic Outlook

The 2020–21 revised revenue forecast is over \$5 billion more than the 2019–20 State Budget Act projection. Personal income tax is up by \$1.2 billion, corporation tax is up by \$700 million, and revenue from the sales and use tax is projected to be \$1.1 billion over the 2019 enacted State Budget estimates.

Governor Newsom continues to build additional reserves beyond the \$16 billion currently set aside in the Rainy Day Fund. An additional \$1.9 billion transfer is proposed in the budget year and an additional \$1.4 billion over time, bringing the Rainy Day Fund to \$19.4 billion by 2023–24.

Proposition 98

CURRENT- AND PRIOR-YEAR MINIMUM GUARANTEE

The Proposition 98 minimum guarantee has increased from the 2019 State Budget Act for both 2018–19 and 2019–20 due largely to an increase in property tax revenue in 2018–19 and increased General Fund revenues in both years.

For the current year, Governor Newsom’s State Budget proposal acknowledges an increase of \$517 million from the 2019–20 State Budget Act—

raising the Proposition 98 guarantee to an estimated \$81.6 billion, up from \$81.1 billion. The 2018–19 year reflects a more modest increase of \$301.5 million, raising the minimum guarantee from \$78.1 billion to \$78.4 billion.

2020–21 MINIMUM GUARANTEE

For 2020–21, the Governor’s State Budget proposes a Proposition 98 guarantee of \$84 billion, an increase of \$3 billion year over year. As expected, given the continued declines in enrollment, the guarantee is projected to be based on Test 1—funding based on education’s proportion of the General Fund in 1986–87.

Cost-of-Living Adjustments and ADA

The estimated statutory cost-of-living adjustment (COLA) for K–12 education programs in 2020–21 is 2.29%, and is applied to the Local Control Funding Formula (LCFF) base grant targets, as well as other education programs that are funded outside of the LCFF. Those programs include Special Education, Child Nutrition, Preschool, Foster Youth, American Indian Education Centers, the American Indian Early Childhood Education program, and the Mandate Block Grant.

Statewide, average daily attendance (ADA) is expected to continue declining. The State Budget proposal reduces Proposition 98 funding in 2019–20 due to an ADA decline greater than projected in the 2019–20 State Budget Act, and in 2020–21 from a further projected ADA decline in 2020–21.

	2019-20	2020-21	2021-22	2022-23
Statutory COLA	3.26%	2.29%	2.71%	2.82%

Local Control Funding Formula

The Governor’s 2020–21 State Budget proposal includes an increase of \$1.2 billion in Proposition 98 funding for the LCFF reflecting the 2.29% COLA. This brings LCFF funding to \$64.2 billion.

LCFF TARGET ENTITLEMENTS FOR SCHOOL DISTRICTS AND CHARTER SCHOOLS

The target base grants by grade span for 2020–21 are increased over 2019–20 by 2.29% to reflect the estimated statutory COLA:

Grade Span	2019–20 Target Base Grant per ADA	2.29% COLA	2020–21 Target Base Grant per ADA
TK*–3	\$7,702	\$176	\$7,878
4–6	\$7,818	\$179	\$7,997
7–8	\$8,050	\$184	\$8,234
9–12	\$9,329	\$214	\$9,543

*TK=Transitional Kindergarten

Special Education

Following the investment in the 2019–20 State Budget for Assembly Bill (AB) 602 equalization (\$152 million) and one-time flexible funding to school districts based on the number of preschoolers with disabilities (\$493 million)—the 2020–21 State Budget continues to provide investments in special education. Governor Newsom’s State Budget for 2020–21 proposes to use all of last year’s \$645 million to fund a new special education base grant this year while still allocating funds through Special Education Local Plan Areas. All but one hundred local educational agencies (LEAs) will receive an increase in base funding through this funding, and those LEAs will be held harmless.

Similarly to the 2019–20 State Budget, the Budget proposes \$250 million one-time funding to school districts based on the number of preschoolers ages three to five years with exceptional needs served. Details for the use of these funds are forthcoming, but the expectation is that the funds would be used to increase or improve services.

Early Childhood and Preschool

The Governor announced a sweeping proposal to establish a Department of Early Childhood Development under the Health and Human Services

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Ken Gaston, Director of MOT

Item Number: 9.2.4

Type of item: (Action, Consent Action or Information Only): Information Only

SUBJECT:

Monthly MOT Information Report

BACKGROUND:

To provide a monthly update on the activities of the Maintenance, Operations & Transportation Departments. The only projects included in this report are those over \$100.

STATUS:

See attached monthly report for the period of March 2019

PRESENTER:

Ken Gaston

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board receives this information

Time allocated: 5 minutes

Maintenance, Operations & Transportation
Monthly Report for Board Meeting
February 18, 2020

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

Maintenance & Operations:

- **Delta High School**
 - Replaced fan motor in main office heating unit. - \$1,075
 - Replaced fan motor and door on the freezer. - \$250

- **Isleton Elementary School**
 - Build and installed gate behind the cafeteria. - \$270

- **Rio Vista High School**
 - Replaced bulbs in foyer. - \$172.50
 - Fixed light in room F111 and F110. - \$100
 - Resealed drip shield on freezer. Built a new ramp and installed a door gasket for freezer. - \$147.50
 - Replaced fan/defrost sensor in freezer. - \$285
 - Cleaned up scraped metal and lumber. - \$137.50

- **Riverview Middle School**
 - Placed on and off switch on air handler. - \$110
 - Installed 3 sections of fencing behind portables. - \$120
 - Replaced heater motor in room 8. - \$200
 - Repaired 3 urinals flush handle seals. - \$110

- **Walnut Grove Elementary School**
 - Installed blinds in office, rooms 5, 6, 7 and 8. - \$175
 - Replaced window in room 5. - \$120

- **Transportation Dept.**
 - Replaced toilet and sink with new ones. - \$594.55

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Katherine Wright, Superintendent

Item Number: 10.1

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Request to approve the Minutes from the regular meeting of the Board of Trustees on January 14, 2020 and the Special meeting of the Board of Trustees on February 7, 2020.

BACKGROUND:

Attached are the Minutes from the Board of Trustee's meetings held on January 14, 2020 and February 7, 2020.

STATUS:

The Board is to review for approval

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Jennifer Gaston, Recorder

COST AND FUNDING SOURCES:

None

RECOMMENDATION:

That the Board approves the Minutes as submitted.

Time allocated: 3 minutes

RIVER DELTA UNIFIED SCHOOL DISTRICT

MINUTES

REGULAR MEETING

January 14, 2020

1. **Call Open Session to Order** – Board President Fernandez called the Open Session of the meeting of the Board of Trustees to order at 5:30 p.m. on January 14, 2020 at Rio Vista High School, Rio Vista, California.
2. **Roll Call of Members:**
 - Alicia Fernandez, President
 - Don Olson, Vice President (Absent)
 - Marilyn Riley, Clerk
 - Jennifer Stone, Member
 - Chris Elliott, Member
 - Rafaela Casillas, Member (Absent)
 - Dan Mahoney, Member

Also present: Katherine Wright, Superintendent
3. **Review, Approve the Closed Session Agenda and Adjourn to Closed Session**
 - 3.1 Board President Fernandez announced items on the Closed Session Agenda
 - 3.2 Public Comment on Closed Session Agenda Items. – *None to report*
4. **Board President Fernandez asked for a motion to approve the Closed Session agenda and adjourn the meeting to Closed Session @ 5:35 pm**

Member Mahoney moved to approve, Member Stone seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)
5. **Open Session was reconvened at 6:42pm**
 - 5.1 Roll was retaken. Members Olson and Casillas were absent. All other members were present. Also present: Katherine Wright, Superintendent; Elizabeth Keema-Aston, Chief Business Officer and Jennifer Gaston, Recorder.
 - 5.2 Pledge of Allegiance was led by Marcy Rossi, Principal of Riverview Middle School
6. **Report of Action taken, if any, during the Closed Session** (Government Code Section 54957.1)

Board President Fernandez reported that during Closed Session, the Board received information and did not take action.
7. **Review and Approve the Open Session Agenda**

Member Fernandez announced that there was a request from Superintendent Wright to add an agenda item to this evening's agenda. *"Request to approve the Emergency Waiver for Material Decrease in Attendance for Walnut Grove Elementary School for December 16-20, 2019"*.

Member Mahoney moved to approve the additional agenda item "Request to approve the Emergency Waiver for Material Decrease in Attendance for Walnut Grove Elementary School for December 16-20, 2019", Member Stone seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)

Member Fernandez asked for a motion to approve the Open Session Agenda including agenda item 22 and moving re-adjournment to item number 23.

Member Riley moved to approve, Member Elliott seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)
8. **Public Comment:** None
9. **Reports, Presentations, Information**
 - 9.1 Board Member(s) and Superintendent Report(s) and/or Presentation(s) –
 - 9.1.1 Board Members' Report(s): Member Stone reported that she had attended a Special Olympics Planning Committee meeting at Isleton Elementary School. They discussed

the events timeline and determined the layout of each field event. Member Stone announced that the Special Olympics will be held at Walnut Grove Elementary School on May 15, 2020.

9.1.2 Committee Report(s): None to report

9.1.3 Superintendent Wright's report(s) – During Superintendent Wright's report, she welcome Sammy D'Amico, the interim Principal and D.H. White Elementary School. Mrs. Wright also reported that she attended another Friends of Clarksburg Services and Recreation's meeting. They discussed the community park layout, pool and parking designs. The Services and Recreation Organization has received funds that are to be used strictly for the planning phase of the project. The organization will be submitting requests for additional funding for the community/school partnership. The organization is planning on conducting surveys in the local delta areas to obtain input on what all the communities would like to see included in the park and aquatic center.

Superintendent Wright announced that Walnut Grove Elementary is currently seeking donors for Summer Swimmer Program. She mentioned that the program held last summer was very successful. She feels that it is very important the children of the Delta learn to swim because we live in such close proximity to the water.

Mrs. Wright asked Mrs. Keema-Aston to give an update on the BIIG (Broadband Infrastructure Improvement Grant). Mrs. Keema-Aston reported that in August of 2019 the District applied for the BIIG-K12 High Speed Network Grant, which is administered by The Imperial County Office of Education (ICOE). ICOE works with CENIC, a Corporation for Education Network Initiatives in California, and has received bids for fiber optics and wireless solutions for River Delta Unified School District. The grant pays for the installation costs and equipment upgrades to improve connectivity for schools throughout California. The District will be responsible for the ongoing costs after the upgrades have been completed. The bids received by IEOC are to install fiber optics at D.H. White Elementary, Isleton Elementary, Walnut Grove Elementary, Riverview Middle and the District Office. There is an additional option to install a private fiber line between Bates Elementary and Mokelumne High. BIIG would be partnering with the Sacramento County Office of Education (SCOE). Bids received for Delta High and Clarksburg Middle Schools have been for wireless. The fiber optic bids are for 1 Gbps per site, whereas, we are currently receiving 1 Gbps districtwide. The bid for wireless received for Delta High and Clarksburg Middle Schools is for 1Gbps split between both sites. This will greatly improve the connectivity and testing capabilities for the students of River Delta Unified School District.

Mrs. Wright asked the Board for feedback or questions regarding moving forward with the BIIG Grant. The Board was in favor of improving the internet connectivity in the District.

Mrs. Wright updated the Board on the reconfiguration of D.H. White Elementary School. She announced that the district office staff has been working hard researching what it will take to house the 5th grade students who will remain at D.H. White Elementary for their 6th grade year.

In response to a question from the Board, Mrs. Wright explained that the District is providing communications for LCAP stakeholders meetings by flyers, Radio Rio, iHeart Radio and calls made home via School Messenger. Specific invitations to committee group members at the school sites, as well as, a receiving input from students. Mrs. Wright noted that students are welcome at all meetings. However, she plans on speaking with the high school students separately. Translators will be provided at the each of the LCAP meetings.

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; Ken Gaston, Director of MOT

- 9.2.1 ADA/Enrollment Report – Elizabeth Keema-Aston reported that in December 2019 the current enrollment had an increase of two. However, the ADA had a decrease of 44. Current month enrollment was 1955 with an ADA of 1808 resulting in a yield 92.5%.
- 9.2.2 Monthly Financial Report – Elizabeth Keema-Aston noted that in previous years Solano County Office of Education processed the taxes through their office. In 2019-20 a change was made, and the Solano County Treasurers processed the payments instead. This resulted in the District receiving secured taxes in December rather than in January as past practice. Normally, the District would receive these taxes after the January 1st payroll which puts the District's cash flow to go negative until the taxes were posted. The taxes being posted two weeks early was unexpected and the district did not dip below its mark regarding the TRANS. The district will use past practice as justification.

9.2.2.1 Timeline for the LCAP and Budget – Mrs. Keema-Aston presented the timeline noting that the District started the LCAP process holding its first collaborative meeting in August and another in December.

- 9.2.3 Maintenance, Operations & Transportation Update, Ken Gaston, Director of MOT reported that the portables at Riverview have been fully serviced. The flooring has been replaced; the air ducts have been cleaned. There was great teamwork in preparation which included maintenance staff, teachers and students, who cleared out the rooms for the projects to be completed over the Winter Break.

There was a minor criminal activity through Rio Vista High School's campus recently. Police were in pursuit of a suspect driving a stolen vehicle, which led to a car chase braking through the back gates at Rio Vista High School and continued to the football field where the car was abandoned. The suspect left on foot. The gates have been repaired and the vehicle has been removed.

Mr. Gaston mentioned that there was a request to cleanup around the Delta High School campus. The foliage and trash were located on the outside of the fence. Most of the debris was not from the high school campus but from the surrounding neighborhood. At last count there has been 13 dump loads removed with more to be scheduled to complete the project.

Through the Solano County Safe Routes to School, Riverview has completed an application in hopes to receive funds to install fencing and bicycle racks. This secure area will provide the students with a place to keep their bicycles, scooters, and skateboards. Mrs. Turk is currently working to complete an application for Rio Vista High School. Her hopes are to receive funds to install an indoor skateboard rack.

Mr. Gaston mentioned that at the end December the MOT Department said goodbye to 73 years of experience. Three long-time employees retired. It was sad to see them leave. Laura Uslan led a schoolwide surprise celebration assembly that was held in the gymnasium to honor the retirees. The Leadership Class made large thank you signs for the assembly.

Mr. Gaston gave a presentation showing samples of the modular classrooms for the reconfiguration project at D.H. White Elementary School. Included were photos of the interior and exterior of the building as well as an aerial view of where the classrooms would be located on the campus.

- 9.2.4 Discussion of the Annual Developer Fee Report – Elizabeth Keema-Aston explained that the District's Developer Fee Report was submitted for review at the December 17th Board meeting, complying with the 180-day deadline. She announced that it is now open for discussion. Action is not required by the Board. There were no questions or discussion from the Board.

9.3 Educational Services Update –Services' Reports and/or Presentation(s) - Nicole Latimer, Director of Educational and Special Education – During Mrs. Latimer's presentation, she gave a brief summary of the projects the Educational Services Department have been working on. Her presentation also

included a video explaining what the Multi Teared System of Support (MTSS) statewide movement on MTSS entails.

9.3.1 Sacramento County Office of Education First Quarterly Williams Review Report for 2019-2020 – Nicole Latimer reported that the District received the County Superintendent of Schools Quarterly Report regarding the results of the school site visits and reviews for the District's schools under the Williams Settlement Review. She noted that the District currently has two schools that required the annual Williams visit and review, Walnut Grove and Clarksburg Middle School. Both schools were found to have sufficient textbooks and were found to be in exemplary condition.

9.3.2 Williams' Settlement Public Notification regarding sufficiency of teachers, facilities, and textbook and instructional materials – Second Quarter (October – December 2019) – Nicole Latimer reported that the district had no insufficiencies during the second quarter.

9.4 A Representative from Crowe LLP to present River Delta Unified School District's 2018- 2019 Audit Reports – Ms. Keema-Aston introduced one of the District's auditors, Jennifer Arias, a representative of Crowe LLP. Ms. Arias provided information of the audit outcomes for River Delta Unified School District's 2018-2019 general and Bond Audits. Both the General and Bond audits ranked or were found to have unmodified or clean opinions without findings. Ms. Arias announced that the funds balances for both Measures U and V have a net zero balance. Therefore, this will be the final audit for both funds.

9.5 River Delta Unified Teacher's Association (RDUTA) Update – Mr. Bill Hodges, RDUTA President wished everyone a Happy New Year.

9.6 California State Employees Association (CSEA) Chapter #319 Update: None to report

9.7 Public Hearing to seek a waiver of the Election Requirement from the State Board of Education – Katherine Wright

Public Hearing Opened: 7:59 pm

Public Comment: Katherine Wright explained to the Board and audience that this hearing is to seek community and general public input and feedback regarding applying for a waiver from the California State Board of Education. This waiver would absolve the District from paying to have the election method changed from the current Hybrid At-Large election method to the By-Trustee Area election method. Without this waiver the District would have to pay to have this measure on the ballot at the November 2020 elections in all three counties. There were no community members or public comments made during the public hearing.

Public Hearing Closed: 8:00 pm

10. Consent Calendar

10.1 Approve Board Minutes

Regular Meeting of the Board, December 17, 2019

10.2 Receive and Approve Monthly Personnel Reports

As of January 14, 2020

10.3 District's Monthly Expenditure Report

December 2019

10.4 Request to approve the Delta High School's FFA students and teachers to travel and attend the Annual California State FFA Convention in Anaheim, CA from April 22-26, 2020 – Funding by Ag Boosters, Ag Incentive Funding, fundraising and by students – Shanan Spears and Laura Uslan

10.5 Request to approve Delta High School's Senior Class of 2020 graduation trip to Disneyland in Anaheim, CA on May 27-28, 2020 – Laura Uslan

10.6 Request to approve Rio Vista High School's FFA students and teachers to travel and attend the Annual California State FFA Convention in Anaheim, CA from April 23-26, 2020 – Vicky Turk, Maureen Reis & Ashlyn Bartlett

10.7 Request approval for out-of-state travel for Rio Vista High School's American Field Service students domestic exchange visit to Park Ridge, New Jersey from April 4-8, 2020 – Vicky Turk

10.8 Request to approve Rio Vista High School's Class of 2020 graduation trip to Disneyland in Anaheim, CA on May 27-28, 2020 – Vicky Turk

- 10.9 Request to approve the General Agreement for Nonpublic, Nonsectarian School/Agency (Point Quest Instructional assistant) for the 2019-2020 school year at a cost not to exceed \$50,000 – Special Educational Funds – Danielle Tharp
- 10.10 Request to approve the leave of absence made by Elvia Navarro – Bonnie Kauzlarich
- 10.11 Request to approve grant renewal application for After School Education & Safety Program Grant (ASES) for Bates Elementary School, Walnut Grove Elementary School, and Isleton Elementary School – Nicole Latimer
- 10.12 Donations

D.H White Elementary School – Breakfast with Santa

Lira's Supermarket
 Cub Scout Group 101
 Mr. Charlie Clark
 Rio Vista Lions Club

Riverview Middle School - Computers

Rio Vista Foundation/Sister Cities Association - \$2,500

Riverview Middle School

Beth Brockhouse - \$153.84

Rio Vista High School – In memory of Jerry Rubier

Everene McPherson

Member Riley moved to approve, Member Stone seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)

Member Fernandez recognized those who made donations and thanked them for their support. Superintendent Wright informed the Board that today was the celebration of life for Jerry Rubier former Principal of Isleton Elementary School and Interim Superintendent for River Delta Unified School District

Action Items -- Individual speakers shall be allowed two minutes to address the Board on any agenda item. The Board may limit the total time for public input on each agenda item to 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 dedication and naming of the Courtland High School Auditorium in honor of lifelong Courtland resident and physician, Dr. Henry Go – Katherine Wright
 Jim Wallace, Treasure of Courtland Town Association addressed the Board and asked that the Board consider the dedication to honor lifelong Courtland resident and physician Dr. Henry Go.

Member Fernandez moved to approve, Member Elliott seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)

- 12. Request to accept and approve the Audit Report of Crowe LLP, Independent Auditor, for Fiscal Year 2018-2019 - Elizabeth Keema-Aston

Member Fernandez moved to approve, Member Riley seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)

- 13. Request to accept and approve the Audit reports of Crowe LLP, Independent Auditor, for Fiscal Year 2018-2019 for SFID#1 and SFID#2 – Elizabeth Keema-Aston

Member Riley moved to approve, Member Stone seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)

- 14. Request to adopt Resolution #775 Requesting a Waiver of the Election Requirement from the Board of Education to waive the voter approval requirement, which could reduce the cost and expedite the implementation to meet the November 2020 elections – Katherine Wright

Member Fernandez moved to approve, Member Stone seconded. Motion carried by roll call vote 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)

15. Request to adopt Resolution #776 a proposal to The Sacramento County Committee on School District Organization for the Adoption of Trustee-Area Elections: Changing River Delta Unified School District's Election Method from a Hybrid "At-Large" method to a "By-Trustee Area" method – Katherine Wright
- Member Fernandez moved to approve, Member Stone seconded. Motion carried by roll call vote 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)*
16. Request to approve the River Delta Unified School District's Guidelines for Student Disciplinary Actions regarding Cell Phones or other Electronic Devices – Katherine Wright
- Member Mahoney moved to approve with the additional language "Cell phones or any device for texting may only be used before 1st period, at lunch, and after 7th period, regardless of a student's schedule. These items should be turned off and should not be seen or heard in classrooms unless approved by the teacher for educational purposes. Cameras and video cameras are not allowed at any time for personal use. iPods or any other MP3 players, or music devices, are allowed during lunch, passing periods, before and after school. If they are used without permission, devices will be confiscated by staff and/or administrators. Neither staff nor administration will investigate the loss of these items. Refusing to turn over a cell phone when requested to do so by a staff member will be treated as an act of defiance.". Member Elliott seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)*
17. Request to approve the second and final reading of the updated or new Board Policies, Administrative Regulations and Exhibits due to new legislation, mandated language and/or citation revisions as of October 2019 – Katherine Wright
- Member Riley moved to approve, Member Fernandez seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)*
18. Request to approve the Contract with RGM Kramer, Inc for Construction Planning and Management Services for the addition of two modular classrooms at DH White Elementary, not to exceed \$79,000 from Fund 25 Developer Fees – Elizabeth Keema-Aston
- Member Mahoney moved to approve, Member Elliot seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)*
19. Request to approve the proposed Districtwide School Calendar for the 2020-2021 school year - Katherine Wright
- Member Riley moved to approve, Member Mahoney seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)*
20. Request approval authorizing Superintendent Katherine Wright to purchase two 30' X 32' DSA (NonStd) Modular Classrooms for D.H. White Elementary School, at a cost of \$142,168.12 from Fund 25 Developer Fees – Katherine Wright
- Member Elliott moved to approve at a cost of \$140,393.10 and an acceptable variance of 10%, Member Riley seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)*
21. Request to approve the Contract with Wilson Architecture, Inc. for design and engineering services for the addition of two modular classrooms at DH White Elementary School and associated permits, plans and site improvements, at a cost of \$21,800 from Fund 25 Developer Fees – Katherine Wright
- Member Fernandez moved to approve, Member Riley seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)*
22. Request approval to apply of the Emergency Waiver for Material Decrease in Attendance for Walnut Grove Elementary School for December 16-20, 2019 – Elizabeth Keema-Aston

Member Stone moved to approve, Member Riley seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)

23. Re-Adjourn to continue Closed Session, if needed – Board President reported that re-adjourning to Closed Session was not necessary.
24. Report of Action taken, if any, during continued Closed Session (Government Code Section 54957.1) - Board President Fernandez reported Closed Session was not necessary – no actions to report.
25. Adjournment: There being no further business before the Board, Board President Fernandez asked for a motion to adjourn.

Superintendent Wright announced with a heavy heart that one of her former kindergarten students passed away. Devin Dela Rosa was a student in Rio Vista and a wonderful young adult. Superintendent Wright asked for a moment of silence in his honor. Member Riley moved to approve, Member Stone seconded. Motion carried 5 (Ayes: Fernandez, Riley, Stone, Elliott, Mahoney): 0 (Nays): 2 (Absent: Olson, Casillas)

The meeting was adjourned at 8:53 pm

Submitted:

Approved:

Katherine Wright, Superintendent and
Secretary to the Board of Trustees

Marilyn Riley, Clerk, Board of Trustees

By: Jennifer Gaston, Recorder
End

RIVER DELTA UNIFIED SCHOOL DISTRICT

MINUTES

SPECIAL MEETING

February 7, 2020

1. Call Open Session to Order – Board President Alicia Fernandez called the Open Session of the meeting of the Board of Trustees to order at 3:15 p.m. on February 7, 2020 at the River Delta Unified School District Office, Rio Vista, California.
2. Roll Call of Members:
 - Alicia Fernandez, President
 - Don Olson, Vice President
 - Marilyn Riley, Clerk (Absent)
 - Jennifer Stone, Member
 - Chris Elliott, Member (Absent)
 - Rafaella Casillas, Member (Absent)
 - Dan Mahoney, Member

Also present: Katherine Wright, Superintendent; Elizabeth Keema-Aston, Chief Business Officer and Jennifer Gaston, Recorder
3. Pledge of Allegiance was led by Katherine Wright, Superintendent
4. Review and Approve the **Open Session** Agenda
 - Member Mahoney moved to approve, Member Olson seconded. Motion carried 4 (Ayes: Fernandez, Olson, Stone, Mahoney): 0 (Nays): 3 (Absent: Riley, Elliott, Casillas)
5. Public Comment: None to report.
6. Request to authorize Katherine Wright, Superintendent and/or Elizabeth Keema-Aston, Chief Business Officer to open a Credit Card with Bank of Stockton with the limit of \$75,000 to replace the District expiring Bank of America Credit Card – Katherine Wright
 - Member Fernandez moved to approve, Member Stone seconded. Motion carried 4 (Ayes: Fernandez, Olson, Stone, Mahoney): 0 (Nays): 3 (Absent: Riley, Elliott, Casillas)
7. Request to approve the Mobile Modular Management Corporation Change Order #1 for classroom cabinetry in two 30' X 32' DSA (NonStd) modular classrooms to be installed at D.H. White Elementary – Elizabeth Keema-Aston
 - Member Fernandez moved to approve, Member Mahoney seconded. Motion carried 4 (Ayes: Fernandez, Olson, Stone, Mahoney): 0 (Nays): 3 (Absent: Riley, Elliott, Casillas)
8. Adjournment: There being no further business before the Board President asked for a motion to adjourn.
 - Member Mahoney moved to approve, Member Olson seconded. Motion carried 4 (Ayes: Fernandez, Olson, Stone, Mahoney): 0 (Nays): 3 (Absent: Riley, Elliott, Casillas)

The meeting was adjourned at 3:32 pm.

Submitted _____
Katherine Wright, Superintendent and
Secretary to the Board of Trustees

Approved _____
Marilyn Riley, Clerk, Board of Trustees

By: Jennifer Gaston, Recorder
End

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

445 Montezuma Street
Rio Vista, California 9457-1561

SPECIAL BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Bonnie Kauzlarich, Director of Personnel

Item Number: 10.2

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Monthly personnel transaction report

BACKGROUND:

STATUS:

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approves the Monthly Personnel Transaction Report as submitted

Time allocated: 2 minutes

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X _____

From: Elizabeth Keema-Aston, Chief Business Officer

Item Number: 10.3

Type of item: (Action, Consent Action or Information Only): _____ Consent _____

SUBJECT: Approve Monthly Expenditure Summary

BACKGROUND: The Staff prepares a report of expenditures for the preceding month.

STATUS:

PRESENTER: Elizabeth Keema-Aston, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:
Not Applicable

RECOMMENDATION:

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

Time allocated: 2 minutes

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: Thu, Feb 06, 2020, 3:24 PM

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003556 A-Z BUS SALES 3418 52ND STREET SACRAMENTO, CA 95823	195.79	02P469705 TRANS PARTS 02P469705 TRANS PARTS 02P469705 TRANS PARTS	01/23/2020 01/23/2020 01/23/2020	20335203 PO-200163 20335203 PO-200163 20335203 PO-200163	.68- .68 195.79	N N N
(916) 391-1092						N
000009 ABEL CHEVROLET-PONTIAC-BUICK 280 NO FRONT STREET P.O. BOX 696 RIO VISTA, CA 94571-0696	100,550.56	MAINT 2019 CHEVY SILVERADO TRANS 2018 DODGE CARAVAN TRANS SMOG TESTS MAINT CHEVY SILVERADO	01/16/2020 01/16/2020 01/23/2020 01/28/2020	20333884 PO-200818 20333911 PO-200819 20335204 PO-200160 20336119 PO-200859	41,419.28 15,000.00 123.40 44,007.88	N N N N
(707) 374-6317						N
000193 ACE HARDWARE 506 STATE HIGHWAY 12 RIO VISTA, CA 94571	1,112.67	270676 MAINT SUPPLIES	01/23/2020	20335224 PO-200565	1,112.67	N
(0) - 0						N
013287 ACSA FOUNDATION FOR ED ADMIN 1575 BAYSHORE HIGHWAY BURLINGAME, CA 94010	329.25	DEC 2019 ACSA DUES	01/02/2020	20330899 PV-200361	329.25	N
(800) 608-2272						N
014880 AIR ONE MECHANICAL 23468 RANCHO RAMON CT TRACY, CA 95304	285.00	27043 MAINT REPAIRS	01/14/2020	20333261 PO-200166	285.00	N
(209) 914-3354						N
002739 ALL WEST COACHLINES INC 7701 WILBUR WAY SACRAMENTO, CA 95828	3,932.60	74222 DHS FIELD TRIP 74222 DHS FIELD TRIP	01/21/2020 01/21/2020	20334541 PO-200635 20334541 PO-200635	2,320.23 1,612.37	N N
(916) 423-4000						N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
015007 AMS.NET	4,817.20	34726 ERATE CREDIT	01/21/2020	20334548 PV-200399	7,271.27	N
C/O FREMONT BANK		34729 ERATE CREDIT	01/21/2020	20334548 PV-200399	2,941.02	N
PO BOX 4933		34731 ISLE NETWORK EQUIP	01/21/2020	20334548 PV-200399	56.25	N
HAYWARD, CA 94540-4933		34731 ERATE CREDIT	01/21/2020	20334548 PV-200399	571.48	N
		34730 ERATE CREDIT	01/21/2020	20334548 PV-200399	4,004.99	N
(0) - 0 N		34726 RVHS NETWORK EQUIP	01/21/2020	20334548 PV-200399	4,606.71	N
		34729 RMS NETWORK EQUIP	01/21/2020	20334548 PV-200399	1,974.30	N
		34731 ISLE NETWORK EQUIP	01/21/2020	20334548 PV-200399	658.10	N
		34730 DHW NETWORK EQUIP	01/21/2020	20334548 PV-200399	1,316.20	N
		34730 DHW NETWORK EQUIP	01/21/2020	20334548 PV-200399	3,690.04	N
		34726 RVHS NETWORK EQUIP	01/21/2020	20334548 PV-200399	4,482.38	N
		34729 RMS NETWORK EQUIP	01/21/2020	20334548 PV-200399	1,701.98	N
		ERATE	01/23/2020	20335231 PV-200404	2,016.00	N
		ERATE	01/23/2020	20335231 PV-200404	1,152.00	N
		ERATE	01/23/2020	20335231 PV-200404	720.00	N
		ERATE	01/23/2020	20335231 PV-200404	160.00	N
		35562 ISLE NETWORK EQ LABOR	01/23/2020	20335231 PV-200404	200.00	N
		35564 DHW NETWORK EQ LABOR	01/23/2020	20335231 PV-200404	1,440.00	N
		35560 RVHS NETWORK EQ LABOR	01/23/2020	20335231 PV-200404	2,520.00	N
		35561 RMS NETWORK EQ LABOR	01/23/2020	20335231 PV-200404	900.00	N
		LABOR	01/28/2020	20336134 PV-200426	76.00	N
		ERATE	01/28/2020	20336134 PV-200426	56.00	N
		35029 DHW LABOR	01/28/2020	20336134 PV-200426	108.00	N
		35028 RMS LABOR	01/28/2020	20336134 PV-200426	76.00	N
		35027 RVHS LABOR	01/28/2020	20336134 PV-200426	56.00	N
012964 ASSOCIATED VALUATION SERVICES	1,197.49	6345 WITS INVENTORY	01/23/2020	20335205 PO-200114	1,197.49	N
1501 COFFEE ROAD						
SUITE N						
MODESTO, CA 95355						
(209) 543-8245 N						
003876 ATKINSON ANDELSON LOYA	290.00	584601 HR/SUPT ED LAW CONF	01/14/2020	20333253 PO-200757	145.00	E
12800 CENTER COURT DRIVE		584601 HR/SUPT ED LAW CONF	01/14/2020	20333253 PO-200757	145.00	E
SUITE 300						
CERRITOS, CA 90703						
(562) 653-3200 Y						
015006 AXLE SURGEONS	1,595.00	2850 TRANS AXLE REPLACEMNT	01/14/2020	20333254 PO-200777	1,595.00	N

5828 DESCHUTES RD
ANDERSON, CA 96007

(707) 321-3728

N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014998 BALBINI, ROMI 981 TANGLEWOOD DR. REDDING, CA 96003	22.90	CAFE JAZLYN LUNCH REIMB	01/02/2020	20330910 TC-200131	22.90	N
(0) - 0						N
014367 BANK OF AMERICA PO BOX 15796 WILMINGTON, DE 19886-5710	9,241.59	DW EMERG PREP SUPPLIES	01/21/2020	20334539 PO-200737	1,017.33	N
		DW EMERG PREP SUPPLIES	01/21/2020	20334539 PO-200737	4,625.08	N
		CTEIG SUPPLIES	01/21/2020	20334539 PO-200748	38.80	N
		MAINT SUPPLIES	01/21/2020	20334539 PO-200749	197.75	N
(0) - 0		MAINT SUPPLIES	01/21/2020	20334539 PO-200750	33.60	N
		WIND RIVER CONF 3/25/20	01/21/2020	20334540 PO-200752	150.00	N
		WG TICKETS FIELD TRIP	01/21/2020	20334539 PO-200760	1,212.50	N
		MAINT SUPPLIES	01/21/2020	20334539 PO-200765	111.62	N
		TRANS SUPPLIES	01/21/2020	20334539 PO-200766	77.09	N
		MAINT PART	01/21/2020	20334539 PO-200776	16.21	N
		TRANS SUPPLIES	01/21/2020	20334539 PO-200781	78.94	N
		DHW SMARTBOARD LAMP	01/21/2020	20334539 PO-200782	94.05	N
		RMS WATER FILLING STATION	01/21/2020	20334539 PO-200783	1,296.47	N
		MAINT SUPPLIES	01/21/2020	20334539 PO-200786	86.89	N
		MAINT PARTS	01/21/2020	20334539 PO-200793	92.30	N
		LATIMER AVID AIRFARE	01/21/2020	20334539 PO-200825	112.96	N
010976 BATES SCHOOL PTA 180 PRIMASING COURTLAND, CA 95615	99.63	STALEDATE# 99480225	01/23/2020	20335250 PV-200425	99.63	N
() -						N
012586 BAY ALARM 60 BERRY DRIVE PACHECO, CA 94553	9,593.47	ISLE CAMERA	01/23/2020	20335206 PO-200069	103.33	N
		DHW CAMERA	01/23/2020	20335206 PO-200248	598.53	N
		RMS CAMERAS	01/23/2020	20335206 PO-200264	499.38	N
		BATES ALARM	01/23/2020	20335232 PV-200405	260.37	N
(209) 465-1986		BALCO HOLDINGS BATES ALARM	01/23/2020	20335232 PV-200405	170.00	N
		DO ALARM	01/23/2020	20335232 PV-200405	195.03	N
		RVHS ALARM	01/23/2020	20335232 PV-200405	451.47	N
		RVHS ALARM	01/23/2020	20335232 PV-200405	113.97	N
		DO ALARM	01/23/2020	20335232 PV-200405	329.28	N
		ISLE ALARM	01/23/2020	20335232 PV-200405	604.84	N
		DO ALARM	01/23/2020	20335232 PV-200405	217.41	N
		RMS FIRE MONITORING	01/23/2020	20335232 PV-200405	5,191.95	N

RVHS ALARM	01/23/2020	20335232	PV-200405	407.55	N
BATES ALARM	01/28/2020	20336135	PV-200427	236.16	N
RMS PORTABLE ALARM	01/28/2020	20336135	PV-200427	214.20	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012147 BECERRA, LUCIA P.O. BOX 64 RYDE, CA 95680	130.55	ASP MILEAGE	01/16/2020	20333905 TC-200144	43.52	N
		ASP MILEAGE	01/16/2020	20333905 TC-200144	43.52	N
		ASP MILEAGE	01/16/2020	20333905 TC-200144	43.51	N
(0) - 0						N
002104 BEL AIR P.O. BOX 15618 SACRAMENTO, CA 95852	107.80	5000034 DHS AG SUPPLIES	01/23/2020	20335240 PV-200412	53.90	N
		5000034 DHS AG SUPPLIES	01/23/2020	20335240 PV-200412	53.90	N
(888) 208-8930						N
013642 BLACK POINT ENVIRONMENTAL INC 930 SHILOH RD BLDG 40F WINDSOR, CA 95492	1,681.00	1979 PROJ 247- 146 MAGNOLIA	01/28/2020	20336136 PV-200428	1,681.00	N
(707) 837-7407						N
012886 BROWN, MALLORY 39460 S RIVER ROAD CLARKSBURG, CA 95612	100.00	ASP CONF REIMB	01/28/2020	20336141 TC-200150	100.00	N
(0) - 0						N
014614 BUCKMASTER 623 W. STADIUM LANE SACRAMENTO, CA 95834	109.37	386620 DHS PRINTER SERV	01/23/2020	20335207 PO-200322	109.37	N
(916) 923-0500						N
014972 BURGESS, NIKKI 52810 NETHERLANDS CLARKSBURG, CA 95612	38.72	CMS SUPPLIES	01/14/2020	20333262 PO-200510	38.72	N
(0) - 0						N
012497 BUSWEST 21107 CHICO STREET	36.13	102011 TRANS PARTS	01/23/2020	20335208 PO-200161	36.13	N

CARSON, CA 90745

(209) 531-3928

N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
010825 CABE 20888 AMAR ROAD WALNUT, CA 91789 (626) 814-4441	175.00	B20275 ED SV CAMACHO CABE	01/14/2020	20333255 PO-200725	175.00	N
015008 CADA CENTRAL 3121 PARK AVENUE SUITE C SOQUEL, CA 95073 (831) 464-4891	50.00	RMS A. STILES CONF	01/21/2020	20334549 PV-200400	50.00	N
003681 CALIFORNIA AMERICAN WATER P.O. BOX 7150 PASADENA, CA 91109-7150 (888) 237-1333	447.34	ISLE WATER	01/09/2020	20332468 PV-200374	447.34	N
012079 CALIFORNIA CLEAR BOTTLED P.O. BOX 981 14410 W.G. THORNTON RD WALNUT GROVE, CA 95690 (916) 776-1544	79.75	ZBA006 BATES WATER AM0002 MOKE WATER	01/23/2020 01/23/2020	20335209 PO-200273 20335209 PO-200280	35.50 44.25	7 7
002344 CALIFORNIA LABORATORY SERVICES 3249 FITZGERALD ROAD RANCHO CORDOVA, CA 95742 (800) 638-7301	175.00	MAINT WATER TESTING	01/16/2020	20333885 PO-200181	175.00	N
012683 CALIFORNIA STATE UNIVERSITY CASHIERING OFFICE 400 WEST 1ST STREET CHICO, CA 95929-0700 (530) 898-5253	1,500.00	10913 BARTLETT INTERN FEES RVH	01/21/2020	20334550 PV-200401	1,500.00	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012268 CALIFORNIA WASTE RECOVERY SYSTEMS 175 ENTERPRISE CT STE #A GALT, CA 95632-9047 (209) 369-6887 N	1,175.41	ISLE WASTE SERVICE	01/14/2020	20333287 PV-200385	1,175.41	N
010576 CAMACHO, REFUJIO 200 PRIMASING AVE P.O. BOX 553 COURTLAND, CA 95615 (0) - 0 N	69.60	WG MILEAGE	01/09/2020	20332479 TC-200135	69.60	N
011595 CAPITAL AUTISM SERVICES 6400 FREEPORT BLVD SACRAMENTO, CA 95822 (916) 427-2273 N ADVANCE EDUCAT	6,156.93	2321787 SP ED NPS FEES 2321785 SP ED NPS FEES 2321786 SP ED NPS FEES	01/14/2020 01/14/2020 01/14/2020	20333264 PO-200530 20333264 PO-200530 20333264 PO-200530	2,304.19 2,020.85 1,831.89	N N N
013882 CAPITAL CLUTCH & BRAKE 3100 DULUTH STREET WEST SACRAMENTO, CA 95691 (916) 371-5970 N	339.19	8440 TRANS SUPPLIES	01/23/2020	20335210 PO-200147	339.19	N
014745 CASMEC 2417 N. 11TH AVE HANFORD, CA 93230 (0) - 0 N	195.00	DHS CASMEC CONF RANDALL VEIRS	01/14/2020	20333256 PO-200808	195.00	N
012182 CENTER OF MOVEMENT 125 BRUNING AVE RIO VISTA, CA 94571 (707) 344-6683 N	4,000.00	ISLE YOGA	01/28/2020	20336120 PO-200851	4,000.00	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	175.41	S011100384 MAINT SUPPLIES	01/14/2020	20333263 PO-200168	175.41	N
003380 CENTRAL VALLEY WASTE SERVICE INC P.O. BOX 78251 PHOENIX, AZ 85062-8251 (0) - 0	2,497.24	TRANS WASTE MOKE WASTE WG WASTE BATES WASTE	01/09/2020 01/09/2020 01/09/2020 01/09/2020	20332469 PV-200375 20332469 PV-200375 20332469 PV-200375 20332469 PV-200375	132.58 79.52 1,082.17 1,202.97	N N N N
015002 CERVANTES, DANNY PO BOX 626 WALNUT GROVE, CA 95690 (0) - 0	33.93	ISLE MILEAGE	01/09/2020	20332480 TC-200136	33.93	N
013908 CIT TECHNOLOGY FINANCING SERVICES INC PO BOX 1638 LIVINGSTON, NJ 07039 (0) - 0	788.29	-00416148RE CMS RET INVOICE	01/14/2020	20333288 PV-200386	788.29	N
000201 CITY OF ISLETON P.O. BOX 716 101 SECOND STREET ISLETON, CA 95641 (916) 777-7770	411.05	77468 ISLE SEWER	01/14/2020	20333265 PO-200121	411.05	N
000077 CITY OF RIO VISTA 1 MAIN STREET RIO VISTA, CA 94571 (0) - 0	7,455.06	RVHS SEWER DHW SEWER RMS SEWER DO SEWER N RIO VISTA FIRE RVHS WATER	01/21/2020 01/21/2020 01/21/2020 01/21/2020 01/21/2020	20334551 PV-200402 20334551 PV-200402 20334551 PV-200402 20334551 PV-200402 20334551 PV-200402	2,515.84 519.46 421.76 100.18 1,945.47	N N N N N

DHW WATER	01/21/2020	20334551	PV-200402	664.51	N
RMS WATER	01/21/2020	20334551	PV-200402	1,111.78	N
DO WATER	01/21/2020	20334551	PV-200402	176.06	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014088 CLINE, SUZANNE 501 CALIFORNIA ST RIO VISTA, CA 94571	157.18	ISLE PRESCL SUPPLIES ISLE PRESCL SUPPLIES	01/07/2020 01/28/2020	20332016 TC-200134 20336142 TC-200151	82.56 74.62	N N
(0) - 0						N
013922 COMPREHENSIV DRUG TESTING 230 COMMERCE, SUITE 100 IRVINE, CA 92602	101.00	47698 TRANS DOT TESTING	01/23/2020	20335211 PO-200152	101.00	N
(714) 852-5200						N
014215 CONTERRA ULTRA BROADBAND PO BOX 281357 ATLANTA, GA 30384-1357	1,800.22	40447 DO NETWORK 40447 DO NETWORK	01/09/2020 01/09/2020	20332470 PV-200376 20332470 PV-200376	15,104.85- 16,905.07	N N
(704) 936-1722						N
011787 COSUMNES RIVER COLLEGE COMMUNITY EDUCATION 8401 CENTER PARKWAY SACRAMENTO, CA 95823	500.00	DHS T. MARTIN SCHOLARSHIP	01/21/2020	20334542 PO-200826	500.00	N
() -						N
013455 CREATIVE BUS SALES INC. 14740 RAMONA AVE CHINO, CA 91710	11.93	1379 TRANS PARTS	01/28/2020	20336137 PV-200429	11.93	N
(909) 465-5528						N
013798 CROWE LLP 320 E JEFFERSON BOULEVARD PO BOX 7 SOUTH BEND, IN 46624-0007	4,300.00	745-2295502 FINAL 10%	01/14/2020	20333289 PV-200387	4,300.00	7
(0) - 0						Y

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012807 DELTA ELEMENTARY CHARTER SCHOOL 36230 N SCHOOL ST CLARKSBURG, CA 95612 (916) 995-1335	165,397.00	JANUARY 2020 TAX IN LIEU	01/02/2020	20330900 PV-200362	165,397.00	N
014825 DELUCCHI, ANNELYSE 6269 BIRDS LANDING RD BIRDS LANDING, CA 94512 (0) - 0	41.99	BATES CONF REIMB	01/14/2020	20333296 TC-200141	41.99	N
014067 DISCOVERY OFFICE SYSTEMS 1269 CORPORATE CENTER PARKWAY SANTA ROSA, CA 95407 (707) 570-1000	294.67	55E1543408 BATES MAINT AGRMNT 55E1544975 ISLE MAINT AGRMNT 55E1546481 WG MAINT AGRMNT 55E1548440 BATES MAINT AGRMNT	01/02/2020 01/02/2020 01/14/2020 01/23/2020	20330895 PO-200265 20330895 PO-200295 20333268 PO-200003 20335212 PO-200265	67.11 146.92 37.03 43.61	N N N N
010669 DON JOHNSTON INC 26799 COMMERCE DR VOLO, IL 60073 (800) 999-4660	323.35	448641 SP ED SFTWR RENEWAL	01/28/2020	20336122 PO-200773	323.35	N
014960 DORA DOME LAW 5111 TELEGRAPH AVE #164 OAKLAND, CA 94609 (0) - 0	4,500.00	1390 DO LAW FEE AGRMNT	01/21/2020	20334545 PO-200446	4,500.00	Y
000116 DS WATERS OF AMERICA INCS 5660 NEW NORTHSIDE DRIVE SUITE 500 ATLANTA, GA 30328 (0) - 0	60.95	5005834 DO WATER	01/09/2020	20332467 PV-200373	60.95	N DS WATERS OF A

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
010469 E.F. KLUDT & SONS INC P.O. BOX 166 LODI, CA 95241-0166	9,656.91	259020 TRANS FUEL	01/02/2020	20330896 PO-200151	2,797.18	N
		258754 TRANS FUEL	01/14/2020	20333269 PO-200151	1,731.38	N
		259507/259034 TRANS OIL	01/14/2020	20333269 PO-200164	969.11	N
		258940/258672 TRANS FUEL	01/23/2020	20335213 PO-200151	4,159.24	N
(0) - 0 N						
011257 EDUCATIONAL TESTING SERVICE ROSEDALE ROAD MS 03-Q PRINCETON, NJ 08541	136.80	20065665 ED SV SUPPLIES	01/23/2020	20335235 PV-200408	136.80	N
(0) - 0 N						
002897 FRIEDEL, MANDI 500 S. 2ND STREET RIO VISTA, CA 94571	94.04	DHW SUPPLIES	01/07/2020	20332011 PO-200210	94.04	N
(0) - 0 N						
011339 FRONTIER COMMUNICATIONS CORPORATION THREE HIGH RIDGE PARK STAMFORD, CT 06905	3,799.15	RVHS ALARM	01/23/2020	20335236 PV-200410	126.33	N
		TRANS ALARM	01/23/2020	20335236 PV-200410	57.11	N
		CMS ALARM	01/23/2020	20335236 PV-200410	67.96	N
		ISLE ALARM	01/23/2020	20335236 PV-200410	67.96	N
		TRANS	01/23/2020	20335236 PV-200410	67.56	N
(0) - 0 N		TRANS	01/23/2020	20335236 PV-200410	52.23	N
		MAINT	01/23/2020	20335236 PV-200410	45.79	N
		MAINT	01/23/2020	20335236 PV-200410	108.61	N
		MAINT	01/23/2020	20335236 PV-200410	39.69	N
		DO	01/23/2020	20335236 PV-200410	1,069.58	N
		WG ALARM	01/23/2020	20335236 PV-200410	67.96	N
		MOKE	01/23/2020	20335236 PV-200410	67.96	N
		RVHS	01/23/2020	20335236 PV-200410	225.64	N
		MOKE ALARM	01/23/2020	20335236 PV-200410	126.33	N
		RVHS	01/23/2020	20335236 PV-200410	176.50	N
		ISLE	01/23/2020	20335236 PV-200410	158.12	N
		DO	01/23/2020	20335236 PV-200410	147.35	N
		BATES ALARM	01/23/2020	20335236 PV-200410	67.96	N
		DHW ALARM	01/23/2020	20335236 PV-200410	126.33	N
		ISLE	01/23/2020	20335236 PV-200410	114.01	N
		DHW	01/23/2020	20335236 PV-200410	95.97	N
		RMS	01/23/2020	20335236 PV-200410	96.01	N

RMS	01/23/2020	20335236	PV-200410	120.52	N
RMS	01/23/2020	20335236	PV-200410	96.01	N
RMS	01/23/2020	20335236	PV-200410	263.34	N
WG	01/23/2020	20335236	PV-200410	94.21	N
CMS	01/23/2020	20335236	PV-200410	52.11	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003905 GASTON, JENNIFER 329 SACRAMENTO ST RIO VISTA, CA 94571	228.86	SUPPLIES	01/16/2020	20333890 PO-200059	228.86	N
(0) - 0						N
014234 GIRARD EDWARDS STEVENS & TUCKER LLP., ATTORNEYS AT LAW 8801 FOLSOM BLVD STE 285 SACRAMENTO, CA 95826	5,750.00	2393 ATTY FEES 2393 ATTY FEES	01/16/2020 01/16/2020	20333899 PV-200394 20333899 PV-200394	2,810.00 2,940.00	Y Y
(916) 706-1255						Y
003111 GOVERNMENT FINANCIAL STRATEGIES INC. 1228 N STREET, SUITE 13 SACRAMENTO, CA 95814-5609	4,300.00	1323389 BUS OFF PROF SERVICES	01/16/2020	20333891 PO-200709	4,300.00	N
(916) 444-5100						N
003598 GRAINGER 3691 INDUSTRIAL BLVD WEST SACRAMENTO, CA 95691-3479	43.93	MAINT SUPPLIES	01/14/2020	20333270 PO-200170	43.93	N
(916) 372-7800		N W.W. GRAINGER				
014573 GREAT AMERICA FINANCIAL SVCS PO BOX 660831 DALLAS, TX 75266-0831	1,477.42	26130734 CMS LEASE 26085869 DHS LEASE 26281151 DHS LEASE 26321237 CMS LEASE	01/14/2020 01/14/2020 01/23/2020 01/28/2020	20333271 PO-200316 20333271 PO-200339 20335214 PO-200339 20336129 PO-200316	343.20 375.38 415.64 343.20	N N N N
(877) 311-4422						N
000711 GROW WEST PARTS 14301 RAILROAD AVE WALNUT GROVE, CA 95690-	9.86	13112 MAINT SUPPLIES	01/23/2020	20335215 PO-200412	9.86	N
(916) 776-1744		N THE LYMAN GROU				

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012617 GUGGEMOS, WILLIAM 78 BRUNING AVENUE RIO VISTA, CA 94571 () - N	76.68	STALEDATE# 99476185	01/23/2020	20335251 PV-200423	76.68	N
014868 HALL, SARA PO BOX 9586 TRUCKEE, CA 96162 (916) 640-3533 Y	1,650.00	SP ED BEHAVIOR ASSESSMENTS	01/14/2020	20333272 PO-200064	1,650.00	Y
014500 HAND IN HAND THERAPEUTICS 214 ELMWOOD AVE MODESTO, CA 95354 (209) 604-8533 Y WAYNE STEVENSO	2,500.00	SP ED OCC THERAPY W/E 12/12 SP ED OCC THERAPY W/E 1/16	01/02/2020 01/28/2020	20330897 PO-200289 20336130 PO-200289	1,275.00 1,225.00	Y Y
013546 HARCOURT OUTLINES INC. 7765 S. 175 W PO BOX 128 MILROY, IN 46156 (800) 428-6581 N	150.56	28121 BATES SUPPLIES	01/16/2020	20333886 PO-200791	150.56	N
002011 HEINEMANN 361 HANOVER STREET PORTSMOUTH, NH 03801-3959 (800) 225-5800 N	255.71	7165793 DHW SUPPLIES	01/02/2020	20330893 PO-200742	255.71	N
000472 HENRY GO MD INC P.O. BOX 338 COURTLAND, CA 95615 () - Y	400.00	10623 DMV EXAM	01/23/2020	20335237 PV-200409	400.00	6

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003538 HOME DEPOT CREDIT SERVICES DEPT 32-2500439736 P.O. BOX 78047 PHOENIX, AZ 85062-8047	2,252.45	MAINT SUPPLIES DHS AG SUPPLIES DHS AG SUPPLIES	01/23/2020 01/23/2020 01/23/2020	20335216 PO-200171 20335216 PO-200333 20335216 PO-200333	1,943.86 154.29 154.30	N N N
(0) - 0						N
013807 HUBERT COMPANY LLC 9555 DRY FORK ROAD HARRISON, OH 45030	2,924.55	739811 CAFE CABINET 739811 CAFE CABINET	01/14/2020 01/14/2020	20333260 PO-200728 20333260 PO-200728	708.64 2,215.91	N N
(800) 543-7374		N K + K AMERICA				
011917 INDOFF 11816 LACKLAND AVENUE ST. LOUIS, MO 63146-4206	112.20	3316350 RVHS SUPPLIES 3331404 RVHS SUPPLIES	01/16/2020 01/23/2020	20333892 PO-200123 20335218 PO-200123	29.16 83.04	N N
(707) 374-4037						N
000107 INLAND BUSINESS SYSTEMS 1500 NO. MARKET SACRAMENTO, CA 95834-1912	457.10	IN469149 RVHS LEASE AGMNT IN469149 RVHS MAINT AGRMNT	01/16/2020 01/16/2020	20333893 PO-200326 20333893 PO-200327	272.20 184.90	N N
(916) 928-0770						N
014824 J & D WHOLESALE 4614 SECOND. ST #1 DAVIS, CA 95618	153.44	6296130 RVHS AG SUPPLIES 6296130 RVHS AG SUPPLIES	01/14/2020 01/14/2020	20333274 PO-200419 20333274 PO-200419	76.72 76.72	N N
(530) 747-2300						N
013551 KITCHENS, JENNIFER PO BOX 192 RYDE, CA 95680	207.64	CTEIG MILEAGE	01/16/2020	20333906 TC-200145	207.64	N
(0) - 0						N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012966 KONTRABAND INTERDICTION & K.I.D.S. CALIF CORPORATE HEAD. 1550 MCHENRY AVENUE MODESTO, CA 95350 () - N	195.00	CAS220176 HALF DAY SERVICE	01/23/2020	20335199 PO-200026	195.00	N
011311 LA RUE COMMUNICATIONS 521 E. MINER AVE STOCKTON, CA 95202 (209) 463-1900 Y LA RUE, KNOX J	330.00	6942 TRANS UHF SERVICE	01/14/2020	20333275 PO-200154	330.00	7
000548 LIRAS SUPERMARKET 609 HWY 12 RIO VISTA, CA 94571 (707) 374-5399 N	1,098.86	#135 ED SV SUPPLIES #55 RVHS SUPPLIES #55 RVHS CULINARY SUPPLIES	01/14/2020 01/23/2020 01/23/2020	20333276 PO-200049 20335219 PO-200127 20335219 PO-200478	332.96 604.85 161.05	N N N
013206 LOWE'S 8369 POWER INN ROAD ELK GROVE, CA 95624-3464 (866) 232-7443 N	734.07	MAINT SUPPLIES RVHS SUPPLIES	01/23/2020 01/23/2020	20335220 PO-200172 20335220 PO-200461	676.73 57.34	N N
014665 LOY MATTISON ENTERPRISES 7038 ALMOND HILL COURT ORANGEVALE, CA 95662 (0) - 0 Y	875.00	110119123119 ERATE PROF SERV	01/28/2020	20336131 PO-200185	875.00	Y
014144 MARTINEZ, SANDRA PO BOX 298 ISLETON, CA 95641 (0) - 0 N	238.96	F5 SUPPLIES	01/16/2020	20333907 TC-200146	238.96	N
014819 MAVERICK NETWORKS INC.	440.00	2001009 DW PHONE REPAIRS	01/21/2020	20334546 PO-200431	440.00	N

7060 KOLL CENTER PKWY#318
PLEASANTON, CA 94566

(925) 931-1900

N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014811 MCCARTY, HANOCH 12970 SELF ESTEEM LANE GALT, CA 95632 (209) 601-2940 Y	1,162.15	3060 SP ED PROF SERV	01/28/2020	20336132 PO-200066	1,162.15	Y
014107 MCCARTY, MELADEE 12970 SELF-ESTEEM LANE GALT, CA 95632 (209) 601-2940 Y	120.00	SP ED PROF SERV	01/14/2020	20333277 PO-200065	120.00	Y
012735 MCKINLEY ELEVATOR CORP. 555 FULTON ST SUITE 202 SAN FRANCISCO, CA 94102 (415) 626-9951 N	1,200.00	A125630/A125629/A125628 MAINT	01/23/2020	20335200 PO-200290	1,200.00	N
014934 MIMIAGA, MICHAEL PO BOX 1024 RIO VISTA, CA 94571 (0) - 0 N	6.00	STALEDATE# 99478581	01/23/2020	20335252 PV-200424	6.00	N
012837 MOBILE MODULAR 5700 LAS POSITAS ROAD LIVERMORE, CA 94551 (925) 606-9000 N MCGRATH RENTCO	1,190.00	2006611 MODULAR LEASE 2014353 RMS MODULAR LEASE	01/09/2020 01/23/2020	20332477 PV-200383 20335248 PV-200421	595.00 595.00	N N
003667 MUSTAIN, BERNIE 914 VIRGINIA DRIVE RIO VISTA, CA 94571 (0) - 0 N	19.72	CAFE MILEAGE	01/02/2020	20330911 TC-200132	19.72	N
014995 NATIONAL RESTAURANT ASSOC. 233 SOUTH WALKER DR. # 3600	917.70	5999945 CAFE ONLINE COURSE	01/23/2020	20335202 PO-200751	917.70	N

CHICAGO, IL 60606

(800) 765-2122

N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013284 NAVARRO CORONA, YAZMIN 24674 NORTH GRAHAM ROAD ACAMPO, CA 95220	44.46	MIG ED SUPPLIES	01/16/2020	20333908 TC-200147	44.46	N
(0) - 0						N
015004 NORCAL ARBORISTS INC. 280 E ARMSTRONG RD LODI, CA 95242	2,400.00	2393 MAINT SERVICE ISLETON	01/23/2020	20335201 PO-200801	2,400.00	N
(0) - 0						N
013877 NORRIS, CARRIE 4833 STEPPE COURT ELK GROVE, CA 95757	340.00	WG SUPPILES WG/F5 MILEAGE WG/F5 MILEAGE	01/14/2020 01/14/2020 01/14/2020	20333278 PO-200197 20333297 TC-200142 20333297 TC-200142	79.00 23.20 237.80	N N N
(0) - 0						N
014016 O'REILLY AUTO PARTS 233 S PATTERSON SPRINGFIELD, MO 65802	396.17	1468127 TRANS PARTS	01/23/2020	20335221 PO-200162	396.17	N
(0) - 0						N O'REILLY AUTOM
010203 OCCUPATIONAL HEALTH PO BOX 39000 DEPT 33404 SAN FRANCISCO, CA 94139-3404	30.00	OH55893 TRANS EXAM	01/23/2020	20335239 PV-200411	30.00	N
(707) 399-6068						N NORTHBAY HEALT
003218 ORIENTAL TRADING CO INC 4206 SOUTH 108TH STREET OMAHA, NE 68137	539.78	700283969 F5 SUPPLIES	01/16/2020	20333887 PO-200354	539.78	N
(800) 228-0475						N OTC DIRECT INC

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014465 PARKER & COVERT LAW OFFICE 17862 EAST SEVENTEENTH ST#204 EAST BUILDING TUSTIN, CA 92780	2,062.50	72383 ATTY FEES 72383 ATTY FEES	01/02/2020 01/02/2020	20330901 PV-200363 20330901 PV-200363	1,312.50 750.00	Y Y
(714) 573-0900		Y PARKER & COVE				
013692 PATIN, ANGELA 633 MADERE WAY RIO VISTA, CA 94571	118.32	NURSE ISLE MILEAGE ISLE MILEAGE	01/09/2020 01/16/2020	20332481 TC-200137 20333909 TC-200148	18.32 100.00	N N
(0) - 0		N				
013895 PEARSON CLINICAL ASSESSMENT ORDERING PO BOX 599700 SAN ANTONIO, TX 78259	178.84	7938654 SP ED SUPPLIES	01/28/2020	20336123 PO-200772	178.84	N
(800) 627-7271		N				
013086 PEARSON EDUCATION INC 501 BOLYSTON STREET SUITE 900 BOSTON, MA 02116	2,800.00	12052252 ED SV BOOKS	01/28/2020	20336138 PV-200430	2,800.00	N
(800) 848-9500		N				
003270 PG&E 685 EMBARCADERO DRIVE SACRAMENTO, CA 95605	31,307.65	DHW ELECT DO N. NETH LIFT PUMP	01/02/2020 01/09/2020 01/09/2020 01/09/2020	20330902 PV-200364 20332471 PV-200377 20332471 PV-200377 20332471 PV-200377	26.36 852.17 44.20 29.40	N N N N
(0) - 0		N PACIFIC GAS AN				
		DHS	01/09/2020	20332471 PV-200377	4,140.24	N
		RMS	01/09/2020	20332471 PV-200377	2,327.98	N
		CMS	01/09/2020	20332471 PV-200377	1,420.49	N
		DHS	01/09/2020	20332471 PV-200377	4,848.91	N
		SHOP	01/09/2020	20332471 PV-200377	62.53	N
		GARAGE	01/09/2020	20332471 PV-200377	209.06	N
		GARAGE	01/09/2020	20332471 PV-200377	102.81	N
		LTS	01/09/2020	20332471 PV-200377	12.49	N
		DHW	01/09/2020	20332471 PV-200377	279.01	N

DHW	01/09/2020	20332471	PV-200377	4,508.85	N
DO	01/09/2020	20332471	PV-200377	44.57	N
RVHS	01/09/2020	20332471	PV-200377	7,872.95	N
RVHS	01/09/2020	20332471	PV-200377	652.58	N
LTS	01/09/2020	20332471	PV-200377	22.11	N
LT'S	01/09/2020	20332471	PV-200377	34.59	N
ISLE	01/09/2020	20332471	PV-200377	2,434.55	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003270 PG&E (Continued...)		DHS	01/09/2020	20332471 PV-200377	1,325.86	N
		RVHS ELECT	01/14/2020	20333291 PV-200388	29.13	N
		DHW ELECT	01/21/2020	20334552 PV-200403	26.81	N
013042 PLACER COUNTY SELPA 360 NEVADA STREET AUBURN, CA 95603 (530) 745-1362	500.00	AR20-00894 WG CONF	01/28/2020	20336124 PO-200498	250.00	N
		AR20-00894 MIG ED CONF	01/28/2020	20336124 PO-200498	250.00	N
013554 POINT QUEST 6600 44TH STREET SACRAMENTO, CA 95823 (916) 422-0571	21,888.57	862 SP ED INST ASSTS	01/23/2020	20335222 PO-200296	10,820.00	N
		333257/333287/333268/333275 NP	01/23/2020	20335222 PO-200297	8,577.13	N
		133217 NPS FEES	01/23/2020	20335222 PO-200298	2,491.44	N
012857 PRISTINE REHAB CARE 706 N. DIAMOND BAR BLVD STE #B DIAMOND BAR, CA 91765 (317) 371-3866	22,143.36	6578/6577 SP ED SPEECH THERAPY	01/14/2020	20333279 PO-200067	11,823.36	7
		6591 SP ED SPEECH THERAPY	01/23/2020	20335223 PO-200067	10,320.00	7
001271 PRO-ED 8700 SHOAL CREEK BLVD AUSTIN, TX 78757 (800) 897-3202	73.70	2815924 SP ED SUPPLIES	01/28/2020	20336125 PO-200806	73.70	N
015001 REMIND 101 INC 965 MISSIN STREET SUITE 300 SAN FRANCISCO, CA 94103 (0) - 0	1,600.00	2018-1053721 RVHS REMIND PLAN	01/14/2020	20333258 PO-200779	1,600.00	N
014859 RIO VISTA BAKERY & CAFE 150 MAIN STREET RIO VISTA, CA 94571	313.23	RVHS SUPPLIES	01/16/2020	20333894 PO-200324	21.65	N
		RVHS SUPPLIES	01/28/2020	20336126 PO-200324	55.84	N
		RVHS SUPPLIES	01/28/2020	20336133 PO-200834	235.74	N

(707) 374-3844

N



Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
010239 RIO VISTA SANITATION P.O. BOX 607 RIO VISTA, CA 94571-0607	1,970.32	DO WASTE SERV RVHS WASTE DHW WASTE	01/14/2020 01/23/2020 01/23/2020	20333290 PV-200389 20335238 PV-200413 20335238 PV-200413	118.88 977.32 874.12	N N N
(0) - 0						N
010048 RIVER DELTA REVOLVING FUND 445 MONTEZUMA ST RIO VISTA, CA 94571	1,318.11	4106 DIRECT DEP ACCOUNT CLOSED	01/02/2020	20330903 PV-200365	1,318.11	N
(0) - 0						N
010670 RIVERVIEW-INTERNATIONAL TRUCKS 2445 EVERGREEN AVE P.O. BOX 716 WEST SACRAMENTO, CA 95691	637.15	61671 TRANS PARTS	01/23/2020	20335225 PO-200158	637.15	7
() -						Y
014784 ROMAN, ANA 120 TAHOE RIO VISTA, CA 94571	156.19	SP ED MILEAGE	01/16/2020	20333910 TC-200149	156.19	N
(0) - 0						N
015003 ROUNDS, SEFIA 1000 VINTAGE DR OAKLEY, CA 94561	165.96	RMS CONF REIMB	01/09/2020	20332482 TC-200138	165.96	N
(0) - 0						N
014433 RYLAND CONSULTING 8334 PARUS WAY GRANITE BAY, CA 95746 (916) 652-7165	80.00	2525 BUS OFF PROF SERV	01/09/2020	20332472 PV-200378	80.00	N N
000095 S M U D	7,873.31	BATES ELECT	01/23/2020	20335241 PV-200414	591.79	N

P.O. BOX 15555
SACRAMENTO, CA 95852

(0) - 0 N

TRANS ELECT	01/23/2020	20335241	PV-200414	139.24	N
TRANS ELECT	01/23/2020	20335241	PV-200414	13.55	N
BATES ELECT	01/23/2020	20335241	PV-200414	3,495.84	N
WG ELECT	01/23/2020	20335241	PV-200414	2,845.29	N
WG ELECT	01/23/2020	20335241	PV-200414	760.49	N
WG ELECT	01/23/2020	20335241	PV-200414	27.11	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000090 SACRAMENTO COUNTY UTILITIES 9700 GOETHE ROAD SUITE C SACRAMENTO, CA 95827	329.73	WG SEWER BATES SEWER	01/09/2020 01/09/2020	20332473 PV-200379 20332473 PV-200379	180.78 148.95	N N
(0) - 0						N
012039 SAN JOAQUIN CO OFFICE OF ED 2707 TRANSWORLD DRIVE STOCKTON, CA 95213	125.00	ED SV J RODRIGUEZ ELPAC	01/07/2020	20332010 PO-200745	125.00	N
(0) - 0						N
012207 SCHOOL OUTFITTERS.COM 3736 REGENT AVE CINCINNATI, OH 45212-3724	4,291.18	13310217 WIND RIVER CHAIRS 13312534 WIND RIVER TABLES	01/16/2020 01/28/2020	20333896 PO-200767 20336128 PO-200767	2,243.65 2,047.53	Y Y
(800) 260-2776						Y
003318 SCHOOL SPECIALTY INC W6316 DESIGN DRIVE GREENVILLE, WI 54942	556.20	208124358616 DHS SUPPLIES 208124359294 DHS SUPPLIES 208124379746 RMS SUPPLIES 208124372534 RMS SUPPLIES	01/14/2020 01/14/2020 01/16/2020 01/16/2020	20333280 PO-200365 20333280 PO-200365 20333888 PO-200754 20333888 PO-200769	88.35 153.57 163.75 90.33	N N N N
(0) - 0						N
000316 SCHOOLS INSURANCE AUTHORITY P.O. BOX 276710 SACRAMENTO, CA 95827-6710	717.50	EAP 12020.14 EAP PROGRAM EAP 12020.14 EAP PROGRAM	01/14/2020 01/14/2020	20333292 PV-200390 20333292 PV-200390	365.93 351.57	N N
(0) - 0						N
013193 SCOE P.O. BOX 269003 10474 MATHER BLVD SACRAMENTO, CA 95826	600.00	ASP COORD ACADEMY ARREOLA 201276 WG AVID	01/21/2020 01/28/2020	20334543 PO-200822 20336127 PO-200379	100.00 500.00	N N
(0) - 0						N

4211	TRANS PROPANE	01/23/2020	20335242	PV-200415	99.00	N
90931	TRANS PROPANE	01/28/2020	20336139	PV-200431	825.61	N
90931	TRANS PROPANE	01/28/2020	20336139	PV-200431	2.87-	N
90931	TRANS PROPANE	01/28/2020	20336139	PV-200431	2.87	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000055 SIA DELTA DENTAL P.O. BOX 276710 SACRAMENTO, CA 95827-6710	3,799.47	JANUARY 2020 PREMIUMS JANUARY 2020 PREMIUMS	01/07/2020 01/07/2020	20332013 PV-200371 20332013 PV-200371	2,600.19 1,199.28	N N
(0) - 0						N
000056 SIA VISION SERVICE P.O. BOX 276710 SACRAMENTO, CA 95827-6710	461.44	JANUARY 2020 PREMIUMS JANUARY 2020 PREMIUMS JANUARY 2020 PREMIUMS	01/07/2020 01/07/2020 01/07/2020	20332014 PV-200372 20332014 PV-200372 20332014 PV-200372	317.24 201.88 346.08	N N N
(0) - 0						N
012084 SODEXO INC & AFFILIATES DEPT. 43283 LOS ANGELES, CA 90088-3283	39,557.47	CAFE DEC MEALS CAFE DEC MEALS	01/28/2020 01/28/2020	20336140 PV-200432 20336140 PV-200432	32,326.07 7,231.40	N N
(0) - 0						N
013104 SOUND & SIGNAL INC 277 RICKENBACKER CIRCLE LIVERMORE, CA 94551-7216	756.18	36421 RMS REPAIR	01/23/2020	20335243 PV-200416	756.18	N
(925) 455-1778						N
014685 SOUZA, JEFF 717 TAMARACK DR LODI, CA 95240	258.11	MAINT PARTS/ TRANS SMOG MAINT PARTS/ TRANS SMOG	01/07/2020 01/07/2020	20332015 TC-200133 20332015 TC-200133	98.61 159.50	N N
(0) - 0						N
013858 SPURR 1850 GATEWAY BOULEVARD CONCORD, CA 94520	5,918.48	DHW RMS TRANS DO RVHS DHS ISLE ISLE CMS CAFE	01/02/2020 01/02/2020 01/02/2020 01/02/2020 01/02/2020 01/02/2020 01/02/2020 01/02/2020 01/02/2020	20330905 PV-200367 20330905 PV-200367 20330905 PV-200367 20330905 PV-200367 20330905 PV-200367 20330905 PV-200367 20330905 PV-200367 20330905 PV-200367 20330909 PV-200367	148.29 53.93 80.08 65.95 257.59 432.23 187.76 15.72 205.26	N N N N N N N N N
(888) 400-2155						N

STORAGE PREPAID GAS	01/16/2020	20333900	PV-200395	571.57-	N
TRANS	01/16/2020	20333900	PV-200395	213.94	N
DO	01/16/2020	20333900	PV-200395	145.55	N
ISLE	01/16/2020	20333900	PV-200395	15.09	N
RVHS	01/16/2020	20333900	PV-200395	590.80	N
DHS	01/16/2020	20333900	PV-200395	2,398.68	N
ISLE	01/16/2020	20333900	PV-200395	620.01	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099

013858 SPURR (Continued...)		DHW	01/16/2020	20333900 PV-200395	608.85	N
		RMS	01/16/2020	20333900 PV-200395	158.92	N
		CMS CAFE	01/16/2020	20333904 PV-200395	291.40	N

014069 STAPLES ADVANTAGE	2,403.99	3433062547 BUS OFF SUPPLIES	01/14/2020	20333281 PO-200050	40.15	N
500 STAPLES DRIVE		3433522230 DHW SUPPLIES	01/14/2020	20333281 PO-200220	24.86	N
FRAMINGHAM, MA 01702		3433522231 DHW SUPPLIES	01/14/2020	20333281 PO-200220	24.86	N
		3430425080 DHW SUPPLIES	01/14/2020	20333281 PO-200222	55.11	N
(0) - 0 N STAPLES CONTRA		3430425081 DHW SUPPLIES	01/14/2020	20333281 PO-200229	20.53	N
		3433522232 CAFE SUPPLIES	01/14/2020	20333286 PO-200366	27.02	N
		3433522233 WND RIVER SUPPLIES	01/14/2020	20333285 PO-200404	155.69	N
		3434004179 DHS SUPPLIES	01/16/2020	20333895 PO-200341	774.26	N
		3434004179 DHS SUPPLIES	01/16/2020	20333895 PO-200341	2.69	N
		3434004179 DHS SUPPLIES	01/16/2020	20333895 PO-200341	2.69	N
		3433356654 WIND RIVER SUPPLIES	01/16/2020	20333897 PO-200404	539.54	N
		3433584026 CBO SUPPLIES	01/23/2020	20335227 PO-200051	9.18	N
		3434004177 CBO SUPPLIES	01/23/2020	20335227 PO-200051	24.86	N
		3436755831 CBO SUPPLIES	01/23/2020	20335227 PO-200051	39.28	N
		3433522228 CBO SUPPLIES	01/23/2020	20335227 PO-200051	156.42	N
		3435839227 ED SV SUPPLIES	01/23/2020	20335227 PO-200071	87.41	N
		3435839226 ED SV SUPPLIES	01/23/2020	20335227 PO-200071	123.68	N
		3434004178 DHW SUPPLIES	01/23/2020	20335227 PO-200244	57.24	N
		3432983663 DHW SUPPLIES	01/23/2020	20335227 PO-200244	7.45	N
		3431682414 DHW SUPPLIES	01/23/2020	20335227 PO-200244	41.33	N
		3435839228 SP ED SUPPLIES	01/23/2020	20335227 PO-200364	115.40	N
		3436387039 WIND RIVER SUPPLIES	01/23/2020	20335230 PO-200774	79.72	N

013400 STATE BOARD OF EQUALIZATION	579.00	SALES USE TAX OCT-DEC 2019	01/23/2020	20335233 PV-200407	579.00	N
PO BOX 942879						
SACRAMENTO, CA 94279-8044						
(0) - 0 N						

013401 STATE BOARD OF EQUALIZATION	100.65	FUEL TAX OCT - DEC 2019	01/23/2020	20335234 PV-200406	100.65	N
FUEL TAXES DIVISION						
PO BOX 942879						
SACRAMENTO, CA 94279-6155						
(916) 322-9669 N						

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003666 STATE WATER RESOURCES BOARD PO BOX 1888 SACRAMENTO, CA 95812-1888 (916) 341-5247	1,400.00	SW0185404 TRANS ANNUAL PERMIT	01/23/2020	20335244 PV-200417	1,400.00	N
000096 STEWART INDUSTRIAL SUPPLY INC 608 HWY 12 RIO VISTA, CA 94571 (707) 374-5567	1,900.83	23100 TRANS PARTS	01/14/2020	20333259 PO-200646	1,900.83	N
013947 SUPPLY WORKS PO BOX 742056 LOS ANGELES, CA 90074-2056 (877) 577-1114	3,229.60	526750013 RVHS SUPPLIES 524889847 DHW SUPPLIES 525399929 CMS SUPPLIES 526750021 RMS SUPPLIES 525403721 DHS SUPPLIES 525392643 CAFE SUPPLIES 512962747 CAFE SUPPLIES 526777438 DHS SUPPLIES 526960489 RMS SUPPLIES 526960471 DHS SUPPLIES 52789721 ISLE SUPPLIES 524852415 DHW SUPPLIES 529629339 CMS SUPPLIES	01/14/2020 01/14/2020 01/14/2020 01/14/2020 01/14/2020 01/16/2020 01/16/2020 01/23/2020 01/23/2020 01/23/2020 01/23/2020 01/23/2020 01/23/2020 01/23/2020	20333273 PO-200167 20333273 PO-200167 20333273 PO-200167 20333273 PO-200167 20333273 PO-200167 20333898 PO-200411 20333898 PO-200411 20335217 PO-200167 20335217 PO-200167 20335217 PO-200167 20335217 PO-200167 20335217 PO-200167 20335217 PO-200167 20335217 PO-200167	583.47 749.63 290.09 402.63 280.50 109.51 176.24 137.61 81.74 8.84 95.57 120.56 193.21	N N N N N N N N N N N N N N
011100 THE LATINO FAMILY LITERACY PROJECT 1107 FAIR OAKS AVE STE 225 SOUTH PASADENA, CA 91030 () -	200.00	10640 F5 WEBINAR	01/16/2020	20333889 PO-200552	200.00	N
011695 THOMSON WEST P.O. BOX 64833 ST PAUL, MN 55164-0833 (0) - 0	1,790.64	HR ED CODE UPDATES	01/16/2020	20333903 PV-200396	1,790.64	N

N WEST PUBLISHIN

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014873 TPX COMMUNICATIONS PO BOX 509013 SAN DIEGO, CA 92150-9013 (877) 487-2877	2,917.73	DO LD RVHS LD DHS LD	01/16/2020 01/16/2020 01/16/2020	20333901 PV-200397 20333901 PV-200397 20333901 PV-200397	349.96 1,331.99 1,235.78	N N N
011930 TRANE PARTS CENTERS 4145 DEL MAR AVENUE ROCKLIN, CA 95677 (0) - 0	752.70	7587527 MAINT SUPPLIES	01/23/2020	20335228 PO-200177	752.70	N
012694 U.S. BANK 221 SOUTH FIGUEROA ST, STE 210 LM-CA-F2TC LOS ANGELES, CA 90012 (0) - 0	11,328.14	DEC 2019 GASB 75	01/02/2020	20330907 PV-200369	11,328.14	N
001896 UNITED PARCEL SERVICE INC 55 GLENLAKE PARKWAY NE ATLANTA, GA 30328 (0) - 0	383.85	DO SHIPPING DO SHIPPING DO SHIPPING DO SHIPPING	01/02/2020 01/09/2020 01/14/2020 01/23/2020	20330906 PV-200368 20332474 PV-200380 20333294 PV-200392 20335245 PV-200418	118.67 172.18 31.00 62.00	N N N N
013419 US BANK NATIONAL ASSOCIATION 1310 MADRID ST SUITE 101 MARSHALL, MN 56258 (800) 328-5371	1,084.46	402210512 DHW LEASE 404510562 DHW LEASE	01/02/2020 01/21/2020	20330898 PO-200212 20334547 PO-200212	542.23 542.23	N N
013657 USLAN, LAURA PO BOX 1128 WALNUT GROVE, CA 95690 (0) - 0	209.07	DHS/CMS SUPPLIES DHS/CMS SUPPLIES	01/14/2020 01/14/2020	20333282 PO-200362 20333282 PO-200362	104.53 104.54	N N

DHW CUST	01/16/2020	20333902	PV-200398	109.06	7
RMS CUST	01/16/2020	20333902	PV-200398	54.53	7
WG CUST	01/16/2020	20333902	PV-200398	54.53	7
BATES CUST	01/16/2020	20333902	PV-200398	109.05	7
COUNSELORS	01/16/2020	20333902	PV-200398	163.59	7
DHW ADMIN	01/23/2020	20335246	PV-200419	72.96	7

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012594 WOOTTON, ELISE 8991 BRAMBLEWOOD WAY ELK GROVE, CA 95758	30.97	WG CONF REIMB	01/14/2020	20333298 TC-200143	30.97	N
(0) - 0						N
003308 WRIGHT, KATHERINE 400 SOUTH FRONT STREET RIO VISTA, CA 94571	831.72	SUPT MILEAGE	01/09/2020	20332484 TC-200140	831.72	N
(0) - 0						N
014706 ZOOM IMAGING SOLUTION 1326 N. MARKET BLVD SACRAMENTO, CA 95834	444.71	2172311 DHW SERV CONTRACT	01/07/2020	20332012 PO-200211	444.71	N
(916) 369-6526						N
District total:	612,795.49					
Report total:	612,795.49					

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: _____

From: Victoria Turk

Item Number: 10.4

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Request to approve the out-of-state travel for Rio Vista High School students to travel to the Oregon Shakespeare Festival in Ashland, Oregon April 24 -26, 2020

BACKGROUND:

Mrs. Surla and RVHS students are seeking Board approval for out of state travel to Ashland, Oregon from April 24-26, 2020 to attend the Oregon Shakespeare Festival. Students will see four plays, three lectures by academic scholars, and attend a behind the scenes tour of the theater.

STATUS:

Out of state travel for RDUSD students requires Board approval.

PRESENTER:

Victoria Turk

OTHER PEOPLE WHO MIGHT BE PRESENT:

Donnie Surla and Rio Vista High School students

COST AND FUNDING SOURCES:

No cost for the District. Students are required to pay for all expenses.

RECOMMENDATION:

That the Board approves RVHS student trip to Ashland, Oregon April 24-26, 2020

Time allocated: 2 minutes

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: _____

From: Victoria Turk, Principal RVHS

Item Number: 10.5

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Request to approve the Rio Vista High School FFA fundraising activity "Metal Rose" to benefit the Ag Mechanics Class

BACKGROUND:

Rio Vista High School's FFA would like to sell metal roses that have been created (welded) by the students in the Ag Mechanics Class.

STATUS:

All fundraisers require Board approval.

PRESENTER:

Victoria Turk

OTHER PEOPLE WHO MIGHT BE PRESENT:

Ashlynn Bartlett

COST AND FUNDING SOURCES: NA

RECOMMENDATION:

That the Board approves Rio Vista High School's Metal Rose Fundraising activity.

Time allocated: 2 minutes

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Maria Elena Becerra, Principal

Item Number: 10.6

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Request to apply for a Garden Grant to the California Fertilizer Foundation (CFF) School Garden Program

BACKGROUND:

The Bates garden has been in existence for about twelve years. The students have had the opportunity to learn about how food is grown and have learned hands-on plant science. Within, the last two years, a parent volunteer has taken the time to volunteer his time to help our students with this project.

STATUS:

The grant is a total of \$1200 if awarded.

PRESENTER:

Maria Elena Becerra

OTHER PEOPLE WHO MIGHT BE PRESENT:

Elizabeth Keema-

COST AND FUNDING SOURCES:

No cost to the school or district.

RECOMMENDATION:

That the Board approves the request to apply for the garden grant.

Time allocated: 3 minutes

ok to apply
CFA 1/29/2020

GARDEN GRANT OPPORTUNITY!
New Applicant
2019 - 2020 School Year

Dear School Garden Coordinator:

Thank you for your interest in the California Fertilizer Foundation's (CFF) School Garden Program. Our goal is to increase the understanding and awareness of agriculture and plant nutrition in California's youth through school gardens. In doing so, classroom curriculum can be enhanced with first-hand experiences. Our purpose is to provide funding to California's public and private elementary, middle and high schools for continuation and/or implementation of in - and after - school garden programs. The following schools are not eligible for the grant: pre-schools, community gardens, and colleges.

In 1999, the California Fertilizer Foundation (CFF) contributed \$8,000 to predominately urban schools in California to be used in sustaining or establishing school gardens. To date, CFF has awarded over \$374,000 to more than 322 California schools for school garden projects. **During the 2019 - 2020 school years, CFF will award up to 24 garden grants of \$1,200 each. Applications will be accepted at any time, and reviewed twice a year after June 14 and January 15.** Grant recipients of the period 1 will be informed in April, and period 2 in September.

The grant application is included on the third page of this document. The application is not intended to be cumbersome; rather, it is your opportunity to provide insight into the garden projects you wish to develop and your dedication to the sustainability of the programs. **As the application form states, photographs and a description of how your garden project is or will be implemented in the classroom are required.** Information on how you plan to teach about plant growth and plant health utilizing nitrogen (N), phosphorous (P), and potassium (K) fertilizers will strengthen your application. A nutrient information page has been added to the application on page 4 which goes into further details about N, P, K and the importance of fertilization and plant growth. The fifth page has been added so that applicants can see how grant applications are evaluated.

Again, thank you for your interest. As CFF limits grants to 24 grants per year, we encourage applicants to feel free to reapply if they are not successful in their initial grant attempt.

Best wishes on a successful garden.

Kayla Gangl

Kayla Gangl
Director of Public Outreach and Communication

Enclosure



SCHOOL GARDEN PROGRAM

Purpose: To provide funding for California public and private elementary, middle and high schools for continuation and/or implementation of in - and after - school garden programs. Due to limited funding, pre-schools, colleges and community gardens are not eligible for this grant.

Goal: To increase California children's understanding and awareness of agriculture through school gardens, and, in so doing, enhance existing curriculum and goals in the classroom.

Funding: During the 2019 - 2020 school years, CFF will award up to 24 grants of \$1,200 each to schools in California, in the categories of Start-Up or Existing Gardens.

Schools can apply for this grant in order to use the money towards the beautification of their campus.

Resources: A number of garden-related projects exist in the state of California, including the California School Garden Network, the Department of Education's "Garden in Every School" program, the California Foundation for Agriculture in the Classroom, and various other agricultural related educational programs. Utilizing all these resources to meet the needs of individual schools is part of CFF's program goals.

Accomplishments

Understanding where food comes from is a critical connection for students for a variety of reasons. School gardens provide a real-life model of where food comes from and how it gets from the field to the table. For many children, however, these are just some of the positive lessons that gardens provide.

Gardening not only connects us to the soil – and the food we eat – but with humanity. The simple act of planting a seed links human experience across generations and borders and experiences, expressing the fundamental thing we all hold in common: that soil, cultivated, nourishes our bodies, and also feeds our souls. Rose Hayden-Smith, Strategic Initiative Leader, Sustainable Food Systems; 4-H Youth, Family and Community Development Advisor, Food and Society Policy Fellow, University of California Cooperative Extension, Ventura, CA

By understanding gardens, children can also gain an interest in and a better understanding of nutrition.

I never knew how great a salad could be. I loved the peas and beets we grew. I even liked the turnip. I had never tried one before even when my mom said it was good for me. Carrots are still my favorite though. Fifth Grader, John C. Fremont Elementary, Glendale, CA.

Gardens provide a means of reaching students. Students struggling in math, reading, writing, communication, physical education and other areas become interested in these subjects when they are applied in the "real-world" setting of a garden.

Our fourth grade students were afforded the opportunity to witness the pollination of our basil plant by bees. They were able to see why this is so and discuss the importance of reproduction in plants. In addition, students were able to learn about the value of good soil by testing it and providing nutrients that were missing. La Fetra Elementary School, Glendora, CA.



California
Fertilizer
Foundation

**2019-2020 CALIFORNIA FERTILIZER FOUNDATION
SCHOOL GARDEN GRANT APPLICATION/COVER SHEET**

Date: _____ (Applications are to be submitted electronically by June 14, 2019 or January 15, 2020)

1. Name of School: _____

2. Address: _____

City: _____ State: _____ Zip Code: _____

3. School Phone Number: _____ Principal: _____

4. Grant Key Contact: _____ Phone _____

5. E-mail Address: _____

6. Title of School Garden Project: _____

After - School Only In - School Only In - & After-School

7. School Calendar Traditional Year Round Other

8. Number of students involved: _____ Number of teachers/staff/parents involved: _____

9. Grade levels served: _____

10. Is this program already in place? _____ If yes, how many years? _____

11. Have you received funding from CFF in the past? _____ If yes, what year(s)? _____

12. List other funds and in-kind donations received for this program (i.e., grants, donations, etc.):

Application should include (maximum of 15 pages) should be submitted electronically on or prior to January 15 and June 14 deadlines:

- Completed application form (must be the top page of your application)
- Cover letter
- Description of connections between the garden, classroom and academic standards.
- Information on how you plan to teach about plant growth and plant health. (See page 4 for N,P,K descriptions)
- Letters of support including: (students, principal, volunteers, community members, etc.)
- Itemized breakdown of how funds will be used.
- Photos/diagram of garden or if a new garden, where the garden will be located.
- News clippings and other supporting materials.
- Long-term plans for your garden.
- After completing all the required steps please include all information in **one PDF** for submission.

E-Mail completed electronic submission to: Kayla Gangl, California Fertilizer Foundation at cffgrant@healthyplants.org. **Grantees will be notified of their awards by April 1 and September 1 each year.**



Fertilizer Information Page

Please review the explanation below on how Nitrogen, Phosphorous and Potassium can be part of your garden program. Plant growth and plant health all work together with the soil as the fertilizer is utilized by the plant for optimal growth.

Nitrogen, Phosphorous, and Potassium, are the most common crop nutrients and all exist naturally. Nitrogen, Phosphorous, and Potassium are all part of the 17 chemical elements required for plant growth and reproduction.

Nitrogen (N) is a main building block for all organisms. It exists naturally in the air and is needed to produce, among other substances, proteins, chlorophyll, DNA and RNA. N is approximately 80% of the air we breathe. N, along with magnesium, is the only element in the chlorophyll molecule that the plant obtains from the soil. Plant growth is associated with N nutrition, as nitrogen plays a major role in cell division. In addition to increasing yield, N also improves crop quality as it increases the protein content. Crop plants tend to require more N to grow at their full potential over non-crop plants.

Phosphorus (P) is found in all living cells. P is a component of DNA and ATP (the cell's energy molecule) as it helps store and transmit energy during photosynthesis. It assists in capturing light during photosynthesis, helping with seed germination, and helping plants use water efficiently. Plants also use (P) when fighting external stress and prevent disease. All plants require photosynthesis during the entire growth period. Most annual plants which grow, reproduce and die in a year require a lot of P. Plants growing in cold climates, have limited roots and rapid top growth including lettuce are high P users. Legume crops require a great amount of P. Plants which are established including: trees, shrubs, and vines especially grown in warm climates, require very little P fertilizer. P is usually applied near the root zone. It is known as banding and the phosphorous is available for immediate absorption by the roots. Growers often mix P into the soil when planting seedlings or transplanting trees.

Potassium (K) is essential to the workings of every living cell, and is often known as the regulator since it is involved in over 60 different enzyme systems in plants. K helps plants resist drought and effects from excess temperatures. It also increases the crops resistance to pests. K aids plants in the production of starches, controls root growth, and regulates the opening and closing of pores in plant cells which is key for efficient water use. All plants require K at some level. K fertilizer is applied for optimum plant growth.

Nutrients are an essential part of plant growth. You can determine the percentage of a nutrient by reading the label found on a fertilizer bag. An example of an N, P, K fertilizer is 15-15-15. More information or details about plant nutrition can be found via the Western Fertilizer Handbook.



“Evaluation Sheet”

Each application is evaluated on the following breakdown by category listed below:

California Fertilizer Foundation School Garden Program Category:

- 1) Application/Cover Sheet – general thoroughness
- 2) Involvement - strong student, parent, staff involvement
- 3) Support – letters of support from faculty, students, teachers
- 4) Photos – photos of existing/planned garden site are included
- 5) Students - letters of support, photos convey strong student involvement
- 6) Education – supporting information provides evidence of how the garden is/will be utilized to enhance curriculum/education
- 7) Plant Growth & Plant Health/Soil Science/Agriculture Connections – descriptions show that these concepts will be taught.

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: _____

From: Samy D'Amico, Interim, D.H. White Elementary Principal

Item Number: 10.7

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Request to approve the D.H. White Elementary School's PTC Penny War fundraiser to raise funds for playground equipment.

BACKGROUND:

Some of the playground equipment at D.H. White Elementary School is aging and the PTC would like to raise funds to replace some of the old playground equipment.

STATUS:

All fundraisers require Board approval.

PRESENTER:

OTHER PEOPLE WHO MIGHT BE PRESENT:

PTC members

COST AND FUNDING SOURCES: N/A

RECOMMENDATION:

That the Board approved the D.H. White PTC fundraising event "Penny War".

Time allocated: 2 minutes

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Nicole Latimer, Director of Educational Services

Item Number: 10.8

Type of item: (Action, Consent Action or Information Only): Consent Action

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 for the 2019-2020 school year.

BACKGROUND:

Communicare Health Center provides educational classroom presentations at DHS/CMS on sexual and reproductive health topics as specified by California Education Code.

STATUS:

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.

PRESENTER: Nicole Latimer, Director of Educational Services

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

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 for the 2019-2020 school year.

Time allocated: minutes

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 contende 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 contende 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@communcarehc.org

Contact Information: River Delta Unified School District

Name	Kathy Wright
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	kwright@rdusd.org

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: _____

From: Katherine Wright, Superintendent

Item Number: 10.9

Type of item: (Action, Consent Action or Information Only): Consent Action

SUBJECT:

Donations

BACKGROUND:

Donations to Receive and Acknowledge:

Rio Vista High School – In memory of Jerry Rubier for the Radio Rio Program

Marci Coglianese
Barry Waldie
Jerry and Nadine Penick
Edythe Harlan
Jane McDaniel
Theta Theta, c/o Sue Esperson
Danny & Delinda Bowers

STATUS:

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

RECOMMENDATION:

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

Time allocated: 3 minutes

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X_____

From: Katherine Wright, Superintendent

Item Number: 11_____

Type of item: (Action, Consent Action or Information Only): Action_____

SUBJECT:

Request to approve the first reading of the updated or new Board Policies, Administrative Regulation and or Exhibits due to new legislation or mandated language and citation revisions as of December 2019.

BACKGROUND:

Changes in legislation and amendments to laws lead to necessary/mandated changes in District Board Policies, Administrative Regulations and Exhibits.

These Board Policies, Administrative Regulations and Exhibits will be submitted for a second and final reading and approval at the March 10, 2020 Board meeting.

STATUS:

Attached are Board Policies, Administrative Regulations and Exhibits which have been affected by changes in law effective prior to December 2019 which need to be approved for first reading.

PRESENTER:

Katherine Wright

OTHER PEOPLE WHO MIGHT BE PRESENT:

Jennifer Gaston, Recorder

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approves the first reading of these Board Policies, Administrative Regulations and Exhibits as submitted resulting from legislation effective prior to December 2019.

Time allocated: 3 minutes

POLICY GUIDE SHEET
December 2019
Page 1 of 4

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

BP 2121 - Superintendent's Contract

(BP revised)

Policy updated to add professional development as an optional component that may be addressed in the superintendent's contract, consistent with CSBA's Superintendent Contract Template. Section on "Termination of Contract" deletes material related to maximum cash settlement requirements for contracts executed prior to January 1, 2016, since state law limits the term of the contract to a maximum of four years.

BP 3600 - Consultants

(BP revised)

Policy updated to reflect **NEW LAW (AB 5)** which codifies a three-part test, established in *Dynamex Operations West Inc. v. Superior Court of Los Angeles*, to determine whether a person providing services for remuneration should be classified as an employee or an independent contractor. Policy also updates the statement on nondiscrimination to include additional protected categories, and reflects law regarding harassment of or by an independent contractor.

AR 4030 - Nondiscrimination in Employment

(AR revised)

Regulation updated to reflect **NEW LAW (SB 778)** which delays until January 1, 2021 a requirement for districts with five or more employees to provide at least two hours of sexual harassment training to supervisory employees and at least one hour of sexual harassment training to nonsupervisory employees. Regulation also reflects **NEW LAW (AB 9)** which allows complaints of employment discrimination to be filed with the Department of Fair Employment and Housing up to three years after the alleged act.

BP 4033 - Lactation Accommodation

(BP revised)

Policy updated to reflect **NEW LAW (SB 142)** which mandates districts to adopt policy that addresses an employee's right to request lactation accommodation, the process by which the employee makes the request, the district's obligation to respond to the request, and the employee's right to file a complaint with the Labor Commissioner alleging any violation of the right to lactation accommodation. Policy also reflects provisions of SB 142 requiring districts to provide a lactation room or location with prescribed features, prohibiting districts from discriminating or retaliating against an employee who exercises the right to lactation accommodation, and authorizing districts with fewer than 50 employees to seek an exemption from the requirement to provide lactation accommodation if the district demonstrates that the requirement poses an undue hardship.

BP 4151/4251/4351 - Employee Compensation

(BP revised)

Policy updated to clarify that, in determining whether an executive, administrative, or professional employee is exempt from overtime rules, the salary threshold established by state law supersedes the threshold established by federal law (as raised by new federal rule September 24, 2019). Policy also deletes complex information on Internal Revenue Service forms that must be completed by employees who earn compensation over 9 or 10 months but elect to spread salary payments over 12 months, thereby creating "deferred compensation."

POLICY GUIDE SHEET
December 2019
Page 2 of 4

BP/AR 4218.1 - Dismissal/Suspension/Disciplinary Action (Merit System)

(BP revised; AR deleted)

Policy updated to clarify that dismissal of probationary classified employees may be done without cause, delete detailed procedures for disciplinary proceedings, and reflect due process rights that must be granted to permanent employees based on the court decision in *Skelly v. State Personnel Board*. Regulation deleted and districts encouraged to replace or supplement these materials with the rules of their personnel commission.

BP/AR 5116.1 - Intradistrict Open Enrollment

(BP/AR revised)

Policy and regulation updated to delete material related to transfers under the state Open Enrollment Act and federal Program Improvement, as those programs are no longer operational. Policy also reflects **NEW LAW (AB 1127)** which requires districts to approve an intradistrict transfer request for a student who is a victim of bullying, as defined. Optional item added for districts electing to offer intradistrict transfers to all students in a school identified by the California Department of Education (CDE) for comprehensive support and improvement (CSI), in which case priority must be given to the lowest achieving students from low-income families. Regulation revised to clarify timelines for transfers out of schools identified by CDE as "persistently dangerous." For districts that offer transfers out of CSI schools, regulation allows a transfer student the opportunity to remain in the school of enrollment until completing the highest grade offered at that school.

BP/AR 5117 - Interdistrict Attendance

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 1127)** which requires districts to provide transportation assistance to transfer students who are victims of bullying or are children of active duty military parents/guardians, if they are also eligible for free or reduced-priced meals. Regulation updated to reflect provisions of AB 1127 which (1) prohibit consideration of specified characteristics when selecting students for transfer who are victims of bullying or children of active duty military parents/guardians and (2) require a district to accept a transfer out of the district for a victim of bullying if the district has only one school offering the student's grade level.

BP/AR/E 5118 - Open Enrollment Act Transfers

(BP/AR/E deleted)

Policy, regulation, and exhibit deleted since CDE no longer identifies low-achieving schools based on the Academic Performance Index for purposes of developing an Open Enrollment List of schools, in which students had the option to transfer to a higher achieving school within or outside the district.

AR 5125 - Student Records

(AR revised)

Regulation updated to reflect **NEW LAW (AB 711)** which requires districts to update the records of a former student who submits a written request or government-issued documentation of a name and/or gender change. Regulation also revised to reflect current law regarding the timeline for submitting the grade point average of students in grade 12 to the Student Aid Commission for use in the Cal Grant postsecondary financial aid program and the timeline for notifying students and parents/guardians of their right to opt out.

BP/AR 5131.2 - Bullying

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 1127)** which requires a district to approve an intradistrict transfer request for a victim of bullying and, if the district does not have another school with the same grade level, allows a victim of bullying to transfer out of the district. Regulation updated to reflect **NEW LAW (AB 34)** which requires districts to make specified information on bullying and harassment prevention readily accessible on their web sites beginning in the 2020-21 school year.

POLICY GUIDE SHEET
December 2019
Page 3 of 4

BP/AR 5141.21 - Administering Medication and Monitoring Health Conditions

(BP/AR revised)

Policy updated to reflect **NEW LAW (SB 233)** which authorizes the board to adopt policy allowing a parent/guardian, but not school personnel, to administer medicinal cannabis in a nonsmokeable, nonvapeable form at a school site to a student who is a qualified patient. Policy explains the conflict between state and federal law and provides options for districts to authorize or not authorize administration of medicinal cannabis at a school site. For districts that choose to authorize medicinal cannabis, policy reflects the components that are mandated to be in policy, including requirements for parents/guardians to provide a written medical recommendation for the student to be administered medicinal cannabis, sign in at the school before administering the cannabis, and remove any remaining cannabis from the school site. Regulation reflects **NEW LAW (AB 743)** which requires districts to accept a physician statement for inhaled asthma medication from a health plan operating under the laws of Mexico that is licensed in California.

BP/AR 6143 - Courses of Study

(BP/AR revised)

Policy updated to include the prohibition against providing any course separately on the basis of specified characteristics or refusing the participation of a student on any such basis. Policy also reflects the requirement to provide a list of courses certified as meeting California college admission criteria (i.e., "a-g" course requirements) to parents/guardians as well as students in grades 9-12. Regulation updates the list of course offerings for grades 7-12 to revise the description of the Bracero program, update the terminology for "foreign language" to "world language" consistent with current state law, reflect **NEW LAW (AB 1595)** which replaces references to "homemaking" with "family and consumer sciences," and delete outdated date for beginning instruction in compression-only cardiopulmonary resuscitation. Regulation also adds requirement, effective in the 2020-21 school year, to provide specified information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the Dream Act application, as appropriate, at least once before grade 12.

BP 6154 - Homework/Makeup Work

(BP revised)

Policy updated to reflect **NEW LAW (AB 982)** which requires that, when a parent/guardian of a student who has been suspended for two or more days requests homework that the student would have otherwise been assigned, teachers must provide such homework.

AR 6174 - Education for English Learners

(AR revised)

Regulation updated to clarify the process for assessment and identification of English learners, including additional notification requirements. Section on "Reclassification/Redesignation" revised to require English learners who are reclassified as fluent English proficient to be monitored for at least four years following their reclassification, consistent with CDE's Federal Program Monitoring instrument. Regulation also adds further information regarding the composition and duties of the school-level and district-level English Learner Advisory Committee.

AR 6175 - Migrant Education Program

(AR revised)

Regulation updated to reflect **NEW LAW (AB 1319)** which requires the immediate enrollment of migrant students even if they have outstanding fees, fines, textbooks, or other items or monies due to the school last attended, do not have clothing normally required by the school, or are unable to produce records normally required for enrollment. Regulation also reflects provision of AB 1319 which grants migrant students the right to remain in their school of origin, or in a school within the district of origin, regardless of any change in residence of the student.

POLICY GUIDE SHEET
December 2019
Page 4 of 4

BB 9150 - Student Board Members

(BB revised)

Bylaw updated to reflect **NEW LAW (AB 709)** which requires student board members to be appointed to board subcommittees in the same manner as other board members, be invited to attend other functions of the board, and receive all materials received by other board members between open meetings except materials that pertain to closed session items. Bylaw also reflects provisions of AB 709 which clarify that student board members are not considered members of a legislative body for purposes of the Brown Act, authorize the board to award elective course credit for student board member service, and authorize the board to appoint an alternate student board member if the student board member's duties are not being fulfilled.

CSBA Sample Board Policy

Administration

BP 2121(a)

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~~ **will** work together **as a governance team** to achieve district goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the ~~need for~~ **value of** stability in district administration, ~~and shall ensure~~ the best use of district resources, **and the Board's duty to ensure accountability to the public for the performance of the district's schools.**

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

(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 **through CSBA's web site** ~~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
3. Salary, health and welfare benefits, and other compensation for the position, **including a statement that any subsequent increase in the Superintendent's salary shall be at the sole discretion of the Board**

(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 a 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. Professional development

6.7. General duties and responsibilities of the position

(cf. 2110 - Superintendent Responsibilities and Duties)

7.8. 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 him/her provide notification at least 45 days before the contract expires. 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)

Note: See section on "Termination of Contract" below for limitations to maximum cash settlements.

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~~ **the Superintendent's** official capacity in the performance of **employment-related** 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 any proposed change in compensation other than a reduction of compensation that 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 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 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)

SUPERINTENDENT'S CONTRACT (continued)

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.

(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~~ of other district executives, see BP 4312.1 - Contracts.

The Board shall take final action on the Superintendent's contract during an open session of a regularly scheduled Board meeting, 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)

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~~ **the** 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 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 **contracts of employment, which include the** termination agreements, available to the public upon request. See AR 4117.5/4217.5/4317.5 - Termination Agreements.

SUPERINTENDENT'S CONTRACT (continued)

Prior to the expiration of the contract, the Board may terminate the Superintendent's employment contract in accordance with law and applicable contract provisions.

(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

In such an event, **any the maximum** cash settlement that the Superintendent may receive upon termination of the contract shall not exceed **his/her the Superintendent's** 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, **whichever is less**. (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)

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 the Superintendent** shall reimburse the district for payments **he/she receives received** 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 defending the Superintendent** against a crime involving **his/her the Superintendent's** 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~~ **41328** *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, TITLE 26

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: <https://oag.ca.gov>

(6/16 5/17) 12/19

Policy Reference UPDATE Service

Copyright 2019 by **California School Boards Association**, West Sacramento, California 95691

All rights reserved.

CSBA Sample Board Policy

Business and Noninstructional Operations

BP 3600(a)

CONSULTANTS

The Governing Board authorizes the use of consultants **and other independent contractors** to provide expert professional advice or specialized technical or training services which are not needed on a continuing basis and which cannot be provided by district staff because of limitations of time, experience, or knowledge. Individuals, firms, or organizations employed as **consultants independent contractors** may assist management with decisions and/or project development related to financial, economic, accounting, engineering, legal, administrative, instructional, or other matters.

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

Note: Internal Revenue Service (IRS) Publication 15-A identifies 20 common law factors which the IRS uses to determine whether an individual is an employee or an independent contractor.

Labor Code 2750.3, as added by AB 5 (Ch. 296, Statutes of 2019), codifies the three-part "ABC" test established in Dynamex Operations West, Inc. v. Superior Court of Los Angeles to determine whether a person providing services for remuneration should be classified as an employee or an independent contractor. Although Labor Code 2750.3 does not explicitly state whether it applies to public agencies, CSBA recommends that districts adhere to its provisions.

AB 5 also amended Unemployment Insurance Code 606.5 and 621 to incorporate the three-part ABC test from the Dynamex decision. Since public school employers are subject to certain provisions in the Unemployment Insurance Code, districts should apply the three-part ABC test to determine a worker's eligibility for unemployment benefits.

Pursuant to Labor Code 2750.3, a person is considered to be an independent contractor rather than an employee if the person (1) is free from the control and direction of the district in connection with the performance of the work, (2) performs work that is outside the usual course of providing educational services, (i.e. services provided by the person's own independent business and not services that ordinarily would be performed by district employees), and (3) is customarily engaged in an independently established trade, occupation, or business.

Labor Code 2750.3 establishes exceptions to the use of the three-part ABC test, including (1) when a person's status as an employee or independent contractor is defined by the Labor Code, Unemployment Insurance Code, or an applicable wage order of the Industrial Welfare Commission; (2) when a court rules that the three-part test cannot be applied to a particular context; or (3) when specifically exempted within Labor Code 2750.3. Under the second and third scenarios, the determination of whether a person is an employee or independent contractor is then made pursuant to the court's decision in S.G. Borello & Sons, Inc. v. Department of Industrial Relations, which made employment status a fact-dependent ruling based on the extent to which the employer had a right to control the work that was being done. Tutors are potentially exempted from the three-part test in Labor Code 2750.3 if they develop and teach their own curriculum, but not if they teach a curriculum created by a public school or contract with a public school through a referral company.

CONSULTANTS (continued)

As this area of law is complex and may alter the legal and financial obligations of the district to particular workers (e.g., eligibility for workers compensation, unemployment and disability insurance benefits, and district health and welfare benefits), legal counsel should be consulted when questions arise regarding the status of those who provide services to the district for remuneration.

As part of the contract process, the Superintendent or designee shall determine, in accordance with Internal Revenue Service guidelines, that the consultant individual, firm, or organization is properly classified as an independent contractor. A person, firm, or organization shall be considered an employee rather than an independent contractor unless the district is able to demonstrate that all of the following conditions have been met: (Labor Code 2750.3)

1. The person or entity is free from the control and direction of the district in connection with the performance of the work.
2. The person or entity is performing work that is outside the usual course of the district providing educational services.
3. The person or entity is customarily engaged in an independently established trade, occupation, or business of the same nature as the work to be performed.

Specific statutory exceptions to this analysis for the determination of whether a person, firm, or organization is an independent contractor may apply. (Labor Code 2750.3)

District employees who perform extra duty consultant services shall not be retained as independent contractors. They shall be considered employees for all purposes, even if the additional services are not related to their regular duties.

All consultant contracts shall be brought to the Board for approval.

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

(cf. 4132/4232/4332 - Publication or Creation of Materials)

The district shall not contract for consulting services that can be performed without charge by a public agency or official unless these services are unavailable from the public source for reasons beyond the district's control.

All qualified firms or resource persons independent contractors shall be accorded equal opportunity for consultant contracts regardless of actual or perceived race, creed, color, gender, national or ethnic origin, age or disability, national origin, ancestry, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender

CONSULTANTS (continued)

identity, gender expression, immigration status, or association with a person or group with one or more of these actual or perceived characteristics. (Education Code 220; Government Code 12940)

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

(cf. 0415 - Equity)

(cf. 3311 - Bids)

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

(cf. 4030 - Nondiscrimination in Employment)

Independent contractors ~~applying for a consultant contract~~ shall submit a written conflict of interest statement disclosing financial interests as determined necessary by the Superintendent or designee, depending on the range of duties to be performed by the consultant. The Superintendent or designee shall consider this statement when deciding whether to recommend ~~the consultant's employment~~ **approval of the contract.**

Any consultant hired by the district who is subject to the filing requirements in the district's conflict of interest code shall file a Statement of Economic Interests within the time period required by law. (Government Code 87302)

(cf. 9270 - Conflict of Interest)

When employees of a public university, county office of education, or other public agency serve as consultants or ~~resource persons~~ **independent contractors in other capacities** for the district, they shall certify as part of the ~~consultant~~ agreement that they will not receive salary or remuneration other than vacation pay from any other public agency for the specific days when they work for ~~this the~~ district.

Note: Pursuant to Government Code 12940, certain protections afforded to employees are extended to independent contractors; see BP/AR 4030 - Nondiscrimination in Employment. Government Code 12940 also provides that the district may be held liable for sexual harassment committed against employees by nonemployees, including independent contractors, if the district knew, or should have known, of the harassment and failed to take immediate and appropriate corrective action to stop the harassment.

The Board prohibits the harassment of an independent contractor by any district employee or by any other person with whom the independent contractor comes in contact during the course of employment with the district. Additionally, the Board prohibits the harassment of a district employee by an independent contractor. Any complaint of harassment shall be investigated and resolved in accordance with applicable district complaint procedures. (Government Code 12940)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Legal Reference: (see next page)

CONSULTANTS (continued)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

10400-10407 Cooperative improvement programs

17596 Limit on continuing contracts

35010 Control of districts; prescription and enforcement of rules

35172 Promotional activities

35204 Contract with attorney

44925 Part-time readers employed as independent contractors

45103 Classified service in districts not incorporating the merit system

45103.5 Contracts for food service consulting services

45134-45135 Employment of retired classified employee

45256 Merit system districts; classified service; positions established for professional experts on a temporary basis

GOVERNMENT CODE

12940 Unlawful employment practices

53060 Contract for special services and advice

82019 Designated employee

87302 Conflict of interest code

LABOR CODE

2750.3 ABC three-part test: employees and independent contractors

UNEMPLOYMENT INSURANCE CODE

606.5 Determination of employment status

621 Employer and employee defined

CODE OF REGULATIONS, TITLE 2

18700.3 Consultant

COURT DECISIONS

Dynamex Operations West, Inc. v. Superior Court of Los Angeles (2018) 4 Cal. 5th 903

S.G. Borello & Sons, Inc. v. Department of Industrial Relations (1989) 48 Cal. 3d 341

Management Resources:

INTERNAL REVENUE SERVICE PUBLICATIONS

15 A Employer's Supplemental Tax Guide

(9/88 10/96) 12/19

CSBA Sample Administrative Regulation

All Personnel

AR 4030(a)

NONDISCRIMINATION IN EMPLOYMENT

Note: Pursuant to Government Code 11138 and 2 CCR 11023, districts are **mandated** to adopt rules and regulations to ensure that district programs and activities are free from unlawful discriminatory practices. Pursuant to Government Code 12940, protections against discrimination apply to employees, job applicants, persons who serve in ~~an~~ unpaid internship or other limited-duration programs to gain unpaid work experience, volunteers, and independent contractors.

All allegations of discrimination in employment, including those involving an employee, job applicant, intern, volunteer, or **other** person contracted to provide services to the district shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

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

(cf. 1240 - Volunteer Assistance)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

(cf. 4032 - Reasonable Accommodation)

Note: Many nondiscrimination laws and regulations require identification of an employee who **will be is** responsible for compliance with the nondiscrimination laws. For example, pursuant to 34 CFR 104.7, 106.8, and 110.25, the district is required to designate the person(s) responsible for the overall implementation of the requirements of federal laws which prohibit discrimination on the basis of disability, sex, and age, i.e., Section 504 of the Rehabilitation Act of 1973 (29 USC 794), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), and the Age Discrimination in Employment Act (29 USC 621-634). The district should fill in the blanks below to designate the responsible employee and contact information.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to ~~coordinate~~ **organize and manage** the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Director of Personnel
445 Montezuma Street
Rio Vista, CA 94571
(707) 374-1700
HR@rdusd.org

NONDISCRIMINATION IN EMPLOYMENT (continued)**Measures to Prevent Discrimination**

Note: Pursuant to Government Code 12940 and 2 CCR 11023, the district is required to take all reasonable steps to prevent unlawful discrimination and harassment. 2 CCR 11023 specifies certain requirements to be included in the district's policy. The following section reflects the requirements of 2 CCR 11023 and other applicable laws or regulations, as indicated.

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

Note: Pursuant to Government Code 12950, districts are required to post the California Department of Fair Employment and Housing's (DFEH) posters entitled California Law Prohibits Workplace Discrimination and Harassment and Transgender Rights in the Workplace, as provided in item #1. DFEH rules require that these materials be posted electronically and in every location where the district has employees (e.g., district office, hiring office, each school site). These posters and the rules for posting are available on the DFEH web site.

In addition, 2 CCR 11049 requires posting a notice of the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth. **Also s**See AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave.

1. Display in a prominent and accessible location at every work site where the district has employees, and post electronically **in a conspicuous location** on computers ~~in a conspicuous location, the~~ **for employee use, up-to-date** California Department of Fair Employment and Housing (DFEH) posters ~~in regard to~~ **on the prohibition of workplace discrimination and harassment, and the rights of transgender employees, and the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth** (Government Code 12950; **2 CCR 11013, 11023, 11049**)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

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

2. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.9)
 - a. Including them in each announcement, bulletin, or application form that is used in employee recruitment
 - b. Posting them in all district schools and offices, including staff lounges and other prominent locations
 - c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available

NONDISCRIMINATION IN EMPLOYMENT (continued)

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 4111/4211/4311 - Recruitment and Selection)

3. Disseminate the district's nondiscrimination policy **and administrative regulation** to all employees by one or more of the following methods: (2 CCR 11023)
 - a. Printing and providing a copy of the policy to all employees, with an acknowledgment form for each employee to sign and return
 - b. Sending the policy a copy via email with an acknowledgment return form
 - c. Posting the policy a copy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
 - d. Discussing the policy and regulation with employees upon hire and/or during a new hire orientation session
 - e. Any other way that ensures employees receive and understand the policy

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

4. Provide to employees a handbook which contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to employees who believe they have been the victim of any discriminatory or harassing behavior

Note: **Optional item #5** below provides for training regarding the district's discrimination policy and reporting procedures. For requirements specifically pertaining to sexual harassment training, see AR 4119.11/4219.11/4319.11 - Sexual Harassment. Pursuant to Government Code 12950.1, **as amended by SB 778 (Ch. 215, Statutes of 2019)**, ~~if the district has 50 or more employees, it must provide at least two hours of staff development regarding sexual harassment to all supervisory employees within six months of their assumption of a supervisory position and once every two years thereafter. As amended by SB 1343 (Ch. 956, Statutes of 2018), Government Code 12950.1 requires~~ any district that has five or more employees **to must** provide at least two hours of sexual harassment training to supervisory employees and at least one hour of sexual harassment training to all nonsupervisory employees by January 1, ~~2020~~ **2021** and once every two years thereafter.

5. Provide training ~~to employees, volunteers, and interns~~ regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

NONDISCRIMINATION IN EMPLOYMENT (continued)

Note: Pursuant to Government Code 12950.2, as added by SB 1300 (Ch. 955, Statutes of 2018), districts are authorized, but not required, to provide bystander intervention training as provided below.

The district may also provide bystander intervention training to employees ~~that~~ **which** includes information and practical guidance on how to recognize potentially problematic behaviors and **which may** motivates them to take action when they observe such behaviors. The training and education may include exercises to provide employees with the skills and confidence to intervene as appropriate and to provide them with resources they can call upon that support their intervention. (Government Code 12950.2)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

6. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law
7. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce **(2 CCR 11023)**

Complaint Procedure

Note: 2 CCR 11023 **mandates** that a district's policy include a complaint process with specified requirements. Some of the requirements of 2 CCR 11023 are similar to those required under existing case law.

Courts have held that ~~an employer may mitigate~~ liability **may be mitigated** for hostile environment employment discrimination when (1) the employer took reasonable care to prevent and promptly correct the discriminatory or harassing conduct (i.e., provided a complaint procedure) and (2) the aggrieved employee unreasonably failed to take advantage of corrective opportunities offered by the employer (i.e., failure to file a complaint). In its June 1999 Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, the Equal Employment Opportunity Commission (EEOC) outlines the elements of an effective complaint procedure to include (1) a clear explanation of the process; (2) protection against retaliation; (3) designation of multiple individuals authorized to receive complaints; (4) a mechanism for prompt, thorough, and impartial investigation; (5) assurance of immediate and appropriate corrective action; and (6) information about time frames for filing charges with EEOC or DFEH.

While EEOC's guidance recommends a "prompt" investigation, neither the law nor EEOC delineates a specific time frame for resolution. EEOC's guidance acknowledges that whether an investigation is considered "prompt" may vary depending on the seriousness and complexity of the circumstances and that intermediate measures may be necessary to prevent further harassment during the investigation.

The following section, including the listed timelines, is consistent with EEOC's guidance and should be modified to reflect district practice.

NONDISCRIMINATION IN EMPLOYMENT (continued)

Any complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** A complainant may inform a direct supervisor, another supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman. The ~~employee's~~ **complainant's** direct supervisor may be bypassed in filing a complaint ~~where~~ **when** the supervisor is the subject of the complaint.

The complainant may ~~file a written complaint in accordance with this procedure or may~~ first attempt to resolve the situation informally with the ~~employee's~~ **complainant's** supervisor **before filing a written complaint.**

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, ~~other~~ **any available** evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. **Investigation Process:** The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. The coordinator shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be ~~revealed~~ **disclosed** as necessary to conduct an effective investigation.

(cf. 3580 - District Records)

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

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

NONDISCRIMINATION IN EMPLOYMENT (continued)

If the coordinator determines that a detailed fact-finding investigation is necessary, the investigation shall begin immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out the investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed **in order** to ~~ensure that~~ **prevent** further incidents ~~are prevented~~. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Remedial/Corrective Action:** No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of the findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report shall also include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented. The report shall be presented to the Superintendent or designee.

A summary of the findings shall be presented to the complainant and the person accused.

4. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

NONDISCRIMINATION IN EMPLOYMENT (continued)

Other Remedies

Note: Items #1-3 below state the time limits within which ~~employees must file their~~ complaints **must be filed**. EEOC's guidance states that it is important for employers' nondiscrimination policies to contain information about timeframes for filing charges of unlawful discrimination or harassment with EEOC or DFEH. Employees should be informed that the deadline for filing charges starts to run from the last date of the unlawful act, not from the conclusion of the district's complaint investigation. Pursuant to DFEH procedures, DFEH will automatically forward any complaint it has accepted for investigation to EEOC when the matter falls within EEOC's jurisdiction.

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either DFEH or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

Note: **As amended by AB 9 (Ch. 709, Statutes of 2019), Government Code 12960 extends the period of time in which a complaint alleging employment discrimination pursuant to Government Code 12940-12952 may be filed with DFEH, from one year to three years following the alleged discriminatory act(s). Pursuant to Government Code 12960, an employee has one year to file a complaint with DFEH, although that** ~~That~~ **That** period may be extended under certain circumstances. **Districts should consult legal counsel if any questions arise, such as when a person obtains knowledge of the unlawful practice after the expiration of the one year period.**

1. ~~To file a valid~~ **For filing a** complaint with DFEH **alleging a violation of Government Code 12940-12952**, within ~~one year~~ **three years** of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 **(Government Code 12960)**

Note: 42 USC 2000e-5 specifies that a person must file a discrimination complaint with EEOC within 180 days of the alleged discriminatory act. Pursuant to 42 USC 2000e-5, the 180-day timeline for compensation discrimination starts when the discriminatory paycheck is received and that each discriminatory paycheck restarts the timeline for the filing of a complaint.

2. ~~To file a valid~~ **For filing a** complaint **directly** with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. ~~To file a valid~~ **For filing a** complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

(12/16 3/19) 12/19

CSBA Sample Board Policy

All Personnel

BP 4033(a)

LACTATION ACCOMMODATION

Note: ~~The following optional policy may be revised to reflect district practice.~~ Pursuant to Labor Code 1034, as added by SB 142 (Ch. 720, Statutes of 2019), districts are mandated to develop policy regarding lactation accommodation with specified components, as provided below.

Both federal and state law require that employees be provided reasonable break time and an appropriate location to accommodate their desire to express milk for their infant children. ~~The Patient Protection and Affordable Care Act (P.L. 111-148, 2010) amended 29 USC 207,~~ of the Fair Labor Standards Act (FLSA) to require employers to provide reasonable break time for nursing ~~mothers~~ employees, but applies only to employees who are not exempt from the overtime pay requirements of the Fair Labor Standards Act (FLSA) (i.e., ~~classified employees~~). State law (Labor Code 1030-~~1033~~ 1034) applies to all district employees. Where provisions of the two laws conflict, the statute providing greater protections for employees supersedes. The district should consult legal counsel if questions arise about the application of these laws to a particular employee.

~~The Fair Employment and Housing Commission has determined that, because breastfeeding is an activity intrinsic to females, termination of an employee because she was still breastfeeding after returning to work from pregnancy disability leave was sexual discrimination in violation of Government Code 12940 and 12945 (Chavez v. Acosta-Tacos).~~ Government Code 12926 includes breastfeeding or medical conditions related to breastfeeding within the definition of "sex" for purposes of sex discrimination under the California Fair Employment and Housing Act. Furthermore, Additionally, Labor Code 1033, as amended by SB 142, prohibits an employer from discharging or in any manner discriminating or retaliating against an employee for exercising or attempting to exercise any right related to lactation accommodation. Pursuant to Labor Code 1033, violation of Labor Code 1030-~~1033~~ 1034 may result in a citation from the Labor Commissioner and/or a civil penalty.

The district should ensure consistency of this policy with provisions in the district's collective bargaining agreement, if any, related to break times or other employment issues.

The Governing Board recognizes the immediate and long-term health ~~advantages~~ benefits of breastfeeding ~~for infants and mothers~~ and desires to provide a supportive environment for any district employee to express milk for ~~her~~ an infant child upon ~~her~~ returning to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee ~~who chooses~~ for seeking an accommodation to express breast milk for ~~her~~ an infant child while at work.

(cf. 4030 - Nondiscrimination in Employment)

Note: ~~Although 29 USC 207 limits the length of time that a classified employee is entitled to lactation accommodation to one year after the birth of the child, Labor Code 1030-1033 does not set a specific limit on the infant child's age and therefore provides greater benefits to employees.~~

The district shall provide a reasonable amount of break time to accommodate an employee each time she has a need to express breast milk for her infant child. (Labor Code 1030)

LACTATION ACCOMMODATION (continued)

Note: Labor Code 1030 and 29 USC 207 do not require the district to compensate non-exempt employees for breaks taken for the purpose of expressing milk. However, an employee who uses break time already provided by the district as paid time must be compensated for that break time in the same manner as any other employee. Any additional time beyond the authorized paid break time could be uncompensated, provided the employee is completely relieved from duty during that time. If the district chooses to provide compensation during extended break time, it should modify the following paragraph accordingly. The district also may provide flexible scheduling for those employees who choose to make up for any unpaid break time.

To the extent possible, such break time shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 207)

Note: Labor Code 1031 requires the district to make reasonable efforts to provide an employee with the use of a private room or other location, except a toilet stall, in close proximity to the employee's work area, which may include the place where the employee normally works if the location otherwise meets legal requirements. 29 USC 207, applicable to classified employees, specifies that the location must be shielded from view and free from intrusion from coworkers and the public. A fact sheet issued by the U.S. Department of Labor's (DOL) Wage and Hour Division, *Break Time for Nursing Mothers under the FLSA*, clarifies that the location provided by the district could be a space temporarily created or converted into a space for expressing milk as long as it is functional and meets all requirements of law.

The DOL has preliminarily interpreted an employee's right to express milk for her infant child to include the ability to safely store the milk (75 Fed. Reg. 244, page 80076). According to the DOL, this might include providing access to a refrigerator or ice chest or allowing the employee to bring an insulated food container to work.

A fact sheet issued by the California Department of Public Health, *Minimum Requirements of the California Lactation Accommodation Law*, recommends that the location should have the following items: a comfortable chair, small table, electrical outlet, a sink with a safe water source, disinfectant dish soap, and paper towels.

The employee shall be provided a private location, other than a restroom, which is in close proximity to her work area and meets the requirements of Labor Code 1031 and 29 USC 207, as applicable.

Note: Labor Code 1034, as added by SB 142, mandates that the district's policy regarding lactation accommodation include the process by which the employee is to make a lactation accommodation request and the district's obligation to respond to the request. The following paragraph should be modified to reflect the district's process.

~~An employee~~ **shall** notify ~~their~~ **the employee's** supervisor or other appropriate personnel in advance of ~~their~~ intent to ~~make use of the~~ **request an** accommodations offered for employees who are nursing mothers. As needed, the supervisor ~~shall~~ **The supervisor shall respond to the request and shall** work with the employee to ~~address~~ **make** arrangements, ~~and~~ **If needed, the supervisor shall address** scheduling in order to ensure that the employee's essential job duties are covered during the break time.

LACTATION ACCOMMODATION (continued)

Note: Pursuant to Labor Code 1032, all districts are required to grant lactation accommodation except when granting the provides exceptions to the requirement for lactation accommodation when providing such accommodation would "seriously disrupt" district operations. "Serious disruption" is not defined in the law.

Additionally, Labor Code 1031, as amended by SB 142, 29 USC 207 provides an exceptions for districts with fewer than 50 employees when lactation accommodation would result in "undue hardship" based on significant difficulty or expense in relation to the size, financial resources, nature, or structure of the district. In this case, the exception is limited to districts with fewer than 50 employees and applies to classified employees only. When such a district is able to demonstrate undue hardship, Labor Code 1031 only requires that reasonable efforts be made to provide the employee with the use of a room or other location in close proximity to the employee's work area for the employee to express milk in private. Pursuant to Labor Code 1031, the provided room or location may not be a toilet stall.

Regardless of the size of the district, the determination of serious disruption or undue hardship should be made on a case-by-case basis and only in limited, stringent circumstances. The burden of demonstrating why accommodation could not be made, even if on a temporary basis or for less time than requested, would likely fall to the district.

Lactation accommodations may be denied only in limited circumstances shall be granted in accordance with law unless limited circumstances exist as specified in law. (Labor Code 1031, 1032; 29 USC 207)

Note: Labor Code 1034, as added by SB 142, mandates that the district's policy include a statement that the district provide a written response to an employee if the district is unable to comply with the break time or location requirements.

Before an employee's supervisor makes a determination is made to deny lactation accommodations to an employee, he/she the employee's supervisor shall consult with the Superintendent or designee. In any case in which When lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

The Superintendent or designee shall provide a written response to any employee who was denied the accommodation(s). (Labor Code 1034)

Note: Labor Code 1034, as added by SB 142, mandates that the district's policy regarding lactation accommodation be distributed to employees as provided in the following paragraph.

The district shall include this policy in its employee handbook or in any set of policies that the district makes available to employees. In addition, the Superintendent or designee shall distribute the policy to new employees upon hire and when an employee makes an inquiry about or requests parental leave. (Labor Code 1034)

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

LACTATION ACCOMMODATION (continued)**Break Time and Location Requirements**

Note: Although 29 USC 207 limits the length of time that a classified employee is entitled to lactation accommodation to one year after the birth of the child, Labor Code 1030-1033 does not set a specific limit on the infant child's age and therefore provides greater benefits to employees.

The district shall provide a reasonable amount of break time to accommodate an employee each time ~~she~~ **the employee** has a need to express breast milk for ~~her~~ **an** infant child. (Labor Code 1030)

Note: Labor Code 1030 and 29 USC 207 do not require the district to compensate non-exempt employees for breaks taken for the purpose of expressing milk. However, an employee who uses break time already provided by the district as paid time must be compensated for that break time in the same manner as any other employee. Any additional time beyond the authorized paid break time could be uncompensated, provided the employee is completely relieved from duty during that time. If the district **instead** chooses to provide compensation ~~during extended~~ **for such additional** break time, it should modify the following paragraph accordingly. The district also may provide flexible scheduling for those employees who choose to **work extra time** to make up for any ~~unpaid~~ **uncompensated** break time **beyond the authorized break time.**

To the extent possible, ~~such~~ **any** break time **granted for lactation accommodation** shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 207)

Note: Labor Code 1031, as amended by SB 142, requires the district to provide an employee with the use of a room or location, other than a bathroom, to express milk in private. This may include the place where the employee normally works if the location otherwise meets legal requirements, as specified below. Labor Code 1031 authorizes the district to designate a temporary location to express milk if the district is unable to provide a permanent location due to operational, financial, or space limitation, as long as the space is in close proximity to the employee's work area, shielded from view, free from intrusion while breast milk is being expressed, and is otherwise compliant with law.

The employee shall be provided ~~the~~ **the** use of a private room or location, other than a ~~restroom~~ **bathroom, which may be the employee's work area or another location that** ~~which~~ is in close proximity to ~~the employee's~~ **her** work area. ~~The room or location provided shall and~~ meets the **following** requirements: ~~of (Labor Code 1031; and 29 USC 207), as applicable.~~

1. **Is shielded from view and free from intrusion while the employee is expressing milk**
2. **Is safe, clean, and free of hazardous materials, as defined in Labor Code 6382**
3. **Contains a place to sit and a surface to place a breast pump and personal items**

LACTATION ACCOMMODATION (continued)

4. **Has access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump**
5. **Has access to a sink with running water and a refrigerator or, if a refrigerator cannot be provided, another cooling device suitable for storing milk in close proximity to the employee's workspace**

If a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over other uses for the time it is in use for lactation purposes. (Labor Code 1031)

Dispute Resolution

Note: The following paragraph is mandated pursuant to Labor Code 1034, as added by SB 142.

An employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code 1030-1034. (Labor Code 1034)

(cf. 4144/4244/4344 - Complaints)

Legal Reference:

EDUCATION CODE

200-262.4 **Educational equity; p**Prohibition of discrimination on the basis of sex

CIVIL CODE

43.3 *Right of mothers to breastfeed in any public or private location*

GOVERNMENT CODE

12926 Definition of sex; breastfeeding

12940 **Unlawful d**Discriminatory employment practices

12945 **Unlawful d**Discrimination based on pregnancy, childbirth, or related medical conditions

LABOR CODE

~~1030-1033~~ **1034** *Lactation accommodation*

6382 Procedure for listing hazardous substances

CODE OF REGULATIONS, TITLE 2

11035-~~11049~~ **11051 Unlawful s**Sex discrimination; pregnancy and related medical conditions

UNITED STATES CODE, TITLE 29

207 *Fair Labor Standards Act; lactation accommodation*

Management Resources: (see next page)

LACTATION ACCOMMODATION (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Rest Periods/Lactation Accommodation, Frequently Asked Questions

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS

Minimum Requirements of the California Lactation Accommodation Law **Lactation Accommodation for Employers**

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Lactation Support Program Toolkit

FEDERAL REGISTER

Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 75, No. 244, pages 80073-80079

OFFICE OF THE SURGEON GENERAL PUBLICATIONS

The Surgeon General's Call to Action to Support Breastfeeding, 2011

HEALTH RESOURCES AND SERVICES ADMINISTRATION PUBLICATIONS

The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, Toolkit, 2008

U.S. DEPARTMENT OF LABOR, WAGE AND HOUR DIVISION, PUBLICATIONS

Frequently Asked Questions- Break Time for Nursing Mothers

Fact Sheet #73: Break Time for Nursing Mothers under the FLSA, rev. April 2018

Fact Sheet #3: Break Time for Nursing Mothers under the FLSA, rev. December 2010

WEB SITES

California Department of Industrial Relations, Division of Labor and Standards Enforcement:

<http://www.dir.ca.gov/dlse> California Department of Public Health: <http://www.cdph.ca.gov>

California Women, Infants and Children **Program**: <http://www.wicworks.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Health Resources and Services Administration: <http://www.hrsa.gov>

Office of the Surgeon General: <http://www.surgeongeneral.gov>

U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers:

<http://www.dol.gov/whd/nursingmothers>

CSBA Sample Board Policy

All Personnel

BP 4151(a)

4251

EMPLOYEE COMPENSATION

4351

Note: Districts that include provisions related to employee compensation in their collective bargaining agreements should modify or delete the following **optional** policy accordingly.

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits. **Aligned with other districts of comparable size, geographic make-up and student demographics.**

(cf. 3100 - Budget)

(cf. 3400 - Management of Districts Assets/Accounts)

(cf. 4000 - Concepts and Roles)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

Note: Education Code 45023 and 45162 require the Governing Board to adopt salary schedules for certificated and classified employees, respectively. For districts operating under a merit system, Education Code 45268 specifies that the personnel commission will recommend a salary schedule for classified employees to the Board for approval and that the Board may not amend the schedule without first giving the commission an opportunity to respond to the amendments.

The Board shall adopt separate salary schedules for certificated, classified, and confidential and administrative personnel. These schedules shall comply with law and collective bargaining agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45160, 45162, **45268**)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for **years of training—education level** and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

(cf. 4030 - Nondiscrimination in Employment)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

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

EMPLOYEE COMPENSATION (continued)

Note: Pursuant to Education Code 45038, certificated employees may be paid once every two weeks, twice a month, or once every four weeks. The Board may also choose to pay certificated employees, or one or more individual employees, in 10, 11, or 12 equal payments **over the year** ~~instead of by the school month~~. Education Code 45039 provides that, if the Board arranges to pay certificated employees in 12 equal payments for the year, it may pay each monthly installment at the end of each calendar month, whether or not the employees are engaged in teaching during the month. Education Code 45165 addresses salary payments for classified employees who are employed 9-11 months per year.

~~Pursuant to 26 CFR 1.409A-1, the practice of paying employees who work 10 months per year is a form of "deferred compensation." If the district allows employees to "elect" whether to receive their paychecks in such a manner, then according to the IRS, such employees must submit written election forms to the district in order to avoid any additional tax on the deferred compensation. If the district requires employees to receive their paychecks in such a manner without offering them an option, then the employees do not need to complete election forms, but the district must develop a written document describing how the employees will be paid, including the dates, schedule, and amounts of payment.~~

Education Code 45048 and 45165 provide specific timelines for issuing salary payments depending on the frequency of payments. If payments are not made in a timely manner, the district is required to pay the employee interest on the unpaid amount.

The following paragraph may be revised to reflect the payroll schedule determined by the Board.

The Board shall determine the frequency and schedule of salary payments, including whether payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

Note: Pursuant to 29 CFR 516.4, districts are required to post a notice of the minimum wage provisions of the Fair Labor Standards Act (**FLSA**) (29 USC 201-219) in a conspicuous place at all work sites. The poster that must be used by state and local governments is available on the web site of the U.S. Department of Labor's Wage and Hour Division.

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Overtime Compensation

Note: Pursuant to the ~~Federal Fair Labor Standards Act (FLSA)~~ (29 CFR 553.20) **and Labor Code 510**, employees who are not specifically exempted by law must receive overtime pay at a rate not less than one and one-half times their regular rate of pay for hours worked in excess of 40 hours per work week. Furthermore, ~~state law (Labor Code 510)~~ entitles employees to an overtime pay rate after working eight hours in one day, unless an alternative **work week** schedule allowed by law is approved. **Pursuant to Labor Code 510, if an employee works more than 12 hours per work day or more than eight hours on the seventh consecutive day of work, the employee must be paid twice the regular salary.**

EMPLOYEE COMPENSATION (continued)

Pursuant to 29 CFR 541.0-541.710, employees are exempt from the FLSA overtime rules if they are executive, administrative, or professional staff, as defined, and their salary is at or above the salary level established in 29 CFR 541.600, as amended by 81 Fed. Reg. 32391. This salary level will automatically be updated every three years beginning January 1, 2020 according to the method specified in 29 CFR 541.607. Because the federal salary limit qualifying for exemption is higher than the California salary test, the federal limit prevails. On September 24, 2019, the U.S. Department of Labor issued a final rule (29 CFR 541.600) raising the federal salary threshold for this exemption. However, the threshold is higher in California and thus state law prevails. Pursuant to Labor Code 515, executive, administrative, or professional employees are exempt from the FLSA overtime rules if they are executive, administrative, or professional staff, as defined, and their monthly salary is at least twice the state minimum wage for full-time employment. Furthermore, the salary threshold is not affected by any local minimum wage that is higher than the state minimum wage.

When calculating the overtime rate of pay, 29 USC 207 requires that all remuneration for employment paid to or on behalf of the employee, with specified exclusions, be considered as part of the employee's regular rate of pay. In *Flores v. City of San Gabriel*, the appeals court ruled that cash payments made in lieu of benefits must be included in the calculation.

Overtime pay requirements are also not applicable to school administrators or teachers in elementary or secondary schools under specific exemptions in 29 USC 213 and 29 CFR 541.303. Pursuant to 29 CFR 541.303 and 541.600, teachers do not need to meet the salary level requirement to be exempt from overtime rules. 29 CFR 541.204 provides that, to be exempt from overtime rules, administrators must either meet the salary level requirement or be compensated on a salary basis that is at least equal to the entrance salary for teachers in the administrator's school to be exempt from overtime rules.

And District employees shall be paid an overtime rate of not less than one and one-half times his/her their regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week, or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work. However, employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an executive, administrative, or professional capacity and are paid a fixed salary at or above the salary level established by federal regulations monthly salary that is at least twice the state minimum wage for full-time employment. (Labor Code 510, 515; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

Note: The following optional paragraph is for use by districts that allow employees to take compensatory time off in lieu of overtime compensation as authorized by 29 USC 207 and 29 CFR 553.20-553.25. Time off in lieu of overtime compensation is allowed only if provided for in a collective bargaining agreement or other agreement and must be provided at the rate of at least one and one-half hours for each hour of overtime work.

Pursuant to 29 CFR 553.21, an employee must be allowed to use earned compensatory time within a "reasonable period" after making the request. 29 CFR 553.25 provides that a "reasonable period" is determined on a case-by-case basis by considering customary work practices such as the normal work

schedule, anticipated peak workloads based on past experience, emergency requirements for staff and services, and the availability of qualified substitute staff.

BP 4151(d)
4251
4351

EMPLOYEE COMPENSATION (continued)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided **he/she the employee** has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt district operations. (29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

(cf. 3580 - District Records)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Legal Reference: (see next page)

BP 4151(e)
4251
4351

EMPLOYEE COMPENSATION (continued)

Legal Reference:

EDUCATION CODE

45022-45061.5 Salaries, especially:

45023 Availability of salary schedule

45028 Salary schedule for certificated employees

45160-45169 Salaries for classified employees

45268 Salary schedule for classified service in merit system districts

GOVERNMENT CODE

3540-3549 Meeting and negotiating, especially:

3543.2 Scope of representation

3543.7 Duty to meet and negotiate in good faith

LABOR CODE

226 Employee access to payroll records

232 Disclosure of wages

510 Overtime compensation; length of work day and week; alternative schedules

515 Overtime exemption for administrative, executive, and professional employees

CODE OF REGULATIONS, TITLE 8

11040 Wages and hours; definitions of administrative, executive, and professional employees

UNITED STATES CODE, TITLE 26

409A Deferred compensation plans

UNITED STATES CODE, TITLE 29

201-219 Fair Labor Standards Act, especially:

203 Definitions

207 Overtime

213 Exemptions from minimum wage and overtime requirements

CODE OF FEDERAL REGULATIONS, TITLE 26

1.409A-1 Definitions and covered plans

CODE OF FEDERAL REGULATIONS, TITLE 29

516.4 Notice of minimum wage and overtime provisions

516.5-516.6 Records

541.0-541.710 Exemptions for executive, administrative, and professional employees

553.1-553.51 Fair Labor Standards Act; applicability to public agencies

COURT DECISIONS

Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421

Management Resources:

WEB SITES

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

Internal Revenue Service: <http://www.irs.gov>

School Services of California, Inc.: <http://www.sscal.com>

U.S. Department of Labor, Wage and Hour Division: <https://www.dol.gov/whd>

(7/08 10/16) 12/19

Policy Reference UPDATE Service

Copyright 2019 by California School Boards Association, West Sacramento, California 95691

All rights reserved.

CSBA Sample Board Policy

Students

BP 5116.1(a)

INTRADISTRICT OPEN ENROLLMENT

Note: Education Code 35160.5 **mandates** that **governing boards** **the Governing Board** establish an open enrollment policy within the district for residents of the district. This requirement does not apply to districts with only one school or with schools that do not serve any of the same grade levels.

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also maximizing the efficient use of district facilities **and resources**. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation.

(cf. 5116.2 - Involuntary Student Transfers)

(cf. 5117 - Interdistrict Attendance)

Note: Education Code 35160.5 **mandates** that the district's intradistrict open enrollment policy contain the following provision.

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of their residence within the district. (Education Code 35160.5)

(cf. 5111.1 - District Residency)

The Board shall annually review this policy. (Education Code 35160.5, 48980)

Enrollment Priorities

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area. (Education Code 35160.5)

(cf. 5116 - School Attendance Boundaries)

Note: The following list of intradistrict enrollment priorities should be modified to reflect district practice. Districts must establish priority for circumstances under which the district is required by state or federal law to offer intradistrict enrollment opportunities (items #1-~~3~~ **4** below). Anticipated need for these transfers should be considered in determining capacity of district schools for other intradistrict transfers allowed by the district pursuant to items #~~4-6~~ **5-7** below.

The Every Student Succeeds Act (ESSA) (P.L. 114-95) repealed 20 USC 6316 which had required districts to offer intradistrict transfers to all students in Title I schools identified for program improvement in the first year or beyond. The district may, but is not required to, offer such transfers beginning in the 2016-17 school year. Districts that choose to offer such transfers may expand the following list accordingly.

INTRADISTRICT OPEN ENROLLMENT (continued)

The Superintendent or designee shall grant priority **for the enrollment of a student in a district school** to any district student to attend another district school, including a charter school, outside of his/her **the student's** attendance area, **if the student as follows:**

Note: Education Code 48350-48361 allow a student attending an "open enrollment" school, as identified by the Superintendent of Public Instruction, to transfer to another school that has a higher Academic Performance Index (API), either within the district or in another district. For details regarding such transfers, see BP/AR 5118—Open Enrollment Act Transfers. However, the California Department of Education (CDE) did not produce an Open Enrollment Act list for the 2016-17 school year due to the suspension of the API. The CDE has posted the 2015-16 Open Enrollment Act list on its web site for use in the 2016-17 school year, but cautions that the list is based on the results of 2013 state assessments developed under prior state content standards and that the assessment results of schools on that list may have improved.

1. Any student enrolled in a district school that has been identified on the state's Open Enrollment Act list (Education Code 48354)

(cf. 5118—Open Enrollment Act Transfers)

2.1. Any student **Is** enrolled in a district school designated by the California Department of Education **(CDE)** as "persistently dangerous" (20 USC 7912; 5 CCR 11992)

(cf. 0450 - Comprehensive Safety Plan)

3.2. Any student who is **Is** a victim of a violent crime while on school grounds (20 USC 7912)

Note: Education Code 46600, as amended by AB 1127 (Ch. 781, Statutes of 2019), requires a district to approve an intradistrict transfer request for a student who is a victim of bullying, as defined in Education Code 48900.

If the school requested is at maximum capacity and no other district school offers the student's grade level, the student may request an interdistrict transfer and the transfer may not be prohibited by the district; see BP 5117 - Interdistrict Attendance and AR 5131.2 - Bullying.

3. Is a victim of an act of bullying committed by another district student, as determined through an investigation following the parent/guardian's submission of a written complaint with the school, district, or local law enforcement agency pursuant to Education Code 234.1 (Education Code 46600)

If the district school requested by the student is at maximum capacity, the Superintendent or designee shall accept an intradistrict transfer request for another district school. (Education Code 46600)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5131.2 - Bullying)

INTRADISTRICT OPEN ENROLLMENT (continued)

Note: Item #4 is for use by any district whose board has elected, pursuant to 20 USC 6311, to provide the option for intradistrict transfer to all students in a school identified by the California Department of Education (CDE) for comprehensive support and improvement; see BP 0520.1 - Comprehensive and Targeted Support and Improvement. If the Board allows student transfers on this basis, priority must be given to the lowest achieving students from low-income families, as determined by the district for the purpose of allocating funds to schools pursuant to 20 USC 6313(a)(3). The district may revise item #4 to reflect the criteria used by the district to identify the lowest achieving students.

- 4. Is currently enrolled in a district school identified by CDE for comprehensive support and improvement, with priority given to the lowest academically achieving students from low-income families as determined pursuant to 20 USC 6313(a)(3) (20 USC 6311)**

(cf. 0520.1 - Comprehensive and Targeted Support and Improvement)

Note: Education Code 35160.5 permits, but does not require, the district's policy to include any or all of the following priorities. Items #4-6 5-7 below are **optional** and should be deleted or modified to reflect enrollment priorities in the district.

Education Code 35160.5 makes no provision related to the duration of any transfer granted pursuant to items #4-6 5-7. See the accompanying administrative regulation.

- 4.5. ~~Upon a finding that~~ Is experiencing special circumstances exist that might be harmful or dangerous to the student in the current attendance area, ~~Special circumstances include,~~ including, but are not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers. To grant priority under these circumstances, the Superintendent or designee must have received either: (Education Code 35160.5)**
- a. A written statement from a representative of an appropriate state or local agency, including, but not necessarily limited to, a law enforcement official, **or a social worker, or a properly licensed or registered professional, such as a psychiatrist, psychologist, or marriage and family therapist, including, but not necessarily limited to, a psychiatrist, psychologist, marriage and family therapist, clinical social worker, or professional clinical counselor**
 - b. A court order, including a temporary restraining order and injunction
- 5-6. Is a Any sibling of a another student already in attendance in attending that school**
- 6-7. ~~Any student whose~~ Has a parent/guardian is assigned to that school as his/her whose primary place of employment is that school**

INTRADISTRICT OPEN ENROLLMENT (continued)

Application and Selection Process

Note: Education Code 48354 requires the district to give priority for enrollment to students residing in the district before admitting students seeking to transfer from an open enrollment school outside of the district. In order to accurately determine the number of slots available for interdistrict transfers, the district should set an application window for parents/guardians to apply for intradistrict open enrollment that precedes the district's application window under the Open Enrollment Act. For language regarding the application window under the Open Enrollment Act, see BP/AR 5118 – Open Enrollment Act Transfers.

The district should specify the intradistrict open enrollment application window, if any, in the blank provided in the following paragraph.

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law **and Board policy**, applications for intradistrict open enrollment shall be submitted between April 1 through May 15 of the school year preceding the school year for which the transfer is requested.

Note: Education Code 35160.5 **mandates** that the district's intradistrict open enrollment policy contain all the elements listed in the remainder of this section.

Education Code 35160.5 requires districts to calculate capacity in a nonarbitrary manner using student enrollment and available space. The law does not provide a specific formula for the calculation, but the district may want to include unique factors specific to the school to calculate available space, such as class size reduction requirements and space needs for specialized programs. The district may modify the following paragraph to include the specific formula for calculating school capacity for schools within the district.

The Superintendent or designee shall calculate each school's capacity in a nonarbitrary manner using student enrollment and available space. (Education Code 35160.5)

Note: Pursuant to Education Code 35160.5, the district must use a random, unbiased process (e.g., a lottery) to select students for intradistrict open enrollment when requests for admission exceed the capacity of the school. The California Attorney General (85 Ops.Cal.Atty.Gen. 95 (2002)) has opined that a "first come, first served" selection policy does not constitute a random, unbiased process.

An exception in Education Code 35160.5 gives districts the authority to maintain appropriate racial and ethnic balances across district schools. However, in Crawford v. Huntington Beach Union High School District, a California appellate court held that a district's intradistrict enrollment policy which contained a racial and ethnic balance component as authorized by Education Code 35160.5 was unconstitutional. According to the court, the constitutional provisions added by Proposition 209 prohibit a district from adopting a policy containing different admission criteria on the basis of race. Because of the legal uncertainty surrounding this issue, the following paragraph does not reflect the provisions of Education Code 35160.5 relative to racial and ethnic balance. The district should consult legal counsel regarding any policy or regulation dealing with maintenance of racial or ethnic balance.

INTRADISTRICT OPEN ENROLLMENT (continued)

Except for **the enrollment** priorities listed above, the Superintendent or designee shall use a random, unbiased selection process to determine **who which students** shall be admitted whenever **the a district** school receives admission requests that are in excess of the school's capacity. (Education Code 35160.5)

Enrollment decisions shall not be based on a student's academic or athletic performance, ~~except that~~ **However,** existing entrance criteria **may be used** for **enrolling students in** specialized schools or programs, ~~may be used~~ provided that the criteria are uniformly applied to all applicants. **In addition, a** academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code 35160.5)

(cf. 6172 - Gifted and Talented Student Program)

Transportation

Note: The following section ~~is optional and~~ may be revised to reflect district practice. ~~Districts that do not provide transportation should delete this section.~~

~~Pursuant to the CDE's Every Student Succeeds Act 2016-17 School Year Transition Plan (April 2016) and its Public School Choice FAQs, districts must continue to set aside Title I, Part A funds for transportation costs for students who transferred out of program improvement schools prior to the 2016-17 school year and for students who the district chooses to allow to transfer in the 2016-17 school year. In accordance with the CDE's transition plan and the U.S. Department of Education's Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions (May 2016), any student who transferred under this option prior to the 2016-17 school year must be allowed to remain in the school of enrollment until he/she completes the highest grade offered in the school; see the accompanying administrative regulation.~~

~~The district is not obligated to provide transportation for students who are transferring pursuant to the Open Enrollment Act. The district ~~also~~ is not obligated to provide transportation for students who are victims of violent criminal offenses or those who wish to transfer out of "persistently dangerous" schools pursuant to 20 USC 7912. If a district chooses to make transportation available to such students, it may use certain federal funds (e.g., Title IV, Part A, and Title V, Part A) to cover the costs. When a district chooses to provide transportation, U.S. Department of Education Guidance (Unsafe School Choice Option) clarifies that the district is not obligated to continue providing or paying for transportation after the school is no longer designated as "persistently dangerous."~~

In addition, pursuant to 20 USC 6311, the district may use up to five percent of its Title I allocation to pay for the transportation of students who transferred out of a school identified by CDE for comprehensive support and improvement.

~~Except as required for students who transferred out of a Title I program improvement school,~~ **In general,** the district shall not be obligated to provide transportation for students who attend school outside their attendance area.

INTRADISTRICT OPEN ENROLLMENT (continued)

Note: Pursuant to Education Code 46600, as amended by AB 1127, the district must provide transportation assistance to a student who is eligible for free or reduced-price meals and receives an intradistrict transfer as a result of being a victim of bullying. The district may, but is not required to, provide transportation assistance to any other student who is a victim of bullying.

However, upon parent/guardian request, the district shall provide transportation assistance to any student who is eligible for free or reduced-price meals and whose enrollment in a district school outside the student's attendance area is a result of being a victim of bullying. (Education Code 46600)

(cf. 3250 - Transportation Fees)

(cf. 3540 - Transportation)

Legal Reference:

EDUCATION CODE

200 Prohibition against discrimination

35160.5 District policies; rules and regulations

35291 Rules

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance agreements

48200 Compulsory attendance

48204 Residency requirements for school attendance

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

~~48350-48361 Open Enrollment Act~~

48980 Notice at beginning of term

CODE OF REGULATIONS, TITLE 5

11992-11994 Definition of persistently dangerous schools

UNITED STATES CODE, TITLE 20

6311 State plans

6313 Eligibility of schools and school attendance areas; funding allocation

7912 Transfers from persistently dangerous schools

COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

ATTORNEY GENERAL OPINIONS

85 *Ops.Cal.Atty.Gen.* 95 (2002)

Management Resources: (see next page)

INTRADISTRICT OPEN ENROLLMENT (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Public School Choice FAQs

Every Student Succeeds Act - Update #8, July 14, 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, rev. May 4, 2016

Unsafe School Choice Option, May 2004

WEB SITES

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

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

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

(3/11 7/16) 12/19

All rights reserved.

CSBA Sample Administrative Regulation

Students

AR 5116.1(a)

INTRADISTRICT OPEN ENROLLMENT

~~Note: The following administrative regulation addresses intradistrict transfers for victims of a violent criminal offense and students in a "persistently dangerous" school pursuant to 20 USC 7912 and other intradistrict open enrollment options authorized by Education Code 35160.5. For interdistrict transfers under the Open Enrollment Act pursuant to Education Code 48350-48361, see BP/AR 5118—Open Enrollment Act Transfers.~~

Transfers for Victims of a Violent Criminal Offense

Note: 20 USC 7912 requires the state to establish and implement a policy requiring that any student who becomes a victim of a violent criminal offense while on school grounds be provided an option to transfer to another district school, including a charter school; see the accompanying Board policy. 20 USC 7912 does not specify which offenses constitute a "violent criminal offense" for purposes of the victim transfer option. According to the California Department of Education (CDE), districts should consider the specific circumstances of the incident on a case-by-case basis, as specified below. The following two paragraphs are consistent with ~~the~~ CDE's guidance.

U.S. Department of Education (USDOE) Guidance, Unsafe School Choice Option, suggests that districts should notify parents/guardians of the transfer option "generally within 14 days" after the determination that the student has been a victim of a violent offense. ~~In making this offer, the Guidance encourages districts to take into account the needs and preferences of the affected student and parents/guardians.~~ A sample parent/guardian notification letter is available on ~~the~~ CDE's web site.

Within a reasonable amount of time, not to exceed 14 **calendar** days, after it has been determined that a student has been the victim of a violent criminal offense while on school grounds, the student's parents/guardians shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee. In making the determination that a student has been a victim of a violent criminal offense, the Superintendent or designee shall consider the specific circumstances of the incident and consult with local law enforcement as appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

The Superintendent or designee shall consider the needs and preferences of the affected student and **his/her** parent/guardian in making the offer. If the parent/guardian elects to transfer ~~his/her child~~ **the student**, the transfer shall be completed as soon as practicable.

Transfers from a "Persistently Dangerous" School

Note: 20 USC 7912 requires the state to establish and implement a policy requiring that all students attending a "persistently dangerous" school be provided an option to transfer to a safe school within the district, including a charter school; see the accompanying Board policy. Pursuant to 5 CCR 11992 and 11993, a school is designated as "persistently dangerous" based on the number of nonstudent firearms

violations and the number of student expulsions pursuant to specified Education Code sections over a period of three consecutive years.

AR 5116.1(b)

INTRADISTRICT OPEN ENROLLMENT (continued)

USDOE Guidance, Unsafe School Choice Option, provides that a district with one or more schools identified as "persistently dangerous" must, in a timely manner, notify parents/guardians about the school's designation and offer the opportunity to transfer. **Although the law does not specify a timeline for the notice, the Guidance provides an example of 10 school days from the time the district learns of the school's identification as "persistently dangerous."**

According to the USDOE Guidance, districts should complete transfers of students as quickly as possible, and must offer students who attend persistently dangerous schools the opportunity to transfer to a safe school at least 14 calendar days before the start of the school year. Parental notification regarding the status of the school and the offer to transfer students may be made simultaneously. CDE suggests that transfers of students out of a "persistently dangerous" school generally be completed within 30 school days of notification of the school's designation. According to CDE, "timely notification" to parents/guardians should be made within 10 school days and a timely offer of transfer within 20 school days from the time the district learns of the designation, although these two notifications may be combined. Timelines in the following two optional paragraphs may **Timelines in the following section should be revised to reflect district practice.**

Upon receipt of notification from the California Department of Education (CDE) that a district school has been designated as "persistently dangerous," **the Superintendent or designee shall provide parents/guardians of students attending the school with the following notifications intradistrict transfers shall be granted as follows:**

1. Within 10 days of receipt of the notification from CDE, **the Superintendent or designee shall provide parents/guardians of students attending the school with notice of the school's designation. Along with this notification, or at least 14 calendar days before the start of the school year, the Superintendent or designee shall provide a list of other district schools to which any student of the school that is designated as persistently dangerous may transfer.**
2. ~~Within 20 days of receipt of the notification from CDE, notice of the option to transfer their child~~

(cf. 0450 - Comprehensive Safety Plan)

2. Parents/guardians who desire to transfer their child out of a "persistently dangerous" **the** school shall provide a written **request response** to the Superintendent or designee and shall rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students. **The Superintendent or designee may establish a reasonable timeline, not to exceed seven school days, for the submission of parent/guardian requests.**
3. The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian's preference if the assignment is not feasible due to space constraints

or other considerations. **The Superintendent or designee shall notify the parents/guardians of the assigned school.**

AR 5116.1(c)

INTRADISTRICT OPEN ENROLLMENT (continued)

- 4.** For students whose parents/guardians accept the offer, the transfer shall **generally be made within 30 school days of receiving the notice of the school's designation from the CDE be made as quickly as possible.** If **the** parents/guardians decline the assigned school, the student may remain in **his/her the** current school.

Note: USDOE Guidance, Unsafe School Choice Option, advises that the district can determine whether transfers will be temporary or permanent, but transfers must remain in effect as long as the student's original school is identified as persistently dangerous. The following **optional** paragraph reflects USDOE suggestions as to factors that might be considered in determining whether the transfer should be permanent and may be revised to reflect district practice.

The transfer shall remain in effect as long as the student's school of origin is identified as "persistently dangerous." The Superintendent or designee may choose to make the transfer permanent based on the educational needs of the student, parent/guardian preferences, and other factors affecting the student's ability to succeed if returned to the school of origin.

Note: USDOE Guidance, Unsafe School Choice Option, encourages, but does not require, districts to develop a transfer program with a neighboring district. The following paragraph is **optional**.

The Superintendent or designee shall cooperate with neighboring districts to develop an interdistrict transfer program in the event that space is not available in a district school.

(cf. 5117 - Interdistrict Attendance)

Other Intradistrict Open Enrollment

Note: The following section provides **optional** procedures for intradistrict enrollment pursuant to Education Code 35160.5 and may be revised to reflect district practice.

Except for transfers for victims of a violent crime and from a "persistently dangerous school," the following procedures shall apply to intradistrict open enrollment:

1. The Superintendent or designee shall identify those schools which may have space available for additional students. A list of those schools and open enrollment applications shall be available at each school site, the district office, and on the district's web site.

Note: Because Education Code 35160.5 requires the use of a lottery process, openings which occur later during the year should be filled only by applicants whose names are drawn in the lottery. Late applicants should not be added to the waiting list, but should instead wait for a subsequent lottery.

2. After the enrollment priorities have been applied in accordance with Board policy, if there are more requests for a particular school than there are spaces available, a

AR 5116.1(d)

INTRADISTRICT OPEN ENROLLMENT (continued)

- random drawing shall be held from the applicant pool. A waiting list shall be established to indicate the order in which applicants may be accepted if openings occur during the year. Late applicants shall not be added to the waiting list for the current year but shall instead wait for a subsequent lottery.
3. The Superintendent or designee shall provide written notification to applicants as to whether their applications have been approved, denied, or placed on a waiting list. If the application is denied, the reasons for denial shall be stated.
 4. Approved applicants must confirm their enrollment within 10 school days.

Note: ~~The Every Student Succeeds Act (P.L. 114 95) repealed 20 USC 6316 which had required districts to offer intradistrict transfers to all students in Title I schools identified for program improvement (PI). In accordance with the USDOE's Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions (May 2016) and the CDE's Every Student Succeeds Act – Update #8 any student who previously transferred under this option must be allowed to remain in the school of enrollment until he/she completes the highest grade offered in the school, as provided below.~~

~~The USDOE's Frequently Asked Questions and the CDE's transition plan provide that districts may, at their discretion, continue to offer intradistrict transfers to any additional eligible students; see the accompanying Board policy. Districts that choose to offer such transfers may revise the following paragraph to reflect district practice. The USDOE and CDE resources do not expressly address whether students who transfer in such cases must be allowed to remain in the school of enrollment until the highest grade at the school. For consistency with previous years and with provisions in 20 USC 6311 pertaining to any transfers granted to students in schools identified for "comprehensive support and improvement" beginning in the 2018-19 school year, it is recommended that districts allow any student who transfers with the opportunity to subsequently stay in the school of enrollment.~~

The following paragraph is for use by districts that offer intradistrict transfers to students enrolled in a school that has been identified by CDE for comprehensive support and improvement. See the accompanying Board policy.

Any student who, ~~prior to the 2016-17 school year, was granted a transfer out of a Title I school that had been identified for program improvement~~ **is granted a transfer out of a school that had been identified by CDE for comprehensive support and improvement** shall be allowed to remain in the school of enrollment until ~~he/she completes~~ **completing** the highest grade offered at that school. **(20 USC 6311)**

(cf. 0520.1 - Comprehensive and Targeted Support and Improvement)

Note: The following paragraph is **optional**. Education Code 35160.5 makes no provision related to the duration of any transfer granted pursuant to Education Code 35160.5. Thus, it appears to be within the district's discretion to determine whether students who do not reside within a school's attendance area should be required to reapply for open enrollment each year. However, Education Code 35160.5 specifies that a

student currently residing within a school's attendance area cannot be displaced by another student transferring from outside the attendance area.

AR 5116.1(e)

INTRADISTRICT OPEN ENROLLMENT (continued)

A student granted intradistrict enrollment under other circumstances shall not be required to reapply for readmission but may be subject to displacement due to excessive enrollment.

Any complaints regarding the open enrollment process shall be submitted in accordance with the applicable complaint procedure.

(cf. 1312.3 - Uniform Complaint Procedures)

Notifications

Notifications shall be sent to parents/guardians at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district. Such notification shall include: (Education Code 35160.5, 48980)

1. All options for meeting residency requirements for school attendance

(cf. 5111.1 - District Residency)

(cf. ~~5118 - Open Enrollment Act Transfers~~)

2. Program options offered within local attendance areas
3. A description of any special program options available on both an interdistrict and intradistrict basis
4. A description of the procedure for application for alternative attendance areas or programs and the appeals process available, if any, when a change of attendance is denied
5. A district application form for requesting a change of attendance
6. The explanation of attendance options under California law as provided by **the** CDE

(cf. 5145.6 - Parental Notifications)

CSBA Sample Board Policy

Students

BP 5117(a)

INTERDISTRICT ATTENDANCE

Note: The Education Code provides a number of options under which a district may enroll a student whose parent/guardian does not reside within district boundaries. Under an "interdistrict attendance permit" or "reciprocal agreement" pursuant to Education Code 46600-46610, a student may attend school in a different district when both the district of residence and the district of proposed attendance agree (Option 1 below). Alternatively, pursuant to Education Code 48300-48317, the Governing Board may declare the district to be a "school district of choice" willing to accept a specific number of interdistrict transfers into the district through a random selection process (Option 2 below). In order to maintain the integrity of the random selection process, it is recommended that a school district of choice not also accept transfers under the interdistrict attendance permit option except when extraordinary circumstances exist, as provided in Option 2 below. Districts that wish to use both sources of authority should consult legal counsel.

In addition, pursuant to Education Code 48204, a district may authorize a student whose parent/guardian is employed within district boundaries to attend a school in the district (Allen bill transfer); see AR 5111.1 - District Residency.

The Governing Board recognizes that parents/guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

(cf. 5111.1 - District Residency)

(cf. 5116.1 - Intradistrict Open Enrollment)

Interdistrict Attendance Agreements and Permits

Note: The following section is for use by districts that have entered into an agreement with one or more other districts to accept student transfers through interdistrict attendance permits pursuant to Education Code 46600-46610. Districts selecting this option should also select Option 1 in the accompanying administrative regulation.

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

Note: Education Code 46600 requires that the interdistrict attendance agreement specify the terms and conditions under which individual permits may be granted or denied. In addition, pursuant to Education Code 46600, students who have been granted an interdistrict attendance permit must be allowed to continue to attend the school without having to reapply unless the agreement between the two districts contains specific agreed-upon standards for reapplication; see the accompanying administrative regulation. Districts also may include in the agreement the agreed-upon standards for revocation of students' interdistrict attendance. Examples of conditions that may result in revocation include falsification of information stated on the permit application, unsatisfactory attendance, continual disruption, or poor academic achievement.

INTERDISTRICT ATTENDANCE (continued)

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed **to upon** by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

Note: Pursuant to Education Code 46600, it is the responsibility of the superintendent or designee of the district of residence, subject to board policies of the district of residence and terms of the agreement, to issue an individual permit verifying the district's approval of an interdistrict transfer out of the district. The permit shall become valid when endorsed by the board's designee in the district of proposed enrollment.

See the accompanying administrative regulation for procedures to follow when the permit is denied.

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

Transportation

Note: The following **optional** section is for use by all districts and should be revised to reflect district practice. Districts are not required to provide transportation or transportation assistance to students admitted under an interdistrict attendance permit pursuant to Education Code 46600-46610, **except that Education Code 46600, as amended by AB 1127 (Ch. 781, Statutes of 2019), requires the district of enrollment to provide transportation assistance to a student who is eligible for free or reduced price meals and is either a child of an active military duty parent/guardian or a victim of an act of bullying, as defined in Education Code 48900.**

Pursuant to Education Code 48311, a school district of choice is authorized, but not required, to provide transportation assistance to the extent that the district otherwise provides transportation assistance to students.

Upon parent/guardian request, the district shall provide transportation assistance to a student receiving an interdistrict transfer who is eligible for free and reduced-price meals and is the child of an active duty military parent/guardian or a victim of bullying, as defined in Education Code 46600. (Education Code 46600)

(cf. 3553 - Free and Reduced Price Meals)

~~The district shall not provide transportation beyond any school attendance area. Upon In~~ **addition, upon** request of a student's parent/guardian, the Superintendent or designee may authorize transportation for ~~an~~ **any** interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.

INTERDISTRICT ATTENDANCE (continued)

Legal Reference:

EDUCATION CODE

8151 Apprentices, exemption from interdistrict attendance agreement

41020 Annual district audits

46600-46610 Interdistrict attendance agreements

48204 Residency requirements for school attendance

48300-48317 Student attendance alternatives, school district of choice program

48900 Grounds for suspension or expulsion; definition of bullying

48915 Expulsion; particular circumstances

48915.1 Expelled individuals; enrollment in another district

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

48985 Notices to parents in language other than English

52317 Regional occupational center/program, enrollment of students, interdistrict attendance

CALIFORNIA CONSTITUTION

Article 1, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin

ATTORNEY GENERAL OPINIONS

87 Ops. Cal. Atty. Gen. 132 (2004)

84 Ops. Cal. Atty. Gen. 198 (2001)

COURT DECISIONS

Walnut Valley Unified School District v. the Superior Court of Los Angeles County (2011) 192 Cal.App.4th 234

Crawford v. Huntington Beach Union High School District (2002) 98 Cal.App.4th 1275

ATTORNEY GENERAL OPINIONS

87 Ops. Cal. Atty. Gen. 132 (2004)

84 Ops. Cal. Atty. Gen. 198 (2001)

Management Resources:

WEB SITES

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

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

(10/17 3/19) 12/19

CSBA Sample Administrative Regulation

Students

AR 5117(a)

INTERDISTRICT ATTENDANCE

OPTION 1: Interdistrict Attendance Agreements and Permits

Note: The following option is for use by districts that have entered into an agreement with one or more other school districts to accept transfers through the "interdistrict attendance permit" or "reciprocal agreement" process pursuant to Education Code 46600-46610. (See Option 1 in the accompanying Board policy.) In 87 Ops.Cal.Atty.Gen. 132 (2004), the Attorney General opined that districts could not charge students a fee for processing applications for interdistrict attendance.

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a student of either district to enroll in the other district may be issued upon approval of both districts.

~~Note: Pursuant to Education Code 46600.2, as added by AB 2826 (Ch. 550, Statutes of 2018), districts are required to post on their web sites, in a manner accessible to the public without a password, the procedures and timelines regarding a request for an interdistrict transfer permit.~~

The district shall post on its web site the procedures and timelines for requesting an interdistrict transfer permit, including a link to BP 5117 - Interdistrict Attendance. The posted information shall include, but is not limited to: (Education Code 46600.1, 46600.2)

1. The date upon which the district will begin accepting and processing interdistrict transfer requests for the following school year
2. The reasons for which the district may approve or deny a request, and any information or documents that must be submitted as supporting evidence
3. If applicable, the process and timelines by which a denial of a request may be appealed within the district before the district renders a final decision
4. A statement that failure of a parent/guardian to meet any timelines established by the district shall be deemed an abandonment of the request
5. Applicable timelines for processing a request, including the following statements:
 - a. For an interdistrict transfer request received by the district 15 or fewer calendar days before the commencement of instruction in the school year for which the transfer is sought, the district will notify the parent/guardian of its final decision within 30 calendar days from the date the request was received.

INTERDISTRICT ATTENDANCE (continued)

- b. For an interdistrict transfer request received by the district more than 15 days before the commencement of instruction in the school year for which the interdistrict transfer is sought, the district will notify the parent/guardian of its final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction in the school year for which transfer is sought.
6. The conditions under which an existing interdistrict transfer permit may be revoked or rescinded

Note: Education Code 46600 requires districts to give priority for interdistrict attendance permits to a student who is a victim of an act of bullying, as provided below. For this purpose, Education Code 48900(r) defines bullying to include, but not be limited to, bullying committed by means of an electronic act directed specifically toward the student; see AR 5144.1 - Suspension and Expulsion/Due Process.

Priority for interdistrict attendance shall be given to a student who has been determined, **through an investigation** by **staff of** either the district of residence or district of proposed enrollment, to be a victim of an act of bullying, as defined in Education Code 48900(r), committed by a student of the district of residence. (Education Code 46600)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5131.2 - Bullying)

Note: As amended by AB 1127 (Ch. 781, Statutes of 2019), Education Code 46600 requires districts to ensure that students who are victims of bullying or are children of active duty military parents/guardians be selected through an unbiased process that prohibits consideration of specified characteristics.

Until the district is at maximum capacity, the district shall accept any student whose interdistrict transfer application is based on being the victim of an act of bullying or a child of an active duty military parent/guardian. The district shall ensure that such students are admitted through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics set forth in Education Code 220, including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status. (Education Code 46600)

In addition, the Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:

Note: **Optional** items #1-11 below should be revised and/or deleted to reflect district practice.

1. To meet the child care needs of the student, only as long as the student's child care provider remains within district boundaries

INTERDISTRICT ATTENDANCE (continued)

(cf. 5148 - Child Care and Development)

2. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel

(cf. 6159 - Individualized Education Program)

3. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance
4. To allow the student to complete a school year when the student's parents/guardians have moved out of the district during that year
5. To allow the student to remain with a class graduating that year from an elementary, middle, or senior high school
6. To allow a high school senior to attend the same school attended as a junior, even if the student's family moved out of the district during the junior year
7. When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the school year in the district
8. When the student will be living out of the district for one year or less
9. When recommended by the school attendance review board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.12 - District School Attendance Review Board)

10. When there is valid interest in a particular educational program not offered in the district of residence
11. To provide a change in school environment for reasons of personal and social adjustment

Note: In 84 Ops.Cal.Atty.Gen. 198 (2001), the Attorney General opined that a lack of school facilities is a justifiable reason for denial of the interdistrict attendance permit request. However, according to the Attorney General, once the student is admitted, the district may not later deny the student continued attendance at a district school because of overcrowding. Although Attorney General opinions are not binding on the courts, they are generally afforded deference in the court when there is no specific statutory or case law to the contrary. The following paragraph is based on this Attorney General opinion.

INTERDISTRICT ATTENDANCE (continued)

The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district shall not deny continued attendance because of overcrowded facilities at the relevant grade level.

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

Note: Education Code 46600.2, as added by AB 2826, establishes the following timelines for notifying a student's parents/guardians of the district's final decision regarding the interdistrict transfer request.

If the transfer request is for a school year that begins within 15 calendar days of the receipt of the request, the Superintendent or designee shall notify the parent/guardian of the final decision within 30 calendar days of receiving the request. If the transfer request is for a school year that begins more than 15 calendar days after the receipt of the request, the parent/guardian shall be notified of the final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction during that school year. (Education Code 46600.2)

Note: Education Code 46600.2, as added by AB 2826, requires a district that denies a request for an interdistrict transfer to give written notice to the parent/guardian of the right to appeal to the County Board of Education.

Pursuant to Education Code 46601, parents/guardians may submit their appeal to the County Board within 30 calendar days of the district's final denial of the permit. The County Board then has 30 calendar days, unless extended by an additional five school days for good cause, to make its determination as to whether the student should be allowed to attend the district of proposed enrollment and the applicable period of attendance. However, Education Code 46601 allows a class 1 county (i.e., a county with a 1994-95 average daily attendance (ADA) of 500,000 or more for all districts in the county), until July 1, 2023, 60 calendar days to make its determination.

Pursuant to Education Code 46602, if the County Board determines that the student should be permitted to attend the district of proposed enrollment, the district shall admit the student without delay.

If a student's interdistrict transfer request is denied, the Superintendent or designee shall, in writing, notify the parents/guardians of their right to appeal to the County Board of Education within 30 calendar days from the date of the final denial. (Education Code 46600.2)

(cf. 5145.6 - Parental Notifications)

All notices to parents/guardians regarding the district's decision on any request for interdistrict transfer shall conform to the translation requirements of Education Code 48985, and may be provided by regular mail, electronic format if the parent/guardian provides an email address, or by any other method normally used to communicate with parents/guardians in writing. (Education Code 46600.2)

INTERDISTRICT ATTENDANCE (continued)

Pending a decision by the two districts or by the County Board on appeal, the Superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months, provided the district is the district of proposed enrollment. If the decision has not been rendered by the conclusion of two school months and the districts or County Board is still operating within the prescribed timelines, the student shall not be allowed to continue attending the district school to which the student was provisionally admitted. (Education Code 46603)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or rescissions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

(cf. 5119 - Students Expelled from Other Districts)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Once a student is admitted to a school on the basis of an interdistrict attendance permit, the student shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school of enrollment, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall not be rescinded after June 30 following a student's completion of grade 10 or for any student entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

Transfers Out of the District

Note: The following optional section is for use by all districts.
--

A student whose parent/guardian is in active military duty shall not be prohibited from transferring out of the district, provided the school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48307)

Note: Pursuant to Education Code 46600, as amended by AB 1127, the district cannot prohibit a transfer out of the district for a victim of bullying if the district has only one school offering the student's grade level and thus is unable to grant an intradistrict transfer.
--

If the district is unable to provide an intradistrict transfer to a student who is a victim of an act of bullying, as defined in Education Code 46600, the district shall not prohibit

INTERDISTRICT ATTENDANCE (continued)

the student from transferring out of the district if the district of proposed enrollment approves the application for transfer. (Education Code 46600)

The district may limit transfers out of the district to a school district of choice under any of the following circumstances: (Education Code 48307)

Note: Even if a district has not designated itself as a school district of choice, it has the authority pursuant to Education Code 48307 to limit the number of students transferring out of the district into other districts that have designated themselves as school districts of choice. A district with an ADA of more than 50,000 may annually limit the number of such transfers to one percent of its current year estimated ADA. A district with an ADA of 50,000 or less may limit the number of such transfers to three percent of its current estimated ADA and may limit the maximum number of such transfers for the duration of the program to 10 percent of the ADA for that period. In Walnut Valley Unified School District v. Superior Court of Los Angeles County, the appellate court held that the 10 percent cap on outbound transfers "for the duration of the program" should be based on the district's ADA over the entire life of the district of choice program (i.e., from the program's inception in 1994 until the present day). The district may revise item #1 to reflect the applicable percentage in Education Code 48307 based on its ADA.

1. The number of student transfers out of the district to a school district of choice has reached the limit specified in Education Code 48307 based on the district's average daily attendance.
2. The County Superintendent of Schools has given the district a negative budget certification or has determined that the district will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice.

(cf. 3100 - Budget)

Note: Item #3 is **optional** and should be revised to reflect district practice. Education Code 48307 authorizes the district to prohibit a transfer out of the district under the school district of choice program if the Board determines that the transfer would negatively impact a court-ordered desegregation plan, a voluntary desegregation plan, or the racial and ethnic balance of the district. Education Code 48307 provides that denial of transfers on the basis of a voluntary desegregation plan or the racial and ethnic balance of the district must be consistent with the constitutional provisions added by Proposition 209 in 1996 (California Constitution, Article 1, Section 31). It is recommended that districts consult legal counsel before adopting policy to allow denial of transfers on either of these bases.

3. The Board determines that the transfer would negatively impact any of the following: (Education Code 48307)
 - a. A court-ordered desegregation plan
 - b. A voluntary desegregation plan of the district, consistent with the California Constitution, Article 1, Section 31

INTERDISTRICT ATTENDANCE (continued)

- c. The racial and ethnic balance of the district, consistent with the California Constitution, Article 1, Section 31

(10/17 3/19) 12/19

CSBA Sample Board Policy

Students

BP 5118(a)

OPEN ENROLLMENT ACT TRANSFERS

Note: The Open Enrollment Act (Education Code 48350-48361) provides students enrolled in one of the 1,000 "low-achieving" schools identified by the Superintendent of Public Instruction with the option to enroll in a higher-achieving school. However, because the Academic Performance Index has been suspended, the list of schools has not been updated since the 2015-16 school year and is based on the results of 2013 state assessments developed under prior state content standards.

The following **optional** policy and accompanying administrative regulation are for use by all districts since even districts without a school on the Open Enrollment List may receive applications from students attending a school on the list in a neighboring district.

The Governing Board desires to offer enrollment options in order to provide children with opportunities for academic achievement that meet their diverse needs. Such options shall also be provided to children who reside within another district's boundaries in accordance with law, Board policy, and administrative regulation.

Whenever a student is attending a district school on the Open Enrollment List as identified by the Superintendent of Public Instruction, he/she may transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. (Education Code 48354, 48356)

Note: It is unclear whether the Open Enrollment Act grants students who are attending an open enrollment school the right to transfer to another school within the district as well as outside of the district. In order to avoid conflict with the statute authorizing intradistrict open enrollment, the following policy and administrative regulation require students who wish to transfer to another district school to use the district's policy and procedures created pursuant to Education Code 35160.5; see BP/AR 5116.1—Intradistrict Open Enrollment. The following **optional** sentence should be modified to reflect district practice.

A parent/guardian whose child is attending a district school on the Open Enrollment List and who wishes to have his/her child attend another school within the district shall apply for enrollment using BP/AR 5116.1—Intradistrict Open Enrollment.

(cf. 5116.1—Intradistrict Open Enrollment)

(cf. 5117—Interdistrict Attendance)

Note: Education Code 48354 and 48356 require districts to establish a period of time for resident student enrollment and for accepting transfer applications. In establishing timelines for transfer applications under the Open Enrollment Act, the district should consider how these timelines will align with timelines for other student enrollment options. Education Code 48354 requires the district to give priority for enrollment to students residing in the district; thus, districts must first admit those students, as well as students applying for intradistrict transfers, before admitting students from an open enrollment school outside of the district. See BP/AR 5111—Admission, AR 5111.1—District Residency, and BP/AR 5116.1—Intradistrict Open

OPEN ENROLLMENT ACT TRANSFERS (continued)

Enrollment. In order to accurately predict the number of slots that may be available, the timelines for accepting transfer applications under the Open Enrollment Act should also be consistent with the district's timelines for interdistrict attendance permits; see BP/AR 5117—Interdistrict Attendance.

However, the timelines specified in Education Code 48354 and 48357 for Open Enrollment Act transfers may conflict with the deadlines for these other attendance options. Education Code 48354 specifies that these transfer applications must be submitted by January 1 of the preceding school year. Education Code 48357 requires the district to notify parents/guardians within 60 days whether their application for a transfer from an open enrollment school has been accepted or rejected. Therefore, if a parent/guardian submits a transfer application on October 1, the district would need to provide notification of the application's status by December 1, even though the enrollment period for residents might still be open and the district would not yet know how many slots would be available for transfers at a specific school.

One way for a district to comply with these inconsistent statutory provisions is for the Governing Board to waive the January 1 deadline for receipt of all transfer applications, as authorized by Education Code 48354, and create an application window for submission of applications. Such an application window will result in the 60 day deadline for notification of an application's status to fall after the district's deadline by which residents need to enroll their children, allowing residents to receive enrollment priority as required by law.

Districts should specify the transfer application window, if any, in the blank provided in the following paragraph. Because Education Code 48361 specifies that a discretionary decision by the Board regarding the district's administration of the program may only be overturned if the Board acted in an arbitrary and capricious manner, these timelines should be rationally related to the timelines for other intradistrict and interdistrict transfers.

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, the Board hereby waives the January 1 deadline in Education Code 48354 for all applications for transfer from nonresident parents/guardians of children attending a school on the Open Enrollment List in another district. Transfer applications shall be submitted between _____ (*insert application window dates*) _____ of the preceding school year for which the transfer is requested.

(*cf. 5111.1—District Residency*)

Note: Education Code 48355 authorizes the district of residence or the district of enrollment to limit the number of students transferring out of or into the district if the Board determines that the transfer would negatively impact a court ordered or voluntary desegregation plan or the racial and ethnic balance of the district. However, in *Crawford v. Huntington Beach Union High School District*, an appellate court held that a district's intradistrict enrollment policy which contained a racial and ethnic balance component pursuant to Education Code 35160.5 was unconstitutional. According to the court, the constitutional provisions added by Proposition 209 prohibit a district from adopting a policy containing different admission criteria on the basis of race. Because of the legal uncertainty surrounding this issue, the following paragraph does not reflect the provisions of Education Code 48355 relative to racial and ethnic balance. Districts should consult legal counsel as necessary. The following **optional** paragraph is for use by districts with a court ordered or voluntary desegregation plan.

OPEN ENROLLMENT ACT TRANSFERS (continued)

The Board may deny a transfer out of or into the district upon a determination by the Board that the transfer would negatively impact a court-ordered or voluntary desegregation plan in accordance with Education Code 48355.

Standards for Rejection of Transfer Applications

Note: Education Code 48356 authorizes the district of enrollment to adopt specific written standards for rejection of a transfer application which may include a consideration of the capacity of a program, class, grade level, or school building or any adverse financial impact that may result from the transfer. The law is unclear whether a district may also consider students' discipline history when evaluating transfer applications. Districts that wish to consider disciplinary history should consult legal counsel.

Because Education Code 48361 specifies that a discretionary decision by the Board regarding the district's administration of the program may only be overturned if a court finds that the Board acted in an arbitrary and capricious manner, it is recommended that the standards be included in a Board-adopted policy and be supported by data specific to the district's capacity and financial situation as well as any specific findings by the Superintendent or designee. **Items #1-2 below are examples only. The district should be careful to modify the following section to delete any standards that are not applicable and modify or add any specific district standards, as appropriate. Legal counsel should also be consulted.**

Pursuant to Education Code 48356, the Board has adopted the following standards for acceptance and rejection of transfer applications submitted by a parent/guardian of a student attending a school in another district on the Open Enrollment List. The Superintendent or designee shall apply these standards in accordance with Board policy and administrative regulation and shall ensure that the standards are applied uniformly and consistently.

As applicable, the Superintendent or designee may deny a transfer application under any of the following circumstances:

1. Upon a determination that approval of the transfer application would negatively impact the capacity of a program, class, grade level, or school building, including:
 - a. The class or grade level exceeding the district's limits pursuant to the state Class Size Reduction Program or the Morgan/Hart Class Size Reduction Program for Grades 9-12
 - b. The site, classroom, or program exceeding the maximum student teacher ratio specified in the district's collective bargaining agreement
 - c. The site or classroom exceeding the physical capacity of the facility pursuant to the district's facilities master plan or other facility planning document
 - d. The class or grade level exceeding capacity pursuant items #a-#c above in subsequent years as the student advances to other grade levels at the school

OPEN ENROLLMENT ACT TRANSFERS (continued)*(cf. 6151—Class Size)**(cf. 7110—Facilities Master Plan)*

2. Upon a determination that approval of the transfer application would have an adverse financial impact on the district, including:
 - a. The hiring of additional certificated or classified staff
 - b. The operation of additional classrooms or instructional facilities
 - c. Expenses incurred by the district that would not be covered by the apportionment of funds received from the state resulting in a reduction of the resources available to resident students

Appeal Process for Denials of Transfer Applications

Note: Education Code 48361 specifies that a discretionary decision by the Board regarding the district's administration of the program may be overturned if a court finds that the Board acted in an arbitrary and capricious manner. In order to help ensure that any rejection of a transfer application was not arbitrary, it is recommended that the district adopt a process that allows parents/guardians to appeal the Superintendent's or designee's denial to the Board.

The following section is **optional** and should be modified to reflect district practice.

A parent/guardian may appeal the district's denial of a transfer application to the Board by filing a written request of appeal with the Superintendent or designee within 10 days of the receipt of the written notification of denial. In addition, a parent/guardian who believes he/she has been subject to discrimination may file an appeal using the district's Uniform Complaint Procedures.

(cf. 1312.3—Uniform Complaint Procedures)

The Board shall schedule an appeal hearing as soon as practicable at a regular or special meeting of the Board. At the hearing, the parent/guardian shall have the right to present oral or written evidence, rebut district evidence, and question any district witnesses. Unless the parent/guardian requests that the hearing be held in open session, the hearing shall be held in closed session in order to protect the privacy of students in accordance with law.

(cf. 9321—Closed Session Purposes and Agendas)

The Board shall make its decision by the next regularly scheduled meeting and shall send its decision to all concerned parties. The Board's decision shall be final.

OPEN ENROLLMENT ACT TRANSFERS (continued)

Program Evaluation

Note: Education Code 48359 encourages each district to collect data regarding the number of requests granted, denied, or withdrawn; the number of students who transfer out of and into the district; the race, ethnicity, gender, socioeconomic status, and district to and from which students are transferring; and the number of students classified as English learners or identified as individuals with disabilities transferring out of and into the district.

The following **optional** paragraph is consistent with Education Code 48359 and requires the Superintendent or designee to collect data regarding enrollment patterns to determine the space available at specific schools.

The Superintendent or designee shall collect data regarding the number of students who transfer out of the district pursuant to the Open Enrollment Act. He/she also shall collect data regarding the number of students who apply to transfer into the district, the number of requests granted, denied, or withdrawn, and the district schools and programs receiving applications.

When the Superintendent or designee anticipates that a particular school will receive a large number of transfer applications, he/she shall study the enrollment pattern at that school in order to anticipate future resident enrollment at the school and at the district schools into which those students would normally matriculate.

The Superintendent or designee shall regularly report to the Board regarding the implementation of this program.

Legal Reference: (see next page)

OPEN ENROLLMENT ACT TRANSFERS (continued)**Legal Reference:****EDUCATION CODE***200 Prohibition of discrimination**35160.5 District policies, rules, and regulations**46600-46611 Interdistrict attendance agreements**48200 Compulsory attendance**48204 Residency requirements for school attendance**48300-48316 Student attendance alternatives, school district of choice program**48350-48361 Open Enrollment Act**48915 Expulsion; particular circumstances**48915.1 Expelled individuals: enrollment in another district**52317 Regional Occupational Center/Program, enrollment of students, interdistrict attendance***FAMILY CODE***6500-6552 Caregivers***CODE OF REGULATIONS, TITLE 5***4700-4703 Open Enrollment Act***CODE OF FEDERAL REGULATIONS, TITLE 34***200.36 Dissemination of information**200.37 Notice of program improvement status, option to transfer**200.39 Program improvement, transfer option**200.42 Corrective action, transfer option**200.43 Restructuring, transfer option**200.44 Public school choice, program improvement schools***ATTORNEY GENERAL OPINIONS***87 Ops. Cal. Atty. Gen. 132 (2004)**84 Ops. Cal. Atty. Gen. 198 (2001)***COURT DECISIONS***Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275***Management Resources:****WEB SITES***CSBA: <http://www.csba.org>**California Department of Education: <http://www.cde.ca.gov>*

~~CSBA Sample~~ ~~Administrative Regulation~~

~~Students~~

~~AR 5118(a)~~

~~OPEN ENROLLMENT ACT TRANSFERS~~

~~Definitions~~

~~*District of enrollment* means the district, other than the district in which the student's parent/guardian resides, in which the parent/guardian intends to enroll his/her child. (Education Code 48352)~~

~~*District of residence* means the district in which the parent/guardian of a student resides and in which the student would otherwise be required to enroll pursuant to Education Code 48200. (Education Code 48352)~~

~~(cf. 5111.1 - District Residency)~~

~~*Open enrollment school* means a "low-achieving" school identified by the Superintendent of Public Instruction (SPI) pursuant to Education Code 48352 and 5 CCR 4701. (Education Code 48352; 5 CCR 4701)~~

~~Transfer Applications into a District School~~

~~Note: Education Code 48354 requires a district to give priority for enrollment to students residing in the district; see the accompanying Board policy.~~

~~Enrollment priority shall be available to students who reside within this district. No student who resides within a school's attendance area or who is currently enrolled in a school shall be displaced by a student who is transferring pursuant Education Code 48350-48361 or 5 CCR 4700-4703. (Education Code 48354, 48356)~~

~~Applications shall be submitted within the deadlines established by Board policy.~~

~~However, the application deadline shall not apply to an application requesting a transfer if the parent/guardian with whom the student resides is enlisted in the military and was relocated by the military within 90 days prior to submitting the application. (Education Code 48354)~~

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

~~The parent/guardian's application may request enrollment of his/her child in a specific school or program. Requests for admission to a magnet school or program designed to serve gifted and talented students shall be subject to the usual admission requirements established by the district for district students. Except for such specialized admission requirements, the Superintendent or designee shall not consider the student's previous academic achievement, athletic performance, physical condition, English language proficiency, family income, or any of the prohibited bases for discrimination listed in Education Code 200. (Education Code 48354, 48356)~~

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

~~(cf. 6172 - Gifted and Talented Student Program)~~

OPEN ENROLLMENT ACT TRANSFERS (continued)

Students applying for open enrollment transfers shall be assigned priority for approval as follows: (Education Code 48356)

1. First priority for the siblings of students who already attend the desired school
2. Second priority for students transferring from a program improvement school ranked in decile 1 on the Academic Performance Index (API)

If the number of students who request a particular school exceeds the number of spaces available at that school, the Superintendent or designee shall conduct a lottery, in the group priority order identified in items #1 and #2 above, to select students at random until all of the available spaces are filled. (Education Code 48356)

Within 60 days of receiving the application, the Superintendent or designee shall provide written notification to the parent/guardian and the student's district of residence as to whether the application has been accepted or rejected. If the application has been rejected, the notice shall state the reasons for the rejection. If the application has been approved, the notification shall specify the particular school site and the school's address to which the student has been admitted. (Education Code 48357; 5 CCR 4702)

Terms of Approval

The Superintendent or designee shall ensure that the school to which the student is transferring has a higher API than the school in which the student was previously enrolled. (Education Code 48356)

The parent/guardian shall enroll his/her child on or before the first day of instruction or within 14 calendar days of receipt of the district's notice of approval of the application, whichever is later. If the parent/guardian fails to enroll his/her child within this timeframe, the district may decline to enroll the student. (5 CCR 4703)

Upon enrollment, the district shall grant the student any credits toward graduation that he/she received from his/her district of residence. The student shall be eligible for graduation from district schools upon completion of state and district graduation requirements. (Education Code 48358)

(cf. 6143—*Courses of Study*)

(cf. 6146.1—*High School Graduation Requirements*)

(cf. 6146.5—*Elementary/Middle School Graduation Requirements*)

Note: 5 CCR 4702 specifies that once admitted to a school, the student shall not be required to reapply for enrollment to that school, regardless of whether his/her school of residence remains on the Open Enrollment List.

A student admitted to a district school through this process shall be deemed to have fulfilled district residency requirements pursuant to Education Code 48204 and shall not be required to reapply for enrollment in that school, regardless of whether his/her school of residence remains on the Open Enrollment List. (Education Code 48356; 5 CCR 4702)

OPEN ENROLLMENT ACT TRANSFERS (continued)

Note: 5 CCR 4702 specifies that the district of enrollment may allow the student to matriculate to a middle or high school in the district without having to reapply, regardless of whether the middle or high school in the student's district of residence is on the Open Enrollment List. Thus, unified districts, districts with elementary and middle schools, and districts with middle and high schools should be careful to ensure that the terms of approval and notification to parents/guardians clearly specify whether the approval of the transfer application extends to other school(s) in the district to which the student would matriculate or whether the student must reapply if he/she wishes to enroll in those schools upon completion of the course of study at the school to which he/she was originally admitted. **The following optional paragraph requires the student to reapply and should be modified to reflect district practice.**

Once admitted, a transfer student who wishes to matriculate into a district middle or high school or transfer to another district school shall reapply for admission to the new school pursuant to the requirements of Board policy and administrative regulation.

Parents/guardians are responsible for transporting their children to school.

Transfers out of District Schools on the Open Enrollment List

Note: The following **optional** section is for use by districts with schools on the Open Enrollment List pursuant to Education Code 48352. **Districts without schools on the list may delete this section.**

Education Code 48354 requires the district of residence to notify parents/guardians of students attending a school on the Open Enrollment List of their option to transfer to another school within the district or to a school in another district. Pursuant to 5 CCR 4702, this notice must be provided on the first day of instruction or, if the California Department of Education has not posted the list by the first day of instruction, within 14 calendar days after the posting of the list. It is anticipated that the Open Enrollment List will be posted in September of each year. See the accompanying Exhibit for a sample notification.

Upon identification by the California Department of Education (CDE) that a district school is on the Open Enrollment List, the Superintendent or designee shall notify the parents/guardians of each student enrolled in the school of the option to transfer. This notice shall be provided by the first day of instruction. However, if the CDE has not notified the district whether a school is on the list by the first day of instruction, the notification shall be provided no later than 14 calendar days after the Open Enrollment List is posted on the CDE's web site. (Education Code 48354; 5 CCR 4702)

(cf. 5145.6 Parental Notifications)

CSBA Sample Exhibit

Students _____ E 5118(a)

OPEN ENROLLMENT ACT TRANSFERS

Note: Pursuant to Education Code 48354, if a school is identified by the Superintendent of Public Instruction for the Open Enrollment List, the district must notify parents/guardians of students attending the school of their option to transfer to a higher performing school. Pursuant to 5 CCR 4702, this notice must be provided on the first day of instruction or, if the California Department of Education has not posted the Open Enrollment List by the first day of instruction, within 14 calendar days of the posting of the list.

The following exhibit provides a sample parental notification when a school has been placed on the Open Enrollment List. This letter should be modified to reflect district practice.

PARENTAL NOTIFICATION: OPTION TO TRANSFER

[Date]

To the parents/guardians of students at _____ School:

The purpose of this letter is to inform you that our school has been identified by the California Department of Education (CDE) as an Open Enrollment school for the _____ school year.

Why is our school on the Open Enrollment List?

The Open Enrollment Act, which became law in the spring of 2010, requires the CDE to annually create a list of 1,000 schools ranked by their Academic Performance Index (API). A school's API is a number that ranges from 200 to 1,000 and is calculated using the results for each school's students on statewide tests. The state has set 800 as the API target for all schools to meet. Schools that fall short of 800 are required to meet annual growth targets until that goal is achieved. Annual API growth targets will vary for each school.

For more information about how the Open Enrollment List is created, please visit the CDE's web site: <http://www.cde.ca.gov/sp/eo/op>.

What right does a parent have to request a transfer?

All parents/guardians of students attending a school on the Open Enrollment List have the option to request a transfer of their child to another school in this district or in another California district. The school to which your child transfers must have a higher API than the school your child is leaving. Our school's API is _____.

The following district schools are available to accept transfers: [List schools with space available and higher API scores.]

OPEN ENROLLMENT ACT TRANSFERS (continued)

If you would like to transfer your child to one of the schools listed above, please contact that school for information about applying for intradistrict open enrollment. Information about the performance and academic achievement of each available school is enclosed.

If you would like to transfer your child to a school in another district, you must contact that school district for information regarding their application procedures and timelines. To find a school with a higher API, go to the CDE's website: <http://api.ede.ca.gov/reports>.

Parents/guardians are responsible for providing transportation to and from the new school.

We will keep you updated and informed about opportunities to discuss plans for our school. If you have questions, need additional information on how you can get involved in our school improvement efforts, or would like to discuss the school's instructional program, please feel free to call me and/or visit the school.

Sincerely,

[Name of Principal]

CSBA Sample Administrative Regulation

Students

AR 5125(a)

STUDENT RECORDS

Definitions

Student means any individual who is or has been in attendance at the district and regarding whom the district maintains student records. (34 CFR 99.3)

Attendance includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom, and the period during which a person is working under a work-study program. (34 CFR 99.3)

Note: Guidance issued by the U.S. Department of Education (USDOE) and U.S. Department of Health and Human Services clarifies that a student's immunization and health record maintained by the district is a "student record" subject to the Family Educational Rights and Privacy Act (FERPA). ~~Also see BP/AR 5141.6 - School Health Services.~~

Student records are any items of information (in handwriting, print, tape, film, computer, or other medium) gathered within or outside the district that are directly related to an identifiable student and maintained by the district, required to be maintained by an employee in the performance of ~~his/her~~ **the employee's** duties, or maintained by a party acting for the district. Any information maintained for the purpose of second-party review is considered a student record. Student records include the student's health record. (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)

Student records do not include: (Education Code 49061, 49062; ~~5 CCR 430~~; 34 CFR 99.3)

1. Directory information

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

2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute employee

Note: USDOE guidance, ~~(Balancing Student Privacy and School Safety)~~, clarifies that records created by the district's law enforcement unit, such as student images appearing on security videotapes, are not considered student records under FERPA as long as the records are created for a law enforcement purpose.

3. Records of the law enforcement unit of the district, subject to 34 CFR 99.8

(*cf.* 3515 - Campus Security)

(*cf.* 3515.3 - District Police/Security Department)

STUDENT RECORDS (continued)

4. Records created or received by the district after an individual is no longer a student and that are not directly related to the individual's attendance as a student
5. Grades on peer-graded papers before they are collected and recorded by a teacher

Mandatory permanent student records are those records which are maintained in perpetuity and which schools have been directed to compile by state law, regulation, or administrative directive. (5 CCR 430)

Mandatory interim student records are those records which the schools are directed to compile and maintain for specified periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430)

Permitted student records are those records having clear importance only to the current educational process of the student. (5 CCR 430)

Disclosure means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in student records to any party, except the party that provided or created the record, by any means including oral, written, or electronic. (34 CFR 99.3)

Access means a personal inspection and review of a record or an accurate copy of a record, or receipt of an accurate copy of a record or an oral description or communication of a record, and a request to release a copy of any record. (Education Code 49061)

Personally identifiable information includes, but is not limited to: (34 CFR 99.3)

1. The student's name
2. The name of the student's parent/guardian or other family members
3. The address of the student or student's family

<p>Note: Pursuant to 34 CFR 99.3, the definition of "personally identifiable information" includes a personal identifier such as a student's social security number. Education Code 49076.7 prohibits districts from collecting or soliciting social security numbers, or the last four digits of social security numbers, from students or their parents/guardians unless otherwise required to do so by state or federal law. If a social security number is collected under such circumstances, it must be classified as personally identifiable information and is subject to the restrictions related to access or de-identification of records specified in 34 CFR 99.30-99.39 and this administrative regulation.</p>
--

4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)

STUDENT RECORDS (continued)

5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
7. Information requested by a person who the district reasonably believes knows the identity of the student to whom the student record relates

Adult student is a person who is or was enrolled in school and who is at least 18 years of age. (5 CCR 430)

Parent/guardian means a natural parent, an adopted parent, legal guardian, surrogate parent, or foster parent. (Education Code 49061, 56050, 56055)

Note: Education Code 49063 requires districts to include the criteria for defining "legitimate educational interest" and "school officials and employees" in their annual notification; see section "Notification of Parents/Guardians" below.

Legitimate educational interest is an interest held by any school official, employee, contractor, or consultant whose **official** duties, responsibilities, or contractual obligations to the district, whether routine or as a result of special circumstances, require **him/her to have** access to **information contained in** student records.

Note: 34 CFR 99.31 defines "school officials and employees" for purposes of determining who may be given personally identifiable information from student records, as provided below. In 73 Fed. Reg. 74815 (2008), USDOE stated that local agencies are in the best position to determine the types of parties who may serve as school officials. Examples cited include school transportation officials (including bus drivers), school nurses, practicum and fieldwork students, unpaid interns, consultants, contractors, volunteers, and other outside parties providing institutional services and performing institutional functions, provided that each of the requirements in 34 CFR 99.31 has been met.

School officials and employees are officials or employees, **including teachers**, whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require **that they have** access to student records. **(34 CFR 99.31)**

Note: Pursuant to Education Code 49076, the district may allow any "contractor or consultant" with whom it has a formal written agreement to access information in student records without parent/guardian consent, when the contractor or consultant has a "legitimate educational interest" in that information. However, contrary to 34 CFR 99.31, Education Code 49076 prohibits release of student records to volunteers.

STUDENT RECORDS (continued)

Contractor or consultant is anyone with a formal written agreement or contract with the district regarding the provision of services or functions outsourced to him/her by the district. Contractor or consultant shall not include a volunteer or other party. (Education Code 49076)

Custodian of records is the employee responsible for the security of student records maintained by the district and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)

County placing agency means the county social service department or county probation department. (Education Code 49061)

Persons Granted Absolute Access

In accordance with law, absolute access to any student records shall be granted to:

1. Parents/guardians of students younger than age 18 years, including the parent who is not the student's custodial parent (Education Code 49069; Family Code 3025)
2. An adult student, or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to his/her the student's records and grant consent for the release of records (34 CFR 99.3, 99.5)

Note: Pursuant to Education Code 56041.5, all the rights accorded to the parent/guardian of a student with disabilities, including the right to access student records, are transferred to the student when he/she reaches at 18 years of age except when the student has been declared incompetent under state law.

3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law (Education Code 56041.5)

(cf. 6159 - Individualized Education Program)

Access for Limited Purpose/Legitimate Educational Interest

The following persons or agencies shall have access to those particular records that are relevant to their legitimate educational interest or other legally authorized purpose:

Note: Education Code 49076 and 34 CFR 99.31 require that access to relevant records be given to parents/guardians of a dependent child, defined by 26 USC 152 as one who lives with his/her a parent/guardian for more than half the taxable year, meets the specified age requirements, has not provided more than half of his/her one's own support during that year, and has not filed a joint tax return with a spouse.

STUDENT RECORDS (continued)

1. Parents/guardians of ~~a student age 18 or older who is~~ a dependent child as defined under 26 USC 152 (Education Code 49076; 34 CFR 99.31)
2. Students who are age 16 or older or who have completed the 10th grade (Education Code 49076; ~~34 CFR 99.31~~)
3. School officials and employees, consistent with the definition provided in the section "Definitions" above (Education Code 49076; 34 CFR 99.31)
4. Members of a school attendance review board (SARB) **appointed pursuant to Education Code 48321** who are authorized representatives of the district and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student (Education Code 49076)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.12 - District School Attendance Review Board)

5. Officials and employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer (Education Code 49076; 34 CFR 99.31)

Note: 34 CFR 99.34 requires the district to make a reasonable attempt to notify the parent/guardian or adult student when the district discloses certain information as described in the following paragraph. However, if the district includes a statement in its annual parental notification that the district may forward education records under **these such** circumstances, it is not obligated to individually notify parents/guardians or adult students. The following **optional** paragraph may be deleted by districts that include such a statement in their annual parental notification. See section below entitled "Notification of Parents/Guardians."

Unless the annual parent/guardian notification issued pursuant to Education Code 48980 includes a statement that the district may disclose students' personally identifiable information to officials of another school, school system, or postsecondary institution where the student seeks or intends to enroll, the Superintendent or designee shall, when such a disclosure is made, make a reasonable attempt to notify the parent/guardian or adult student at **his/her the** last known address, provide a copy of the record that is disclosed, and give the parent/guardian or adult student an opportunity for a hearing to challenge the record. (34 CFR 99.34)

Note: Item #6 below is for use by districts that maintain high schools. Education Code 69432.9 provides that all students in grade 12 will be considered Cal Grant applicants and will have their grade point average (GPA) submitted to the Student Aid Commission, unless they opt out or are permitted under Commission rules to submit test scores in lieu of the GPA. Education Code 69432.9 requires that the report be submitted

STUDENT RECORDS (continued)

on a standardized form provided by the Commission. Pursuant to Education Code 69432.92, the Commission may also require that districts submit verification of high school graduation or its equivalent for all students who graduated in the prior academic year, except for students who have opted out.

Education Code 49432.9 requires that parents/guardians be notified that their child's GPA will be forwarded unless they opt out within the time period specified in the notice. This notification could be included in the annual parental notification issued pursuant to Education Code 48980.

6. The Student Aid Commission, to provide the grade point average (GPA) of all district students in grade 12 and, when **requested required**, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program. However, such information shall not be submitted when students opt out **or** are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)

No later than **October 15 January 1** each year, the Superintendent or designee shall notify each student in grade **12 11**, and **his/her the student's** parents/guardians if the student is under age 18 years, that the student's GPA will be forwarded to the Student Aid Commission **by October 1** unless **he/she the student** opts out within a period of time specified in the notice, which shall not be less than 30 days. (Education Code 69432.9)

Students' social security numbers shall not be included in the submitted information unless the Student Aid Commission deems it necessary to complete the financial aid application and the Superintendent or designee obtains permission from the student's parent/guardian, or from the adult student, to submit the social security number. (Education Code 69432.9)

7. Federal, state, and local officials, as needed for an audit, **or** evaluation **of**, or compliance **with, activity related to** a state or federally funded education program and in accordance with a written agreement developed pursuant to 34 CFR 99.35 (Education Code 49076; 34 CFR 99.3, 99.31, 99.35)

Note: Pursuant to Education Code 49076, county placing agencies authorized to assess the effectiveness of a state or federally funded program on behalf of federal, state, or local officials and agencies may be allowed access to student records. Education Code 49076 also authorizes districts, county offices of education, and county placing agencies to develop cooperative agreements to facilitate confidential access to and exchange of student information by email, facsimile, electronic format, or other secure means, provided the agreement complies with the requirements of 34 CFR 99.35.

8. Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to item #7 above (Education Code 49076)

STUDENT RECORDS (continued)

9. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

10. Any district attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition (Education Code 49076)

11. A district attorney's office for consideration against a parent/guardian for failure to comply with compulsory education laws (Education Code 49076)

12. Any probation officer, district attorney, or counsel of record for a **minor** student **who is a minor** for the purposes of conducting a criminal investigation or an investigation in regards to declaring the minor **student** a ward of the court or involving a violation of a condition of probation, subject to evidentiary rules specified in Welfare and Institutions Code 701 (Education Code 49076)

When disclosing records for these purposes, the Superintendent or designee shall obtain written certification from the recipient of the records that the information will not be disclosed to another party without prior written consent of the student's parent/guardian or the holder of the student's educational rights, unless specifically authorized by state or federal law. (Education Code 49076)

13. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681 (Education Code 49076)

In such cases, the judge or probation officer shall certify in writing to the Superintendent or designee that the information will be used only for truancy purposes. Upon releasing student information to a judge or probation officer, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

Note: SB 233 (Ch. 829, Statutes of 2017) amended Education Code 49069.3 and 49076 to make certain types of records related to foster youth, including records related to attendance, discipline, online communications, and Section 504 plans, accessible to specified agencies and individuals.

STUDENT RECORDS (continued)

14. A foster family agency with jurisdiction over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined (Education Code 49076)

Such individuals shall have access to the student's current or most recent records of grades, transcripts, attendance, discipline, online communication on platforms established by schools for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by the district (Education Code 49069.3)

(cf. 6164.6 - Identification and Education Under Section 504)

(cf. 6173.1 - Education for Foster Youth)

15. A student age 14 years or older who is both a homeless student and an unaccompanied minor as defined in 42 USC 11434a (Education Code 49076)

(cf. 6173 - Education for Homeless Children)

16. An individual who completes items #1-4 of the caregiver's authorization affidavit pursuant to Family Code 6552 and signs the affidavit for the purpose of enrolling a minor in school (Education Code 49076)

17. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility **in accordance with state or tribal law** for the care and protection of a student, provided that **the individual is authorized by the agency or organization to receive the records and** the information **requested** is directly related to providing assistance to address the student's educational needs (Education Code 49076; 20 USC 1232(g))

18. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that the district provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245 (Education Code 48902, 49076)

When disclosing such records, the Superintendent or designee shall obtain written certification by the recipient of the records as described in item #12 above. (Education Code 49076)

19. Designated peace officers or law enforcement agencies in cases where the district is authorized by law to assist law enforcement in investigations of suspected criminal

STUDENT RECORDS (continued)

conduct or kidnapping and a written parental consent, lawfully issued subpoena, or court order is submitted to the district, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals (Education Code 49076.5; 34 CFR 99.1-99.67)

In such cases, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district **in California or any other state** or **to a** California private school. (Education Code 49076.5)

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

In addition, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be released. (Education Code **49061**, 49075)

Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent/guardian may grant consent if both parents/guardians notify the district, in writing, that such an agreement has been made. (Education Code 49061)

(cf. 5021 - Noncustodial Parents)

Discretionary Access

At ~~his/her discretion~~, the **discretion of the** Superintendent or designee, **information** may be released ~~information~~ from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in an emergency if the health and safety of the student or other persons are at stake (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)

When releasing information to any such appropriate person, the Superintendent or designee shall record information about the threat to the health or safety of the student or any other person that formed the basis for the disclosure and the person(s) to whom the disclosure was made. (Education Code 49076; 34 CFR 99.32)

STUDENT RECORDS (continued)

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

- Unless it would further endanger the health or safety of the student or other persons, the Superintendent or designee shall inform the parent/guardian or adult student within one week of the disclosure that the disclosure was made, of the articulable and significant threat to the health or safety of the student or other individuals that formed the basis for the disclosure, and of the parties to whom the disclosure was made.
2. Accrediting associations **in order to carry out their accrediting functions** (Education Code 49076; 34 CFR 99.31)
 3. Under the conditions specified in Education Code 49076 and 34 CFR 99.31, organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that: (Education Code 49076; 34 CFR 99.31)
 - a. The study is conducted in a manner that does not permit personal identification of **students or** parents/guardians ~~and students~~ by individuals other than representatives of the organization who have legitimate interests in the information.
 - b. The information is destroyed when no longer needed for the purposes for which the study is conducted.
 - c. The district enters into a written agreement with the organization that complies with 34 CFR 99.31.
 4. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to the rights of parents/guardians as provided in Education Code 49068 and in compliance with 34 CFR 99.34 (Education Code 49076; 34 CFR 99.31, 99.34)
 5. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, unless the parent/guardian has requested that no disclosures of this type be made (Health and Safety Code 120440)

Note: Education Code 49076 includes "contractors" and "consultants," as defined in the section "Definitions" above, among the categories of individuals to whom a student's personally identifiable information may be disclosed under certain circumstances. Unlike 34 CFR 99.34 99.31 , however, Education Code 49076 prohibits disclosure of such information to volunteers and other parties.

STUDENT RECORDS (continued)

6. Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract **with by** the district, excluding volunteers or other parties (Education Code 49076)

(cf. 3600 - Consultants)

Note: Items #7 and 8 below are for use by districts that maintain high schools.

7. Agencies or organizations in connection with the student's application for or receipt of financial aid, provided that information permitting the personal identification of a student or **his/her the student's** parents/guardians for these purposes is disclosed only as may be necessary to determine the eligibility of the student for financial aid, determine the amount of financial aid, determine the conditions which will be imposed regarding the financial aid, or enforce the terms or conditions of the financial aid (Education Code 49076; 34 CFR 99.31, ~~99.36~~)
8. County elections officials for the purpose of identifying students eligible to register to vote or offering such students an opportunity to register, subject to the **provisions of limits set by** 34 CFR 99.37 and under the condition that any information provided on this basis shall not be used for any other purpose or transferred to any other person or agency (Education Code 49076; 34 CFR ~~99.31~~, 99.37)

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

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

De-identification of Records

Note: 20 USC 1232(g) and Education Code 49076 authorize the district to release student records for specified purposes (e.g., to federal and state officials conducting program audits or to organizations conducting studies) without parent/guardian consent after the removal of all "personally identifiable information" as defined in the section entitled "Definitions" above and provided that the district has made a reasonable determination that a student's identity will not be personally identifiable through single or multiple releases. Education Code 49074 further authorizes the district to provide de-identified statistical data to public or private agencies, postsecondary institutions, or educational research organizations when such actions would be "in the best educational interests of students."

STUDENT RECORDS (continued)

34 CFR 99.31 lists objective standards under which districts may release information from de-identified records. These standards are applicable to both requests for individual, redacted records and requests for statistical information from multiple records.

When authorized by law for any program audit, educational research, or other purposes, the Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information. Prior to releasing such information, the Superintendent or designee shall make a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information. (Education Code 49074, 49076; **20 USC 1232g**; 34 CFR 99.31)

Process for Providing Access to Records

Note: Education Code 49069 **mandates** procedures for notifying parents/guardians of the location of student records if not centrally located. The following paragraph may be expanded to include notification procedures.

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained at different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians **and adult students** shall be notified of the location of student records if not centrally located. (Education Code 49069; 5 CCR 433)

The custodian of records shall be responsible for the security of student records and shall ensure that access is limited to authorized persons. (5 CCR 433)

Note: 5 CCR 431 **mandates** districts to establish written procedures to ensure the security of student records. The following three paragraphs reflect this mandate and should be modified to reflect any specific physical, technological, or administrative controls developed by the district.

34 CFR 99.31 requires districts to use "reasonable methods" to (1) ensure that school officials, employees, and outside contractors obtain access to only those records, both paper and electronic, in which they have a legitimate educational interest and (2) identify and authenticate the identity of parents/guardians, students, school officials, and any other party to whom the district discloses personally identifiable information from education records. In addition, 34 CFR 99.31 specifies that a district which does not use physical or technological access controls (e.g., a locked file cabinet or computer security limiting access) must ensure that its administrative policy for controlling access is effective and remains in compliance with the "legitimate educational interest" requirement.

The Analysis to Comments and Changes (73 Fed. Reg. 237, page 74817) suggests a balance of physical, technological, and administrative controls to prevent unauthorized access and to ensure that school officials do not have unrestricted access to the records of all students. The Analysis also clarifies that the reasonableness of the method depends, in part, on the potential harm involved. For example, high-risk records, such as social security numbers or other information that could be used for identity theft, should receive greater and more immediate protection.

STUDENT RECORDS (continued)

In addition, as a condition of participation in an interagency data information system (e.g., California Longitudinal Pupil Achievement Data System), Education Code 49076 requires that the district develop security procedures or devices by which unauthorized personnel cannot access data in the system and procedures or devices to secure privileged or confidential data from unauthorized disclosure.

The custodian of records shall develop reasonable methods, including physical, technological, and administrative **policy** controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records. Prior to granting the request, the custodian of records shall authenticate the individual's identity. For any individual granted access based on a legitimate educational interest, the request shall specify the interest involved.

Note: 34 CFR 99.30 specifies information that must be included in the parent/guardian consent form, as provided below. The provisions in the following two paragraphs are required pursuant to the California Attorney General's model policy developed pursuant to Education Code 234.7, ~~as added by AB 699 (Ch. 493, Statutes of 2017)~~. See the Office of the Attorney General's publication Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues.

When required by law, **the a student's** parent/guardian **or an adult student** shall provide written, signed, and dated consent before the district discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The district's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian **or adult student**, the district shall provide **him/her** a copy of the records disclosed. (34 CFR 99.30)

If the parent/guardian **or adult student** refuses to provide written consent for the release of student information, the Superintendent or designee shall not release the information, unless it is otherwise subject to release based on a court order or a lawful subpoena.

Note: Education Code 49069 and 5 CCR 431 **mandate** that the district adopt procedures for granting parent/guardian requests to inspect, review, and obtain copies of records.

Within five business days following the date of request, ~~a parent/guardian or other~~ **the** authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069)

Note: Education Code 49069 **mandates** procedures for the availability of qualified certificated personnel to interpret records when requested. The following paragraph may be expanded to include specific procedures for persons to request and receive the assistance of certificated personnel.

STUDENT RECORDS (continued)

Qualified certificated personnel shall be available to interpret records when requested. (Education Code 49069)

The custodian of records or the Superintendent or designee shall prevent the alteration, damage, or loss of records during inspection. (5 CCR 435)

Access Log

A log shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the records and the legitimate educational interest of the requester. (Education Code 49064)

In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name of the person granted access, the reason access was granted, and the time and circumstances of inspection. (5 CCR 435)

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

The custodian of records shall also make an entry in the log regarding any request for record(s) that was denied and the reason for the denial.

Note: Although Education Code 49064 does not require the district to record access by individuals specified in items #1-5 below, the district may consider recording access by all individuals as part of the reasonable administrative controls required by 34 CFR 99.31; see section above entitled "Process for Providing Access to Records."

The log shall include requests for access to records by:

1. Parents/guardians or adult students
2. Students who are 16 years of age or older or who have completed the 10th grade
3. Parties obtaining district-approved directory information
4. Parties who provide written parental consent, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. School officials and employees who have a legitimate educational interest

Note: Pursuant to Education Code 234.7, as added by AB 699 (Ch. 493, Statutes of 2017), any request for student records information by a law enforcement agency for the purpose of enforcing immigration laws

STUDENT RECORDS (continued)

must be reported to the Superintendent and the Board; see the accompanying Board policy. Therefore, it is recommended that the custodian of records make an entry in the log regarding any such requests, as provided in item #6 below.

6. Law enforcement personnel seeking to enforce immigration laws

The log shall be **accessible open to inspection** only ~~to~~ **by** the parent/guardian, adult student, dependent adult student, ~~student who is age 16 years or older or who has completed the 10th grade,~~ custodian of records, and certain state or federal officials **specified in Education Code 49064.** (Education Code 49064; 5 CCR 432)

Duplication of Student Records

Note: Education Code 49069 **mandates** that the district adopt procedures for granting parent/guardian requests for copies of student records pursuant to Education Code 49065.

To provide copies of any student record, the district **may shall** charge a reasonable fee not to exceed the actual cost of providing the copies. No charge shall be made for providing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record. (Education Code 49065)

(cf. 3260 - Fees and Charges)

Changes to Student Records

Only a parent/guardian having legal custody of a student or an adult student may challenge the content of a record or offer a written response to a record. (Education Code 49061)

(cf. 5125.3 - Challenging Student Records)

No additions **or change** ~~except routine updating~~ shall be made to a student's record after high school graduation or permanent departure, **other than routine updating, unless required by law or with** ~~without~~ prior consent of the parent/guardian or adult student. (**Education Code 49062.5, 49070;** 5 CCR 437)

~~A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. 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.~~

Note: AB 711 (Ch. 179, Statutes of 2019) added Education Code 49062.5 and amended Education Code 49070 to require districts to update a student's or former student's records to change the student's name and/or gender, as specified below.

STUDENT RECORDS (continued)

When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, the district shall update the former student's records to reflect the updated legal name and/or gender. Upon request by the former student, the district shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents. The district is not required to modify records that the former student has not requested for modification or reissuance. (Education Code 49062.5)

(cf. 5145.3 - Nondiscrimination/Harassment)

If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (Education Code 49062.5)

1. The date of the request
2. The date the requested records were reissued to the former student
3. A list of the records that were requested by and reissued to the former student
4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender
5. The name of the employee who completed the request
6. The current and former names and/or genders of the student

Any former student who submits a request to change the legal name or gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070 and AR 5125.3 - Challenging Student Records.

Retention and Destruction of Student Records

Note: 5 CCR 431 mandates that the district establish written policies and procedures regarding the signing and dating of anecdotal information, as specified below.

All anecdotal information and assessment reports maintained as student records shall be dated and signed by the individual who originated the data. (5 CCR 431)

STUDENT RECORDS (continued)

The following mandatory permanent student records shall be kept indefinitely: (5 CCR 432, 437)

1. Legal name of student
2. Date and place of birth and method of verifying birth date

(cf. 5111 - Admission)

3. Sex of student
4. Name and address of parent/guardian of minor student
 - a. Address of minor student if different from the above
 - b. Annual verification of parent/guardian's name and address and student's residence

(cf. 5111.1 - District Residency)

5. Entrance and departure dates of each school year and for any summer session or other extra session
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given **towards graduation**

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

7. Verification of or exemption from required immunizations

(cf. 5141.31 - Immunizations)

8. Date of high school graduation or equivalent

Mandatory interim student records, unless forwarded to another district, shall be maintained subject to destruction during the third school year after the school year in which they originated, following a determination that their usefulness has ceased or the student has left the district. These records include: (Education Code 48918, 51747; 5 CCR 432, 437, 16027)

1. Expulsion orders and the causes therefor

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

STUDENT RECORDS (continued)

2. A log identifying persons or **agencies organizations** who request or receive information from the student record
3. Health information, including verification or waiver of the health screening for school entry

(cf. 5141.32 - Health Screening for School Entry)

4. Information on participation in special education programs, including required tests, case studies, authorizations, and **evidence of actions necessary to establish** eligibility for admission or discharge

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

5. Language training records

(cf. 6174 - Education for English Learners)

6. Progress slips/notices required by Education Code 49066 and 49067
7. Parental restrictions/stipulations regarding access to directory information
8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action
9. Parent/guardian authorization or **denial prohibition** of student participation in specific programs
10. Results of standardized tests administered within the past three years

(cf. 6162.51 - State Academic Achievement Tests)

11. Written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student's best interest to remain in independent study

(cf. 6158 - Independent Study)

Permitted student records may be destroyed six months after the student completes or withdraws from the educational program **and their usefulness ceases**, including: (5 CCR 432, 437)

1. Objective counselor and/or teacher ratings

STUDENT RECORDS (continued)

2. Standardized test results older than three years
3. Routine disciplinary data
(cf. 5144 - Discipline)
4. Verified reports of relevant behavioral patterns
5. All disciplinary notices
6. Supplementary attendance records

Records shall be destroyed in a way that assures they will not be available to possible public inspection in the process of destruction. (5 CCR 437)

Transfer of Student Records

When a student transfers into this district from any other school district or a private school, the Superintendent or designee shall inform the student's parent/guardian of his/her rights regarding student records, including the a parent/guardian's right to review, challenge, and receive a copy of student records. (Education Code 49068; 5 CCR 438)

Note: Education Code 48201 requires districts to request records of a transferring student regarding acts that resulted in the student's suspension or expulsion from the previous school, as specified below. Once the record is received, the Superintendent or designee must inform the student's teachers of the acts; see AR 4158/4258/4358 - Employee Security.

When a student transfers into this district from another district, the Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in his/her the student's suspension or expulsion. (Education Code 48201)

(cf. 4158/4258/4358 - Employee Security)
(cf. 5119 - Students Expelled From Other Districts)

Note: Pursuant to Education Code 49068, a district is required to transfer a copy of a student's records to another school in which the student is enrolled or intends to enroll within 10 school days of receiving a request for the records. However, this would not affect a situation where a more restrictive timeline is required. For example, a district is required to transfer the records of a student who is a foster youth to the new school within two business days, pursuant to Education Code 48853.5.

When a student transfers from this district to another school district or to a private school, the Superintendent or designee shall forward a copy of the student's mandatory permanent record

STUDENT RECORDS (continued)

within 10 school days of the district's receipt of the request for the student's records. The original record or a copy shall be retained permanently by this district. If the transfer is to another California public school, the student's entire mandatory interim record shall also be forwarded. If the transfer is out of state or to a private school, the mandatory interim record may be forwarded. Permitted student records may be forwarded to any other district or private school. (Education Code 48918, 49068; 5 CCR 438)

Upon receiving a request from a county placing agency to transfer a student in foster care out of a district school, the Superintendent or designee shall transfer the student's records to the next educational placement within two business days. (Education Code 49069.5)

All student records shall be updated before they are transferred. (5 CCR 438)

Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent/guardian. (5 CCR 438)

If the district is withholding grades, diploma, or transcripts from the student because of **his/her** damage or loss of school property, this information shall be sent to the requesting district along with the student's records.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

Notification of Parents/Guardians

Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. If 15 percent or more of the students enrolled in the district speak a single primary language other than English, then the district shall provide these notices in that language. Otherwise, the district shall provide these notices in the student's home language insofar as practicable. The district shall effectively notify parents/guardians or eligible students with disabilities. (Education Code 49063, 48985; 34 CFR 99.7)

(cf. 5145.6 - Parental Notifications)

The notice shall include: (Education Code 49063; 34 CFR 99.7, 99.34)

1. The types of student records kept by the district and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records

STUDENT RECORDS (continued)

4. District criteria for defining school officials and employees and for determining legitimate educational interest
5. District policies for reviewing and expunging student records
6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights
8. The cost, if any, charged for duplicating copies of records
9. The categories of information defined as directory information pursuant to Education Code 49073
10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
11. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school

(cf. 5020 - Parent Rights and Responsibilities)

12. Any other rights and requirements set forth in Education Code 49060-49078 **49085**, and the right of parents/guardians to file a complaint with the U.S. Department of Education concerning an alleged failure by the district to comply with 20 USC 1232g

Note: Pursuant to 34 CFR 99.34, if the district's annual parental notification contains the information described in **optional** item #13 below, the district does not need to attempt to individually notify a parent/guardian or adult student when the district discloses an education record to officials of another school, school system, or postsecondary institution (see item #5 in the list of persons/agencies with legitimate educational interests in the section entitled "~~Persons Granted Access~~ **Access for Limited Purpose/Legitimate Educational Interest**" above).

13. A statement that the district forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment

Note: The following paragraph reflects the Attorney General's model policy developed pursuant to Education Code 234.7.

STUDENT RECORDS (continued)

In addition, the annual parental notification shall include a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

Student Records from Social Media

Note: The following **optional** section is for use by districts that have adopted a program, pursuant to Education Code 49073.6, to gather or maintain any information obtained from students' social media activity that pertains directly to school safety or student safety. Districts that adopt such a program, as specified in the accompanying Board policy, must comply with the requirements described below. Districts that have not adopted such a program should delete the following section.

For the purpose of gathering and maintaining records of students' social media activity, the Superintendent or designee shall: (Education Code 49073.6)

1. Gather or maintain only information that pertains directly to school safety or student safety
2. Provide a student with access to any information that the district obtained from **his/her the student's** social media activity and an opportunity to correct or delete such information
3. Destroy information gathered from social media and maintained in student records within one year after a student turns 18 years of age or within one year after the student is no longer enrolled in the district, whichever occurs first
4. Notify each parent/guardian that the student's information is being gathered from social media and that any information maintained in the student's records shall be destroyed as provided in item #3 above. The notification shall also include, but is not limited to, an explanation of the process by which a student or **his/her the student's** parent/guardian may access the student's records for examination of the information gathered or maintained and the process by which removal of the information may be requested or corrections to the information may be made. The notification may be provided as part of the annual parental notification required pursuant to Education Code 48980.
5. If the district contracts with a third party to gather information on a student from social media, ensure that the contract:
 - a. Prohibits the third party from using the information for purposes other than those specified in the contract or from selling or sharing the information with any person or entity other than the district, the student, or **his/her the student's** parent/guardian

STUDENT RECORDS (continued)

- b. Requires the third party to destroy the information immediately upon satisfying the terms of the contract, or when the district notifies the third party that the student has turned 18 years of age or is no longer enrolled in the district, whichever occurs first

(12/15 5/18) 12/19

CSBA Sample Board Policy

Students

BP 5131.2(a)

BULLYING

Note: Education Code 234.4, as added by AB 2291 (Ch. 491, Statutes of 2018), mandates districts to adopt, on or before December 31, 2019, procedures for preventing acts of bullying, including cyberbullying. The following policy and accompanying administrative regulation contain sample procedures that fulfill this mandate and may be revised to reflect district practice.

In addition, Education Code 234.1 and federal law **mandate** that the Governing Board adopt policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics and ensuring the protection of complainants from retaliation. Also see BP 5145.3 - Nondiscrimination/Harassment for language fulfilling this mandate.

In its October 2010 Dear Colleague Letter: Harassment and Bullying, the U.S. Department of Education Office for Civil Rights (OCR) clarified that misconduct that falls under a district's general anti-bullying policy may also trigger responsibilities under one or more federal or state antidiscrimination laws if the bullying is on the basis of race, color, national origin, sex, sexual orientation, gender identity or expression, age, disability, and/or another legally protected category. Federal law requires the district to take immediate and appropriate action to investigate or otherwise determine what occurred and, if it finds that unlawful discrimination did occur, take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment and its effects, and prevent the harassment from recurring.

OCR's October 2014 Dear Colleague Letter: Responding to Bullying of Students with Disabilities points out that any bullying of a student with a disability that results in the student not receiving meaningful educational benefit constitutes a denial of a free appropriate public education and must be remedied under the federal Individuals with Disabilities Education Act. As necessary, the school may need to convene the student's individualized education program (IEP) team to determine whether the student's needs have changed as a result of the bullying and, if so, revise the IEP to ensure that the student continues to receive appropriate special education and related services.

Thus, while this policy is intended to prevent and address all types of bullying incidents among students, when "discriminatory bullying" is committed and the bullying is sufficiently serious to create a hostile educational environment for the alleged victim or to otherwise deny or limit the student's educational benefits and services, including denial of a free appropriate public education, the alleged victim must be afforded the protections specified under relevant state and/or federal law.

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

BULLYING (continued)

Note: Because bullying and its effects extend beyond the school environment, collaboration among a variety of community agencies and organizations that serve youth may be helpful in preventing and responding to bullying. For further information about building a collaborative, see CSBA's publications [Safe Schools: Strategies for Governing Boards to Ensure Student Success](#) and [Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement](#).

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Note: Education Code 32282 encourages districts to include bullying prevention policies and procedures in their comprehensive safety plan; see BP 0450 - Comprehensive Safety Plan. In addition, Education Code 52060-52077 require the Board to adopt and annually update a local control and accountability plan which includes, among other specified state priorities, goals for addressing school climate; see BP/AR 0460 - Local Control and Accountability Plan. Pursuant to Education Code 52060, school climate should be measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

Note: Pursuant to Education Code 234.1, districts are required to adopt a process for receiving and investigating complaints involving unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) based on specified characteristics. Pursuant to 5 CCR 4600-4633, the uniform complaint procedures (UCP) must be used for this purpose. In addition, federal regulations require districts to adopt procedures providing for prompt and equitable resolution of complaints of unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) 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).

Although some bullying incidents may not fall within the provisions of Education Code 234.1 or federal civil rights regulations, CSBA strongly recommends that districts use the UCP to investigate all bullying incidents (whether discriminatory or nondiscriminatory) 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 an actual or perceived membership in a legally protected class. Those bullying incidents found to involve discrimination based on the results of the investigation would then be resolved using the

BULLYING (continued)

UCP. When a bullying incident is determined to be nondiscriminatory, it should be resolved through the appropriate disciplinary process. 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 AR 1312.3 - Uniform Complaint Procedures.

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. 1312.3 - Uniform Complaint Procedures)

Note: Education Code 46600, as amended by AB 1127 (Ch. 781, Statutes of 2019), requires a district to approve an intradistrict transfer request for a victim of bullying. If there is no available school for an intradistrict transfer, the district cannot prohibit the student's interdistrict transfer. See BP/AR 5116.1 - Intradistrict Open Enrollment and AR 5117 - Interdistrict Attendance.

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

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

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference: (see next page)

BULLYING (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

32283.5 Bullying; online training

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

46600 Student transfers

48900-48925 Suspension or expulsion

48985 Translation of notices

52060-52077 Local control and accountability plan

PENAL CODE

422.55 Definition of hate crime

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying Module

California's Social and Emotional Learning: Guiding Principles, 2018

Social and Emotional Learning in California: A Guide to Resources, 2018

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

Bullying at School, 2003

Management Resources continued: (see next page)

BULLYING (continued)

Management Resources: (continued)

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018

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

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

Guidance to America's Schools: Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>

California Office of the Attorney General: <http://oag.ca.gov>

Center on Great Teachers and Leaders: <https://gtlcenter.org>

Collaborative for Academic Social and Emotional Learning: <https://casel.org>

Common Sense Media: <http://www.common Sense Media.org>

National School Safety Center: <http://www.schoolsafety.us>

Partnership for Children and Youth: <https://www.partnerforchildren.org>

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

(5/18 5/19) 12/19

CSBA Sample Administrative Regulation

Students

AR 5131.2(a)

BULLYING

Note: Education Code 234.4, as added by AB 2291 (Ch. 491, Statutes of 2018), mandates districts to adopt, on or before December 31, 2019, procedures for preventing acts of bullying, including cyberbullying. The following administrative regulation may be revised to reflect district practice.

Definitions Examples of Prohibited Conduct

Note: The following section reflects definitions and examples of bullying and cyberbullying contained in the California Department of Education's (CDE) Bullying Module and may be revised to reflect district practice.

Education Code 48900 defines "bullying," including bullying via an electronic act, for purposes of establishing grounds for suspension or expulsion. See AR 5144.1 - Suspension and Expulsion/Due Process. In addition, Penal Code 653.2 makes it a crime to distribute another person's personally identifiable information electronically with the intent to place that person in reasonable fear of the person's own or a family member's safety and for the purpose of imminently causing harassment or injury by a third party.

Bullying is an **unwanted**, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and **may** involve **a single severe act or** repetition or potential repetition of a deliberate act. **Bullying includes, but is not limited to, any act described in Education Code 48900(r).**

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6163.4 - Student Use of Technology)

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

1. Physical bullying: **An act** that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. Verbal bullying: **An act** that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm

BULLYING (continued)

3. Social/relational bullying: **An act** that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. Cyberbullying: **An act** such as sending demeaning or hateful text messages or emails, ~~sending~~ **spreading** rumors by email or by posting on social networking sites, or posting **or sharing** embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

1. Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

2. Providing **information** to students, through student handbooks, **district and school web sites and social media**, and other age-appropriate means, ~~information~~ regarding district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously
4. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as **classrooms**, playgrounds, hallways, restrooms, and cafeterias

Note: ~~Although~~ **Pursuant to** Education Code 234.1, **the district must** ~~requires the district to~~ adopt a policy requiring school personnel who witness acts of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against **a student** ~~based on the actual or perceived status of the student belonging to a protected class~~ to take immediate steps to intervene when it is safe to do so. **It, it** is recommended that districts apply this policy equally to all students; ~~also~~. **Also** see AR 5145.3 - Nondiscrimination/Harassment.

5. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

BULLYING (continued)**Staff Development**

Note: Education Code 32283.5, ~~as amended by AB 2291,~~ requires districts to make available annually, to certificated staff and all other employees who have regular interaction with students, the CDE's online Bullying Module described below.

The Superintendent or designee shall **annually** make **available to all certificated staff and to other employees who have regular interaction with students** the California Department of Education's (CDE) online training module on the dynamics of bullying and cyberbullying, ~~which includes~~ **esing** the identification of bullying and cyberbullying and the implementation of strategies to address bullying, ~~available annually to all certificated staff and to other employees who have regular interaction with students.~~ (Education Code 32283.5)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: Pursuant to Education Code 234.7, districts are **mandated** to adopt policy, equivalent to that developed by the Attorney General, which requires the provision of staff training with the components specified below.

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Information and Resources

Note: Education Code 234.6, as added by AB 34 (Ch. 282, Statutes of 2019), requires districts to make specified information on bullying and harassment prevention readily accessible on their web sites beginning in the 2020-21 school year. The following list reflects, but does not reproduce in exact form, all the items specified in Education Code 234.6.

BULLYING (continued)

The Superintendent or designee shall post on the district's web site, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following: (Education Code 234.6)

Note: Education Code 215 mandates that any district serving students in grades 7-12 adopt a policy on student suicide prevention, intervention, and postvention; see BP/AR 5141.52 - Suicide Prevention. As amended by AB 1767 (Ch. 694, Statutes of 2019), Education Code 215 mandates policy on suicide prevention, intervention, and postvention for grades K-6 by 2020-21 school year. Districts that do not maintain any of grades K-6 should modify item #1 accordingly.

- 1. The district's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6**

(cf. 5141.52 - Suicide Prevention)

- 2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8**

- 3. Title IX information included on the district's web site pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's web site pursuant to Education Code 221.6**

- 4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying**

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

- 5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media**

- 6. A link to statewide resources, including community-based organizations, compiled by the CDE pursuant to Education Code 234.5.**

- 7. Any additional information the Superintendent or designee deems important for preventing bullying and harassment**

(cf. 1113 - District and School Web Sites)

BULLYING (continued)**Student Instruction**

Note: California content standards related to student education about bullying and violence prevention (e.g., recognizing the characteristics of bullying, examining the effects of bullying on others, demonstrating what to say and do when witnessing bullying) are addressed within the health education content standards adopted by the State Board of Education.

47 USC 254 mandates districts that receive e-rate discounts to adopt a policy which addresses educating students about appropriate online behavior, including the interaction with other individuals on social networking web sites and in chat rooms, as well as providing information about cyberbullying awareness and response. See BP 6163.4 - Student Use of Technology for language implementing this mandate.

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character ~~values education~~ **development**, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction)

Note: Education Code 234.7 requires districts to educate students about the negative impact of bullying based on actual or perceived immigration status or religious beliefs and customs. The following paragraph reflects the California Attorney General's model policy developed pursuant to Education Code 234.7, contained in the Office of the Attorney General's publication Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, and has been expanded to include education about the impact of bullying based on any other individual characteristic.

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Note: The remainder of this section reflects recommendations in CDE's Bullying Module and may be revised to reflect district practice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints

BULLYING (continued)

Note: The following reporting process may be revised to reflect district practice.
--

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

(cf. 1312.3 - Uniform Complaint Procedures)

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

Note: Districts have the authority to monitor student use of the district's Internet system and to conduct individual searches of student accounts if there is reasonable suspicion that a user has violated district policy or the law; see BP/AR 5145.12 - Search and Seizure and BP/E 6163.4 - Student Use of Technology.
--

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline/Corrective Actions

Note: Pursuant to Education Code 48900-48900.4, "bullying" is a ground for suspension or expulsion; see AR 5144.1 - Suspension and Expulsion/Due Process.

The courts have generally upheld discipline for off-campus student conduct that poses an identifiable threat to the safety of other students, staff, or school property or presents a risk of substantial disruption of school activities, provided that the district is able to document the impact or disruption that the conduct has, or could be expected to have, on school activities (e.g., <u>Wynar v. Douglas County School District</u> , <u>Lavine v.</u>
--

BULLYING (continued)

Blaine School District). The court in J.C. v. Beverly Hills Unified School District found that the district would be able to discipline a student for a video recorded off campus and posted on YouTube, but that the discipline imposed on this particular student was not justified since the district did not present evidence of specific facts that led school officials to predict that the video would cause substantial disruption (e.g., the video was not violent or threatening nor did it lead to any confrontations between the students).

Consistent with these interpretations, Education Code 48900 defines bullying by means of an electronic act to include creation or transmission originating on or off the school site. Thus, for purposes of determining whether the conduct may be subject to suspension or expulsion, the act does not necessarily need to have been committed while at school, while coming to or from school, or during a school-sponsored activity. Nevertheless, the act needs to satisfy the criteria specified in the definition of "bullying" in Education Code 48900 (i.e., a severe or pervasive physical or verbal act or conduct that has or can be reasonably predicted to have the effect of placing a reasonable student in fear of harm to the student's person or property, causing a substantially detrimental effect on the student's physical or mental health, causing substantial interference with the student's academic performance, or causing substantial interference with the student's ability to participate in or benefit from school services, activities, or privileges).

When the conduct does not rise to the level specified in Education Code 48900, the district may implement interventions other than suspension or expulsion to address the bullying. For further information, see CSBA's policy brief Cyberbullying: Policy Considerations for Boards. Also see BP 5131 - Conduct and BP 5145.2 - Freedom of Speech/Expression.

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

(cf. 5116.2 - Involuntary Student Transfers)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(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)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

Support Services

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 - Guidance/Counseling Services)

BULLYING (continued)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

~~(cf. 5141.52 – Suicide Prevention)~~

CSBA Sample Board Policy

Students

BP 5141.21(a)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

Note: The following **optional** policy and accompanying administrative regulation apply to the administration of medication to students pursuant to Education Code 49414, **49414.1**, 49414.3, 49414.5, 49423, and 49423.1 and the permissive guidelines in 5 CCR 600-611. ~~Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016), authorizes districts to make emergency naloxone hydrochloride or another opioid antagonist available to school nurses or trained personnel who have volunteered to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose.~~

~~Education Code 49414.7, which authorized trained, unlicensed school personnel to administer medication to students with epilepsy suffering from seizures, was repealed on its own terms effective January 1, 2017. Although the procedures in Education Code 49414.7 are no longer required, health providers may train unlicensed school personnel to administer medication, including emergency anti seizure medication.~~
Pursuant to the general authority in Education Code 49423 and 5 CCR 600-611, as interpreted by the California Supreme Court in American Nurses Association v. Torlakson, health providers may train unlicensed school personnel to administer medication, including emergency anti-seizure medication.

This policy and regulation do not address situations in which a district might be engaged in a collaborative arrangement with another entity for the provision of school health services to students; see BP/AR 5141.6 - School Health Services.

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should ~~have an opportunity~~ **be able** to participate in the educational program.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

(cf. 5141.24 - Specialized Health Care Services)

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education Under Section 504)

Note: 5 CCR 604 authorizes a parent/guardian to administer medication to **his/her** a child or designate an individual to administer the medication, as specified below. In addition, California law allows students to carry and self-administer medication needed for the treatment or management of certain medical conditions, when the district has received a written request from the student's parent/guardian and written authorization from the student's authorized health care provider, as specified in the accompanying administrative regulation. Students have legal authorization to self-administer diabetes medication pursuant to Education Code 49414.5, auto-injectable epinephrine for anaphylactic reactions pursuant to Education Code 49423,

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

and inhaled asthma medication pursuant to Education Code 49423.1. Pursuant to 5 CCR 605, districts may choose to allow students to carry and self-administer other types of medication beyond those specifically authorized by the Education Code.

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing a parents/guardians to administer medication to ~~his/her~~ their child at school, designate other individuals to do so on ~~his/her~~ their behalf, and, with the ~~child's~~ student's authorized health care provider's approval, request the district's permission for ~~his/her~~ child **the student** to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

(cf. 1250 - Visitors/Outsiders)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

(cf. 6116 - Classroom Interruptions)

The Superintendent or designee shall make **available** epinephrine auto-injectors **available** at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

Note: Although federal law (21 USC 812, 844) prohibits the possession of cannabis, even by medical users, state law allows persons under the age of 18 to use and possess cannabis for medical use. Pursuant to Education Code 49414.1, as added by SB 223 (Ch. 699, Statutes of 2019), the Governing Board is authorized to adopt a policy that allows parents/guardians to administer medicinal cannabis to their child at school. Education Code 49414.1 does not permit or require school personnel to administer medicinal cannabis.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Because of the conflict between state and federal law regarding the legality of medicinal cannabis, the Board prohibits the administration of medicinal cannabis to students on school grounds by parents/guardians or school personnel.

Note: The following **optional** paragraph may be revised to reflect district practice. The U.S. Department of Health and Human Services and the Centers for Disease Control and Prevention recommend that a district's emergency and disaster preparedness plan include procedures for dealing with medical emergencies, such as a pandemic flu outbreak or public disaster.

The Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Administration of Medication by School Personnel

Note: Various provisions of state law allow districts to train nonmedical district employees (i.e., those who

BP 5141.21(d)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

do not possess a medical license) to provide medical assistance to students at school when a credentialed school nurse or other licensed individual is unavailable. For example, Education Code 49414, 49414.3, 49414.5, 49423, and 49423.1 specifically authorize the use of trained, unlicensed school employees to administer medications to students suffering from allergic reactions, opioid overdose, severe hypoglycemia, or asthma. Moreover, in American Nurses Association v. Torlakson, the California Supreme Court held that, as with other prescription medications, state law permits trained, unlicensed school personnel to administer insulin to students where a physician has determined that unlicensed school personnel may safely and appropriately administer the medication. The medication must be administered in accordance with a written health care provider statement and parental consent.

When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

(cf. 3530 - Risk Management/Insurance)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual. (Education Code 49414, 49414.3, 49414.5, 49423, 49423.1)

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Legal Reference: (see next page)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

Legal Reference:

EDUCATION CODE

48980 Notification at beginning of term

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto-injectors

49414.3 Emergency medical assistance; administration of medication for opioid overdose

49414.5 Providing school personnel with voluntary emergency training

49422-49427 Employment of medical personnel, especially:

49423 Administration of prescribed medication for student

49423.1 Inhaled asthma medication

49480 Continuing medication regimen; notice

BUSINESS AND PROFESSIONS CODE

2700-2837 Nursing, especially:

2726 Authority not conferred

2727 Exceptions in general

3501 Definitions

4119.2 Acquisition of epinephrine auto-injectors

4119.8 Acquisition of naloxone hydrochloride or another opioid antagonist

HEALTH AND SAFETY CODE

11362.7-11362.85 Medicinal cannabis

CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 21

812 Schedules of controlled substances

844 Penalties for possession of controlled substance

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

COURT DECISIONS

American Nurses Association v. Torlakson, (2013) 57 Cal.4th 570

Management Resources:

AMERICAN DIABETES ASSOCIATION PUBLICATIONS

Training Standards for the Administration of Epinephrine Auto-Injectors, rev. 2015

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

Training Standards for the Administration of Epinephrine Auto-Injectors, rev. 2015

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

Program Advisory on Medication Administration, 2005

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003

Management Resources continued: (see next page)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

Management Resources: (continued)

WEB SITES

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

American Diabetes Association: <http://www.diabetes.org>

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

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

(12/13 12/16) 12/19

CSBA Sample Administrative Regulation

Students

AR 5141.21(a)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

Note: The following administrative regulation reflects requirements for the administration of medication to students on a continuing medication regimen or in emergency medical situations at school or a school-related activity. The district should consult legal counsel as necessary to ensure that all legal requirements are met.

~~Education Code 49414.7, which authorized trained, unlicensed school personnel to administer anti seizure medication to students with epilepsy, repealed on its own terms effective January 1, 2017. However, districts may choose to continue to train unlicensed school personnel to administer anti seizure medication under Pursuant to~~ the general authority in Education Code 49423 and 5 CCR 600-611, as interpreted by the California Supreme Court in American Nurses Association v. Torlakson, health providers may train unlicensed school personnel to administer medication, including emergency anti-seizure medication. Such administration must be contingent upon a physician's written authorization for unlicensed personnel to administer the medication to the particular student. The district may revise the following regulation to reflect any district requirements related to the administration of such medication.

Definitions

Authorized health care provider means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician or physician assistant. (Education Code 49423; 5 CCR 601)

Other designated school personnel means any individual employed by the district, including a nonmedical school employee, who has volunteered or consented to administer medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR 601, 621)

Medication may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies. (5 CCR 601)

Note: Education Code 49414, as amended by AB 1386 (Ch. 374, Statutes of 2016), defines "epinephrine auto injector" as follows:

Epinephrine auto-injector means a disposable delivery device designed for the automatic injection of a premeasured dose of epinephrine into the human body to prevent or treat a life-threatening allergic reaction. (Education Code 49414)

Anaphylaxis means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

(cf. 5141.23 - Asthma Management)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Note: Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016), provides the following definition of "opioid antagonist." See section "Emergency Medication for Opioid Overdose" below for requirements for districts that choose to provide opioid antagonists to school nurses or other designated school personnel to administer to persons suffering, or reasonably believed to be suffering, from an opioid overdose.

Opioid antagonist means naloxone hydrochloride or another drug approved by the federal Food and Drug Administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body and that has been approved for the treatment of an opioid overdose. (Education Code 49414.3)

Notifications to Parents/Guardians

Note: Pursuant to Education Code 48980, districts must notify parents/guardians, at the beginning of each school year, of their rights and responsibilities (see section "Parent/Guardian Responsibilities" below) under Education Code 49423 pertaining to the administration of medication by school employees and self-administration of epinephrine by students. Though notification is not required for self-administration of any medication other than epinephrine, it is recommended that the annual notification include other medications to facilitate implementation by school personnel.

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options. (Education Code 49480)

(cf. 5145.6 - Parental Notifications)

In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a nonepisodic condition of the following requirements: (Education Code 49480)

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.
2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

Parent/Guardian Responsibilities

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

Note: Education Code 49423 and 5 CCR 600 authorize districts to administer prescribed medication only upon receipt of written statements from the student's authorized health care provider and parent/guardian. Appropriate statements must be received before students are allowed to carry and self-administer diabetes medication pursuant to Education Code 49414.5, auto-injectable epinephrine pursuant to Education Code 49423, or asthma medication pursuant to Education Code 49423.1. Districts may choose to allow students to carry and self-administer other types of medication beyond those authorized by the Education Code. If so, the district should modify the following section accordingly. See the accompanying Board policy.

1. **Providing Submitting the** parent/guardian **written statement** and **the** authorized health care provider's written statements each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. (Education Code 49414.5, 49423, 49423.1; 5 CCR 600, 626)
2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician, and updating the information when needed. (Education Code 49480)

Note: Pursuant to 5 CCR 606, the district is authorized to establish rules for the delivery and storage of medication on a school site.

3. Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. (5 CCR 606)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

Parent/Guardian Statement

Note: 5 CCR 603 authorizes the district to establish specific requirements regarding the parent/guardian's written statement. The following list should be modified to reflect the district's requirements.

When district employees are to administer medication to a student, the parent/guardian's written statement shall:

1. Identify the student
2. Grant permission for an authorized district representative to communicate directly with the student's authorized health care provider and pharmacist, as may be necessary, regarding the health care provider's written statement or any other questions that may arise with regard to the medication
3. Contain an acknowledgment that the parent/guardian understands how district employees will administer the medication or otherwise assist the student in its administration
4. Contain an acknowledgment that the parent/guardian understands **the** his/her responsibilities ~~to enable district employees to administer or otherwise assist the student in the administration of medication, including, but not limited to, the parent/guardian's responsibility~~ to provide a written statement from the authorized health care provider, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment
5. Contain an acknowledgment that the parent/guardian understands ~~that he/she may~~ **the right to** terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time

In addition to the requirements in items #1-5 above, if a parent/guardian has requested that ~~his/her child~~ **the student** be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall: (Education Code 49423, 49423.1)

1. Consent to the self-administration
2. Release the district and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the district to administer medication to **his/her child the student**, the parent/guardian's written statement shall clearly identify the individual and shall state:

1. The individual's willingness to accept the designation
2. That the individual is permitted to be on the school site
3. Any limitations on the individual's authority

Health Care Provider Statement

Note: Education Code 49423 and 49423.1 and 5 CCR 602 list items that the authorized health care provider's written statement must contain, as specified in items #1-5 below. Districts that request additional information in the statement should modify the following list accordingly.

When any district employee is to administer prescribed medication to a student, or when a student is to be allowed to carry and self-administer prescribed medication during school hours, the authorized health care provider's written statement shall include:

1. Clear identification of the student (Education Code 49423, 49423.1; 5 CCR 602)
2. The name of the medication (Education Code 49423, 49423.1; 5 CCR 602)
3. The method, amount, and time schedules by which the medication is to be taken (Education Code 49423, 49423.1; 5 CCR 602)
4. If a parent/guardian has requested that **his/her child the student** be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (Education Code 49414.5, 49423, 49423.1; 5 CCR 602)
5. For medication that is to be administered by unlicensed personnel, confirmation by the student's health care provider that the medication may safely and appropriately be administered by unlicensed personnel (Education Code 49423, 49423.1; 5 CCR 602)

Note: Items #6-8 below may be revised to reflect district practice.

6. For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency for administration, and indications for referral for medical evaluation

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

7. Possible side effects of the medication
8. Name, address, telephone number, and signature of the student's authorized health care provider

Note: Pursuant to Education Code 49423.1, as amended by AB 743 (Ch. 101, Statutes of 2019), districts must accept a written statement pertaining to inhaled asthma medication from a physician or surgeon who is contracted with a prepaid health plan operating under the laws of Mexico that is licensed as a health care service plan in California pursuant to Health and Safety Code 1351.2 .

For self-administration of inhaled asthma medication, the district shall accept a written statement from a physician or surgeon contracted with a health plan licensed pursuant to Health and Safety Code 1351.2. Such written statement shall be in English and Spanish, and shall include the name and contact information for the physician or surgeon. (Education Code 49423.1)

District Responsibilities

Note: The following section should be modified to reflect district practice.

The Superintendent or designee shall ensure that any unlicensed school personnel authorized to administer medication to a student receives appropriate training from the school nurse or other qualified medical personnel.

The school nurse or other designated school personnel shall:

1. Administer or assist in administering medication in accordance with the authorized health care provider's written statement
2. Accept delivery of medications from parents/guardians and count and record them upon receipt
3. Maintain a list of students needing medication during the school day, including those authorized to self-administer medication, and note on the list the type of medication and the times and dosage to be administered

Note: 5 CCR 601 specifies items that districts may, but are not required to, include in the medication log, as provided in item #4 below.

4. Maintain for each student a medication log which may:

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

- a. Specify the student's name, medication, dose, method of administration, time of administration during the regular school day, date(s) on which the student is required to take the medication, and the authorized health care provider's name and contact information
- b. Contain space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication

Note: 5 CCR 601 specifies items that may be included in the medication record, as detailed below. In addition, 5 CCR 607 authorizes the district to establish policies regarding documentation of medication, including the maintenance of the medication record.

5. Maintain for each student a medication record which may include the authorized health care provider's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student
6. Ensure that student confidentiality is appropriately maintained

(cf. 5125 - Student Records)

7. Coordinate and, as appropriate, ensure the administration of medication during field trips and other school-related activities

(cf. 5148.2 - Before/After School Programs)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

8. Report to a student's parent/guardian and the site administrator any refusal by the student to take **his/her the** medication
9. Keep all medication to be administered by the district in a locked drawer or cabinet
10. As needed, communicate with a student's authorized health care provider and/or pharmacist regarding the medication and its effects
11. Counsel other designated school personnel regarding the possible effects of a medication on a student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose

Note: 5 CCR 609 authorizes the district to establish policies regarding unused, discontinued, or outdated medication.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

12. Ensure that any unused, discontinued, or outdated medication is returned to the student's parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and local ordinances
13. In the event of a medical emergency requiring administration of medication, provide immediate medical assistance, directly observe the student following the administration of medication, contact the student's parent/guardian, and determine whether the student should return to class, rest in the school office, or receive further medical assistance
14. Report to the site administrator, the student's parent/guardian, and, if necessary, the student's authorized health care provider any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement

Emergency Epinephrine Auto-Injectors

Note: Education Code 49414 requires districts to provide epinephrine auto-injectors to school nurses or other employees who volunteer and receive training, which they may use to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction.

The Superintendent or designee shall provide epinephrine auto-injectors to school nurses or other employees who have volunteered to administer them in an emergency and have received training. The school nurse, or a volunteer employee when a school nurse or physician is unavailable, may administer an epinephrine auto-injector to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. (Education Code 49414)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer an epinephrine auto-injector and describing the training that the volunteer will receive. (Education Code 49414)

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

Note: Education Code 49414 specifies topics to be included in training for employees who volunteer to be trained in the use of epinephrine auto-injectors. Education Code 49414 requires the Superintendent of Public Instruction (SPI), in consultation with specified agencies and organizations, to review the minimum standards for the training at least every five years. These standards are available on the California Department of Education's **(CDE)** web site.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

The principal or designee at each school may designate one or more volunteers to receive initial and annual refresher training, which shall be provided by a school nurse or other qualified person designated by a physician and surgeon authorized pursuant to Education Code 49414 and shall be based on the standards developed by the Superintendent of Public Instruction (SPI). Written materials covering the required topics for training shall be retained by the school for reference. (Education Code 49414)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: Education Code 49414 specifies the type of epinephrine auto-injectors that must be provided to each school and the district personnel authorized to obtain the prescriptions. The following paragraphs may be revised to reflect the position(s) assigned to fulfill this responsibility and the grade levels maintained by the district.

A school nurse or other qualified supervisor of health, or a district administrator if the district does not have a qualified supervisor of health, shall obtain a prescription for epinephrine auto-injectors for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or epinephrine auto-injector manufacturers. Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine auto-injector. Secondary schools shall be provided at least one adult (regular) epinephrine auto-injector, unless there are any students at the school who require a junior epinephrine auto-injector. (Education Code 49414)

If an epinephrine auto-injector is used, the school nurse or other qualified supervisor of health shall restock the epinephrine auto-injector as soon as reasonably possible, but no later than two weeks after it is used. In addition, epinephrine auto-injectors shall be restocked before their expiration date. (Education Code 49414)

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering epinephrine auto-injectors shall be provided to each volunteer and retained in ~~his/her~~ **the employee's** personnel file. (Education Code 49414)

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

A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code 49414, including, but not limited to, the acceptance of epinephrine auto-injectors from a manufacturer or wholesaler. (Education Code 49414)

(cf. 3290 - Gifts, Grants and Bequests)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of epinephrine auto-injectors for a period of three years from the date the records were created. (Business and Professions Code 4119.2)

(cf. 3580 - District Records)

(12/14 12/16) 12/19

Policy Reference UPDATE Service

Copyright 2019 by **California School Boards Association**, West Sacramento, California 95691

All rights reserved.

CSBA Sample Board Policy

Instruction

BP 6143(a)

COURSES OF STUDY

The Governing Board recognizes that a well-aligned sequence of courses fosters academic **progress growth** and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful ~~in school, college, and the workplace~~ **academically, professionally, and personally.**

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

Note: The following **optional** paragraph should be revised to reflect the grade levels offered by the district. For example, unified school districts need to be concerned about articulation of courses within the district and with postsecondary institutions, whereas elementary districts and high school districts will ~~also~~ need to address articulation with each other.

The Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels within the district. As necessary, ~~he/she also~~ **the Superintendent or designee** shall work with representatives of appropriate area districts and postsecondary institutions to ensure articulation of courses with other institutions to which district students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, **only utilizes prerequisites that are essential to success in a given program or course**, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

The district shall not provide any course separately on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability or require or refuse participation by any of its students on any such basis. (5 CCR 4940)

(cf. 0415 - Equity)

(cf. 5145.3 - Nondiscrimination/Harassment)

Elementary Grades

Note: The following section is for use by districts offering elementary grades and may be revised to reflect district practice. Education Code 51225.4 **mandates** elementary school districts to certify to the Superintendent of Public Instruction that they have adopted a policy to implement a course of instruction that sufficiently prepares students for the secondary courses required for graduation pursuant to Education Code 51225.3.

COURSES OF STUDY (continued)

The Board shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary course of study.

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

Secondary Grades

Note: 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. Education Code 51228 also requires districts to offer such students the opportunity to attain entry-level employment skills. Pursuant to Education Code 51228, districts that adopt a course of study that meets or exceeds the state model curriculum standards in career technical education will be deemed to have satisfied the requirement.

Education Code 66204 prohibits a public school from establishing any policy or practice that directs any student away from choosing programs that prepare **him/her a student** academically for college, especially for cultural or linguistic reasons.

The following paragraph is for use by districts maintaining any of grades 7-12 and should be revised to reflect the grade levels offered by the district.

The district shall offer all otherwise qualified students in grades 7-12 a course of study that prepares them, upon graduation from high school, to meet the requirements and prerequisites for admission to California public colleges and universities and to attain entry-level employment skills in business or industry. (Education Code 51228)

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

(cf. 6141.5 - Advanced Placement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6178 - Career Technical Education)

Note: The remainder of this policy is for use by districts maintaining any of grades 9-12.

In addition, the course of study for students in grades 9-12 shall include instruction in skills and knowledge for adult life, career technical training, and a timely opportunity for all otherwise qualified students to enroll, within four years **before graduation**, in each course necessary to fulfill the requirements and prerequisites for admission to California public colleges and universities **prior to graduation**. (Education Code 51224, 51228)

Note: Among the criteria for admission to the University of California (UC) or California State University system is a requirement that high school students satisfactorily complete 15 units of specified courses ("a-g" courses). These include a growing number of career technical education courses that connect knowledge of academic content with practical or work-related applications.

In order to qualify as an "a-g" course, the course must first be submitted to and approved by UC. Education Code 51229 requires that districts annually provide the list of certified courses to students in grades 9-12 **and their parents/guardians**; see the accompanying administrative regulation and E 5145.6 - Parental Notifications.

COURSES OF STUDY (continued)

The Superintendent or designee shall develop a process by which courses that meet **California** college admission criteria (referred to as "a-g" course requirements) are submitted to the University of California for review and certification. ~~He/she~~ **The Superintendent or designee** shall maintain an accurate list of all current high school courses that have been so certified, shall ensure that the list is provided annually to ~~each~~ **all** students in grades 9-12 **and their parents/guardians**, and shall make updated lists readily available. (Education Code 51229, 66204)

Legal Reference: (see next page)

COURSES OF STUDY (continued)*Legal Reference:*EDUCATION CODE

33319.3 Driver education; CDE materials on road rage

33540 Government and civics instruction in interaction with government agencies

48980 Parental notifications

51202 Instruction in personal and public health and safety

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51204 Course of study designed for student's needs

51204.5 Social science instruction; history of California; contributions of various groups

51210-51212 Course of study for grades 1-6

51220-51229 Course of study for grades 7-12

51241 Exemption from physical education

51911-51921 Comprehensive health education

51930-51939 Comprehensive sexual health and HIV/AIDS prevention instruction

51940 Curriculum for brain and spinal cord injury prevention

60040-60052 Requirements for instructional materials

66204 Certification of high school courses as meeting university admission criteria

HEALTH AND SAFETY CODE

11032 Definitions of dangerous drugs

CODE OF REGULATIONS, TITLE 5**4940 Nondiscrimination; course access**10020-~~10049~~ **10043** Automobile driver education and training

10060 Physical education program

UNITED STATES CODE, TITLE 20~~6104~~ **6111**-6251 School-to-Work Opportunities Act of 1994*Management Resources:*WEB SITESCSBA: <http://www.csba.org>**American Health Association: <https://www.heart.org>****American Red Cross, Hands-Only CPR: <https://www.redcross.org/take-a-class>**California Career Resource Network: <http://www.californiacareers.info>California Colleges.edu: <http://www.californiacolleges.edu>California Department of Education: <https://www.cde.ca.gov>California State University, Admission Requirements: http://www.csumentor.edu/planning/high_schoolUniversity of California, a-g Course Submissions: [http://www.ucop.edu/a-](http://www.ucop.edu/a-g)~~gGuide/ag/course_submissions~~ **<https://hs-articulation.ucop.edu/guide/update-your-a-g-list/submitting-courses>**

University of California, List of Approved a-g Courses:

<http://www.universityofcalifornia.edu/admissions/freshman/requirements> **<https://hs-articulation.ucop.edu/agcourselist>**

(11/07 11/11) 12/19

CSBA Sample Administrative Regulation

Instruction

AR 6143(a)

COURSES OF STUDY

Note: Education Code requirements for courses of study are generally classified into requirements for grades 1-6 and 7-12. Therefore, K-8 districts and high school districts need to collaborate with appropriate area districts to ensure that all required courses are offered sometime during grades 7-12.

The district should select the sections below ("Grades 1-6" and/or "Grades 7-12") that correspond with the grade levels it offers.

Grades 1-6

Note: Items #1-7 below are areas of study required by law for grades 1-6. The Governing Board may add other studies to this list.

Courses of study for grades 1-6 shall include the following:

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Mathematics: concepts, operational skills, and problem solving (Education Code 51210)

(cf. 6142.92 - Mathematics Instruction)

3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (Education Code 51210)

- a. The history, resources, development, and government of California and the United States

Instruction shall include the early history of California and a study of the role and contributions of men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic,

COURSES OF STUDY (continued)

political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (Education Code 51204.5, 60040)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

- b. The development of the American economic system, including the role of the entrepreneur and labor
- c. The relations of persons to their human and natural environments
- d. Eastern and western cultures and civilizations
- e. Contemporary issues
- f. The wise use of natural resources

(cf. 6142.5 - Environmental Education)

- 4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)

(cf. 6142.93 - Science Instruction)

- 5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)

(cf. 6142.6 - Visual and Performing Arts Education)

Note: Education Code 51202 requires that certain health-related topics be addressed at "the appropriate elementary and secondary grade levels" during grades K-12. Districts may revise #6a-e below to indicate topics that will be addressed in grades K-6.

Education Code 51203 requires the Board to adopt regulations specifying the grade(s) and course(s) in which drug and alcohol education will be given. For language fulfilling this mandate, see AR 5131.6 - Alcohol and Other Drugs.

- 6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in: (Education Code 51202, 51210)

COURSES OF STUDY (continued)

- a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation when appropriate equipment is available

(cf. 6142.8 - Comprehensive Health Education)

- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of the environment
- d. Venereal disease

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

(cf. 5131.6 - Alcohol and Other Drugs)

Note: The following item is **optional** pursuant to Education Code 51202.

- f. Violence as a public health issue
7. Physical education, with emphasis on physical activities conducive to health and vigor of body and mind (Education Code 51210)

(cf. 6142.7 - Physical Education and Activity)

Note: Item #8 below is **optional**. Education Code 51210.5 authorizes age-appropriate instruction on violence awareness and prevention within any area of study listed in items #1-7 above. Pursuant to Education Code 51210.5, such instruction may include personal testimony in the form of oral or video histories that illustrate the economic and cultural effects of violence within a city, the state, and the country. See BP 6142.94 - History-Social Science Instruction.

8. Violence awareness and prevention

Note: **Optional** item #9 below is not required by state law but is a highly recommended component of school-to-career instruction.

9. Career awareness exploration

(cf. 6178 - Career Technical Education)

COURSES OF STUDY (continued)

Grades 7-12

Note: Items #1-11 below are areas of study required by law for grades 7-12. The Board may add other studies to this list.

Courses of study for grades 7-12 shall include the following:

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

~~*(cf. 6162.52 - High School Exit Examination)*~~

1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking (Education Code 51220)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, with instruction in: (Education Code 51220)

- a. The history, resources, development, and government of California and the United States, including instruction in:

- (1) The early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society (Education Code 51204.5)

Note: Education Code 51221.3 and 51221.4 encourage, but do not require, instruction on the topics described in optional subitems #(2)-(4) below. These items may be modified or deleted to reflect district practice.

For districts that choose to offer such instruction, Education Code 51221.3 and 51221.4 encourage that a component be drawn from personal testimony, especially in the form of oral or video history. If oral histories are used, they must conform to the requirements of Education Code 51221.3 and 51221.4. See BP 6142.94 - History-Social Science Instruction.

- (2) World War II, including the role of Americans and Filipino Americans who served in the United States Army during that time

COURSES OF STUDY (continued)

- (3) The Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war
 - (4) The Bracero program, ~~under which temporary contract laborers were imported pursuant to,~~ **in which there was** a 1942 agreement between the United States and Mexico **authorizing the temporary migration of laborers to the United States**
- b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions

Note: The following **optional** paragraph is for use by districts that offer a teen court or peer court program.

This course may include participation in a teen court or peer court program. (Education Code 51220.2)

(cf. 5138 - Conflict Resolution/Peer Mediation)

- c. The development of the American economic system, including the role of the entrepreneur and labor
- d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)

(cf. 6142.5 - Environmental Education)

- e. Eastern and western cultures and civilizations

Note: Pursuant to Education Code 51220, instruction related to human rights issues, as provided in item #2f below, may include the study of the Armenian genocide. Education Code 51226.3 encourages the incorporation of oral testimony into instruction in human rights, including the Armenian, Cambodian, Darfur, and Rwandan genocides.

- f. Human rights issues, with particular attention to the study of the inhumanity of genocide (which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides), slavery, and the Holocaust
- g. Contemporary issues

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

COURSES OF STUDY (continued)

3. **Foreign World** language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)

(cf. 6142.2 - World~~Foreign~~ Language Instruction)

4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)

(cf. 6142.7 - Physical Education and Activity)

5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)

(cf. 6142.93 - Science Instruction)

6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra (Education Code 51220, 51224.5)

(cf. 6142.92 - Mathematics Instruction)

7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)

(cf. 6142.6 - Visual and Performing Arts Education)

Note: The reference to "homemaking" within Education Code 51220, as amended by AB 1595 (Ch. 543, Statutes of 2019), has been changed to "family and consumer sciences."

8. Applied arts: consumer ~~and homemaking~~ **education, family and consumer sciences** education, industrial arts, general business education, or general agriculture (Education Code 51220)

9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)

(cf. 6178 - Career Technical Education)

COURSES OF STUDY (continued)

Note: Education Code 51934 requires that students be provided comprehensive sexual health and HIV prevention instruction at least once in middle school or junior high school and at least once in high school. See BP/AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction for required components of such instruction.

~~Education Code 51934, as amended by AB 329 (Ch. 398, Statutes of 2015), requires that comprehensive sexual health education include information about sexual harassment, sexual assault, adolescent relationship abuse, intimate partner violence, and sex trafficking. In addition, pursuant to Education Code 51225.36, as added by SB 695 (Ch. 424, Statutes of 2015), districts that require a course in health education for high school graduation must include instruction in sexual harassment and violence with specified components.~~

10. Comprehensive sexual health and HIV prevention (Education Code 51225.36, 51934)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Note: Education Code 51202 requires that certain health-related topics be addressed at "the appropriate elementary and secondary grade levels" during grades K-12. Districts may revise item #11 below to indicate topics that will be addressed in grades 7-12.

Education Code 51203 requires the Board to adopt regulations specifying the grade(s) and course(s) in which drug and alcohol education will be given. For language fulfilling this mandate, see AR 5131.6 - Alcohol and Other Drugs.

Note: The following paragraph is for use by districts that require a course in health education for high school graduation; see BP 6146.1 - High School Graduation Requirements. Pursuant to Education Code 51225.6, ~~as added by AB 1719 (Ch. 556, 2016),~~ such districts are required to include instruction in performing compression-only cardiopulmonary resuscitation (CPR), as described below, ~~beginning in the 2018-19 school year.~~ Such instruction must be based on national evidence-based emergency cardiovascular care guidelines for the performance of compression-only CPR, such as those developed by the American Heart Association or the American Red Cross, and must include hands-on practice in compression-only CPR. ~~Before the start of the 2017-18 school year, On its web site, the CDE is required to provide~~ guidance on how to implement this requirement, ~~including, but not limited to, who may provide instruction.~~

Education Code 51225.6, ~~as added,~~ also encourages districts to provide students with general information on the use and importance of an automated external defibrillator.

COURSES OF STUDY (continued)

Note: The following paragraph is for use by districts that maintain high schools.

High schools shall offer automobile driver education that includes instruction in: (Education Code 51220, 51220.1, 51220.4)

1. Vehicle Code provisions and other relevant state laws
2. Proper acceptance of personal responsibility in traffic
3. Appreciation of the causes, seriousness, and consequences of traffic accidents
4. Knowledge and attitudes necessary for the safe operation of motor vehicles
5. The safe operation of motorcycles
6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle
7. The rights and duties of a motorist **pertaining as they pertain** to pedestrians and the rights and duties of pedestrians **pertaining as they pertain** to traffic laws and traffic safety

Certification of College Preparatory Courses

Note: The following optional section is for use by districts that maintain grades 9-12 and may be revised to reflect district practice. Among the criteria for admission to the University of California (UC) or California State University system is a requirement that students satisfactorily complete 15 units of specified courses ("a-g" courses). In order to qualify as an "a-g" course, the course must first be submitted to and approved by UC. The district or school should develop course descriptions using the templates provided by UC and submit them through UC's online system.

Education Code 51225.37 encourages districts that offer world language courses specifically designed for native speakers to submit those courses to UC for certification and addition to the school's "a-g" course list.

According to the Frequently Asked Questions on UC's web site, UC considers the principal to be the certifying agent of the school, although the district's curriculum coordinator or an assistant principal or head counselor from the school may be assigned this responsibility. The following paragraph may be revised to reflect the position in the district or school(s) that is responsible for submitting and updating "a-g" courses.
--

COURSES OF STUDY (continued)

The Superintendent or designee shall identify **district** courses **that may qualify for designation as "a-g" college preparatory courses, including courses** in history-social science, English, mathematics, laboratory science, languages other than English, visual and performing arts, career technical education, and college preparatory electives. ~~that may qualify for designation as "a-g" college preparatory courses. He/she~~ **The Superintendent or designee shall submit course information—any necessary information regarding each identified course** to the University of California (UC) **for "a-g" designation, including, but not necessarily limited to, the course title, subject area, grade level(s), unit value, a brief course description, prerequisites and co-requisites, texts and supplemental instructional materials used in the course, whether the school is seeking designation of the course as an honors course, and whether the course is classified as a career technical education or regional occupational program course. He/she also shall electronically submit updates to UC whenever course content changes or a course will not be offered in a particular year.**

Notification and Information to Students in Grades 9-12

Note: The following section is for use by districts that maintain grades 9-12.
--

At the beginning of each school year, the Superintendent or designee shall provide written notice to parents/guardians of students in grades 9-12 that, to the extent possible, shall not exceed one page in length and that includes all of the following: (Education Code 51229)

1. A brief explanation of the course requirements for admission to UC and the California State University (CSU)

Note: The UC maintains a searchable web site that lists certified "a-g" courses for all regular California public high schools; see the management resources in the accompanying Board policy.
--

2. A list of the current UC and CSU web sites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU
3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)
4. The Internet address for the portion of the CDE web site where students can learn more about career technical education
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

COURSES OF STUDY (continued)

Note: Education Code 51225.8 requires districts, beginning with the 2020-21 school year, to provide specified information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the Dream Act application, as appropriate, at least once before grade 12. At the district's discretion, the information provided may be disseminated through in-class instruction, an existing program, family information sessions, group or individual sessions with school counselors, or other appropriate means.

The Superintendent or designee shall provide information to students and parents/guardians regarding the completion and submission of the Free Application for Federal Student Aid (FAFSA) and/or the Dream Act application at least once before grade 12. (Education Code 51225.8)

(cf. 5145.6 - Parental Notifications)

(cf. 6164.2 - Guidance/Counseling Services)

(11/11 10/16) 12/19

CSBA Sample Board Policy

Instruction

BP 6154(a)

HOMEWORK/MAKEUP WORK

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

The Governing Board recognizes that meaningful homework assignments can be a valuable extension of student learning time and assist students in developing good study habits. Homework shall be **reasonably** assigned when necessary to support classroom lessons, enable students to complete unfinished assignments, or review and apply academic content for better understanding.

The Superintendent or designee shall collaborate with school administrators and teachers to develop and regularly review guidelines for the assignment of homework and the related responsibilities of students, staff, and parents/guardians. **These guidelines will be in alignment with the most current research associated with assigning and grading homework.**

Note: The following **optional** paragraph may be revised to specify the average number of minutes of homework that may be expected per day at each grade level, or the district may adopt an administrative regulation that contains such guidelines.

Homework assignments shall be reasonable in length as not to exceed recommended length of time required for completion and appropriate to the grade level and course. The Board expects that the number, frequency, and degree of difficulty of homework assignments will increase with the grade level and the maturity of students. Teachers shall assign homework only as necessary to fulfill academic goals and reinforce current instruction.

(cf. 6011 - Academic Standards)

As needed, teachers may receive training in designing relevant homework assignments that reinforce classroom learning objectives.

(cf. 4131 - Staff Development)

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

Although on-time completion of homework is important to maintain academic progress, the Board recognizes that students learn at different rates. Students shall receive credit for work that is completed late in order to encourage their continued learning.

Age-appropriate instruction may be given to help students allocate their time wisely, meet their deadlines, **learn to work independently**, and develop good personal study habits.

HOMEWORK/MAKEUP WORK (continued)

At the beginning of the school year, teachers shall communicate homework expectations to students and their parents/guardians. Homework guidelines ~~also~~ shall **also** be included in student and/or parent/**guardian** handbooks. These communications shall include the manner in which homework relates to achievement of academic standards and course content, the impact of homework assignments on students' grades, any school resources and programs that are available to provide homework support, and ways in which parents/guardians may appropriately assist their children.

Although it is the student's responsibility to undertake assignments independently, parents/guardians may serve as a resource and are encouraged to ensure that their child's homework assignments are completed. When a student repeatedly fails to complete ~~his/her~~ homework, the teacher shall notify the student's parents/guardians as soon as possible so that corrective action can be taken prior to the release of any final grades or report cards.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

Note: The following paragraph should be revised to reflect district practice. Pursuant to Education Code 8482.3, before-school and after-school programs operated under the After School Education and Safety Program (Education Code 8482-8484.65) and/or the federal 21st Century Community Learning Center program (Education Code 8484.7-8484.9; 20 USC 7171-7176) are required to include an educational and literacy component in which tutoring or homework assistance is provided in language arts, mathematics, history-social science, computer training, and/or science. If the district offers a before-school or after-school program under the 21st Century High School After School Safety and Enrichment for Teens program for grades 9-12 (Education Code 8420-8428; 20 USC 7171-7176), the program must include an academic assistance program, which may include homework assistance. See AR 5148.2 - Before/After School Programs. In addition, some districts offer a supervised study hall elective which high school students can take instead of other electives.

To further support students' homework efforts, the Superintendent or designee may establish and maintain ~~telephone help lines~~ **electronic forums**, provide access to school library media centers and technological resources, and/or provide before-school and after-school programs where students can receive homework assistance from teachers, volunteers, and/or student tutors. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.

(cf. 1240 - Volunteer Assistance)

(cf. 1700 - Relations between Private Industry and the Schools)

(cf. 3541 - Transportation Routes and Services)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 6112 - School Day)

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

(cf. 6163.1 - Library Media Centers)

HOMEWORK/MAKEUP WORK (continued)

Teachers shall review all completed homework to assess the student's understanding of academic content and shall provide timely feedback to the student.

Makeup Work

Note: Pursuant to Education Code 48205, students who miss school work because of an excused absence must be given full credit for makeup work satisfactorily completed within a reasonable period of time. State law does not require districts to give full credit for makeup work following an unexcused absence. However, CSBA's governance brief Research-Supported Strategies to Improve the Accuracy and Fairness of Grades recommends that student absence be dealt with separately from determining students' academic understanding and progress. Thus, the following paragraph provides for full credit to be awarded for satisfactory completion of makeup work regardless of the reason for the absence, an approach which is consistent with BP/AR 5121 - Grades/Evaluation for Student Achievement. Also see BP/AR 5113.1 - Chronic Absence and Truancy for strategies to address excessive excused and/or unexcused absences. The district may revise the following paragraph to reflect district practice, provided that it ensures compliance with Education Code 48205.

Students who ~~miss school work~~ **are absent from school** shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be ~~reasonably~~ equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time.

(cf. 5113 - Absences and Excuses)

The Superintendent or designee shall notify parents/guardians that no student may have ~~his/her~~ **a** grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (Education Code 48980)

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

(cf. 5145.6 - Parental Notifications)

Suspended Students

Note: Education Code 48913.5, as added by AB 982 (Ch. 779, Statutes of 2019), requires that when a parent/guardian of a student who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher shall provide such homework.

When a parent/guardian of a student who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher shall provide such homework. If a homework assignment is requested and is turned in to the teacher by the student either upon the student's return from suspension or within the timeframe originally prescribed by the teacher, whichever is

HOMEWORK/MAKEUP WORK (continued)

later, and is not graded before the end of the academic term, the homework assignment shall not be included in the calculation of the student's overall grade in the class. (Education Code 48913.5)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension. (Education Code 48913)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Legal Reference:

EDUCATION CODE

8420-8428 21st Century High School After School Safety and Enrichment for Teens

8482-8484.65 After School Education and Safety Program

8484.7-8484.9 21st Century Community Learning Centers

48205 Absences for personal reasons

48913 Completion of work missed by suspended student

48913.5 Homework assignments for suspended students

48980 Parental notifications

UNITED STATES CODE, TITLE 20

7171-7176 21st Century Community Learning Centers

Management Resources:

CSBA PUBLICATIONS

Research-Supported Strategies to Improve the Accuracy and Fairness of Grades, Governance Brief,
July 2016

WEB SITES

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

California State PTA: <http://www.capta.org>

(2/99 12/16) 12/19

CSBA Sample Administrative Regulation

Instruction

AR 6174(a)

EDUCATION FOR ENGLISH LEARNERS

Definitions

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)

Designated English language development means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted English language development standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (5 CCR 11300)

Integrated English language development means instruction in which the state-adopted English language development standards are used in tandem with the state-adopted academic content standards. Integrated English language development includes specially designed academic instruction in English. (5 CCR 11300)

Native speaker of English means a student who has learned and used English at home from early childhood and English has been the primary means of concept formation and communication. (Education Code 306)

Identification and Assessments

Note: Education Code 52164.1 and 5 CCR 11307 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.

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, **11518.5**)

EDUCATION FOR ENGLISH LEARNERS (continued)

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. The English Language Proficiency Assessments for California (ELPAC) are 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 initially assessed for English proficiency using the English Language Proficiency Assessments for California (ELPAC). **Prior to administering the ELPAC, the Superintendent or designee shall notify the student's parent/guardian in writing that the student will be administered the initial ELPAC.** (Education Code 313, 52164.1; 5 CCR 11518.5)

~~Each year after a student is identified as an English learner and until the student is redesignated as English proficient, the summative assessment of the ELPAC 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 11518.35 specifies "universal tools" that may be used with all students in ELPAC administration, and "designated supports" and "accommodations" that may be used with students with disabilities when specified in their individualized education program or Section 504 plan.

The Individuals with Disabilities in Education Act (20 USC 1412) requires that students with disabilities be included in all state assessments, including the ELPAC as appropriate. Pursuant to 5 CCR 11518.30, 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 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).

Pursuant to Education Code 56305, CDE has developed a manual, California Practitioners' Guide for Educating English Learners with Disabilities, which provides guidance on identifying, assessing, supporting, and reclassifying English learners with disabilities.

Administration of the ELPAC, including the use of variations and accommodations in test administration when authorized, shall be conducted in accordance with test publisher instructions and 5 CCR 11518.5-11518.35.

(cf. 6159 - Individualized Education Program)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6164.6 - Identification and Education Under Section 504)

EDUCATION FOR ENGLISH LEARNERS (continued)

Note: The remainder of this section specifies notifications that must be sent to parents/guardians regarding assessment results and available programs for English learners. 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.

Based on the initial assessment, the student shall be classified either as initially fluent in English proficient or as an English learner. The Superintendent or designee shall notify the student's parent/guardian, in writing, of the results of the ELPAC initial assessment within 30 calendar days after the student's date of initial enrollment, or, if administered prior to the student's initial date of enrollment, up to 60 calendar days prior to such enrollment, but not before July 1 of the school year of the student's initial enrollment. The notice shall indicate whether the student met the ELPAC initial assessment criterion for proficiency and include the district's contact information for use if the parent/guardian has questions or concerns regarding the student's classification. (5 CCR 11518.5)

Each year after a student is identified as an English learner and until the student is redesignated as English proficient, the summative assessment of the ELPAC 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)

The Superintendent or designee shall notify parents/guardians of their child's results on the **summative assessment of the** ELPAC within 30 calendar days following receipt of the results from the test contractor or, if the results are received from the test contractor after the last day of instruction for the school year, within 15 working days of the start of the next school year. (Education Code 52164.1; 5 CCR 11518.15)

(cf. 5145.6 - Parental Notifications)

Note: The following paragraph is for use by districts that receive federal funds under either Title I or Title III for services to English learners, and may be adapted for use by other districts. Pursuant to Education Code 440 and 20 USC 6312, districts receiving Title I or Title III funds 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 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 the student'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

EDUCATION FOR ENGLISH LEARNERS (continued)

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 313.2, 440; 20 USC 6312)

1. The reason for the identification of the student as an English learner and the need for placement in a language acquisition program
2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement
3. A description of the language acquisition program in which the student is, or will be, participating, including a description of all of the following:
 - 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
 - c. The manner in which the program will help the student develop English proficiency and meet age-appropriate academic standards for grade promotion and graduation
 - 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
 - e. **Where When** the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP

Note: Education Code 313.2 requires that the notice contain information in regard to (1) whether the student is a long-term English learner, or English learner at risk of becoming a long-term English learner, and (2) the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help them develop English proficiency and achieve academic standards. Districts may send an alternate notice if the definitions of long-term English learners and those at risk of becoming long-term English learners used by the district are broader than those defined in Education Code 313.1, the notice states that the definitions utilized by the district are broader, and the notice contains the information specified in item #4 below.

4. As applicable, the identification of a student as a long-term English learner or at risk of becoming a long-term English learner, as defined in Education Code 313.1, and the

EDUCATION FOR ENGLISH LEARNERS (continued)

- manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help such students develop English proficiency and meet age-appropriate academic standards
5. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request
 6. Information regarding a parent/guardian's option to decline to enroll the student in the program or to choose another program or method of instruction, if available
 7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

Language Acquisition Programs

Note: Pursuant to 5 CCR 11311, districts are required to establish a process for schools to receive and respond to requests from parents/guardians of enrolled students, and those enrolled for attendance in the next school year, to establish a language acquisition program other than, or in addition to, those already available at the school. Each school is required to follow the process even when the district provides the language acquisition program at another school site. The following section includes the components of the process required by 5 CCR 11311 and may be expanded to reflect district practice.

Whenever parents/guardians of enrolled students, and those enrolled for attendance in the next school year, request that the district establish a specific language acquisition program in accordance with Education Code 310, such requests shall be addressed through the following process: (5 CCR 11311)

1. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent/guardian and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent/guardian in clarifying the request. All requests shall be maintained for at least three years from the date of the request.
2. The school shall monitor requests on a regular basis and notify the Superintendent or designee when the parents/guardians of at least 30 students enrolled in the school, or at least 20 students in the same grade level, request the same or a substantially similar type of language acquisition program. If the requests are for a multilingual program model, the district shall consider requests from parents/guardians of students enrolled in the school who are native English speakers in determining whether this threshold is reached.

EDUCATION FOR ENGLISH LEARNERS (continued)

3. If the number of parents/guardians described in item #2 is attained, the Superintendent or designee shall:
 - a. Within 10 days of reaching the threshold, notify the parents/guardians of students attending the school, the school's teachers, administrators, and the district's English learner parent advisory committee and parent advisory committee, in writing, of the requests for a language acquisition program
 - b. Identify costs and resources necessary to implement any new language acquisition program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent/guardian and community engagement to support the proposed program goals
 - c. Within 60 calendar days of reaching the threshold number of parents/guardians described in item #2 above, determine whether it is possible to implement the requested language acquisition program and provide written notice of the determination to parents/guardians of students attending the school, the school's teachers, and administrators
 - d. If a determination is made to implement the language acquisition program, create and publish a reasonable timeline of actions necessary to implement the program. If a determination is made that it is not possible to implement the program, provide a written explanation of the reason(s) the program cannot be provided.

The district shall notify parents/guardians at the beginning of each school year or upon the student's enrollment regarding the process to request a language acquisition program, including a dual-language immersion program, for their child. The notice shall also include the following: (5 CCR 11309, 11310)

1. A description of the programs provided, including structured English immersion
2. Identification of any language to be taught in addition to English when the program includes instruction in a language other than English
3. The manner in which the program is designed using evidence-based research and includes both designated and integrated English language development
4. The manner in which the district has allocated sufficient resources to effectively implement the program, including, but not limited to, certificated teachers with the

EDUCATION FOR ENGLISH LEARNERS (continued)

- appropriate authorizations, necessary instructional materials, pertinent professional development, and opportunities for parent/guardian and community engagement to support the program goals
5. The manner in which the program will, within a reasonable period of time, lead to language proficiency and achievement of the state-adopted content standards in English and, when the program includes instruction in another language, in that other language
 6. The process to request establishment of a language acquisition program not offered at the school
 7. For any dual-language immersion program offered, the specific languages to be taught. The notice also may include the program goals, methodology used, and evidence of the proposed program's effectiveness.

Reclassification/Redesignation

The district shall ~~continue to~~ provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers and academic deficits in other areas of the core curriculum. ~~until they:~~ (5 CCR 11302)

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~~

Reclassification/Redesignation

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 require that the district's reclassification process include, at a minimum, the criteria specified in items #1-4 below. Additional guidance is available on CDE's web site. The district may expand the following list to reflect any additional criteria it has established.

The procedures 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)

EDUCATION FOR ENGLISH LEARNERS (continued)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the ELPAC

Note: Pursuant to Education Code 313.3, ~~as added by AB 1808 (Ch. 32, Statutes of 2018)~~, CDE is required to develop, by June 30, 2020, a standardized teacher observation protocol for use in evaluating a student's English language proficiency, as required by item #2 below, as well as professional development tools to train teachers on the use of the protocol.

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 involvement, including:
 - a. Notice to parents/guardians of language reclassification and placement, including a description of the reclassification process and the parent/guardian's opportunity to participate
 - b. Encouragement of parent/guardian participation in the district's reclassification procedure, including seeking parent/guardian opinion and consultation during the reclassification 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 CDE to district superintendents (Reclassification Guidance for 2017-18) dated April 28, 2017 clarifies that the Smarter Balanced Summative Assessment may be used as a local measure of the fourth criterion, or districts may select another local assessment. CDE correspondence, which is available on its web site, provides examples of appropriate measures ~~and is available on CDE's 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

The student's language proficiency assessments, the participants in the reclassification process, and any decisions regarding reclassification shall be retained in the student's permanent record. (5 CCR 11305)

(cf. 5125 - Student Records)

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. Pursuant to 20 USC 6841, districts receiving federal Title III funding are required to report to CDE the number and percentage of English learners, including English learners with a disability, meeting state academic~~

EDUCATION FOR ENGLISH LEARNERS (continued)

standards for each of four years after they are no longer receiving services under Title III. In the Federal Program Monitoring process, CDE reviews whether the district monitors the progress of reclassified students for a minimum of four years to ensure correct classification and placement of reclassified students and the provision of additional academic support as needed. Districts that do not receive Title III funding may revise the following paragraph to reflect district practice.

The Superintendent or designee shall monitor students for at least ~~two~~ **four** years following their reclassification to **ensure correct classification and placement and to** determine whether any additional academic support is needed.

Advisory Committees

Note: The following section should be revised to reflect district practice. Pursuant to 5 CCR 11308, a ~~parent/guardian~~ **an** advisory committee **on programs and services for English learners** is required for any district with over 50 English learners and for each school with over 20 English learners. Duties of the advisory committees are specified in **Education Code 52176 and** 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~~ **school-level English Learner Advisory Committee (ELAC) shall be established** when there are more than 20 English learners at the school. Parents/guardians of English learners, **elected by parents/guardians of English learners at the school,** shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. **The school may designate for this purpose an existing school-level advisory committee provided that it meets these criteria for committee membership.** (Education Code 52176; 5 CCR 11308)

The ELAC shall be responsible for assisting in the development of a schoolwide needs assessment, recommending ways to make parents/guardians aware of the importance of school attendance, and advising the principal and school staff in the development of a detailed master plan for English learners for the individual school and submitting the plan to the Governing Board for consideration for inclusion in the district master plan. (Education Code 52176)

Note: Pursuant to 5 CCR 11308, each school-level English Learning Advisory Committee (ELAC) is entitled to elect at least one member to the District English Learner Advisory Committee (DELAC). If there are more than 30 ELACs in the district, the district may use a system of proportional or regional representation. The following paragraph may be revised to reflect district practice.

When the district has more than 50 English learners, the Superintendent or designee shall establish a District English Learner Advisory Committee (DELAC), the majority of whose membership shall be composed of parents/guardians of English learners who are not employed by the district. Alternatively, the district may use a subcommittee of

EDUCATION FOR ENGLISH LEARNERS (continued)

an existing districtwide advisory committee on which parents/guardians of English learners have membership in at least the same percentage as English learners represent of the total number of students in the district. (Education Code 52176)

Note: 5 CCR 11308 delineates the duties of the DELAC, as provided below. The list of DELAC duties on the CDE's web site omits item #5, administration of the annual language census.

The ~~district's English language advisory committee~~**DELAC** shall advise the **Governing Board** on at least the following tasks: (5 CCR 11308)

1. ~~The development of a~~**Developing a district master** plan for education programs and services for English learners, taking into consideration the school site plans for English learners
2. ~~The~~**Conducting a** districtwide needs assessment on a school-by-school basis
3. ~~Establishment of~~**Establishing** a district program, goals, and objectives for programs and services for English learners
4. ~~Development of~~**Developing** a plan to ensure compliance with applicable teacher or **instructional** aide requirements
5. ~~Administration of~~**Administering** the annual language census
6. ~~Review of~~**Reviewing** and **commenting** on the district's reclassification procedures
- 7. Reviewing and commenting on the required written parental notifications**

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(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

EDUCATION FOR ENGLISH LEARNERS (continued)

local control and accountability plan; see BP 0460 - Local Control and Accountability Plan. 5 CCR 15495 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 11301, 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~~ **DELAC may also** serve as the LCAP English learner advisory committee ~~if its composition includes a majority of parents/guardians of English learners.~~

(7/18 7/19) 12/19

CSBA Sample Administrative Regulation

Instruction

AR 6175(a)

MIGRANT EDUCATION PROGRAM

Note: The following **optional** administrative regulation reflects requirements of the migrant education program established pursuant to federal Title I, Part C (20 USC 6391-6399) and Education Code 54440-54445 and should be revised to reflect the district's agreement with the regional service center.

Eligibility

Note: Student eligibility for migrant education services is based on criteria delineated in 20 USC 6399, ~~as amended by the Every Student Succeeds Act (P.L. 114-95)~~, and 34 CFR 200.81. Eligibility is established through an interview conducted by a migrant education recruiter, who is employed by either the regional service center or district and has received specialized training and authorization to identify and recruit families for the migrant education program. Recruitment and identification procedures are detailed in the California Department of Education's (CDE) 2017 State Service Delivery Plan.

Pursuant to 34 CFR 200.89, regional service centers are required to annually validate eligibility through the re-interview of parents/guardians of a randomly selected sample of students previously identified as migrant.

Students age 3 to 21 years shall be eligible for the district's migrant education program if they, their parents/guardians, or their spouses are migratory agricultural workers or fishers who, in the preceding 36 months, moved into the district due to economic necessity and engaged in new temporary or seasonal employment or personal subsistence in agriculture or fishing. If such employment was not secured soon after the move, students may be considered migrant students if they, their parents/guardians, or their spouses actively sought such new employment and have a recent history of moves for temporary or seasonal agricultural or fishing employment. (20 USC 6399; 34 CFR 200.81)

Note: The last sentence of the following paragraph should be deleted by districts that do not offer classes at the secondary level.

A student who ceases to be a migrant student during a school term shall be eligible for services until the end of the term. If comparable services are not available through other programs, a student who is no longer migratory may continue to receive services for one additional school year. Students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation. (20 USC 6394)

Enrollment

Note: The following section reflects enrollment rights granted to migrant students pursuant to Education Code 48204.7, as added by AB 1319 (Ch. 458, Statutes of 2019).

A migrant student shall be immediately enrolled in the district even if the student: (Education Code 48204.7)

MIGRANT EDUCATION PROGRAM (continued)

- 1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended**

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

- 2. Does not have clothing normally required by the school, such as school uniforms**

(cf. 5132 - Dress and Grooming)

- 3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, medical records, including, but not limited to, records or other proof of immunization history, or other documentation**

(cf. 5111.1 - District Residency)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

If a migrant student experiences a change in residence, the student may remain enrolled in the school of origin for the duration of the student's status as a migrant student. (Education Code 48204.7)

If a student's status as a migrant student changes during a school year, the Superintendent or designee shall allow the student to continue at the school of origin through the duration of that school year or, if the student is enrolled in a high school, through graduation. (Education Code 48204.7)

A migrant student who is transitioning between school grade levels shall be allowed to continue in the district of origin in the same attendance area to provide the student the benefit of matriculating with peers in accordance with the established feeder patterns of school districts. A migrant student who is transitioning to a middle school or high school designated for matriculation in another school district shall be allowed to enroll in that school. (Education Code 48204.7)

The Superintendent or designee shall inform a migrant student and the student's parent/guardian of the impact of remaining in the school of origin on the student's eligibility to receive migrant education services pursuant to Education Code 54440-54445. (Education Code 48204.7)

The Superintendent or designee may, but is not required to, provide transportation to enable a migrant student to attend the school of origin, unless otherwise required by federal law. (Education Code 48204.7)

MIGRANT EDUCATION PROGRAM (continued)

Student Records

Note: Pursuant to 34 CFR 200.89, CDE and agencies operating migrant education programs must maintain a Certificate of Eligibility form and any additional documentation needed to confirm each student's eligibility.

Education Code 234.7 prohibits the collection of information or documents regarding the citizenship or immigration status of students or their family members, except as required by law or to administer a state or federally supported educational program. If the district becomes aware of the citizenship or immigration status of any student, it is prohibited from disclosing that information to U.S. Immigration and Customs Enforcement. See BP/AR 5145.13 - Response to Immigration Enforcement.

The Superintendent or designee shall maintain records documenting the eligibility of students enrolled in the district's migrant education program. However, the district shall not collect information or documents regarding the citizenship or immigration status of students or their family members for the purpose of determining eligibility for migrant education services.

(cf. 5125 - Student Records)

(cf. 5145.13 - Response to Immigration Enforcement)

Note: 20 USC 6398 requires districts receiving migrant education funds to make student records available at no cost to another district that requests the records, if the request is made to meet the needs of a migrant student. State law requiring the transfer of records for all students is reflected in BP/AR 5125 - Student Records. In California, the Migrant Student Information Network, developed and maintained by WestEd, assists CDE and each regional center with migrant student data collection and reporting.

The Superintendent or designee shall acquire education and health records from migrant students' previous school districts, as appropriate.

When a migrant student transfers to another district, the student's records shall be provided to the receiving district upon request at no cost in order to assist that district in meeting the needs of the student. (20 USC 6398)

Program Components

Note: The following section may be revised to reflect the district's service agreement with the regional service center.

The migrant education program shall include all of the following components: (Education Code 54443.1)

1. A general needs assessment summarizing the needs of the population to be served
2. A comprehensive program to meet the educational, health, and related needs of participating students which supplements the district program and includes, but is not limited to:

MIGRANT EDUCATION PROGRAM (continued)

- a. Instructional services, including academic, remedial and compensatory, bilingual-crosscultural, and career technical instruction

(cf. 6174 - Education for English Learners)

(cf. 6177 - Summer Learning Programs)

(cf. 6178 - Career Technical Education)

- b. Counseling and career education services

(cf. 6164.2 - Guidance/Counseling Services)

- c. Preschool services in accordance with Education Code 54443

(cf. 5148.3 - Preschool/Early Childhood Education)

- d. Other educational services that are not otherwise available in sufficient quantity or quality to eligible migrant students

- e. The acquisition of instructional materials and equipment necessary to adequately provide the appropriate services

- f. Other related services to meet the special needs of eligible migrant students to enable them to participate effectively in instructional services

- g. The coordination and teaming of existing resources serving migrant students, such as bilingual-crosscultural education, health screening, and compensatory education

(cf. 5141.6 - School Health Services)

(cf. 5147 - Dropout Prevention)

(cf. 6171 - Title I Programs)

3. Individual assessment of the educational and relevant health needs of each participating student, within 30 days of enrollment, including assessments concurrently provided pursuant to compensatory education, bilingual-crosscultural education, school improvement programs, and other programs serving the student

4. A brief individual learning plan listing the services to be provided to each student, which shall be given to the parent/guardian in writing or at a parent/guardian conference, annually and when the student moves to a new district

5. Staffing and staff development plans and practices to meet the needs of students and implement the program

(cf. 4131 - Staff Development)

MIGRANT EDUCATION PROGRAM (continued)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

6. Parent/guardian and community involvement as specified in Education Code 54444.2, including, but not necessarily limited to, the establishment of a parent/guardian advisory council to actively involve parents/guardians in planning, operating, and evaluating the district's migrant education program

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

Note: 20 USC 6394 requires "the same" parent involvement in migrant education programs as is required for Title I programs for disadvantaged students (see BP/AR 6020 - Parent Involvement), unless extraordinary circumstances make such provision impractical.

The migrant education program shall provide for the same opportunities for parent/guardian involvement that are provided to parents/guardians for federal Title I programs. (20 USC 6394)

7. Evaluations which include annual student progress and overall program effectiveness and quality control reports

Note: The following **optional** paragraph is for use by districts that offer a Migrant Education Even Start family literacy program pursuant to 20 USC 6381-6381k and 34 CFR 200.80 and may be revised to reflect district practice.

Contingent upon funding, the district shall provide home-based and/or school-based family literacy services to migrant families to enhance literacy levels, parenting skills, and English language skills of parents/guardians.

Summer School

Note: Pursuant to Education Code 54444.3, each district receiving federal migrant education funding is required to conduct summer school programs for eligible migrant students. Before establishing the program, the district must submit an application for approval to the Superintendent of Public Instruction. The following section may be revised to reflect the grade levels offered by the district.

The district shall conduct summer school program(s) for eligible migrant students. The summer school program shall respond to the individual needs of participating students and shall build on and be consistent with the instructional programs offered to these students during the regular school year. Coursework shall be of the same level of difficulty in each subject as that provided to students enrolled in regular classes of instruction within the district in the preceding year. (Education Code 54444.3)

MIGRANT EDUCATION PROGRAM (continued)

Teachers in the summer school program shall have cultural training or background and understanding of the special needs of migrant students and possess the proper credential for the subjects and grade levels to which they are assigned. (Education Code 54444.3)

The program shall comply with the following requirements for instructional time: (Education Code 54444.3)

1. For kindergarten class, a minimum of 180 minutes per day, including recesses, for not less than 20 instructional days
2. For grades 1-8, a minimum of 200 minutes per day, including recesses and passing time but excluding noon intermissions, for not less than 20 instructional days
3. For grades 7-12, a minimum of 240 minutes per day, including passing time but excluding noon intermissions, for not less than 30 instructional days

When district facilities that are suitable for the summer climate are available, the district shall make facilities available at cost to other agencies that request facilities for the operation of migrant summer school programs. When approved by the Superintendent of Public Instruction, the district may jointly offer facilities with a neighboring district to meet the needs of the migrant summer school program for the entire area. (Education Code 54444.3)

Applicability of Graduation Requirements

Note: The following section is for use by districts maintaining high schools.

To obtain a high school diploma, migrant students shall complete all courses required by Education Code 51225.3 and shall generally fulfill any additional **local** graduation requirements prescribed by the Board.

(cf. 6146.1 - High School Graduation Requirements)

Note: Whenever a migrant student transfers between districts or schools in grades 11-12, Education Code 51225.1, as amended by AB 2121 (Ch. 581, Statutes of 2018) , exempts such students from the requirement to complete district-established graduation requirements that are in addition to the state requirements, under the conditions described below. Also see BP 6146.1 - High School Graduation Requirements.

However, when a migrant student who has completed the second year of high school transfers into the district or transfers between high schools within the district, the student shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of the fourth year of high school. Within 30 calendar days of the transfer, the Superintendent

MIGRANT EDUCATION PROGRAM (continued)

or designee shall notify the student and the student's parent/guardian of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student no longer meets the definition of a migrant student. (Education Code 51225.1)

(cf. 5145.6 - Parental Notifications)

To determine whether a migrant student is in the third or fourth year of high school, the district shall use either the number of credits the student has earned as of the date of the transfer or the length of school enrollment, whichever qualifies the student for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any migrant student who is granted an exemption and the student's parent/guardian how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a migrant student to transfer schools in order to qualify for an exemption, and no request for a transfer solely to qualify for an exemption shall be made by a migrant student or parent/guardian. (Education Code 51225.1)

If a migrant student is exempted from local graduation requirements, the exemption shall continue to apply after the student no longer meets the definition of a migrant student if the student is still enrolled in school or transfers to another school or district. (Education Code 51225.1)

Upon making a finding that a migrant student is reasonably able to complete district graduation requirements within a fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

1. Inform the student and parent/guardian of the student's option to remain in school for a fifth year to complete the district's graduation requirements and how that will affect the student's ability to gain admission to a postsecondary educational institution
2. Provide information to the student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the student or parent/guardian, permit the student to stay in school for a fifth year to complete the district's graduation requirements

MIGRANT EDUCATION PROGRAM (continued)

Parent Advisory Council

The parent advisory council shall be comprised of members who are knowledgeable of the needs of migrant students and shall be elected by the parents/guardians of students enrolled in the district's migrant education program. The composition of the council shall be determined by the parents/guardians at a general meeting to which all parents/guardians of participating students shall be invited. The parents/guardians shall be informed, in a language they understand, that they have the sole authority to decide on the composition of the council. (Education Code 54444.2)

At least two-thirds of the advisory council shall consist of parents/guardians of migrant students. (Education Code 54444.2)

All parent/guardian candidates for the council shall be nominated by parents/guardians. Nonparent candidates, such as teachers, administrators, other school personnel, or students, shall be nominated by the groups they represent. All other community candidates shall be nominated by the parents/guardians. (Education Code 54444.2)

The parent/guardian advisory council shall meet at least six times during the year and shall: (Education Code 54444.4)

1. Establish program goals, objectives, and priorities
2. Review annual needs assessments, program activities for each school, and individual learning plans
3. Advise on the selection, development, and reassignment of migrant education program staff
4. Participate actively in planning and negotiating program applications and service agreements
5. Perform all other responsibilities required under state and federal laws or regulations

The Superintendent or designee shall establish and implement a training program for advisory council members to enable them to carry out their responsibilities. The training program shall be developed in consultation with the council and shall include appropriate training materials in a language understandable to each member. (Education Code 54444.2)

The Superintendent or designee shall provide the council, without charge, a copy of all applicable state and federal migrant education statutes, rules, regulations, guidelines, audits, monitoring reports, and evaluations. Upon request, these materials also shall be provided without charge to each member of the council. (Education Code 54444.2)

MIGRANT EDUCATION PROGRAM (continued)

Notification and Complaints

Note: Education Code 51225.1 and 51225.2, ~~as amended by AB 2121~~, provide that complaints of noncompliance with specified requirements related to the educational rights of migrant students may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-4670. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to CDE and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Information regarding the educational rights of migrant students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint that the district has not complied with requirements regarding the education of migrant students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

(7/09 12/18) 12/19

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Elizabeth Keema-Aston, Chief Business Officer

Item Number: 12

Type of item: (Action, Consent Action or Information Only): Action Item

SUBJECT:

Request to approve the contract with Williams & Associates, LLC, School Facility Program (SFP) consultant, to analyze the District's eligibility for state funds for new or improved facilities

BACKGROUND:

The State School Facility Program under the provisions of the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50). The SFP funding is provided in the form of per pupil grants, with supplemental grants for site development, site acquisition, and other specific project costs when an application is eligible for them. In most cases, applications are reviewed once and presented to the State Allocation Board (SAB) for approval to obtain funding,

Williams & Associates, LLC was established in 1995, and has provided services specializing in school facility planning over the last 25 years to over 79 school districts in California. Their diverse background of the districts served provides them with the expertise to effectively coordinate projects through the School Facilities Program, determine eligibility, application for funding, and close-out processes.

STATUS:

As the District researches Bond Measure feasibility, it would be advantageous to know which SSFD programs the District is eligible to apply for. Thus, knowing what programs the District can apply for will enable the District to augment funding for modernization or construction projects.

PRESENTER:

Elizabeth Keema-Aston, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT: N/A

COST AND FUNDING SOURCES:

General Fund 01, Unrestricted, not to exceed \$27,450

RECOMMENDATION:

That the Board approves the contract with Williams & Associates, LLC as its State School Facility Program Consultant

Time allocated: 3 minutes

February 6, 2020

Ms. Katherine Wright
Superintendent
River Delta Unified School District
445 Montezuma Street
Rio Vista, California 94571

Subject: Proposal for State School Facility Program Services

Dear Ms. Wright:

Williams & Associates, LLC is pleased to provide you with a proposal for State School Facility Program (SFP) services for River Delta Unified School District.

Williams & Associates was established in 1995 and has provided services specializing in school facility planning over the last 25 years to over seventy-nine school districts in California. With over 33 years of experience, we have worked on projects affected by Local, State, and Federal agencies including City and County Planning agencies; the California Department of Education and Office of Public School Construction (OPSC). This diverse background provides our clients with the expertise to effectively coordinate their projects through the School Facilities Program's eligibility, application for funding, and closeout processes.

Please do not hesitate to contact us should you have any questions or require clarification on any aspect of this response. We thank you very much for the opportunity to submit a proposal and be considered for your District's facility funding needs.

Best regards,

MimiDene Williams

MimiDene Z. Williams
Principal
Williams & Associates, LLC
mimidene@williams-assoc.com
(530) 906-6690

Table of Contents

Executive Summary & Services 1

Firm Information 2

Prior Relevant Experience 3

Compensation 4

State School Facility Program Eligibility Services

Executive Summary

Our team believes in partnering with the River Delta Unified School District to become familiar with the district's facilities and goals, in order to provide a comprehensive approach to assisting the district in meeting those goals. We have collectively been involved in hundreds of projects throughout the State that have required numerous agency approvals, and our team brings a wealth of knowledge in how to successfully navigate projects through the various eligibility and funding stages.

We are prepared to provide the following assistance to the District:

- Coordination with the Office of Public School Construction (OPSC) and/or school district to obtain and review previous School Facility Program (SFP) eligibility records.
- Analysis of SFP New Construction eligibility, organized under district-wide data. This includes analysis of supplemental data, such as existing student generation rate studies, birth data, enrollment projection data, enrollment reports, community development information, school site data, facility inventories, etc.
- Analysis of SFP Modernization eligibility for each school site. This includes preparation of any facility inventories required for analysis for the following:
 - The District's 4 Elementary Schools
 - The District's 2 Middle Schools
 - The District's 2 High Schools
 - The District's Alternative School
- Coordination with the District and/or consultant to visit each school site to identify the use of the spaces on the campus, if necessary. Assist in researching the Division of the State Architect numbers and dates of approval for each school site's facilities.
- Preparation and submittal of SFP eligibility applications and supplemental information to the OPSC, including coordination of any site visits required by the OPSC, or requests for additional information from the OPSC during application processing.
- Meeting with local planning agencies, District staff, and State agencies.
- Attending Board and district committee meetings, when necessary.

Firm Information

Williams & Associates, LLC is a limited liability corporation that was established in 1995, and has provided services specializing in school facility planning over the last 25 years to over seventy-nine school districts in California. With over 33 years of experience, we have worked on projects affected by Local, State, and Federal agencies including City and County Planning agencies; the California Department of Education and Office of Public School Construction. This diverse background provides our clients with the expertise to effectively coordinate their projects through the School Facilities Program's eligibility, application for funding, and closeout processes.

We believe in approaching our clients as though we are extensions to the district's staff. We work collaboratively with the district's facilities team, whether they are district staff or district consultants, to ensure that we thoroughly understand the district's needs. Knowing the district's needs and goals allows our team the ability to create successful strategies to meet those needs in the most efficient manner possible.

In order to prepare successful funding strategies, we will work alongside district staff to gather relevant information. When necessary, we will request verification of data gathered by our team, to ensure proper preparation of document forms and reports.

Our primary team consists of MimiDene Williams of Williams & Associates, and two support staff.

MimiDene will lead efforts to gather necessary information for inclusion in the various facility analyses, including meeting with district staff and consultants to visit sites and document previously prepared facility documents. The support staff will prepare the primary analysis for calculation of eligibility in various facility programs, and preparation of agency forms and/or documents. MimiDene will be available to present any necessary information to district personnel, committees, or to the district's governing board.

MimiDene Williams, Principal

Ms. Williams has been assisting school districts throughout the state for over 33 years with their school facility needs.

From January, 1987 and the subsequent two and one-half years, she initiated her career into the school facilities arena with the Office of Local Assistance, now known as Office of Public School Construction, where she was responsible for all construction and modernization projects for San Diego and Imperial Counties.

For the next three and one half years, MimiDene was the Director of School Facilities Planning for the El Dorado County Office of Education. In this capacity she coordinated virtually all the projects for the school districts in El Dorado County that were seeking state funding for schools.

From July, 1993 through June, 1995, MimiDene was the Director of School Planning for the architectural firm Murray & Downs, A.I.A. Inc. located in Placerville, California.

Beginning in July, 1995, MimiDene Williams formed the company Williams & Associates specializing in school facility planning. Over the last 25 years, the firm has provided assistance to over seventy-nine school districts in California working on projects affected by Local, State, and Federal agencies including City and County Planning agencies; the California Department of Education; Office of Public School Construction; Division of the State Architect; Department of Toxic Substance Control; California Coastal Commission; and the Tahoe Regional Planning Agency. This diverse background provides clients with the experience to effectively coordinate their projects through the State School Facilities Program’s eligibility, application for funding, and closeout process.

Ms. Williams has a B.S. in Business Administration from California State University, Sacramento and holds a certificate in Educational Facilities Planning from the University of California, Davis.

Our team is unique in that MimiDene Williams and staff have worked directly for the Office of Public School Construction (and the Office of Local Assistance, as OPSC was previously named). Because our team is so familiar with this agency and has so many positive working relationships with the current agency employees, we are able to provide very first-hand knowledge of the intricacies of the facility programs. This creates advantages to your district, in the application of direct experience and the breadth of knowledgeable strategies that we are able to share with the district when preparing applications and creating strategies for successful funding.

We regularly attend workshops, monthly meetings and training provided through the Coalition of Adequate School Housing (CASH). We also regularly attend State Allocation Board meetings to keep abreast of changes to the regulations and policies associated with school facility funding.

Prior Relative Experience

School District & Address	Contact / Title / Email	Phone Number
Sonoma County Office of Education 5340 Skylane Boulevard Santa Rosa, CA 95403	Steven D. Herrington, Ph.D. Sonoma County Superintendent of Schools sherrington@scoe.org	(707) 524-2603
Roseville City School District 1050 Main Street Roseville, CA 95678	Dennis Snelling Associate Superintendent, Business Services dsnelling@rcsdk8.org	(916) 771-1600, Ext. 50111
Windsor Unified School District 9291 Old Redwood Highway, Bldg. 500 Windsor, CA 95492	Lois Standring Chief Business Officer lstandring@wusd.org	(707) 837-7726

Compensation

Should the River Delta Unified School District wish to retain our team for the following services, we would request that services be billed on an hourly basis, at a rate of \$180 per hour, for a Not-to-Exceed amount of \$27,540.

Additional Costs

The District shall pay and reimburse any direct costs (such as travel, special printing fees and mailing costs), when such expenses are incurred at the request and approval of the District.

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Katherine Wright, Superintendent

Item Number: 13

Type of item: (Action, Consent Action or Information Only): Action

SUBJECT:

Request to approve the 2020 Districtwide Comprehensive Safety Plan (Safety Plan)

BACKGROUND:

Districts with an enrollment of under 2,500 students are authorized to prepare a Districtwide Comprehensive Safety Plan. RDUSD's Safety Committee held a meeting on September 12, 2019 inviting law enforcement, fire departments and other first responders. The Safety Plan was reviewed and suggestions and edits were made. The Safety Committee updated Board Policies and made revisions to reflect the changes in procedures and action steps.

Each school site has inserted site specific information such as: Incident Commander Flowcharts, Staff Job Assignments, Phone Trees, and Staff Lists, which are located in the confidential materials section. All School Site Councils (SSC) approved the Safety Plan for 2020 prior to February 1, 2020.

STATUS:

The Safety Plan must be approved by the Board prior to the first of March of each year.

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

No cost to the District to review and update the Safety Plan

RECOMMENDATION:

That the Board approves the Districtwide Comprehensive Safety Plan as submitted

Time allocated: 5 minutes



River Delta Unified School District



2020

Comprehensive District Safety Plan

Bates Elementary School - 180 Primasing, Courtland
D.H. White Elementary School - 500 Elm Way, Rio Vista
Isleton Elementary School - 412 Union Street, Isleton
Walnut Grove Elementary School - 14181 Grove Street, Walnut Grove
Clarksburg Middle School - 52870 Netherlands, Clarksburg
Riverview Middle School - 525 South 2nd Street, Rio Vista
Delta High School - 52810 Netherlands, Clarksburg
Rio Vista High School - 410 South 4th Street, Rio Vista
River Delta High/Elementary School - 400 Elm Way, Rio Vista
River Delta Community Day School - 160 Courtland High School Ln, Courtland
Mokelumne High School - 160 Courtland High School Ln, Courtland

This Comprehensive School Safety Plan was developed by the district's safety planning committee, reviewed by district employees, School Site Councils (SSC), local law enforcement, fire districts and adopted by the River Delta Unified School District Governing Board on February 18, 2020

RDUSD Board Approval Confirmed by:

Name	Title	Signature	Date
<i>Alicia Fernandez</i>	<i>Board President</i>		<i>February 18, 2020</i>
<i>Katherine Wright</i>	<i>Superintendent</i>		<i>February 18, 2020</i>

This document is to be maintained for public inspection in the district office during regular business hours or on the districts website www.riverdelta.org

RDUSD Safety Plan – Table of Contents

Comprehensive Safety Plan Purpose & Compliance	4
RDUSD Vision, Mission and Core Values	6
Vision.....	6
Mission.....	6
Core Values.....	6
Safety Plan Vision.....	7
Components of the Comprehensive School Safety Plan.....	8
RDUSD Safety Planning Committee.....	8
Assessment of School Safety	8
District/Campus Safety Strategies and Programs	8
(A) Child Abuse Reporting Procedures	8
(B) Emergency Preparedness and Crisis Response Plan	9
(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines.....	10
(D) Procedures to Notify Teachers of Dangerous Pupils.....	11
(E) Discrimination and Harassment Policies.....	11
(F) School-wide Dress Code.....	13
(G) Procedure for Safe Ingress and Egress to and from School.....	14
(H) A Safe and Orderly School Environment Conducive to Learning.....	14
(I) School Discipline Rules and Consequences	20
(J) Hate Crime Reporting Procedures and Policies.....	22
Safety Plan Review, Evaluation and Amendment Procedures	23
Safety Plan Appendices	24
Protected Information	24
Appendix A: Emergency Preparedness Guidelines	25
Appendix B: District Crisis Response Plan	26
Appendix B.1: District Staff Emergency Contacts – Confidential.....	27
Appendix B.2: Connect Ed Use Procedures – Confidential.....	28
Appendix B.3: Crisis Response/Community Emergency Contacts	29
Appendix B.4: RDUSD Incident Command System.....	31
Appendix B.5: District/Campus Emergency Evacuation Plans.....	33
Appendix C: Emergency Response Guidelines	35
Appendix D: Types of Emergencies & General Procedures.....	39
Appendix E: Power Failure / Outage Procedures	42
Appendix F: Catapult EMS Initiated Procedures	43

Comprehensive Safety Plan Purpose & Compliance

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans must include the following elements:

- Assessment of school crime committed on school campuses and at school-related functions
- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March of each year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

Small school districts (with an enrollment of 2,500 students or less) may develop a comprehensive district safety plan to encompass all schools within the district, which would fulfill each individual school's comprehensive safety plan requirement. It is not required that small school districts have their safety plans developed or approved by site councils or designated safety committees; the plans must only be approved by the district board of trustees. However, a district plan should be developed in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and others who may be interested in the prevention of campus crime and violence.

As defined in **RDUSD Board Policy 0450**, the Board of Trustees recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and creating a positive learning environment that teaches strategies for violence prevention and emphasizes high expectations for student conduct, responsible behavior, and respect for others.

The Board shall review the comprehensive district wide and/or school safety plan(s) in order to ensure compliance with state law, Board policy and administrative regulation. Approval of the plan shall occur at a regularly scheduled meeting.

A copy of the comprehensive district safety plan shall be available for review without the confidential sections at the River Delta Unified School District office.

Declaration regarding RDUSD board policy and administrative regulation references:

Except when specifically quoted, the RDUSD Board Policies and Administrative Regulations included in this safety plan are for reference only and may include only a summarized version of the official policy language. To review these policies and regulations in their entirety, please see the district office during regular business hours.

RDUSD Vision, Mission and Core Values

Vision

In a diverse community, rich in agricultural and family traditions, the River Delta Unified School District will provide a safe, supportive, rigorous, student-centered education in which all students are prepared to achieve their maximum potential and become productive members of society.

Mission

Our Mission is to develop a professional learning community devoted to student success in the 21st century by:

- Providing a safe, respectful, and nurturing school environment
- Providing exemplary, standards-based, fiscally sustainable programs
- Fostering the development of each individual through enrichment, extra-curricular, and other support programs
- Employing, training, and retaining highly qualified professional staff
- Forging partnerships and collaboration opportunities with community shareholders

Core Values

We work together every day in the spirit of:

- **Curriculum**
We will implement curriculum and instruction aligned with state and local standards and assessment to ensure articulated K-12 continuous learning.
- **Facilities**
We will utilize and update all of our resources and facilities to their fullest potential for the educational benefits and safety of our students and for our community.
- **Growth and Update**
We will address the needs of each community and take appropriate action based on anticipation of growth and updates of existing structures.
- **School Efficiency**
We will design and implement a strategic plan which addresses planning and communication among teachers, students, parents, administrators and community.
- **Social Issues**
We will implement age-appropriate programs that will educate students and parents about physical, emotional and social development and responsibility.
- **Technology**
We will utilize technology to enhance student learning; improve communication with families, communities and district staff and manage data and equipment.

Safety Plan Vision

To support the Vision, Mission and Core Values of the River Delta Unified School District, we strive for a safe, respectful and nurturing learning environment where students are empowered to achieve through strong connectedness to their school and community.

Working together with our community partners, we will provide a safe campus environment by effectively identifying and addressing issues that deteriorate our schools' social and physical climate.

Components of the Comprehensive School Safety Plan

As a small school district (enrollment of 2,500 or below), the RDUSD Comprehensive District Safety Plan encompasses all eleven schools. Site-specific procedures to implement the components of this plan will be included within the body or appendices of this document. The Plan is reviewed and approved by site councils prior to Board Approval.

RDUSD Safety Planning Committee

- Katherine Wright, District Superintendent
- Nicole Latimer, Director of Educational Services and Special Education
- Jennifer Gaston, District Executive Assistant
- Ken Gaston, Director of MOT
- Carmen Arias, MOT Secretary
- Marcy Rossi, Site Principal

Assessment of School Safety

Education Code, Section 32282 (a) 1

In the 2017-2018 California Healthy Kids Survey, conducted among district 7th graders - 61%, 9th graders – 54%, and 11th grade – 55% of students reported they feel safe at school all of the time. The same survey also showed that more than half of the students reported high levels of caring relationships with a teacher or other adult at their school and high levels of personal school connectedness. Each of these elements are key indicators of school safety, and these results show that RDUSD has developed for their students, a safe social and physical climate. The only concern that has arisen recently based on discipline data is an increase in drug offenses at the upper grades, which site administrators and counselors are addressing.

A review of school suspension and expulsion data, campus policies and procedures, and interviews with school administration showed an overall safe campus climate and a district commitment to student safety. Site security assessments conducted at each location found facilities to be in good repair and safe. Recommendations made following site security assessments conducted at schools in the district included: replacing door handles with handles lockable from the inside; adding fencing and lockable gates; posting additional signs to guide visitors to each school office; and strengthening lockdown procedures in emergency plans.

District/Campus Safety Strategies and Programs

Education Code 32282 (a) 2 (A)-(J)

As written in **RDUSD Board Policy 5142**, The Board of Trustees recognizes the importance of providing a safe school environment that is conducive to learning and helps ensure student safety and the prevention of student injury. The Superintendent or designee shall implement appropriate practices to minimize the risk of harm to students, including, but not limited to, practices relative to school facilities and equipment, the outdoor environment, educational programs, and school-sponsored activities.

(A) Child Abuse Reporting Procedures

Additional code references: Education Code 35294.2 (a) (2); Penal Code 11166

According to **RDUSD Board Policy 5141.4** The Board of Trustees is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school- based mental health services or other support services and/or may refer the student to resources available within the community as needed.

The district's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, include instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, inform students of available support resources, and teach students how to obtain help and disclose incidents of abuse.

The district's program may also include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction.

The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The Superintendent or designee shall provide training regarding the duties of mandated reporters.

(B) Emergency Preparedness and Crisis Response Plan

Additional code references: Educational Code 35295-35297; Government Code 8607 and 3100

In **RDUSD Board Policy 3516**, the Governing Board recognizes that all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster. The Superintendent or designee shall develop and maintain a disaster preparedness plan which details provisions for handling emergencies and disasters and which shall be included in the district's comprehensive school safety plan. In developing the district and school emergency plans, the Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators. The Superintendent or designee shall use state-approved Standardized Emergency Management System guidelines and the National Incident Command System when updating district and site-level emergency and disaster preparedness plans.

The River Delta Unified School District Crisis Response Plan is included in the appendices, and accomplishes the following: providing emergency preparedness guidelines and the district crisis response plan, which incorporates strategies of the Incident Command System (ICS), SEMS and NIMS; as well as emergency contact information and site-specific procedures.

(i) Earthquake and Multi-hazard Emergency Response Procedure System

RDUSD has defined emergency response procedures for earthquakes and other hazards in the Crisis Response Plans described in the appendices of this plan. This district follows the recommended “drop, cover and hold on” procedures for earthquake response. The plans also align with standards established by NIMS and SEMS and call for response actions to be coordinated using ICS. Additional details on the implementation of these plans, including roles and responsibilities for school personnel, are included as part of the District Emergency Operations Plan and School Emergency Response Procedures flipcharts. These additional supporting plans are provided to school personnel as references and are not included as part of this public document.

(ii) Use of School Buildings for Emergency Shelters

The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services they deem necessary to meet the community’s needs.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Additional code reference: Education Code 48900, 48915 (d) and (c)

As stated in **RDUSD Board Policy 5144** The Board of Trustees is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/guardian involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

Through **RDUSD Board Policy 5144.1 and 5144.2**, The Board of Trustees desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

The policy also describes the guidelines in accordance with state and federal law, Student Due Process, On-Campus Suspension Program, Required Parental Attendance and the Decision to Not Enforce Expulsion Order available to the school board.

For campus-specific guidelines for suspension and expulsion of students, including behavior that may result in suspension or expulsion on the first offense, please refer to student and parent handbook distributed to all students at the start of each school year. Current versions will be available for review alongside this comprehensive safety plan in the district office.

(D) Procedures to Notify Employees of Dangerous Pupils

Additional code reference: Education Code 49079

As described in **RDUSD Board Policy 4158**: the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace.

The Superintendent or designee shall ensure that employees receive training in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

(E) Discrimination and Harassment Policies

Additional code reference: Education Code 200-262.4

A comprehensive prohibition of discrimination and harassment across all district programs and activities is identified in **RDUSD Board Policy 0410**, which states that the Board of Trustees is committed to providing equal opportunity for all individuals in district programs and activities. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

Among the policies included in this comprehensive set of anti-discrimination and harassment policies are two that clearly define the expectations and procedures regarding occurrences of discrimination and sexual harassment:

RDUSD Board Policy 5145.3 states that district's academic, extracurricular, and other educational support programs and activities prohibit unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

The Board of Trustees desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive.

As written in **RDUSD Board Policy 5145.7**, The Board of Trustees is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone.

The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The Superintendent or designee shall ensure that all district students receive age-appropriate information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

As written in **RDUSD Board Policy 5131.2** the Board of Trustees recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

(F) School-wide Dress Code

Additional code reference: Education Code 35183

As described in **RDUSD Board Policy 5132**, The Board of Trustees believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to wear clothing that is suitable for the school activities in which they participate. Students shall not wear clothing that presents a health or safety hazard or is likely to cause a substantial disruption to the educational program.

The principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code.

For campus-specific detailed dress code requirements, please refer to the student and parent handbook that are distributed to all students at the start of each school year. Current versions will be available for review alongside this comprehensive safety plan in the district office.

(G) Procedure for Safe Ingress and Egress to and from School

Through a collection of Board Policies, River Delta Unified School District has established procedures to ensure the Safe Ingress and Egress of students, parents, and school employees to and from school. The list below shows applicable board policies and administrative regulations and how they contribute to this safety component:

- BP 5142: “To assist students in safely crossing streets adjacent to or near school sites, the Board may employ crossing guards and/or establish a safety patrol at any district school. The Superintendent or designee shall periodically examine traffic patterns within school attendance areas in order to identify locations where crossing assistance may be needed.”
- AR 3543: provides a framework for school bus transportation safety plans and procedures including, student and parent education, bus evacuation exercises, limitations on school bus operation in limited visibility conditions and exceptions to school bus capacity limits in emergency situations where students must be moved immediately to ensure safety.
- BP 5131: holds students accountable for conduct not only on campus but also on their way to and from school.
- BP 5131.7: prohibits the possession of weapons, imitation firearms or other dangerous instruments, as defined in law and administrative regulation, in school buildings, on school ground or buses, at school-related or school-sponsored activities away from school, or while going to or coming from school.

Each school site will also identify emergency evacuation routes identifying locations where students may assemble in response to fire, earthquake, bomb threats or other similar hazards. A map showing emergency evacuation procedures for each campus is included in Appendix B.5: District/Campus Emergency Evacuation Plans.

In addition to the safety measures defined above, student safety will also be ensured through the control of the ingress and egress of campus visitors as defined in **RDUSD Board Policy 1250**:

All outsiders, as defined in law and administrative regulation, shall register immediately upon entering any school building or grounds when school is in session (Penal Code 627.2).

The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

Additional code references: Education Code 32210-32211, Penal Code 627

(H) A Safe and Orderly School Environment Conducive to Learning

As intended by Educational Code 32282 (b) the action plans shown in the tables on the following pages were developed using strategies presented in the handbook developed and distributed by the School/Law Enforcement Partnership Program entitled “Safe Schools: A Planning Guide for Action”.

Each goal is supported by objectives, which will be accomplished through the defined action steps, using designated resources available, and coordinated or reported on by the designated lead person. Outcome measures are also listed and may be used to assess the progress in achieving the objectives.

Safe Physical Climate Goal:	Our schools are a source of pride in our community with safe, clean and healthy facilities where our students can learn, achieve and thrive.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
1) Identify and address security vulnerabilities and hazards	Maintain visibility from the building and surrounding environment by pruning landscape and moving potential obstacles (All Sites)	District	Gardener	M&O Supervisor will conduct regular site checks to ensure visibility is maintained
	Staff will keep classroom doors of the building locked at all times (All Sites). District will provide magnet strips to sites for doorways.	District, site	Site Administrators, M&O	Policy is enforced by the principal and door remain locked
	Security cameras at D.H. White Elementary School, Isleton Elementary School, Riverview Middle School and Bates Elementary	Site funds	Site Administrators, M&O	Cameras are installed, maintained and operational by site. Must be approved by MOT department.
2) Identify and address communication issues within the district and community that affect the safety and wellbeing of students	District will continue to utilize CatapultEMS Safety management system districtwide.	Donations District	Site Administrators District Office	Provide an emergency communication system for the safety of the students and staff.
	All sites and programs are connected to and have the ability to send out messages via School Messenger	District	Ed Services, site principals	Integrated communication system for all programs

Safe Physical Climate Goal:	Our schools are a source of pride in our community with safe, clean and healthy facilities where our students can learn, achieve and thrive.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
	All sites will develop and maintain a current phone tree		Site Administrators	Current contact information for all site personnel
	Meet with community in a site/district forum annually to address school and community safety		District, Site Administrators	Identify and address safety concerns connected with the schools
	Provide each site with a Red Emergency Analog Phone to be used when experiencing power loss and the VOIP phones are disabled	District	Director of MOT, Site Administrators	Phone number will be left unlisted and private so outbound calls can be made during an emergency.
3) Identify and address traffic flow, pedestrian safety and visitor influence concerns	Crossing guards will safely cross students and families across the street to school (Where applicable)		Staff	Staff will ensure pedestrian safety
	Provide staff to: Supervise students being picked-up at dismissal time Supervise students before school on the main playground, including lining up in specific places		Administrators, staff	Students are supervised during pick-up times Reduction in the amount of parents/students walking through campus before school
	Ensure visitors (non-district employees), have and wear site-issued badges		Site Administrators	All visitors will can be easily identified on school campuses

Safe Physical Climate Goal:	Our schools are a source of pride in our community with safe, clean and healthy facilities where our students can learn, achieve and thrive.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
	Provide signage to all sites – Office sign is clear, dusk to Dawn and alcohol/drug free	M&O funds	M&O, Ed Services	Physical spaces are clearly defined and policies are clearly communicated to the public
	Continue to use a digital sign-in system at Riverview Middle, D.H. White Elementary, Rio Vista High Riverview Middle and Bates Elementary for the 2020-21 school year	District LCAP and site funds	Site Administrator	All visitors to DH White, Riverview, Rio Vista High will sign in digitally and receive a visitor badge, decreasing unidentified individuals on campus and signaling security risks.
4) Practice the activation of crisis response plans and tools	Work with local emergency response partners to conduct and monitor drills and to advise on access issues (all schools)	Local sheriff/police/fire	Site Administrators, District Safety Coordinator	Drills will be conducted regularly and emergency response partners will be informed/invited to all
	Train all staff and students on standard response protocols: 1. Evacuate 2. Shelter 3. Lockdown 4. Lockout and practice per Ed Code 5. Active Shooter	Standard Response Protocol, district, local sheriff/police/fire	Site Administrator	Students and staff have common and easy to remember protocols for crisis responses

Use CatapultEMS to notify and monitor staff and student status during emergency situations and drills	District Donations	Site Administrators	Students and Staff have a communication and efficient protocols for crises responses
Classrooms will be equipt with emergency supplies such as a lockdown toilet, privacy tent or equivalent, a LED lantern and a two way radio.	District funds	District Office and M & O	Provide necessary supplies for the health, safety and welfare of students and staff members during an emergency.

Safe Physical Climate Goal:	Our schools are a source of pride in our community with safe, clean and healthy facilities where our students can learn, achieve and thrive.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
	Develop a mental health response protocol and train all staff	Crisis response organizations (fire, police, etc.)	Ed Services & Site Administrator	Consistent response to mental health crises that are based on best practices

Safe Social Climate Goal:	Our students and staff thrive together in an environment of mutual respect, self-discipline and a commitment to excellence.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
1) Promote social emotional learning and decrease behaviors that affect student safety	Continue implementation of Student Success Teams and Second Step (4-6)	District funds	Site administrator or designee	# of students referred to, and served by Student Success Teams and Second Step services Classroom referrals connected with harassment will decrease Definition of Bullying will be defined in the student handbook.

Safe Social Climate Goal:	Our students and staff thrive together in an environment of mutual respect, self-discipline and a commitment to excellence.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
	Maintain 1 part-time counselor for each elementary site and 1 FTE for each high school.	District funds, SCOE Bullying Prevention grant	Ed Services, site administrator	Counselors will educate and support students in social emotional learning and anti-bullying behavior
	Provide parents education annually on bullying behavior	SCOE Bullying prevention program	Ed Services, site administrator	Parents will have clearer understanding of what is and isn't bullying Parents will understand and use complaint procedures to address potential bullying
	Monitor and address bullying behavior; staff will intervene on ALL bullying behavior		Site administrator, supported by all school personnel	All staff will be trained in bullying prevention and use strategies and supports in classroom, as well as investigate all bullying claims

Safe Social Climate Goal:	Our students and staff thrive together in an environment of mutual respect, self-discipline and a commitment to excellence.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
2) Strengthen staff resources available for prevention programs	Site administration will continue to serve as the district’s liaison and prevention coordinator in addition to the services already in place	Tools and resources from SCOE safety plan training	Site administration team	Staff are trained in current research on bullying and provide a safe and supportive classroom and school climate
	Prevention program will be provided at middle school to address drug and alcohol use		District, site administrator	Reduction of drug and alcohol use as reported in California Healthy Kids Survey
3) Strengthen administrative knowledge around current disciplinary practices and legal requirements around school safety	Provide annual training to district administrators on discipline, investigative process and expulsions	District	Ed Services	Consistent application of district and state disciplinary policies
	Identify and train district expulsion officers	SCOE, district	Ed Services	Ensure due process for all students and all paperwork is completed and presented to district and/or school board

(I) School Discipline Rules and Consequences

Additional code references: Education Code 35291 and 35291.5

RDUSD Board Policy 5131 identifies district-wide standards for student conduct:

The Board of Trustees believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on district transportation.

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes but is not limited to:

1. Conduct that endangers students, staff or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats
2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written or physical conduct that causes or threatens to cause violence, bodily harm, or substation disruption
 - a. “Cyberbullying” includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person’s electronic account and assuming that person’s identity in order to damage that person’s reputation.
3. Conduct that disrupts the orderly classroom or school environment
4. Willful defiance of staff’s authority for grades 7-12.
5. Damage to or theft of property belonging to students, staff or the district
6. Obscene acts or use of profane, vulgar or abusive language
7. Possession, use, or being under the influence of alcohol, tobacco, cannabis, smokeless tobacco products, and electronic cigarettes or other prohibited drug in violation of school rules
8. Possession or use of laser pointers, unless used for a valid instructional or other school-related purpose
 - a. Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, students shall obtain permission from the principal or designee.
9. Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time
 - a. Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a district employee. Any device with a camera, video or voice recording shall not be used in any manner which infringes on the privacy rights of any other person.
 - b. No student shall be permitted from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student’s health and the use of which is limited to purposes related to the student’s health.

10. Plagiarism or dishonesty in schoolwork or on tests
11. Inappropriate attire
12. Tardiness or unexcused absence from school
13. Failure to remain on school premises in accordance with school rules

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The superintendent or designee shall notify law enforcement as appropriate.

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during non-school hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

For campus-specific rules and comprehensive description of conduct and student behavior expectations, please refer to student and parent handbook distributed to all students at the start of each school year. Current versions will be available for review alongside this comprehensive safety plan in the district office.

RDUSD Board Policy 5144 describes standards for discipline and provides administrative guidance for the consequences of misconduct:

The Board of Trustees is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/guardian involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

The Superintendent or designee shall develop effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

In addition, the Superintendent or designee's strategies for correcting student misconduct shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed.

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

Additional Board Policies are listed below, which describe overarching discipline standards for specific areas of concern. Violation of these items will result in student referral to campus administration at the minimum and may lead to suspension or expulsion. These include:

- **Weapons:** The Board prohibits any student from possessing weapons, imitation firearms, or other dangerous instruments, as defined in law, and administrative regulation, in school buildings, on school grounds or buses, at school-related or school-sponsored activities away from school, or while coming to or coming from school. Under the power granted to the Board to protect the safety of students, staff and others on district property and to maintain order and discipline in the schools, any school employee is authorized to confiscate any prohibited weapon, imitation firearm, or dangerous instrument from any student on school grounds. **RDUSD Board Policy 5131.7**

(J) Hate Crime Reporting Procedures and Policies

Additional code references: Penal Code 628

As stated in **RDUSD Board Policy 5145.9**, The Board of Trustees is committed to providing a safe learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents if they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Such collaborative efforts shall focus on ensuring an efficient use of district and community resources, developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction that includes the development of social-emotional learning, promotes their understanding of and respect for human rights, diversity, and acceptance in a multicultural society, and provides strategies to manage conflicts constructively.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff member. Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the principal or the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, he/she shall also contact law enforcement.

Safety Plan Review, Evaluation and Amendment Procedures

The River Delta Unified School District comprehensive safety plan will be reviewed, evaluated and amended (if necessary) in November of each school year.

Pursuant to Education Code Section 35294.6(a), the River Delta Unified School District adopted this annual comprehensive school safety plan at the regular meeting of the Governing Board as noted on the cover page. An opportunity for public comment was provided during this meeting, prior to the plan's adoption. Documentation of this meeting, which may include the meeting agenda, minutes and copies of materials provided for the plan presentation, will be filed alongside the plan at the district office.

An updated file containing all appropriate or required safety related plans and materials are available for public inspection in the River Delta Unified School District Office.

Safety Plan Appendices

Protected Information

The preceding Comprehensive School Safety Plan is a public document to be available for review in the district office at any time during regular business hours, as mandated by Education Code 32282 (e). However, some appendices within this section may include proprietary information that shall not be released to the general public including personal contact information for staff members, detailed security procedures for campus crisis response and campus vulnerability assessment information.

As protected under the California Public Records Act (Government Code 6254 parts *c* and *aa*) and prescribed by RDUSD Administrative Regulation 1340, the following items will be identified as “**Confidential**”, reviewed only in a closed session of the RDUSD Governing Board and withheld from public release of the Comprehensive District Safety Plan:

- Any appendices containing personnel information that the disclosure of which would constitute an unwarranted invasion of personal privacy.
(Further detail on protected information is also defined in GC 6254.3.)
- Any appendices prepared to assess district and/or school site vulnerabilities to terrorist or other criminal acts intended to disrupt student instruction or safety.

According to the procedures developed by the Department of Homeland Security and defined in DHS Management Directive 11042.1, the following items will be designated “**For Official Use Only (FOUO)**”, will be reviewed only in a closed session of the RDUSD Governing Board and released only for official safety assurance or crisis response use:

- Any appendices containing detailed crisis response information that, if disclosed, would undermine plans or procedures designed to protect students from harm by revealing safety strategies such as but not limited to critical communications systems, crisis response facilities (i.e. command post, staging areas, etc.), and supplies storage.

Appendix A: Emergency Preparedness Guidelines

Please see attached flip chart, which includes emergency preparedness guidelines followed by the school district.

Appendix B: District Crisis Response Plan

The following sections provide key information for crisis response for RDUSD. While this information represents the basic tools needed for an effective crisis response, RDUSD will continue to assess, revise and expand on the plan for continuous improvement in student safety. Additional documentation, including a stand-alone emergency operations plan will be referenced in this Comprehensive District Safety Plan as it is developed and implemented. Also, site- specific information is attached for use by site personnel and district personnel.

(FOR OFFICIAL USE ONLY)

Appendix B.1: District Staff Emergency Contacts – Confidential

(FOR OFFICIAL USE ONLY)

Appendix B.2: School Messenger Use Procedures – Confidential

(FOR OFFICIAL USE ONLY)

Appendix B.3: Crisis Response/Community Emergency Contacts

For all emergencies, call 911!

Public Health and Safety

Number	Purpose/Subject
Emergency - 911	
916-876-8309	Non-emergency
1-800-TELL-CHPP	Non-emergency
916-875-5437	Regular hours reports
916-875-5437	After hours reports
1-800-544-8596	Regular hours reports
1-800-544-8596	After hours reports
530-669-2345	Regular hours reports
1-888-400-0022	After hours reports
916-874-4670	Natural & Man-made disaster services coordination, procedures, resources and preparedness programs
707-784-1600	After hours reports
530-406-4930	Natural & Man-made disaster services coordination, procedures, resources and preparedness programs
916-875-5881	
707-784-8070	
	Health and public safety resources
530-666-8645	Health and public safety resources David Gordon
916-228-2410 dgordon@scoe.net	
916-875-1055	
800-547-0495	General Access Line
707-428-1131	24 hour Crisis Line
916-666-8645	Regular Hours

Number	Purpose/Subject
800-733-2767	Customer Service
800-876-4766	24 hr. HOTLINE
800-876-4766	24 hr. HOTLINE
800-876-4766	24 hr. HOTLINE

Communications – Media

Agency	Number	Purpose/Subject
Radio Stations		
KRVH	(707) 374-6336	Emergency Broadcast
Newspapers		
The Fairfield Recorder	(903) 389-3334	General
The Sacramento Bee	(916) 321-1000	General
Television		

Transportation and Utilities

Agency	Number	Purpose/Subject
Cal Trans	(800) 427-7623	Highway Conditions
Delta Breeze	(707) 374-2878	Public transportation
River Delta USD Transportation	(707) 374-2494	South Transportation Office
River Delta USD Transportation	(916) 775-1491	North Transportation Office
PG&E	1(800) 743-5000	24-hour contact

Appendix B.4: RDUSD Incident Command System

Standardized Emergency Management System/ Incident Command System Overview

The California Standardized Emergency Management System (SEMS) uses the Incident Command System (ICS) to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency.

ICS consists of five functions:

Management

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response.

Planning & Intelligence

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

Operations

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

In the organizational structure described on the preceding page, the Operations Chief supervises five teams: First Aid and Student Health, Student Evacuation Transportation, Critical Incident Stress Response, Parent Coordination and Reunification and Student Accountability.

Logistics

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

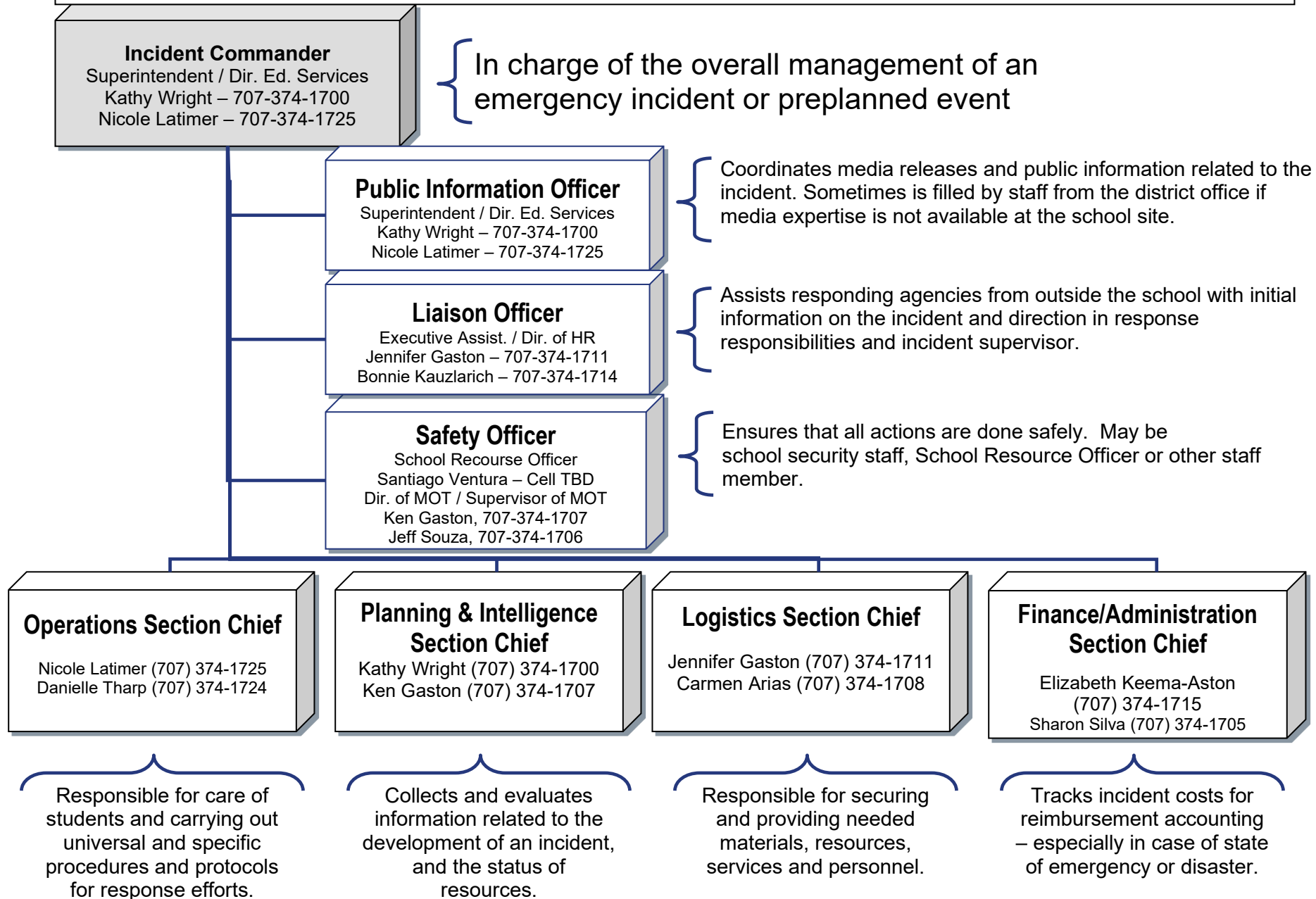
Finance & Administration

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

RDUSD DISTRICT OFFICE Incident Response Team

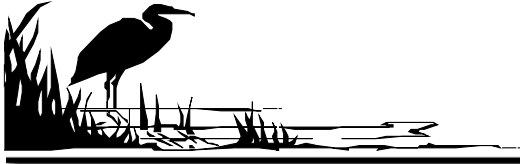
Last Updated: 9/12/19

Updated by: Jennifer Gaston (707) 374-1711



Appendix B.5: District/Campus Emergency Evacuation Plans

(FOR OFFICIAL USE ONLY)



RIVER DELTA UNIFIED SCHOOL DISTRICT

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

STUDENT START & RELEASE TIMES 2019-2020

	START	RELEASE	WED	MINI
		M-T-T-F		
D.H. WHITE	8:20 AM	2:51 PM	1:36	12:35
RIVERVIEW	8:20 AM	3:00 PM	1:45	12:45
R.V.H.S.	8:05 AM	3:10 PM	2:05	1:10
ISLETON	8:20 AM	3:00 PM	1:45	12:45
WALNUT GROVE	7:55 AM	2:30 PM	1:15	12:18
MOKELUME H.S.	8:45 AM	2:15 PM	1:00	12:00
BATES	8:30 AM	3:00 PM	1:40	12:40
CLARKSBURG	8:15 AM	3:12 PM	2:02	1:05
DELTA H.S.	8:15 AM	3:12 PM	2:02	1:05
Community Day	8:00 AM	3:00 PM	2:00	3:00

Appendix C: Emergency Response Guidelines

STEP ONE: IDENTIFY THE TYPE OF EMERGENCY

The first response to an emergency is to determine the type of emergency that has occurred. Procedures for 18 different types of emergencies are listed in the following section.

STEP TWO: IDENTIFY THE LEVEL OF EMERGENCY

The second step in responding to an emergency is to determine the level of the emergency. For schools, emergency situations can range from a small fire to a major earthquake. To assist schools in classifying emergency situations, there is a three-tiered rating below:

- **Level 1 Emergency:** A *minor* emergency that is handled by school personnel without the assistance from outside agencies, e.g., a temporary power outage, a minor earthquake, or a minor injury in the play yard.
- **Level 2 Emergency:** A *moderate* emergency that requires assistance from outside agencies, such as a fire or a moderate earthquake, or a suspected act of terrorism involving a potentially hazardous material, e.g., “unknown white powder.”
- **Level 3 Emergency:** A *major* emergency event that requires assistance from outside agencies such as a major earthquake, civil disturbance or a large-scale act of terrorism. For Level 3 emergencies, it is important to remember that the response time of outside agencies may be seriously delayed.

STEP THREE: DETERMINE THE IMMEDIATE RESPONSE ACTION

Once the type and extent of an emergency have been identified, school personnel can determine if an *immediate response action* is required. The most common immediate response actions initiated during school emergencies are:

- **Duck & Cover:** Students and staff protect themselves by crouching under a table, desk, or chair until the danger passes.
- **Shelter in Place:** Students and staff are kept indoors in order to isolate them from the outdoor environment. The heating and air conditioning system is also shut down.
- **Lock Down:** Students and staff are kept in a designated locked area until a danger has passed, such as an intruder being on campus.
- **Evacuate Building:** Students and staff are escorted outside to an assembly area if it has been determined that it is too dangerous to remain indoors.
- **Evacuate Campus:** Students and staff are escorted to an off-site assembly area if it has been determined that it is too dangerous to remain on campus.
- **All Clear:** Notification is given that normal school operations should resume.

STEP FOUR: COMMUNICATE THE APPROPRIATE RESPONSE ACTION (CatapultEMS)

Once the type of *immediate response action* is determined, the incident commander must inform the site’s staff which response action to take, using CatapultEMS, paging systems, or any other means necessary. The most appropriate method of communication depends on the response action selected. When announcing what response to take, avoid codes, jargon, or any other potentially confusing vocabulary. Be calm, direct, and clear in your announcements.

- **Duck & Cover:** Immediately use the site’s school-wide communication system to instruct students and staff to protect themselves by moving into a “duck & cover” position by crouching under a table, desk, or chair until the danger passes. Time is the most urgent matter with this response action as the emergency may take place before the announcement can be made. However, do not assume that all members of the site are already in a “duck & cover” position. Make the announcement even if the immediate crisis has passed.
- **Shelter in Place:** Immediately use the site’s school-wide communication system to instruct students and staff that they are to stay indoors until further notice, even if the heating and air conditioning system is disabled.
- **Lock Down:** Immediately use the site’s school-wide communication system to instruct staff to lock all exterior doors, to close any open windows, and to keep students as far away as possible from any windows until further notice
- **Lockout:** Immediately use the site’s school-wide communication system to instruct staff to lock all exterior doors, to close any open windows. Business as usual inside classroom.
- **Evacuate Building:** Immediately use the site’s fire alarm bell system to notify students and staff that they are to proceed to the site’s outside assembly area.
- **Evacuate Campus:** Immediately use the site’s fire alarm bell system to notify students and staff that they are to proceed to the site’s outside assembly area. From there, notify staff and students using a bullhorn that it has been determined that it is too dangerous to remain on campus. Provide instructions on how staff and students will be relocated.
- **All Clear:** Use the site’s school-wide communication system to notify staff and students that normal school operations should resume.





STANDARD™ RESPONSE PROTOCOL

PERSONAL SAFETY

A critical ingredient in personal safety is the standard response to any incident. Weather events, fire, accidents, intruders and other threats to personal safety are scenarios that organizations plan and train for.

SRP

Our organization is expanding the safety program to include the Standard Response Protocol (SRP). In the event of an emergency, the action and appropriate direction will be called on the PA.

LOCKOUT - "Secure the Perimeter"

LOCKDOWN - "Locks, Lights, Out of Sight"

EVACUATE - "To the Announced Location"

SHELTER - "For a Hazard Using a Safety Strategy"

NOTIFICATION PROGRAM

Timely notification is essential with any type of crisis. Please verify that you have the correct information in the building notification system.

TRAINING

Please take a moment to review these actions. Training and drilling will occur with the staff. More information can be found at <http://iloveguys.org>



LOCKOUT SECURE THE PERIMETER

Lockout is called when there is a threat or hazard outside of the building.

OCCUPANTS:

- Return to inside of building
- Do business as usual

STAFF

- Recover occupants and staff from outside
- Increased situational awareness
- Do business as usual
- Account for staff and occupants



LOCKDOWN LOCKS, LIGHTS, OUT OF SIGHT

Lockdown is called when there is a threat or hazard inside the building.

OCCUPANTS:

- Move away from sight
- Maintain silence
- Prepare to evade or defend

STAFF:

- Lock interior doors
- Lights out
- Move away from sight
- Maintain silence
- Prepare to evade or defend
- Do not open the door
- Account for staff and occupants



EVACUATE TO A LOCATION

Evacuate is called to move occupants and staff from one location to another.

OCCUPANTS:

- Bring your phone
- Leave your stuff behind
- Keep your hands visible
- Be prepared for alternative instructions.

STAFF:

- Lead occupants to Evacuation Location
- Account for staff and occupants



SHELTER FOR A HAZARD USING SAFETY STRATEGY

Shelter is called when the need for personal protection is necessary.

SAMPLE HAZARDS:

- Tornado
- Hazmat

SAMPLE SAFETY STRATEGIES:

- Evacuate to shelter area
- Seal the room

OCCUPANTS:

- Use Appropriate Safety Strategy

STAFF:

- Use Appropriate Safety Strategy
- Account for staff and occupants



IN AN EMERGENCY WHEN YOU HEAR IT. DO IT.

LOCKDOWN! LOCKS, LIGHTS, OUT OF SIGHT.

OCCUPANTS

Move away from sight
Maintain silence
Prepare to evade or defend

STAFF

Lock interior doors
Turn out the lights
Move away from sight
Do not open the door
Maintain silence
Prepare to evade or defend



LOCKOUT! SECURE THE PERIMETER.

OCCUPANTS

Return inside
Business as usual

STAFF

Bring everyone indoors
Lock perimeter doors
Increase situational awareness
Business as usual
Account for occupants



EVACUATE! (To a location.)

OCCUPANTS

Bring your phone
Leave your stuff behind
Follow instructions

STAFF

Lead evacuation to location
Account for occupants
Notify if missing, extra or injured
occupants or staff



SHELTER! (For a hazard using a shelter strategy.)

OCCUPANTS

Hazard	Safety Strategy
Tornado	Evacuate to shelter area
Hazmat	Seal the room
Earthquake	Drop, cover and hold
Tsunami	Get to high ground

STAFF

Lead safety strategy
Take attendance



Appendix D: Types of Emergencies & General Procedures

AIRCRAFT CRASH

The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Shelter-in-Place, Evacuate Building, or Evacuate Campus depending on the nature of the accident, the location of damage, and the existence of any chemical and/or fuel spills.

ANIMAL DISTURBANCE

This procedure should be implemented when the presence of a coyote, mountain lion, or any other wild animal threatens the safety of students and staff. The administrator or designee will initiate appropriate actions, which may include Lock Down or Evacuate Building.

ARMED ASSAULT ON CAMPUS

This involves one or more individuals who attempt to take hostages or cause physical harm to students and staff. Such an incident may involve individuals who possess a gun, a knife or other harmful item. The administrator or designee will decide the appropriate response, which may include Shelter-in-Place, Lock Down, Evacuate Building, or Evacuate Campus.

BIOLOGICAL OR CHEMICAL RELEASE

This is an incident involving the discharge of a biological or chemical substance in a solid, liquid, or gaseous state. Such incidents may also include the release of radioactive materials. Common chemical threats within or adjacent to schools include the discharge of acid in a school laboratory, an overturned truck of hazardous materials in proximity of the school, or an explosion at a nearby oil refinery or other chemical plant. The following indicators may suggest the release of a biological or chemical substance: Multiple victims suffering from watery eyes, twitching, choking or loss of coordination, or having trouble breathing. Other indicators may include the presence of distressed animals or dead birds. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place or Evacuate Building.

BOMB THREAT / THREAT OF VIOLENCE

This occurs upon the discovery of a suspicious package on campus grounds or receipt of a threatening phone call that may or may not present a risk of an explosion. If the threat is received by telephone, the person receiving the call should attempt to keep the caller on the telephone as long as possible and alert someone else to *call 911*. The person answering the threat call should ask the questions listed on the “Bomb Threat Checklist”. In coordination with law enforcement, the administrator or designee will initiate appropriate actions, which may include Duck & Cover, Lock Down, or Evacuation.

DISORDERLY CONDUCT

This involves a student or staff member exhibiting threatening or irrational behavior who does not have a weapon. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place, Lock Down, Evacuate Building, or Evacuate Campus.

EARTHQUAKE

Earthquakes occur without warning and may cause minor to serious ground shaking, damage to buildings, and injuries. It is important to note that even a mild tremor can create a potentially hazardous situation. The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Evacuate Building, or Evacuate Campus.

EXPLOSION OR RISK OF EXPLOSION

This involves an explosion on school property, the risk of an explosion on school property, an explosion or risk of explosion near the school, or a nuclear explosion involving radioactive materials. The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Shelter-in-Place, Evacuate Building, or Evacuate Campus.

FIRE IN SURROUNDING AREA

This procedure addresses the situation where a fire is discovered in an area adjoining the school. The initiated response actions should take into consideration the location and size of the fire, its proximity to the school and the likelihood that the fire may affect the school. After calling the local fire department in an effort to determine the seriousness of the fire, the administrator or designee will initiate appropriate actions, which may include Shelter-in-Place, Lock Down, Evacuate Building, or Evacuate Campus.

FIRE ON SCHOOL GROUNDS

This procedure addresses situations where a fire is discovered on school grounds. A quick response to this situation is very important to prevent injuries and further property damage. Upon discovery of a fire, teachers or staff will direct all occupants out of the building, signal the fire alarm, and report the fire to the administrator or designee. The administrator or designee will immediately initiate the Evacuate Building action. If the size of the fire is beyond the control of staff on site, call 911 for immediate assistance from the fire department.

FLOODING

This applies whenever storm water or other sources of water inundate or threaten to inundate school grounds or buildings. Flooding may occur as a result of prolonged periods of rainfall, where the school would have sufficient time to prepare. Alternatively, flooding may occur without warning, as a result of damage to water distribution systems, or a failure of a nearby man-made dam. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place, Evacuate Building, or Evacuate Campus.

LOSS OR FAILURE OF UTILITIES

This addresses situations involving a loss of water, power or other utility on school grounds. This procedure should also be used in the event of the discovery of a gas leak, an exposed electrical line, or a break in sewer lines. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place or Evacuate Building.

MOTOR VEHICLE CRASH

This procedure addresses situations involving a motor vehicle crash on or immediately adjacent to school property. Given the nature of the crash, there may also be a danger from a fuel spill, which should be considered when deciding which action(s) to take. The administrator or

designee will initiate appropriate actions, which may include Duck & Cover, Shelter-in-Place, Evacuate Building, or Evacuate Campus.

PSYCHOLOGICAL TRAUMA

When the administrator or designee feels that there has been an event that causes a psychological impact on students and/or staff, such as an act of violence; the death of a student or staff member; an earthquake or other natural disaster; a serious environmental problem; or ethnic and racial tensions, he or she should contact the local law enforcement office to request support in conducting a critical incident stress debriefing. Emergencies like these usually produce one or more of the following conditions: temporary disruption of regular school functions and routines, significant interference with the ability of students and staff to focus on learning, physical and/or psychological injury to students and staff, and concentrated attention from the community and news media. As a result of such emergencies, students and staff may exhibit a variety of psychological reactions. As soon as the physical safety of those involved has been insured, attention must turn to meeting emotional and psychological needs of others.

SUSPECTED CONTAMINATION OF FOOD OR WATER

This procedure applies where there is evidence of tampering with food packaging, observation of suspicious individuals in proximity to food or water supplies, or if notified of possible food/water contamination by central District staff or local agencies. Indicators of contamination may include unusual odor, color, taste, or multiple employees with unexplained nausea, vomiting, or other illnesses. The administrator or designee will isolate the suspected contaminated food/water to prevent consumption, and will restrict access to the area. Second, the administrator or designee will notify the district safety coordinator of the problem and await further instructions. Meanwhile, a list will be made of all potentially affected students and staff, which will be provided to responding authorities. Law enforcement should be contacted if there is evidence of individuals purposefully contaminating the food or water source.

UNLAWFUL DEMONSTRATION OR WALKOUT

An unlawful demonstration or walkout is any unauthorized assemblage on or off campus by staff or students for the purpose of protest or demonstration. Upon indication that an unlawful demonstration or walkout is about to begin, personnel should immediately notify the administrator or designee. The administrator or designee will initiate the Shelter-in-Place action. Students who ignore this action and leave campus shall be asked to sign his or her name and record address, telephone number and time entered or departed. If students leave the campus, the administrator or designee will designate appropriate staff members to accompany them. These staff members will attempt to guide and control the actions of students while offsite. The administrator or designee should proceed in good judgment on the basis of police or other legal advice, in taking action to control and resolve the situation.

Appendix E: Power Failure / Outage Procedures

Power Failure/Outage Procedures

During any given day, schools may experience a power failure at various locations ranging from a few minutes to several days. Typically, we do not close school unless there is a compelling reason to do so. Classrooms are equipped with emergency supplies, including lanterns, flashlights and walkie talkies. In most short-term power outage situations, there is adequate light from windows and emergency lighting, as well as warm enough conditions for instruction to continue. Teachers are prepared to cope with a short-term power failure and will continue their regular curriculum and/or appropriate substitute assignments.

In the case of a power failure at a school site, River Delta Unified School District will follow these procedures:

- The first day of the power failure/outage, the school will be open, and classes held unless otherwise directed by the Superintendent.
 - If power failure/outage lasts for more than four hours,
 - the parents will receive a phone call from the District authorizing them to check their child out of school for the day.
 - District transportation will still be provided based on regularly scheduled routes.
 - All school staff will remain on site to supervise students who have not been check out of school.
- Food will be prepared by our Food Services Department and served to our students.
- If the school operates on a water well system, portable restrooms and hand sanitizing stations will be ordered and delivered to the site(s). If a generator is available to power the water well(s), it will be connected as soon as possible to restore the water supply.
- If the power is not on by 4:00 a.m. on the second consecutive day, the Superintendent and Director of Maintenance, Operations and Transportation will decide together whether the closing of the school site is necessary. Only the Superintendent can order the closing of a school site.
- If the Superintendent decides to close a school for the day, the Superintendent's office will communicate the information to the community via:
 - District's All-Call System
 - District Website
 - School Website
 - Notices posted at the school site(s):
 - Local Radio Station (if possible)
- Sites not directly affected by a power failure/outage will remain open.

River Delta Unified School District may update these procedures periodically. Please check with your child's school to be sure you are aware of the most current procedures in place.

Appendix F: Catapult EMS Initiated Procedures

THE 4 TYPES OF EMERGENCY DRILLS/PROCEDURES:

Each drill will be initiated in the Catapult EMS

- 1) **EVACUATE! Drill/Procedure** – This is essentially the Fire Drill that we have often practiced in school. Signal is the “fire alarm” buzzer (repeated in all rooms). **TEACHER WILL ASSESS DANGER IN AND AROUND THE CLASSROOM ~ HOLDING STUDENTS IN THE CLASSROOM UNLESS DANGER IS IMMINENT.** Admin will make PA system announcement to remain in class, conduct full evacuation, or conduct partial evacuation. If evacuating, all classes exit QUIETLY and in a single file line from the classroom to the designated area for evacuation. Students wait in a single file line in the evacuation area for the duration of the drill/emergency - - OR they wait for additional instructions to be given if buildings cannot be re-entered. Teachers confirm that all students are present and hold up a GREEN card or a RED card to communicate that there is a problem or someone is missing. **Communicate problems via text message, phone tree, or Catapult.** Everyone re-enters the building @ the “all clear” signal (a regular bell).
- 2) **LOCKDOWN! Drill/Procedure** – This procedure is to be used if there is a need to secure classrooms from an outside threat. **Lockdown will be initiated with Catapult EMS.** You will then hear a voice announcement by the principal over the PA system: **“Lockdown! Locks, lights, out of sight.” This will be repeated 2 times.** All doors should be secured and blinds closed (if applicable). Students should move away from windows and sit on the floor out of view. Teacher utilizes Catapult EMS to declare status and account for all students. Teacher puts a GREEN card up in the window to signify all is well, RED card if there is a problem; NO CARD indicates a teacher has a problem that may require law enforcement entry. Phone lines are to be kept clear for administrative calls into the room. **Communicate problems via Catapult.** Wait for Catapult and PA announcement that the lock down has ended or to receive further information.
- 3) **LOCKOUT! (“All In”) Drill/Procedure** – This procedure is to be used for any purpose in which we need to bring students in from outside to keep them safe indoors with the doors locked. **Catapult EMS is activated by a staff member.** You will then hear the PA message: **“Lockout! Secure the perimeter,” repeated 3 times.** All staff/personnel will open exterior doors and direct students to the nearest open door for entry; staff will blow whistles to alert students to available doors for entry. Classroom is then locked down, as described above, with door locked and students out of view. Teacher utilizes Catapult EMS to declare status and account for all students. A GREEN card is put up if all is well, a RED card is put up if there is a problem, and NO CARD indicates a problem that may require law enforcement entry. **Communicate problems via text message phone tree.**
- 4) **SHELTER!/Shelter in Place Drill** - In case of a hazard evacuation **OR** when students need to be secured in their current location for a period of time for any reason. **Shelter drill will be initiated with Catapult EMS.** You will then hear a voice announcement by the principal over the PA system: **“Shelter in place. Seal your classroom.” This will be repeated 2 times.** All doors should be secured and students should remain in the classroom. Phone lines are to be kept clear for administrative calls into the room. **Communicate problems and account for students via Catapult.** Wait for Catapult and PA announcement that the “Shelter in Place” has ended or to receive further information.

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Katherine Wright, Superintendent

Item Number: 14

Type of item: (Action, Consent Action or Information Only): Action Item

SUBJECT:

Request the approval to conduct a Public Opinion Survey to determine Bond Measure(s) feasibility and to authorize Superintendent Wright to contract with a company specializing in Public Opinion Survey services

BACKGROUND:

River Delta USD has contracted with Government Financial Strategies (GFS) to assist the District in the Bond Feasibility Study and associated services. GFS has received Requests for Proposals (RFP) from three firms that specialize in Public Opinion Survey services, which GFS does not perform. The RFP process does not commit the District to award a contract. However, it allows the District to compare the services offered by the responding parties. It is advantageous for the District to conduct the Public Opinion Survey to ascertain the likelihood of a General Obligation Bond Measure(s) passing and to assist in better understanding community opinions.

STATUS:

RFPs have been received by three firms, which were interviewed on Friday, February 14, 2020. It is not known if a determination will be made as to awarding the contract or even proceeding with the Public Opinion Survey prior to posting the Board agenda and supporting documents.

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Matt Kolker, Representative from Governmental Financial Strategies, Inc.

COST AND FUNDING SOURCES:

Amount unknown at this time, General Fund 01, Unrestricted Funds

RECOMMENDATION:

That the Board authorizes Superintendent Wright to enter into a contract with the firm selected by the interview team to conduct a Public Opinion Survey.

Time allocated: 3 minutes

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Katherine Wright, Superintendent

Item Number: 15

Type of item: (Action, Consent Action or Information Only): Action Item

SUBJECT:

Request to approve the contract with Parker & Covert, LLC for legal counsel services regarding General Obligation Bond Measures

BACKGROUND:

Parker & Covert have been trusted counsel working with the District for many years. The District would like to retain Parker & Covert as legal counsel for the Bond Measures for the November 2020 Election.

STATUS:

If the RDUSD Board of Trustees decides to move forward with pursuing General Obligation Bond Measures in the November 2020 election, the District will need to have legal counsel representing them. Under this agreement, Parker & Covert, LLC will provide legal counsel services pertaining to the Bond Measures, Election or Elections and the authorization, issuance, and sale of the Bonds, as determined by the District.

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT: N/A

COST AND FUNDING SOURCES:

All costs associated with the Bond are part of the sale prices and are not directly funded by the District

RECOMMENDATION:

That the Board approves the contract with Parker & Covert, LLC for legal counsel pertaining to the Bond Measures

Time allocated: 3 minutes

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Elizabeth Keema-Aston, Chief Business Officer

Item Number: 16

Type of item: (Action, Consent Action or Information Only): Action

SUBJECT:

Request to Approve Resolution #779 authorizing the interfund transfer of Special or Restricted Funds from Fund 17 to General Fund 01.

BACKGROUND:

This resolution will allow the District to transfer funds from the Special Funds in Fund 17 Special Reserve Fund for Other than Capital Outlay Projects. Funds are prohibited from being expended in Fund 17 and must be transferred to the receiving fund prior to spending.

STATUS:

The balance in Fund 17 has a current Ending Fund Balance of \$71,025.64. The Fund was established in March 2006. Transfers out were made in 2007 through 2010 with no transfers after year end close of FY 2009-2010. The District would like to use a portion of the Fund Balance to pay for costs associated with Bond Feasibility and State School Facility Consultants.

PRESENTER: Elizabeth Keema-Aston, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT: NOT APPLICABLE

COST AND FUNDING SOURCES:

Williams & Associates, LLC \$27,450

Public Opinion Survey, cost unknown at the time of posting

RECOMMENDATION:

That the Board approve Resolution #779 authorizing the interfund transfer of funds from Fund 17 to Fund 01.

Time allocated: 5 minutes

**RIVER DELTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 779**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE RIVER DELTA UNIFIED
SCHOOL DISTRICT AUTHORIZING THE INTERFUND TRANSFER OF SPECIAL
OR RESTRICTED FUNDS**

WHEREAS, the District's Board hereby intends to direct that funds held in a certain fund or account be transferred to another District fund or account for payment of obligations as authorized by Education Code section 35160 and section 42125;

WHEREAS, the transfer shall be accounted for as a transfer between funds or accounts and shall be available for appropriation or be considered income to the receiving fund or account; and

WHEREAS, amounts transferred shall not be subject to repayment to the transferring fund or account.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the River Delta Unified School District, in accordance with the provisions of applicable, law hereby authorizes for fiscal year 2020-2021 the transfer of funds between the following funds provided that all transfers are directed by the District's Superintendent or Chief Business Officer.

From Special Reserve Fund for Other than Capital Outlay Projects ("Fund 17") to
General ("Fund 01")

APPROVED, PASSED AND ADOPTED this __18__ day of February 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Alicia Fernandez, President of the Board of Trustee
River Delta Unified School District

ATTEST:

Katherine Wright, Secretary of the Board of Trustee
River Delta Unified School District

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: Type Board Meeting Date Here

Attachments: X

From: William "Bill" Hodges

Item Number: 17

Type of item: (Action, Consent Action or Information Only): Action

SUBJECT:

Request to approve Resolution #780 the Schools and Communities First Funding Act

BACKGROUND:

Since the passage of Proposition 13 in 1978, school funding in California has experienced severe limitations in what was once the main source of funding for schools, the property tax. While the intent of Proposition 13 is to help homeowners, a loophole in the system permits major commercial and industrial properties to avoid regular reassessment, providing a windfall to commercial property owners at the expense of vital school funding. The share of the property tax burden has shifted away from commercial property and toward residential property throughout the state and in virtually every county. Per-pupil support, which relies on state funding, has declined from the top 10 in the nation to the bottom quarter. School funding in California is \$2,400 per pupil less than the national average and \$10,000 below the top-funded states, while California's cost of living is among the highest in the nation. Staffing ratios for teachers, guidance counselors, librarians, and administrators in California rank at the bottom in the nation. Public schools in California face challenges in providing an equitable and fair education for a student population with vast differences in language, income, parental education level, and other social, educational, and economic factors. Research has proven that investments in high needs students raises achievement levels, lowers poverty, and increases the productivity of the workforce.

STATUS:

Estimates by academic researchers at the University of Southern California (USC) have identified that reassessing commercial property will raise \$12 billion in property tax revenue every year for local schools, cities and counties. USC has identified that nearly 80 percent of the revenue will come from just 8 percent of large properties. USC research shows that a majority of commercial property owners already are assessed at close to market value, making the current system inequitable among businesses, benefitting a relatively small number of properties owned by the largest corporations and wealthy owners who have held land for a long period of time. The current failure to close the commercial property loophole has led to poor land use and inflated land values, particularly limiting the ability to provide adequate high-density housing and land use. The Schools and Local Communities Funding Act is on the November 2020 ballot. The measure provides about \$4.5 billion annually for K-14 schools of California. The measure will provide funding to all school districts, over and above Proposition 98 funding, and following the Local Control Funding Formula to all students in need in all districts. The Schools and Local Communities Funding Act will also provide billions in funding yearly for cities, counties, and special districts in locally controlled revenues for affordable housing, parks, libraries, emergency responders, health and human services, libraries, and public infrastructure. The Schools and Local Communities Funding Act will improve land use, provide a direct tax break to small businesses, and level the playing field between neighboring commercial property owners.

PRESENTER:

William "Bill" Hodges, RDUTA President

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff members

COST AND FUNDING SOURCES:

Zero cost to the District to endorse the Schools and Communities First Funding Act

RECOMMENDATION:

That the Board adopts Resolution #780 endorsing the Schools and Communities First Funding Act for a ballot measure in November 2020.

Time allocated: 3 minutes

Schools and Communities First School Board Resolution
River Delta Unified School District
Resolution #780

Whereas, since the passage of Proposition 13 in 1978, school funding in California has experienced severe limitations in what was once the main source of funding for schools, the property tax;

Whereas, while the intent of Proposition 13 is to help homeowners, a loophole in the system permits major commercial and industrial properties to avoid regular reassessment, providing a windfall to commercial property owners at the expense of vital school funding;

Whereas, the share of the property tax burden has shifted away from commercial property and toward residential property throughout the state and in virtually every county;

Whereas, per-pupil support, which relies on state funding, has declined from the top 10 in the nation to the bottom quarter;

Whereas, school funding in California is \$2,400 per pupil less than the national average and \$10,000 below the top-funded states, while California's cost of living is among the highest in the nation;

Whereas, staffing ratios for teachers, guidance counselors, librarians, and administrators in California rank at the bottom in the nation;

Whereas, public schools in California face challenges in providing an equitable and fair education for a student population with vast differences in language, income, parental education level, and other social, educational, and economic factors;

Whereas, research has proven that investments in high needs students raises achievement levels, lowers poverty, and increases the productivity of the workforce;

Whereas, estimates by academic researchers at the University of Southern California (USC) have identified that reassessing commercial property will raise \$12 billion in property tax revenue every year for local schools, cities and counties;

Whereas, USC has identified that nearly 80 percent of the revenue will come from just 8 percent of large properties;

Whereas, USC research shows that a majority of commercial property owners already are assessed at close to market value, making the current system inequitable among businesses, benefitting a relatively small number of properties owned by the largest corporations and wealthy owners who have held land for a long period of time;

Whereas, the current failure to close the commercial property loophole has led to poor land use and inflated land values, particularly limiting the ability to provide adequate high-density housing and land use;

Whereas, the Schools and Local Communities Funding Act is on the November 2020 ballot;

Whereas, the measure provides about \$4.5 billion annually for K-14 schools;

Whereas, the measure will provide funding to all school districts, over and above Proposition 98 funding, and following the local control funding formula to all students in need in all districts;

Whereas, the Schools and Local Communities Funding Act will also provide billions in funding yearly for cities, counties, and special districts in locally controlled revenues for affordable housing, parks, libraries, emergency responders, health and human services, libraries, and public infrastructure;

Whereas, the Schools and Local Communities Funding Act will improve land use, provide a direct tax break to small businesses, and level the playing field between neighboring commercial property owners; now,

Therefore, be it Resolved, that the River Delta Unified School District endorses the Schools and Communities First Funding Act for a ballot measure in November 2020.

PASSED AND ADOPTED the ____th day of _____, 20____, by the Board of Trustees of the River Delta Unified School District of Sacramento County, California, by the following roll call 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. 780 adopted by the said Board at a Regular Board meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.

ATTEST:

Marilyn Riley, Clerk
Board of Trustees
River Delta Unified School District

February 18, 2020
(Date)

Katherine Wright
Superintendent
River Delta Unified School District

February 18, 2020
(Date)

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 18, 2020

Attachments: X

From: Elizabeth Keema-Aston, Chief Business Officer

Item Number: 18

Type of item: (Action, Consent Action or Information Only): Action Item

SUBJECT:

Request to approve the contract with Datapath for Cloudpath Services

BACKGROUND:

Currently, the District uses a secure password that is physically entered into each of our District's devices to allow access to the District's wireless network. Security is always an important part of wireless networking and a necessary part of the educational process. The District's password has been compromised on a number of occasions, allowing students to gain access to the District's wireless network for personal use.

STATUS:

To hinder the students having access for other than educational purposes the District has researched multiple options for securing its network. Datapath's Cloudpath services are the most cost-effective way to allow our devices to join the network without discreet password, connecting them to the network via a District-issued certificate, which will allow full control of each device's time and access on the network. This also provides an additional layer of security. Investing in Cloudpath services ensures only District-owned devices access to our network.

PRESENTER:

Elizabeth Keema-Aston, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT: N/A

COST AND FUNDING SOURCES:

Total cost for FY 19-20 is \$23,510.79 (3-yr licensing and one-time services) from General Fund 01, Unrestricted.

RECOMMENDATION:

That the Board approves the contract with Datapath to provide Cloudpath Services.

Time allocated: 5 minutes

QUOTE FOR

Cloudpath for RDUSD

Prepared for:

River Delta USD

445 Montezuma Street
Rio Vista, CA 94571
Kathy Wright

Prepared by:

Datapath

Orion Potts
(209) 568-6227
opotts@mydatapath.com

Quote Information:

Quote # 015710

Version: 1
Delivery Date: 01/27/2020
Expiration Date: 02/19/2020

Cloudpath Licensing and Services

	Price	Qty	Ext. Price
Ruckus CloudPath WG Service, 30 days White Glove service	\$3,000.00	1	\$3,000.00
Ruckus Wireless Cloudpath - License - 4999 User - 3 Year - Academic	\$6.90	2234	\$15,414.60
Subtotal:			\$18,414.60

Datapath Professional Services

	Price	Qty	Ext. Price
Professional Services <ul style="list-style-type: none"> • Assist Cloudpath team with deployment • Facilitate access (credentials, keys, etc) to cloudpath team • Advise POCs of any disruption in planning; facilitate any down time or interruptions • Validation of installation, documentation • Travel time 	\$3,600.00	1	\$3,600.00
Subtotal:			\$3,600.00

Quote Summary

	Amount
Cloudpath Licensing and Services	\$18,414.60
Datapath Professional Services	\$3,600.00
Subtotal:	\$22,014.60
Estimated Tax:	\$1,496.19
Total:	\$23,510.79

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

