

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:

Important Notice

Please note:

September 8, 2020 – General Open Session 6:30 pm

River Delta Unified School District Board meeting will be held as a teleconference (Webinar) at the River Delta USD District Office and will be closed to the public. Please see River Delta USD Meeting Logistics section below for options to view and participate in the meeting.

River Delta USD Board Meeting Logistics Meeting will be held remotely.

The RDUSD uses a Zoom Webinar application for its meetings. To join the meeting, Zoom, not River Delta USD, requires attendees to register with a name and email address. The email address does not need to be authenticated and the name does not need to be the attendee's legal name. Initials, "Supportive Staff", "Caring Citizen", etc. are all acceptable entries. The same requirements are used to address the Board. See the Public Comment section to address the Board or comment on the Agenda or non-agendized items. If your comment exceeds the time limit, it will be summarized.

<https://us02web.zoom.us/j/85462169131?pwd=VW1JSHA3RzVvM2IGRTNaalpXdGQ2QT09>

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: _____

Roll Call Vote:

Member Olson ___; Member Riley ___; Member Casillas ___; Member Stone ___; Member Mahoney ___; Member Elliott (Resigned); Member Fernandez (Resigned) Time: _____

5. Reconvene to Open Session (@ approx. 6:30 p.m.) Time: _____

5.1 Retake Roll Call

Member Olson ___; Member Riley ___; Member Casillas ___; Member Stone ___; Member Mahoney ___; Member Elliott (Resigned); Member Fernandez (Resigned)

5.2 Pledge of Allegiance

6. Report of Action taken, if any, during the Closed Session (Government Code Section 54957.1) – Board President Olson

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

Motioned: _____ Second: _____

Roll Call Vote:

Member Olson ___; Member Riley ___; Member Casillas ___; Member Stone ___; Member Mahoney ___; Member Elliott (Resigned); Member Fernandez (Resigned)

8. **Public Comment:** As the result of the Coronavirus Pandemic (COVID-19), on March 12, 2020, Governor Gavin Newsom issued Executive Order N-25-20. This order includes directives canceling large gatherings. The Executive Order also allows local legislative bodies to hold meetings via conference calls while still satisfying state transparency requirements. The Governor has also issued Executive Order N-33-20,

prohibiting people from leaving their homes or places of residence except to access necessary supplies and services or to engage in specified critical infrastructure employment. The health and well-being of our students, staff and community members are the top priority for the Board of Trustee of River Delta Unified School District. To facilitate this process, the meeting of the Board of Trustees will be available via a Zoom Webinar.

We have modified the meeting procedures while the Shelter in Place for Coronavirus Pandemic (COVID 19) is in place.

To address the Board during Public Comment or on any item listed on the Agenda, please follow these instructions:

- 1) Using the link “Public Comment Card”, complete the Google form and submit. The form must be submitted prior to Open Session. Once filled out and submitted, your comments will be read during agenda item 8: Public Comment.

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 Superintendent Wright’s report(s)
- 9.2 Business Services’ Reports and/or Presentations on: Routine Restricted Maintenance; Deferred Maintenance; Maintenance and Operations; Transportation Department; Food Services Department; District Technology; and District Budget – Sharon Silva, Chief Business Officer; Ken Gaston, Director of MOT
 - 9.2.1 Monthly Financial Report – Sharon Silva, Chief Business Officer
 - 9.2.2 D.H. White Modular Classroom Construction Project Update – Sharon Silva, Chief Business Officer
 - 9.2.3 Maintenance, Operations & Transportation Update, Ken Gaston, Director of MOT
- 9.3 Education Services’ and Special Education Reports and/or Presentation(s) - Nicole Latimer, Chief Educational Services Officer
 - 9.3.1 Educational Services Update – Nicole Latimer, Chief Educational Services Officer
 - 9.3.2 Special Education Update – Tom Anderson, Director of Special Education
 - 9.3.2.1 Mental Health information – Angela Patin and Holly Pauls, District Nurses
- 9.4 River Delta Unified Teacher’s Association (RDUTA) Update
- 9.5 California State Employee’s Association (CSEA) Chapter #319 Update

10. **Consent Calendar**

- 10.1 Approve Board Minutes
 - Regular Meeting of the Board – August 11, 2020
- 10.2 Receive and Approve Monthly Personnel Reports - As of September 8, 2020
- 10.3 District’s Monthly Expenditure Report
 - August 2020
- 10.4 Request to approve a Leave of Absence for Cheyenne Jahner – Bonnie Kauzlarich, Director of Personnel
- 10.5 Request to declare as surplus non-operational electric equipment from D.H. White Elementary School – Nicholas Casey, Principal
- 10.6 Request to approve the three-year digital monitoring system agreement with Hapara G Suite Highlights, at a cost not to exceed, \$22,833.36, Educational Services Funds – Nicole Latimer, Chief Educational Services Officer
- 10.7 Request to approve the update Appendix A – Designated Positions for the Conflict of Interest Code for River Delta Joint Unified School District – Katherine Wright, Superintendent
- 10.8 Donations to Receive and Acknowledge:
 - River Delta Unified School District – Student School Supplies**
Judy Tussy - \$300
 - Riverview – Student Planners**
Rio Vista Lions Club - \$1000.20

Motioned: _____ Second: _____

Roll Call Vote:

Member Olson __; Member Riley __; Member Casillas __; Member Stone __; Member Mahoney __; Member Elliott (Resigned); Member Fernandez (Resigned)

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. Procedures for Public comment will follow the same process as in number 8.

11. Request to approve the second and final reading of the updated or new Board Policies, Administrative Regulations or Exhibits due to new legislation or mandated language and citation revisions as of May 2020 – Katherine Wright, Superintendent

Motioned: _____ Second: _____

Roll Call Vote:

Member Olson __; Member Riley __; Member Casillas __; Member Stone __; Member Mahoney __; Member Elliott (Resigned); Member Fernandez (Resigned)

12. Request to approve the first reading of the updated or new Board Policies, Administrative Regulations or Exhibits due to new legislation or mandated language and citation revisions as of July 2020 – Katherine Wright, Superintendent

Motioned: _____ Second: _____

Roll Call Vote:

Member Olson __; Member Riley __; Member Casillas __; Member Stone __; Member Mahoney __; Member Elliott (Resigned); Member Fernandez (Resigned)

13. Request to approve Resolution #799 regarding the 2019-2020 Appropriations (Gann) Limit Calculation – Sharon Silva, Chief Business Officer

Motioned: _____ Second: _____

Roll Call Vote:

Member Olson __; Member Riley __; Member Casillas __; Member Stone __; Member Mahoney __; Member Elliott (Resigned); Member Fernandez (Resigned)

14. Request to approve the Unaudited Actuals Financial Report for 2019-2020 – Sharon Silva, Chief Business Officer

Motioned: _____ Second: _____

Roll Call Vote:

Member Olson __; Member Riley __; Member Casillas __; Member Stone __; Member Mahoney __; Member Elliott (Resigned); Member Fernandez (Resigned)

15. Request to approve to hold a Public Hearing on the Sufficiency of Textbooks and Instructional Materials and to Approve Resolution #800 on the Sufficiency of Textbooks and Instructional Materials as per Education Code Section 60199 and 5 CCR 9531 for 2020-2021 school year – Nicole Latimer, Chief Educational Services Officer

Motioned: _____ Second: _____

Roll Call Vote:

Member Olson __; Member Riley __; Member Casillas __; Member Stone __; Member Mahoney __; Member Elliott (Resigned); Member Fernandez (Resigned)

Open Public Hearing _____ pm

Public Comment:

Close Public Hearing _____ pm

16. Request to accept and approve the Timeline and Procedures related to the filling of Board of Trustee's Vacancies created following the resignation of Trustee Fernandez and the August 12, 2020 application deadline for the November 3, 2020 election for the Board of Trustees for Trustee Areas V, VI & VII (Clarksburg and Rio Vista and Trustee Areas), it is necessary for the Board to appoint replacements to fulfill these required duties for the 2020-2022 and 2020-2024 terms of office – Katherine Wright, Superintendent

Motioned: _____ Second: _____

Roll Call Vote:

Member Olson __; Member Riley __; Member Casillas __; Member Stone __; Member Mahoney __; Member Elliott (Resigned); Member Fernandez (Resigned)

17. Request to approve Change Order No. 1 and grant permission to file the Notice of Completion of The installation of two (2) modular classrooms at D.H. White Elementary School by Kerex Engineering – Ken Gaston, Director of Maintenance, Operations and Transportation

Motioned: _____ Second: _____

Roll Call Vote:

Member Olson __; Member Riley __; Member Casillas __; Member Stone __; Member Mahoney __; Member Elliott (Resigned); Member Fernandez (Resigned)

18. Request the Board to hold a Public Hearing on the *Draft* River Delta Unified School District’s Learning Continuity and Attendance Plan 2020-2021. The Learning Continuity and Attendance Plan 2020-2021 will be brought to the Board for approval and adoption at a Special Meeting of the Board via Zoom webinar, date, and time to be determined– Katherine Wright, Superintendent

Motioned: _____ Second: _____

Roll Call Vote:

Member Olson __; Member Riley __; Member Casillas __; Member Stone __; Member Mahoney __; Member Elliott (Resigned); Member Fernandez (Resigned)

Open Public Hearing _____ pm

Public Comment:

Close Public Hearing _____ pm

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 Olson
21. Adjournment

Motioned: _____ Second: _____

Roll Call Vote:

Member Olson __; Member Riley __; Member Casillas __; Member Stone __; Member Mahoney __; Member Elliott (Resigned); Member Fernandez (Resigned) Time: _____

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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, September 4, 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:

September 8, 2020

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 September 8, 2020, via teleconference (which is prior to the full General Open Session). Any formal action taken by the Board will be reported in the Open Session of this regular meeting of the Board of Trustees [Government Code Section 54957.1]. As needed, this Closed Session may be reconvened following the full Open Session. Any formal action taken by the Board will be reported in Open Session prior to adjournment.

4. CLOSED SESSION

4.1 **Student Discipline** [Education Code Sections 49070 (c) and 76232 (c)] - None

4.2 **Possible or Pending Litigation** [Government Code 54956.9(a)(b)(c)]

Following Conference with Legal Counsel (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

4.3.5 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: _____

jg

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 2020

Attachments: X

From: Sharon Silva, Chief Business Officer

Item Number: 9.2.1

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:

Sharon Silva, 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: 1 minute

River Delta Unified School District
 2020-21 Working Budget vs. Actuals Report
 August 31, 2020

Working Budget						Actuals thru: 8/31/2020					
	ESTIMATED	Net Income/	Expense/	Ending	YTD	YTD Paid to	YTD Net	Percentage	YTD	Percentage	
	Beginning	Contributions	Contributions	Balance (D)	Income (E)	Delta Charter	Revenue (G)	Received (H)	Expense (I)	Spent (J)	
	Balance (A)	in (B)	out (C)			(F)		(G/B=H)		(I/C=J)	
General Fund: (01)											
Unrestricted	5,686,809	17,074,859	17,165,901	5,595,767	1,719,809	-	1,719,809	10.07%	1,999,489	11.65%	
Restricted	1,396,104	9,416,837	7,337,323	3,475,618	416,221		416,221	4.42%	534,786	7.29%	
Combined	7,082,913	26,491,696	24,503,224	9,071,385	2,136,030	-	2,136,030	8.06%	2,534,275	10.34%	
2019-20 TRAN's \$500,000											
Other Funds											
Adult Ed. (11)	40,865	88,967	88,967	40,865	31,685		31,685	35.61%	4,821	5.42%	
Child Development (12)	-	292,134	292,134	-	3,933		3,933	1.35%	33,134	11.34%	
Cafeteria (13)	37,781	1,005,750	1,014,145	29,386	38,244		38,244	3.80%	37,246	3.67%	
Sp. Res-Other than Cap. Outlay (17)	40,292	700	-	40,992	-		-	0.00%	-	0.00%	
Bond Fund (21)	52,579	36,356	-	88,935	2,262		2,262	6.22%	-	0.00%	
Bond Fund- SFID #1 South (22)	-	-	-	-	-		-	0.00%	-	0.00%	
Bond Fund - SFID #2 North (23)	-	-	-	-	-		-	0.00%	-	0.00%	
Developer Fees (25)	927,397	298,371	262,871	962,897	-		-	0.00%	236,114	89.82%	
County School Facilities (35)	3,366	30	-	3,396	-		-	0.00%	-	0.00%	
Capital Projects (49)	115,611	120,002	6,100	229,513	-		-	0.00%	2,717	44.53%	

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 2020

Attachments: X

From: Sharon Silva, Chief Business Officer

Item Number: 9.2.2

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

SUBJECT:

Monthly Board update on the two modular classroom construction project at D.H. White Elementary School

BACKGROUND:

Due to development and growth in the Rio Vista area the Board has approve the reconfiguration of DH 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 DH White the district is constructing two modular classrooms.

STATUS:

Each month the Chief Business Officer prepares a monthly summary of the ongoing project, showing the original budget, vendor contracts, change orders, expenses to date and the remaining funds.

PRESENTER:

Sharon Silva, 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

River Delta Unified School District
TRACK AT A GLANCE

Modular Buildings at D. H. White Elementary School

Final

9/1/2020

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

3-23-20 Revised Budget A-G \$ 759,895.69

A. SITE

	Preliminary 2/7/20 Budget	Revised 3/23/20 Budget	Change Order	Contract Amount	Actual to Date	Remaining
1 SITE ACQUISITION/APPRaisal/TITLE	\$ 0	0				-
2 SURVEY	\$ 0	0				-
3 SITE SUPPORT - BOND FEES	\$ 0	0				-
4 LEGAL FEES - Allowances	\$ 3,500.00	3,500.00			1,585.00	1,915.00
5 OTHER (EIR/Negative Declaration)	\$ 0	0				-
6 OTHER	\$ 0	0				-
SITE SUBTOTAL	\$ 3,500.00	3,500.00	0.00	-	1,585.00	1,915.00

B. PLANS

1 ARCHITECT'S FEE FOR PLANS	\$ 21,800.00	21,800.00		21,800.00	18,721.46	-
2 DSA PLAN CHECK FEE - SSS/FLS	\$ 8,530.00	8,358.00				8,358.00
3 DSA HOURLY FEES ALLOWANCE	\$ 0	0				-
4 HEALTH DEPARTMENT	\$ 0	0				-
5 ENERGY ANALYSIS FEES	\$ 0	0				-
6 DEPARTMENT OF EDUCATION - PLAN CHECK FEE	\$ 0	0				-
7 PRELIMINARY TESTS	\$					-
A. SOILS	\$ 15,000.00	6,010.00				6,010.00
B. OPSC & YRE CONSULTANTS	\$ 0.00	0.00				-
C. BIDDING AND ADVERTISING	\$ 2,500.00	2,464.00				2,464.00
D. ENGINEERING/CONSULTING	\$ 0	0				-
E. HAZARDOUS MATERIAL SURVEY/SPECS	\$ 0	0				-
8 ADMINISTRATIVE COSTS	\$ 0	0				-
PLANS SUBTOTAL	\$ 47,830.00	38,632.00	0.00	21,800.00	18,721.46	16,832.00

C. CONSTRUCTION

1 A. UTILITY SERVICE FEES	\$ 0	0				-
B. UTILITY SERVICE IMPROVEMENTS	\$ 0	0				-
2 OFF-SITE DEVELOPMENT	\$ 0	0				-
3 SERVICE SITE DEVELOPMENT	\$ 0	0				-
4 GENERAL SERVICE SITE DEVELOPMENT	\$ 188,658.17	290,000.00	-1,708.07	288,291.93	235,362.50	-
5 MODERNIZATION	\$ 0	0				-
6 DEMOLITION / INTERIM HOUSING*	\$ 0	0				-
7 NEW CONSTRUCTION	\$ 356,048.06	217,603.35	8,275.00	175,787.74	175,787.75	50,090.61
8 A. UNCONVENTIONAL ENERGY SOURCES	\$ 0	0				-
B. SPECIAL ACCESS COMPLIANCE	\$ 0	0				-
C. TECHNOLOGY ALLOWANCE	\$ 0	0				-
9 ENVIRONMENTAL ABATEMENT	\$ 0	0				-
10 AIR MONITOR CLEARANCE	\$ 0	0				-
11 PROJECT MANAGEMENT	\$ 79,000.00	79,000.00		79,000.00	80,693.09	-
12 OTHER (ITEMIZE)	\$					-
A. Labor Compliance	\$ 0	0				-
B. MOVING/STORAGE (District Expense)	\$ 0	0				-
C. UNDERGROUND UTILITY SEARCH	\$ 0	0				-
CONSTRUCTION SUBTOTAL	\$ 623,706.23	586,603.35	6,566.93	543,079.67	491,843.34	50,090.61
D. TESTS (CONSTRUCTION LAB)	\$ 5,447.06	8,900.00		8,190.00	5,422.50	710.00
E. INSPECTION (IOR)	\$ 31,800.00	44,000.00		44,000.00	44,000.00	-
F. FURNITURE AND EQUIPMENT	\$ 27,500.00	27,500.00				27,500.00
G. CONTINGENCIES	\$ 54,470.62	50,760.34	-8,275.00	8,270.00	7,601.24	34,215.34
TOTAL ESTIMATED COSTS (ITEMS A THROUGH G)	\$ 794,253.91	759,895.69	-1,708.07	625,339.67	569,173.54	131,262.95

Change Order #2 \$8275, Crane Rental-Mobile Modular
Change Order #1 (\$1,708.07) Kerex Engineering

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 2020

Attachments: X

From: Ken Gaston, Director of MOT

Item Number: 9.2.3

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 August 2020

PRESENTER:

Ken Gaston, Director of MOT

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
September 8, 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:

- **Clarksburg Middle School**
 - Installed new faucet in teacher lounge room. - \$118
 - Installed new AC fan and motor in the auditorium. - \$192

- **D. H. White Elementary**
 - Replaced blower wheel for AC in room 7. Replaced blower wheel and motor for AC in room 5. - \$845
 - Installed white board in VP office. - \$115

- **Isleton Elementary School**
 - Replaced capacitor for AC unit on portable 1. - \$462

- **Rio Vista High School**
 - Installed bollards at the end of 7th street. - \$637
 - Installed new faucet and water heater in the cafeteria. - \$140

- **Riverview Middle School**
 - Installed new AC actuator in the office. - \$1,425

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 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 August 11, 2020.

BACKGROUND:

Attached are the Minutes from the Regular meeting of the Board of Trustees on August 11, 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: 2 minutes

RIVER DELTA UNIFIED SCHOOL DISTRICT

MINUTES

REGULAR MEETING

August 11, 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 August 11, 2020. As the result of the Coronavirus Pandemic (COVID-19), on March 12, 2020, Governor Gavin Newsom issued Executive Order N-25-20. This order includes directives canceling large gatherings. The Executive Order also allows local legislative bodies to hold meetings via conference calls while still satisfying state transparency requirements. The Governor has also issued Executive Order N-33-20, prohibiting people from leaving their homes or places of residence except to access necessary supplies and services or to engage in specified critical infrastructure employment. The health and well-being of our students, staff and community members are the top priority for the Board of Trustee of River Delta Unified School District. To facilitate this process the meeting was held remotely via Zoom Webinar. Access was available to the public to attend with audio and video.

We have modified the meeting procedures while the Shelter-in-Place for Coronavirus Pandemic (COVID-19) is active. President Fernandez gave instructions on how the public is to address the Board during public comment or on any agendized item.

2. **Roll Call of Members:**

Alicia Fernandez, President
Don Olson, Vice President
Marilyn Riley, Clerk (took leave at approx.. 7:45pm)
Jennifer Stone, Member
Chris Elliott, Member (joined Closed Session at 5:49)
Rafaela Casillas, Member
Dan Mahoney, Member

Also, present: Katherine Wright, Superintendent; Sharon Silva, Chief Business Officer and Jennifer Gaston, Recorder.

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 @ 5:33 pm**

Member Olson moved to approve, Member Riley seconded. Motion carried by roll call vote 6 (Ayes: Fernandez, Olson, Riley, Stone, Casillas, Mahoney): 0 (Nays): 1 (Absent: Elliott)

5. **Open Session was reconvened at 6:44 pm**

- 5.1 Roll was retaken. All members were present.

Also, present: Katherine Wright, Superintendent; Sharon Silva, Chief Business Officer and Jennifer Gaston, Recorder.

- 5.2 Pledge of Allegiance was led by Alicia Fernandez, Board President

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 did not take any action.

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

Board President Fernandez asked for a motion to approve the Open Session Agenda.

Member Riley moved to approve, Member Olson seconded. Motion carried by roll call vote 6 (Ayes: Fernandez, Olson, Riley, Stone, Casillas, Mahoney): 0 (Nays): 1 (Abstain: Elliott)

8. **Public Comment:** Ms. Latimer read the public comment submitted. Keith Russell, a teacher from Rio Vista High School, expressed his concerns regarding the purchase of the Swivl cameras and accessories. He feels that, although it may be useful at the elementary school level, it could be replaced by the use of Teacher's Assistant or student helpers at the secondary level. It is of his opinion that the District doesn't

have the resources to support another type of technology and, when the student return to full in-person learning, it is likely that these devices will not be used.

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 spent the day shadowing Mr. Gaston where she was able to see firsthand of all the things he is responsible for on a daily basis. Member Stone made the comment that she has a new found respect for what Mr. Gaston does for the District. He is knowledgeable of the entire district inside and out. She reported that great progresses are being made at the school sites and she is excited to spend another day with Mr. Gaston when the students are back at the school sites. She thanked him for spending time showing her around and explaining what happens each day.

Member Elliot reported that his three sons and other Clarksburg Boy Scouts took part an Eagle Project at Delta High School. Mr. Gaston helped the boys with the beautification project in front of the Delta High School. Member Elliott thanked Mr. Gaston for making the Eagle Project possible.

Member Elliott stated that this Board meeting would be the last meeting he will attend as a Board Member. Member Elliott announced that he will be resigning his seat on the Board of Trustee due to personal reasons. He noted that, while he will be participating during this meeting, he will be abstaining on all items. Member Elliott mentioned that he has appreciated the opportunity to serve on the Board of Trustees for River Delta USD.

Member Mahoney acknowledged the positive attributes that Member Elliott has brought to the Board during his term of office. Member Mahoney noted that he very much appreciates Member Elliott's insight on different topics. He thanked Member Elliott for his service to the District.

Member Mahoney reported that he and Mr. Gaston will be meeting with a solar company later in the week to discuss River Delta USD being the beneficiary of a solar project. He hopes to have news to report back at the next Board meeting.

Member Fernandez reiterated all that has been said about Member Elliott. She has appreciated the past three years getting to know him and appreciates his feedback, dedication and public service to the students and the community. She wished Member Elliott and his family all the best.

Member Fernandez thanked all who have worked to obtain the signatures in support of each of the Bond Measures and of those who filed the documents for both Measures J and Measures K for the November ballot.

9.1.2 Superintendent Wright's report(s) Superintendent Wright began her report by welcoming the Board of Trustees to the beginning of the new school year. Mrs. Wright mentioned that this school year should prove to be exciting, interesting, and definitely unique. She stated that we are looking forward to exercise patience, understanding and empathy for people. We will be working together through this difficult time.

Superintendent Wright stated that, since the last Board meeting, many things have occurred. On June 17th, the Governor made the decision for counties that are listed on the Monitoring List must start the school year with Remote Learning. This decision required the District to switch gears from planning for the Hybrid Model to a Remote Learning Model in a short period of time. Superintendent Wright stated that she has had the distinct honor to work with many dedicated workers during this time of crisis. She mentioned that these people are working hard day in and day out without any complaints. She said it has been nice to receive supportive texts and emails thanking all those who are working so hard in preparation for school this year.

Superintendent Wright reported that August 12th at 5:00pm is the deadline for anyone residing in Trustee Area 6 or Trustee Area 7 wishing to run for a seat on the Board of Trustees for River Delta Unified School District to submit paperwork at the county elections office.

Superintendent Wright stated that the school sites have been hosting drive-through events where the teachers, administrators and classified staff members have been providing materials necessary for students to start the school year. The next three days have been set aside for teachers, parents, and students to have an opportunity to make connections in preparation for the academic Remote Learning beginning on August 17th.

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 – Sharon Silva, Chief Business Officer, Chief Business Officer; Ken Gaston, Directors of MOT

- 9.2.1 Monthly Financial Report – Sharon Silva, Chief Business Officer reported that the estimated beginning balances have been included in the Financial Report. These balances will be adjusted and provided to the Board at the next month included in the Unaudited Actuals. The Business Office personnel is in the process of closing the books for 2019-2020.
- 9.2.2 Governor's Budget 45 Day Revise – Sharon Silva, Chief Business Officer reported that normally the 45-day Revise is brought to the Board as an information item only. This year, however, there are significant changes to the District's Budget that will require the Board's approval. The revised Budget will be brought to the Board as an action item later on the agenda.
- 9.2.3 D.H. White Modular Classroom Construction Project Update – Sharon Silva, Chief Business Officer reported that the project is on budget. The plan is to have this project completed mid-August.
- 9.2.4 Maintenance, Operations & Transportation Update, Ken Gaston, Director of MOT reported on some of the projects his team has been working on over the summer. Last year one half of the visitor's bleacher were replaced at Rio Vista High School stadium. The second half of the bleacher section has been removed and will be replace for the safety of visitors, staff and students. As a student project, the woodshop class has removed the wooden benches by the cafeteria area of campus. Mr. Gaston mentioned that wood as been purchased to complete the project. However, due to the school site closure the project has been put on hold.

Mr. Gaston reported that his staff has been working to repair old sprinklers systems. Sprinklers have been repaired in front of Delta High, Clarksburg Middle Schools as well as the lower field at Riverview Middle School.

Grant funding was received for Riverview Middle School to install a bicycle rack and cage for students to keep their bicycles, scooters and skateboards safely stowed during school hours.

In regard to the modular classroom project at D.H. White Elementary School, the temporary fencing has been taken down and should be removed in the next few days. The permanent fencing has been put back into place. There are a few small repairs remaining for the contractor to complete. Once that is done the District can take full ownership of the buildings. The District will paint the modular classrooms after the project has been signed off. Staff members have placed desks and other furniture items in the classrooms and the teachers have started to move in their supplies.

Mr. Gaston provided a presentation of the Eagle Scouts Beautification Project at Delta High School. John "JJ" Breitenbach, a Delta High School student, contacted Mr. Gaston with plans of an Eagle Scout Project. An Eagle Scout Project is a way to demonstrate leadership of others on a project that benefits the community. An average project takes

approximately 100 hours. Working with the students, district staff helped with the preparation the planter area by removing large roots, rocks, and decayed galvanized piping. Mr. Gaston stated that it turned out to be a great project.

9.3 Education Services' and Special Education Reports and/or Presentation(s) - Nicole Latimer, Chief Educational Services Officer

9.3.1 Educational Services Update – Nicole Latimer, Chief Educational Service Officer, welcomed everyone Back to School. Ms. Latimer reported that staff has been working diligently changing from the Hybrid In-person Learning Model to a Remote Learning Model. She provided the Board with a sample of tasks the Educational Services Department has been working on.

9.3.2 Williams' Settlement Public Notification regarding sufficiency of teachers, facilities, textbooks and instructional materials – Fourth Quarter (April - June) – Nicole Latimer, Chief Educational Services reported that there have been no insufficiencies reported during this quarter.

9.4 Student demands and expectations for a more inclusive, equitable and safe school environment – Nicole Latimer, Chief Educational Services Officer, invited students, former student, staff and community members with an opportunity to share their concerns or personal experiences with the Board of Trustees regarding implicit bias, law enforcement on campus and Black History Education. Ms. Latimer gave a summary of the June 18, 2020 communication received. With the direction of the Board, Superintendent Wright introduced former Rio Vista High School student, Lane Eggers, Lane Eggers thanked Superintendent Wright, Ms. Latimer and the Board of Trustees for allowing to speak on this pressing issue. Mr. Eggers stated that the intent of this communication was in no way a reprimand of the District's actions. It was more of a way to submit ideas on how the District can create a better environment for the students of color. Mr. Eggers explained the reasoning of the points listed on the communications.

Several Board Member thanked Mr. Eggers for sharing his concerns. Superintendent Wright thanked Mr. Eggers for sharing his prospective and wished him well at Colorado State University in the upcoming school year.

9.5 River Delta Unified Teacher's Association (RDUTA) Update – RDUTA President, Marsha Montgomery thanked the Superintendent and Board for the opportunity to speak. She mentioned that it was her pleasure to represent the Union as their President. Mrs. Montgomery introduced herself to Board and gave a summary of her background. She mentioned that teaching is her second career. After 24 years of service in the Air Force, she retired as a Master Sargent as a medic. After she left the Air Force, she went back to school and has been teaching at Rio Vista High School for the past 18 years. She congratulated Charles Van Riper, a teacher at Delta High, School for applying and being awarded a \$5,000 grant from the Institute of Teaching for his Vineyard and Wildlife Programs. Mrs. Montgomery stated that, although they are excited to start school tomorrow, they are nervous. The Union Board, Superintendent Wright and Ms. Latimer have spent time over the summer working on the "Cohort" MOU and then switch gears and started working on the Remote Learning MOU and will return to the "Cohort" MOU at a later date.

Board President Fernandez thanked Mrs. Montgomery for her service to the District as well as her service for our country.

9.6 California State Employee's Association (CSEA) Chapter #319 Update – Melinda Barkman, CSEA Chapter #319 President, reported that they have been getting ready for school to start and that she and her team have been working on the "Classified" MOU and will be meeting soon with the District for its completion.

10. **Consent Calendar**

10.1 Approve Board Minutes

Regular Meeting of the Board – June 23, 2020

10.2 Receive and Approve Monthly Personnel Reports - As of August 11,2020

10.3 District's Monthly Expenditure Report

June and July 2020

- 10.4 Request to approve the Consolidated Application (ConApp) for 2020-2021 school year – Nicole Latimer, Chief Educational Services Officer
- 10.5 Request to approve the independent contract with West Coast Broadcast Services, LLC to provide engineering services to support KRVH (Radio Rio), at a cost of \$5,000, Fund 49 Blended Learning components – Sharon Silva, Chief Business Officer
- 10.6 Request to approve the three (3) year renewal of Lexia software licenses for a 2020-2021, 2021-2022 and 2022-2023 school years at a cost of \$53,220, Educational Services Funds – Nicole Latimer, Chief Educational Services Officer
- 10.7 Request to approve the renewal of IXL Learning for the 2020-2021 school year at a cost not to exceed \$13,197, Educational Services Funds – Nicole Latimer, Chief Educational Services Officer
- 10.8 Request to approve the purchase of Renaissance myON Reader licenses for the 2020-2021 school year at a cost not to exceed \$15,836.80, from Educational Services Funds – Nicole Latimer, Chief Educational Services Officer
- 10.9 Request to approve the purchase of Swivl devices and accessories at a cost of \$72,889.23, Educational Services Funds – Nicole Latimer, Chief Educational services Officer
- 10.10 Request to approve the renewal of the Read 180 program for use at Delta High School and Clarksburg Middle School for the 2020-2021 school year at a cost not to exceed \$1,433.74, Nicole Latimer, Chief Educational Services Officer
- 10.11 Request to approve the Professional Expert Agreement with Jeff Simpson to provide speech therapy services for the 2020-2021 school year, at a cost not to exceed \$40,000, Special Education Funds – Nicole Latimer, Chief Educational Services Officer
- 10.12 Request to approve the Independent Contract for Services Agreement with Danielle Christy, M.A., to provide an Independent Educational Evaluation for the 2020-2021 school year at a cost not to exceed \$5,000, Special Education Funds - Nicole Latimer, Chief Educational Services Officer
- 10.13 Request to declare as surplus the list non-operable technology equipment from inventory and deem their value as zero – Maria Elena Becerra, Principal
- 10.14 Donations to Receive and Acknowledge:

Walnut Grove Elementary School – Hotspots

- Morris Motors \$100
- Emily Pappalardi \$200
- Dr. Spalding \$100
- Kay Dix \$1140
- Walnut Grove Rotary \$2508

Walnut Grove Elementary School – Summer Program

- Grow West \$12,000
- Mary Wilson \$800
- Russel Ooms \$80
- Dennis Leary \$375
- Courtland Town Association \$1,000
- Alicia Fernandez \$80
- MBK Engineers \$500
- Walnut Grove Iron Works \$50
- Sally Christie \$500

Walnut Grove Elementary School – Chromebooks

- Walnut Grove Rotary \$9,000

Clarksburg Middle School

- Courtland Town Council \$1000

Delta High School

- Courtland Town Council \$1000

Member Mahoney made a motion to pull item 10.3 and approve the remaining items on the consent agenda, Member Riley second: Motion carried by roll call vote 6 (Ayes: Fernandez, Olson, Riley, Stone, Casillas, Mahoney): 0 (Nays): 1 (Abstain: Elliott)

10.3 District's Monthly Expenditure Report for June and July 2020 - Member Mahoney had questions regarding the payments to the City of Rio Vista for the sewer and water invoices for Rio Vista High School. Mr. Gaston addressed this issue noting it is an ongoing problem with the City. Mr. Mahoney also asked about the \$113,000 payment to Datapath. Ms. Silva explained that expenditures were the purchases of Chromebooks and other technology devices in preparation for Remote Learning. Ms. Silva also clarified that the Napa Valley Tours payment was a transportation invoice for a student fieldtrip prior to the COVID-19 school closure. Lastly, Ms. Silva noted that PG & E had recently had a rate increase, which increased the monthly expenditures.

Member Mahoney moved to approve item 10.3, Member Fernandez seconded. Motion carried by roll call vote 5 (Ayes: Fernandez, Olson, Stone, Casillas, Mahoney): 0 (Nays): 1 (Absent: Riley) 1 (Abstain: Elliott)

Member Fernandez recognized the donation and thanked them for their continued support. Member Mahoney also acknowledged the steadfast support from Ms. Beth Brockhouse.

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 or Exhibits due to new legislation or mandated language and citations revisions as of May 2020 – Katherine Wright, Superintendent

Member Olson moved to approve, Member Casillas seconded. Motion carried by roll call vote 5 (Ayes: Fernandez, Olson, Stone, Casillas, Mahoney): 0 (Nays): 1 (Absent: Riley) 1 (Abstain: Elliott)

12. Request to approve Resolution #797 authorizing inter-fund transfers of Special or Restricted Funds for FY 2020-2021 – Sharon Silva, Chief Business Officer

Member Olson moved to approve, Member Stone seconded. Motion carried by roll call vote 5 (Ayes: Fernandez, Olson, Stone, Casillas, Mahoney): 0 (Nays): 1 (Absent: Riley) 1 (Abstain: Elliott)

13. Request to approve Resolution #798 authorizing temporary inter-fund Transfers (borrowing) for Restricted Funds for FY 2020-21 – Sharon Silva, Chief Business Officer

Member Olson moved to approve, Member Casillas seconded. Motion carried by roll call vote 5 (Ayes: Fernandez, Olson, Stone, Casillas, Mahoney): 0 (Nays): 1 (Absent: Riley) 1 (Abstain: Elliott)

14. Request to approve the Professional Expert Agreement with Elizabeth Keema-Aston to provide fiscal services at a cost not to exceed \$10,000, General Fund – Sharon Silva, Chief Business Officer

Member Olson moved to approve, Member Casillas seconded. Motion carried by roll call vote 5 (Ayes: Fernandez, Olson, Stone, Casillas, Mahoney): 0 (Nays): 1 (Absent: Riley) 1 (Abstain: Elliott)

15. Request to approve the 45-Day Revision on the 2020-2021 River Delta Unified School District's Budget – Sharon Silva, Chief Business Officer

Member Fernandez moved to approve, Member Olson seconded. Motion carried by roll call vote 5 (Ayes: Fernandez, Olson, Stone, Casillas, Mahoney): 0 (Nays): 1 (Absent: Riley) 1 (Abstain: Elliott)

16. Re-Adjourn to continue Closed Session, if needed – Board President reported that re-adjourning to Closed Session was not necessary.
17. 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.
18. Adjournment: There being no further business before the Board, Board President Fernandez asked for a motion to adjourn.

Member Casillas moved to approve, Member Stone seconded. Motion carried by roll call vote 5 (Ayes: Fernandez, Olson, Stone, Casillas, Mahoney): 0 (Nays): 1 (Absent: Riley) 1 (Abstain: Elliott)

The meeting was adjourned at 8:07 pm

Submitted:

Approved:

Katherine Wright, Superintendent and
Secretary to the Board of Trustees

Marilyn Riley, Clerk, Board of Trustees

By: Jennifer Gaston, Recorder
End

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 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

RIVER DELTA UNIFIED SCHOOL DISTRICT
PERSONNEL TRANSACTION AND REPORT
DATE: September 8, 2020

NAME	SCHOOL OR DEPARTMENT	NEW OR CURRENT POSITION	TRANSACTION, EFFECTIVE AT
			*CLOSE OF THE DAY
			**BEGINNING OF THE DAY
ADMINISTRATIVE			
CERTIFICATED			
Joshua Bahen	Clarksburg Middle/Delta High	Spanish Teacher 1.0 FTE	Resignation accepted effective *8/14/2020
Agusti Amengual Salleras	Clarksburg Middle/Delta High	Spanish Teacher 1.0 FTE	Hired effective **8/17/2020 (Vice Joshua Bahen)
Diane Francis	Riverview Middle School	Literacy/Learning Support Teacher 1.0 FTE	Hired effective **8/17/2020 (Vice Maryn Anderson)
Tram Hoang	Bates Elementary	ELD Teacher 1.0 FTE	Release from contract *8/31/2020
Mazie Bird	Bates Elementary	ELD Teacher 1.0 FTE	Hired effective **9/1/2020 (Vice Tram Hoang)
Stephan de la Rosa	Bates Elementary	Temp. Teacher for 20-21 1.0 FTE	Hired effective **8/31/2020 (Vice Marie Cailles LOA)
Marie Cailles	Bates Elementary	Teacher 1.0 FTE	LOA approved for 20-21 school year at 8/11/2020 Board Meeting.
CLASSIFIED MANAGEMENT			
Romeo Selfaison	District Office	Director of Accounting 1.0 FTE	Hired effective **9/8/2020
CLASSIFIED			
Ana Origel	D.H. White School	Inst. Asst. II Food Service 1.0 hr/day	Resigned effective **8/12/2020
Raymond Gonzales	District Office	Accounting Specialist 1.0 FTE	Resigned effective *8/28/2020
Michael Mimiaga	Transportation	Bus Driver 5 hrs/day	Resigned effective *9/9/2020
Kaye Mooney	Walnut Grove Elem.	Inst. Asst. I .75 hrs/day	Resigned effective *8/21/2020
Maria Camacho	Isleton Preschool	Secretary .50 FTE	Hired effective **9/8/2020 (Vice Gabriela Chavez)
Juan Farias	Transportation	Bus Mechanic II 1.0 FTE	Resigned effective **9/2/2020

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 2020

Attachments: X

From: Sharon Silva, 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:

Sharon Silva, 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: Wed, Sep 02, 2020, 10:34 AM

(916) 775-1426

Y



Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012586 BAY ALARM 60 BERRY DRIVE PACHECO, CA 94553 (209) 465-1986	6,036.79	ISLE CAMERA DW ALARM DW ALARM ISLE ALARM	08/11/2020 08/11/2020 08/20/2020 08/25/2020	21366044 PV-210031 21366044 PV-210032 21367241 PV-210051 21367732 PV-210079	206.66 2,751.40 2,975.40 103.33	N N N N
N BALCO HOLDINGS						
015086 BOOTHE, LOGAN 250 ST. JOSEPH ST #111 RIO VISTA, CA 94571 (0) - 0	500.00	RVHS F & M BANK SCHOLARSHIP	08/18/2020	21366877 PO-210295	500.00	N
(0) - 0						N
014614 BUCKMASTER 1801 TRIBUTE ROAD SACRAMENTO, CA 95815 (916) 923-0500	965.86	DHS PRINTER COSTS CMS PRINTER COSTS	08/11/2020 08/11/2020	21366036 CL-200175 21366036 CL-200176	846.02 119.84	N N
(916) 923-0500						N
003681 CALIFORNIA AMERICAN WATER P.O. BOX 7150 PASADENA, CA 91109-7150 (888) 237-1333	1,261.98	ISLE SEWER ISLE WATER SERV ISLE WATER SERV	08/11/2020 08/20/2020 08/20/2020	21366045 PV-210033 21367242 PV-210052 21367242 PV-210052	409.93 617.81 234.24	N N N
(888) 237-1333						N
012079 CALIFORNIA CLEAR BOTTLED P.O. BOX 981 14410 W.G. THORNTON RD WALNUT GROVE, CA 95690 (916) 776-1544	57.95	ZRI003 DO WATER	08/20/2020	21367243 PV-210053	57.95	7
(916) 776-1544						Y
013205 CALIFORNIA FFA PO BOX 460 GALT, CA 95632 (209) 744-1600	100.00	DHS FFA VIRTUAL CONVENTION DHS FFA VIRTUAL CONVENTION	08/25/2020 08/25/2020	21367715 PO-210331 21367715 PO-210331	50.00 50.00	N N
(209) 744-1600						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	1,176.41	ISLE WASTE	08/11/2020	21366046 PV-210034	1,176.41	N
014242 CAMACHO MECHANICAL 618 A AIRPORT RD RIO VISTA, CA 94571 (209) 607-9807 Y DAVID CAMACHO	1,542.84	7918/7919/7927 MAINT REPAIRS 7940 MAINT REPAIRS	08/25/2020 08/27/2020	21367720 PO-210321 21368036 PO-210321	1,242.84 300.00	Y Y
014240 CAPITAL ONE PUBLIC FUNDING 1307 WALT WHITMAN RD MELVILLE, NY 11747 (855) 675-1212 N	201,075.00	6207612 SHEA HOME REPAYMENT 6207612 SHEA HOME REPAYMENT	08/11/2020 08/11/2020	21366056 PV-210046 21366056 PV-210046	153,655.10 47,419.90	N N
014082 CAS INSPECTION INC 373 PEBBLE BEACH DRIVE RIO VISTA, CA 94571 (925) 584-1930 N	11,000.00	2471 DHW MODULAR INSPCTN 2471 DHW MODULAR INSPCTN	08/25/2020 08/25/2020	21367737 PV-210083 21367737 PV-210083	5,500.00 5,500.00	N N
014547 CASEY, NICHOLAS 2318 Windy Springs LN BRENTWOOD, CA 94513 (0) - 0 N	457.00	DHW COVID SUPPLIES	08/20/2020	21367228 PO-210264	457.00	N
014492 CATA PO BOX 186 GALT, CA 95632 (209) 744-1614 N	140.00	DHS AG MMBRSHP DHS AG MMBRSHP	08/27/2020 08/27/2020	21368026 PO-210330 21368026 PO-210330	70.00 70.00	N N
014762 CATAPULT EMS	4,434.45	1044203 CATAPULT EMS	08/18/2020	21366880 PV-210049	4,434.45	Y

5098 FOOTHILLS BLVD #3-396
ROSEVILLE, CA 95747

(530) 566-0446

N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012184 CDE P.O. BOX 515006 SACRAMENTO, CA 95851-5006 () - N	102.79	FED INTEREST PROG ON 3010/4128	08/20/2020	21367244 PV-210054	102.79	N
013918 CENGAGE LEARNING 10650 TOEBBEN DRIVE INDEPENDENCE, KY 41051 (800) 354-9706 N	4,837.90	70970872 ED SV BOOKS 70970869 ED SV BOOKS	08/04/2020 08/04/2020	21365291 PO-210157 21365291 PO-210159	1,340.52 3,497.38	N N
003380 CENTRAL VALLEY WASTE SERVICE INC P.O. BOX 78251 PHOENIX, AZ 85062-8251 (0) - 0 N	1,705.12	TRANS WASTE SERV MOKE WASTE SERV WG WASTE SERV BATES WASTE SERV	08/20/2020 08/20/2020 08/20/2020 08/20/2020	21367245 PV-210055 21367245 PV-210055 21367245 PV-210055 21367245 PV-210055	136.69 81.99 877.02 609.42	N N N N
000201 CITY OF ISLETON P.O. BOX 716 101 SECOND STREET ISLETON, CA 95641 (916) 777-7770 N	411.05	80765 ISLE SEWER	08/11/2020	21366043 PO-210004	411.05	N
000077 CITY OF RIO VISTA 1 MAIN STREET RIO VISTA, CA 94571 (0) - 0 N	24,422.23	RVHS SEWER DHW SEWER RMS SEWER DO SEWER RVHS WATER DHW WATER RMS WATER DO WATER	08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020	21367246 PV-210056 21367246 PV-210056 21367246 PV-210056 21367246 PV-210056 21367246 PV-210056 21367246 PV-210056 21367246 PV-210056 21367246 PV-210056	7,107.74 2,151.05 6,977.43 245.50 4,018.55 1,856.84 1,882.34 182.78	N N N N N N N N
014215 CONTERRA ULTRA BROADBAND PO BOX 281357 ATLANTA, GA 30384-1357	1,800.22	44710 DW NETWORK 44710 DW NETWORK	08/11/2020 08/11/2020	21366047 PV-210035 21366047 PV-210035	15,104.85 16,905.07	N N

(704) 936-1722

N



Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
015085 CORONA, YOCELYN PO BOX 1115 ISLETON, CA 95641-1115 (0) - 0 N	500.00	RVHS F & M BANK SCHOLARSHIP	08/18/2020	21366878 PO-210296	500.00	N
014569 CPI 10850 W. PARK PLACE SUITE 600 MILWAUKEE, WI 53224 (888) 426-2184 N	150.00	IUS0176787 SP ED MMBRSHP DUES	08/27/2020	21368041 PV-210085	150.00	N
013876 DATAPATH PO BOX 396009 SAN FRANCISCO, CA 94139 (888) 693-2827 N	17,357.09	146949 DW IT SERVICES 146949 DW IT SERVICES 146949 DW IT SERVICES 146949 DW IT SERVICES 146949 DW IT SERVICES 147149 MAINT LAPTOP 147081 WIND RIVER LAPTOP 147140 MIG ED COUNSELOR LAPTOP 146775 DHS PRINCIPAL LAPTOP	08/04/2020 08/04/2020 08/04/2020 08/04/2020 08/04/2020 08/20/2020 08/20/2020 08/25/2020 08/27/2020	21365297 PO-210008 21365297 PO-210008 21365297 PO-210008 21365297 PO-210008 21365305 PO-210008 21367218 PO-210181 21367227 PO-210221 21367716 PO-210241 21368027 PO-210023	118.25 118.25 11,236.16 118.25 236.58 2,338.24 982.45 982.45 1,226.46	N N N N N N N N N
013722 DE LAGE LANDEN PUBLIC FINANCE 1111 OLD EAGLE SCHOOL ROAD WAYNE, PA 19087 (800) 736-0220 N	1,184.80	68975595 DO SAVIN LEASE 68975595 DO SAVIN LEASE 25391052 WG LEASE 68982950 BUS OFF SAVIN LEASE 69200370 SP ED SAVIN LEASE 69200370 ED SV SAVIN LEASE	08/20/2020 08/20/2020 08/20/2020 08/25/2020 08/25/2020 08/25/2020	21367229 PO-210007 21367229 PO-210007 21367229 PO-210203 21367721 PO-210006 21367721 PO-210043 21367721 PO-210043	468.55 200.81 150.29 176.51 94.32 94.32	N N N N N N
012807 DELTA ELEMENTARY CHARTER SCHOOL 36230 N SCHOOL ST CLARKSBURG, CA 95612 (916) 995-1335 N	123,921.00	AUGUST TAX IN LIEU	08/04/2020	21365306 PV-210028	123,921.00	N
014067 DISCOVERY OFFICE SYSTEMS 1269 CORPORATE CENTER PARKWAY SANTA ROSA, CA 95407	460.76	55E1580468 BATES MAINT AGRMNT 55E1579063 WG MAINT CONTRACT 55E1581676 ISLE CONT	08/20/2020 08/20/2020 08/20/2020	21367230 PO-210120 21367230 PO-210205 21367247 PV-210057	36.30 34.94 354.56	N N N

(707) 570-1000

N

55E1582653 WG MAINT CONTR

08/25/2020 21367722 PO-210205

34.96 N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000188 DOLK TRACTOR COMPANY 242 N. FRONT STREET RIO VISTA, CA 94571	225.37	15097 TRANS SUPPLIES	08/27/2020	21368042 PV-210086	225.37	N
(0) - 0						N
010469 E.F. KLUDT & SONS INC P.O. BOX 166 LODI, CA 95241-0166	4,179.89	267092/269093 TRANS FUEL #67995 TRANS FUEL	08/04/2020 08/27/2020	21365298 PO-210059 21368037 PO-210059	3,976.88 203.01	N N
(0) - 0						N
013121 FASSTRAK VIOLATION PROCESSING DEPARTMENT P.O. BOX 26925 SAN FRANCISCO, CA 94126-6925	6.00	T712039291662 MAINT FASSTRAK	08/20/2020	21367248 PV-210058	6.00	N
() -						N
011339 FRONTIER COMMUNICATIONS CORPORATION THREE HIGH RIDGE PARK STAMFORD, CT 06905	4,582.53	RVHS RVHS EMERG RVHS DHS EMERG ISLE EMERG ISLE ISLE DHW DHW EMERG RMS RMS RMS RMS EMERG RMS WG WG EMERG BATES EMERG CMS CMS DHS ALARM ISLE ALARM WG ALARM	08/20/2020 08/20/2020	21367249 PV-210059 21367249 PV-210059	52.31 84.62 177.34 84.62 68.30 158.96 40.14 147.94 94.30 121.11 96.39 96.56 84.62 264.63 84.62 68.30 57.45 68.30 112.02 68.30 84.82 94.80	N N
(0) - 0						N

BATES ALARM	08/20/2020	21367249	PV-210059	84.62	N
TRANS ALARM	08/20/2020	21367249	PV-210059	45.98	N
MOKE ALARM	08/20/2020	21367249	PV-210059	51.65	N
CMS ALARM	08/20/2020	21367249	PV-210059	84.62	N
DO	08/20/2020	21367249	PV-210059	84.62	N
DHW ALARM	08/20/2020	21367249	PV-210059	126.92	N
RVHS ALARM	08/20/2020	21367249	PV-210059	126.92	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
011339 FRONTIER COMMUN (Continued...)		DO	08/20/2020	21367249 PV-210059	1,071.97	N
		TRANS	08/20/2020	21367249 PV-210059	126.92	N
		TRANS	08/20/2020	21367249 PV-210059	96.39	N
		MAINT	08/20/2020	21367249 PV-210059	109.20	N
		MAINT	08/20/2020	21367249 PV-210059	67.24	N
		MAINT	08/20/2020	21367249 PV-210059	226.73	N
		MOKE	08/20/2020	21367249 PV-210059	68.30	N
013921 FUN & FUNCTION LLC PO BOX 11 MERION STATION, PA 190066 (800) 231-6329	135.17	448984 SP ED SUPPLIES	08/20/2020	21367219 PO-210179	135.17	7
						Y
011790 GALT JT UN HIGH SCHOOL DIST GALT HIGH SCHOOL 145 N LINCOLN WAY GALT, CA 95632 (0) - 0	3,987.13	200129 VERIZON HOTSPOT/SERV	08/04/2020	21365290 CL-200172	3,987.13	N
						N
014828 GASTON, KEN 329 SACRAMENTO STREET RIO VISTA, CA 94571 (0) - 0	29.10	MAINT SUPPLIES	08/20/2020	21367231 PO-210079	29.10	N
						N
014234 GIRARD EDWARDS STEVENS & TUCKER LLP., ATTORNEYS AT LAW 8801 FOLSOM BLVD STE 285 SACRAMENTO, CA 95826 (916) 706-1255	2,520.00	14234 ATTY FEES	08/20/2020	21367250 PV-210060	1,440.00	Y
		14234 ATTY FEES	08/20/2020	21367250 PV-210060	192.50	Y
		14234 ATTY FEES	08/20/2020	21367250 PV-210060	302.50	Y
		14234 ATTY FEES	08/20/2020	21367250 PV-210060	90.00	Y
		14234 ATTY FEES	08/20/2020	21367250 PV-210060	495.00	Y
						Y
014573 GREAT AMERICA FINANCIAL SVCS PO BOX 660831 DALLAS, TX 75266-0831 (877) 311-4422	1,436.09	27414667 DHS LEASE	08/04/2020	21365307 PV-210029	375.38	N
		27597732 DHS COPIER LEASE	08/20/2020	21367232 PO-210248	750.76	N
		27454406 CMS LEASE	08/25/2020	21367723 PO-210325	309.95	N
						N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
013112 GREENFIELD LEARNING INC P.O. BOX 3024 HALF MOON BAY, CA 94019 (800) 726-1156	975.00	9094 RMS READING INTERV PRGRM	08/20/2020	21367220 PO-210141	975.00	N
000711 GROW WEST PARTS 14301 RAILROAD AVE WALNUT GROVE, CA 95690- (916) 776-1744	37.63	13112 TRANS SUPPLIES	08/20/2020	21367233 PO-210049	37.63	N
		THE LYMAN GROU				
000472 HENRY GO MD INC P.O. BOX 338 COURTLAND, CA 95615 () -	200.00	10623 DMV EXAM	08/20/2020	21367251 PV-210061	200.00	6
						Y
014935 HOME CAMPUS 2900 BRISTOL ST. SUITE B206 COSTA MESA, CA 92626 (562) 206-2486	895.00	4937 RVHS ATHLETIC CLRNCE	08/27/2020	21368029 PO-210312	895.00	N
003538 HOME DEPOT CREDIT SERVICES DEPT 32-2500439736 P.O. BOX 78047 PHOENIX, AZ 85062-8047 (0) - 0	349.75	MAINT SUPPLIES CBO BLINDS	08/20/2020 08/20/2020	21367234 PO-210073 21367221 PO-210191	302.21 47.54	N N
013947 HOME DEPOT PRO PO BOX 742056 LOS ANGELES, CA 90074-2056 (877) 577-1114	5,081.83	562921114 DHW SUPPLIES 563395847 ISLE SUPPLIES 563395821 DHW SUPPLIES 562921122 ISLE SUPPLIES 564016078 ISLE SUPPLIES 564471670 DHW SUPPLIES 564016061 DHW SUPPLIES 563745298 ISLE SUPPLIES	08/04/2020 08/04/2020 08/04/2020 08/04/2020 08/25/2020 08/25/2020 08/25/2020 08/25/2020	21365299 PO-210185 21365299 PO-210185 21365299 PO-210185 21365299 PO-210185 21367724 PO-210185 21367724 PO-210185 21367724 PO-210185 21367724 PO-210185	1,721.81 620.14 616.57 1,744.32 1.57 115.10 1.56 70.77	N N N N N N N N

562404541	ISLE SUPPLIES	08/25/2020	21367724	PO-210185	51.51	N
561914102	RVHS SUPPLIES	08/25/2020	21367724	PO-210185	24.26	N
533499331	CAFE SUPPLIES	08/25/2020	21367736	PV-210081	114.22	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
002180 HORIZON PO BOX 80248 CITY OF INDUSTRY, CA 91716-8248 (209) 931-8555 N	104.63	250659 MAINT SUPPLIES	08/20/2020	21367235 PO-210086	104.63	N
012272 HOUGHTON MIFFLIN HARCOURT PUBLISHING COMPANY 222 BERKELEY STREET BOSTON, MA 02116 (800) 225-5425 N	7,431.42	954871403 ED SV BOOKS 954875562 ED SV BOOKS 710191448 ED SV BOOKS 954908507 ED SV BOOKS 710196867 SP ED READ 180	08/04/2020 08/04/2020 08/27/2020 08/27/2020 08/27/2020	21365293 PO-210168 21365293 PO-210168 21368028 PO-210169 21368028 PO-210230 21368028 PO-210301	3,325.33 560.52 1,875.04 236.79 1,433.74	N N N N N
011917 INDOFF 11816 LACKLAND AVENUE ST. LOUIS, MO 63146-4206 (707) 374-4037 N	1,599.72	3394514 RMS COPY PAPER 3394514 RMS COPY PAPER 3395360 RVHS SUPPLIES 3395360 RVHS SUPPLIES 3396968 RVHS SUPPLIES	08/20/2020 08/20/2020 08/25/2020 08/25/2020 08/27/2020	21367222 PO-210132 21367222 PO-210132 21367725 PO-210281 21367725 PO-210281 21368038 PO-210098	636.66 424.44 223.89 223.89 90.84	N N N N N
000107 INLAND BUSINESS SYSTEMS 1500 NO. MARKET SACRAMENTO, CA 95834-1912 (916) 928-0770 N	975.82	1565544/1565546 RVHS LEASE AGR 1565544/1565546 RVHS MAINT AGM	08/20/2020 08/20/2020	21367236 PO-210097 21367236 PO-210099	540.62 435.20	N N
013940 KELLY MOORE PAINTS CO INC 10299 EAST STOCKTON BOULEVARD SUITE 101 ELK GROVE, CA 95758 (650) 610-4370 N	901.75	404922 MAINT SUPPLIES 404922 MAINT SUPPLIES 404922 MAINT SUPPLIES	08/04/2020 08/04/2020 08/04/2020	21365300 PO-210071 21365300 PO-210071 21365300 PO-210071	901.75 73.27 73.27	N N N
011311 LA RUE COMMUNICATIONS 521 E. MINER AVE STOCKTON, CA 95202 (209) 463-1900 Y LA RUE, KNOX J	330.00	7630 TRANS UHF SERVICE	08/04/2020	21365301 PO-210057	330.00	7

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014670 LEARNING WITHOUT TEARS 806 W DIAMOND AVE #230 GAITHERSBURG, MD 20878 (888) 983-8409	109.42	80605 SP ED SUPPLIES	08/11/2020	21366037 PO-210177	109.42	N
011868 LIRA'S WELDING SERVICE P.O. BOX 31 RIO VISTA, CA 94571 (0) - 0	4,960.85	12347 RMS BIKE RACK	08/18/2020	21366881 PV-210050	4,960.85	Y
000548 LIRAS SUPERMARKET 609 HWY 12 RIO VISTA, CA 94571 (707) 374-5399	126.55	#55 RVHS SUPPLIES	08/25/2020	21367726 PO-210101	126.55	N
013206 LOWE'S 8369 POWER INN ROAD ELK GROVE, CA 95624-3464 (866) 232-7443	1,254.99	MAINT SUPPLIES	08/20/2020	21367237 PO-210074	1,254.99	N
014819 MAVERICK NETWORKS INC. 7060 KOLL CENTER PKWY#318 PLEASANTON, CA 94566 (925) 931-1900	1,680.00	2001724 2001704 2001903	08/20/2020 08/20/2020 08/20/2020	21367252 PV-210063 21367252 PV-210063 21367252 PV-210063	440.00 440.00 800.00	N N N
011392 MCGRAW HILL SCHOOL PUBLISHING 220 E DANIELDALE ROAD DESOTO, TX 75115 (614) 755-4151	12,350.49	113483939001 ED SV BOOKS 113507646001 SP ED BOOKS 113629633004 ED SV BOOKS 113629633003 ED SV BOOKS	08/11/2020 08/27/2020 08/27/2020 08/27/2020	21366042 PO-210163 21368034 PO-210042 21368034 PO-210228 21368034 PO-210229	9,362.54 247.27 685.17 2,055.51	N N N N
012837 MOBILE MODULAR 5700 LAS POSITAS ROAD	595.00	2072351 RMS MODULAR LEASE	08/20/2020	21367268 PV-210077	595.00	N

LIVERMORE, CA 94551

(925) 606-9000

N MCGRATH RENTCO

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014995 NATIONAL RESTAURANT ASSOC. 233 SOUTH WALKER DR. # 3600 CHICAGO, IL 60606 (800) 765-2122 N	634.44	16N6301410 CAFE SRV SF COURSE	08/27/2020	21368035 PO-210215	634.44	N
014975 NEWSELA 475 10TH AVENUE 4TH FLOOR NEW YORK, NY 10018 (0) - 0 N	4,000.00	12868 RVHS NEWSELA LICENSE 12868 RVHS NEWSELA LICENSE 12868 RVHS NEWSELA LICENSE 12868 RVHS NEWSELA LICENSE	08/04/2020 08/04/2020 08/04/2020 08/04/2020	21365294 PO-210198 21365294 PO-210198 21365294 PO-210198 21365294 PO-210198	500.00 1,000.00 500.00 2,000.00	N N N N
013877 NORRIS, CARRIE 4833 STEPPE COURT ELK GROVE, CA 95757 (0) - 0 N	545.16	WG SUPPLIES WG SUPPLIES	08/27/2020 08/27/2020	21368039 PO-210201 21368039 PO-210235	418.01 127.15	N N
010203 OCCUPATIONAL HEALTH PO BOX 39000 DEPT 33404 SAN FRANCISCO, CA 94139-3404 (707) 399-6068 N NORTHBAY HEALT	120.00	0H64134 DOT PHYSICAL/EXAM	08/20/2020	21367254 PV-210065	120.00	N
013375 ODYSSEYWARE/edgenuity 300 N. MCKEMY AVE CHANDLER, AZ 85226 (602) 377-7920 N	44,200.00	210025 ODYSSEYWARE RENEWAL 755777 ODYSSEYWARE RENEWAL	08/04/2020 08/04/2020	21365292 PO-210025 21365292 PO-210025	13,000.00 31,200.00	N N
011429 OLIVER WORLDCLASS LABS INC 11040 BOLLINGER CANYON RD SUITE E-463 SAN RAMON, CA 94582 (707) 747-1537 N	1,450.00	1349 DHW LICENSE RENEWAL	08/20/2020	21367223 PO-210279	1,450.00	N

Vendor Name/Address	Total	Description	Date	Warrant	Reference	Amount	1099
013895 PEARSON CLINICAL ASSESSMENT ORDERING PO BOX 599700 SAN ANTONIO, TX 78259 (800) 627-7271	925.50	10290405 SP ED SOFTWARE	08/25/2020	21367717	PO-210286	925.50	N
013086 PEARSON EDUCATION INC 501 BOLYSTON STREET SUITE 900 BOSTON, MA 02116 (800) 848-9500	3,011.17	4026128024 ED SV BOOKS 4026128024 ED SV BOOKS 4026128024 ED SV BOOKS 4026128023 ED SV BOOKS 4026128023 ED SV BOOKS 4026128023 ED SV BOOKS 4026142421 ED SV BOOKS 4026162570 ED SV BOOKS 4026162570 ED SV BOOKS 4026162570 ED SV BOOKS	08/04/2020 08/04/2020 08/04/2020 08/04/2020 08/04/2020 08/04/2020 08/20/2020 08/27/2020 08/27/2020 08/27/2020	21365295 21365295 21365295 21365295 21365295 21365295 21367224 21368030 21368030 21368030	PO-210174 PO-210174 PO-210174 PO-210174 PO-210174 PO-210174 PO-210161 PO-210227 PO-210227 PO-210227	116.53- 116.53 1,434.27 40.49- 40.49 498.32 871.01 16.87 207.57 16.87-	N N N N N N N N N N
003270 PG&E 685 EMBARCADERO DRIVE SACRAMENTO, CA 95605 (0) - 0	33,026.48	RADIO RIO ELECT DHS LT'S DHW SHOP DHW DO RVHS RVHS DHS LT'S ISLE GARAGE DHS LT'S ISLE GARAGE RMS LIFT PUMP DO N. NETH SCHL PUMP/FIELD LITES DHS CMS DHS	08/11/2020 08/11/2020	21366049 21366049	PV-210037 PV-210038	26.40 12.78 177.06 55.94 6,580.27 1,385.75 8,308.84 163.95 22.92 3,343.25 122.96 35.72 98.44 2,314.91 49.91 45.22 45.85 138.57 5,432.58 2,046.88 2,618.28	N N
015078 PLATFORM ATHLETICS	1,500.00	1515 DHS ATHLETIC SUBSCRPTN	08/27/2020	21368031	PO-210322	1,500.00	Y

39 JOHN H FINLY III WAY
FRAMINGHAM, MA 01701

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Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
015081 PLUMMER, RENEE 2072 PRAIRIE VIEW LANE LINCOLN, CA 95648 (0) - 0 Y	900.00	2007 MAINT EVAL FOR DRIVERS	08/04/2020	21365302 PO-210232	900.00	Y
014788 PTM DOCUMENT SYSTEMS 2321 CIRCADIAN WAY SANTA ROSA, CA 95407 (707) 576-6364 N	898.00	75402 RVHS MAINT AGRMNT	08/04/2020	21365296 PO-210112	898.00	N
012541 R.A. JONES CONSTRUCTION P.O. BOX 835 THORNTON, CA 95686 (209) 794-8185 Y ROBERT A. JONE	2,750.00	535 DHW MODULAR INSTALL 535 DHW MODULAR INSTALL	08/18/2020 08/18/2020	21366879 PO-210186 21366879 PO-210186	1,375.00 1,375.00	Y Y
012473 RENAISSANCE LEARNING INC PO BOX 8036 2911 PEACH STREET WISCONSIN RAPIDS, WI 54495-8036 (800) 338-4204 N	15,836.80	287216 ED SV RENAISSANCE SERV 286478 ED SV RENAISSANCE SERV 281424 ED SV RENAISSANCE SERV 281420 ED SV RENAISSANCE SERV 281422 ED SV RENAISSANCE SERV 286751 ED SV RENAISSANCE SERV	08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020	21367225 PO-210233 21367225 PO-210233 21367225 PO-210233 21367225 PO-210233 21367225 PO-210233 21367225 PO-210233	2,400.00 2,400.00 2,400.00 600.00 3,300.00 4,736.80	N N N N N N
012529 RGM KRAMER INC. 3230 MONUMENT WAY CONCORD, CA 94518 (0) - 0 N	12,500.00	5456 PROJ MNGMNT DHW MODULARS 5456 PROJ MNGMNT DHW MODULARS	08/18/2020 08/18/2020	21366883 PV-210047 21366883 PV-210047	6,250.00 6,250.00	N N
000193 RIO VISTA ACE HARDWARE 506 STATE HIGHWAY 12 RIO VISTA, CA 94571 (0) - 0 N	514.58	270676 MAINT SUPPLIES	08/20/2020	21367238 PO-210045	514.58	N
014071 RIO VISTA BEACON	105.00	9874 ADS	08/11/2020	21366050 PV-210039	45.00	N

PO BOX 726
BRENTWOOD, CA 94513

257862 HR CLASSIFIED ADS

08/27/2020 21368043 PV-210087

60.00 N

(925) 550-7811

N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
010239 RIO VISTA SANITATION P.O. BOX 607 RIO VISTA, CA 94571-0607	1,460.96	DO WASTE SERVICE RVHS WASTE SERV DHW WASTE SERV	08/11/2020 08/20/2020 08/20/2020	21366048 PV-210040 21367253 PV-210064 21367253 PV-210064	123.64 890.00 447.32	N N N
(0) - 0						N
000589 RISO PRODUCTS OF SACRAMENTO 3304 MONIER CIRCLE SUITE 110 RANCHO CORDOVA, CA 95742	965.00	195307/195308 WG RISO CNTRCTS 207157 DHS RISO CONTRACT 207154 CMS RISO CONTRACT	08/11/2020 08/11/2020 08/25/2020	21366038 PO-210202 21366038 PO-210254 21367718 PO-210324	300.00 323.00 342.00	N N N
(916) 638-7476		N RPSI ENTERPRIS				
010670 RIVERVIEW-INTERNATIONAL TRUCKS 2445 EVERGREEN AVE P.O. BOX 716 WEST SACRAMENTO, CA 95691	410.95	61671 TRANS SUPPLIES	08/25/2020	21367727 PO-210055	410.95	7
() -						Y
012796 ROSSI, MARCY 128 N SECOND STREET RIO VISTA, CA 94571	35.67	RMS SUPPLIES RMS SUPPLIES	08/25/2020 08/25/2020	21367728 PO-210136 21367728 PO-210136	21.40 14.27	N N
(0) - 0						N
000095 S M U D P.O. BOX 15555 SACRAMENTO, CA 95852	5,560.63	WG WG WG BATES BATES BATES TRANS TRANS	08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020	21367255 PV-210067 21367255 PV-210067 21367255 PV-210067 21367255 PV-210067 21367255 PV-210067 21367255 PV-210067 21367255 PV-210067 21367255 PV-210067	2,402.14 286.92 27.34 28.59 2,300.57 422.00 79.40 13.67	N N N N N N N N
(0) - 0						N
012225 SACRAMENTO COUNTY COUNTY OF SACRAMENTO 700 H STREET ROOM 1710 SACRAMENTO, CA 95814	2,849.50	FISCAL AGENT FEES 4TH QUARTER FISCAL AGENT FEES 4TH QUARTER FISCAL AGENT FEES 4TH QUARTER FISCAL AGENT FEES 4TH QUARTER	08/11/2020 08/11/2020 08/11/2020 08/11/2020	21366051 PV-210036 21366051 PV-210036 21366051 PV-210036 21366051 PV-210036	569.90 569.90 569.90 569.90	N N N N

(916) 874-8250

N

FISCAL AGENT FEES 4TH QUARTER 08/11/2020 21366051 PV-210036

569.90 N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000090 SACRAMENTO COUNTY UTILITIES 9700 GOETHE ROAD SUITE C SACRAMENTO, CA 95827	323.65	MOKE SEWER	08/20/2020	21367256 PV-210068	113.70	N
			08/27/2020	21368044 PV-210088	99.58	N
			08/27/2020	21368044 PV-210088	110.37	N
(0) - 0 N						
010468 SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DIST. 777 12TH STREET 3RD FLOOR SACRAMENTO, CA 95814-1908	1,185.00	2021-10-00873 RENEWAL FEES	08/20/2020	21367257 PV-210066	1,185.00	N
(916) 874-4800 N						
003501 SCHOLASTIC INC 2931 EAST MCCARTY STREET JEFFERSON CITY, MO 65101	1,190.92	M6975821 ED SV MAGAZINES	08/11/2020	21366039 PO-210035	1,190.92	N
(800) 724-6527 N						
011160 SCHOOL HEALTH CORPORATION 5600 APOLLO DRIVE ROLLING MEADOWS, IL 60008	1,167.05	379450 NURSES SUPPLIES	08/11/2020	21366040 PO-210030	2.84	N
		379450 NURSES SUPPLIES	08/11/2020	21366040 PO-210030	2.84	N
		379450 NURSES SUPPLIES	08/11/2020	21366040 PO-210030	815.56	N
		3797452 ED SV HEALTH SUPPLIES	08/11/2020	21366040 PO-210044	1.21	N
(800) 323-1305 N		3797452 ED SV HEALTH SUPPLIES	08/11/2020	21366040 PO-210044	1.21	N
		3797452 ED SV HEALTH SUPPLIES	08/11/2020	21366040 PO-210044	346.77	N
		3797450 NURSE SUPPLIES	08/27/2020	21368045 PV-210089	.02	N
		3797450 NURSE SUPPLIES	08/27/2020	21368045 PV-210089	.02	N
		3797450 NURSE SUPPLIES	08/27/2020	21368045 PV-210089	4.72	N
003318 SCHOOL SPECIALTY INC W6316 DESIGN DRIVE GREENVILLE, WI 54942	41.10	208125613571 BATES SUPPLIES	08/27/2020	21368040 PO-210123	41.10	N
(0) - 0 N						
000316 SCHOOLS INSURANCE AUTHORITY P.O. BOX 276710 SACRAMENTO, CA 95827-6710	717.50	EAP082021.14 EMP ASST PROG	08/20/2020	21367258 PV-210069	351.58	N
		EAP082021.14 EMP ASST PROG	08/20/2020	21367258 PV-210069	365.92	N

(0) - 0 N



Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014524 SHRED IT PO BOX 101007 PASADENA, CA 91189-1007	538.78	8180150520 DO SHREDDING	08/11/2020	21366052 PV-210041	538.78	N
(0) - 0						N
000055 SIA DELTA DENTAL P.O. BOX 276710 SACRAMENTO, CA 95827-6710	19,069.65	AUGUST 2020 PREMIUMS	08/11/2020	21366053 PV-210042	1,199.28	N
		AUGUST 2020 PREMIUMS	08/11/2020	21366053 PV-210042	2,416.21	N
		AUGUST 2020 PREMIUMS	08/11/2020	21366053 PV-210042	5,303.30	N
		AUGUST 2020 PREMIUMS	08/11/2020	21366053 PV-210042	9,915.12	N
(0) - 0		AUGUST 2020 PREMIUMS	08/11/2020	21366053 PV-210042	235.74	N
000056 SIA VISION SERVICE P.O. BOX 276710 SACRAMENTO, CA 95827-6710	3,778.04	AUGUST 2020 PREMIUMS	08/11/2020	21366054 PV-210043	1,211.28	N
		AUGUST 2020 PREMIUMS	08/11/2020	21366054 PV-210043	1,845.76	N
		AUGUST 2020 PREMIUMS	08/11/2020	21366054 PV-210043	28.84	N
		AUGUST 2020 PREMIUMS	08/11/2020	21366054 PV-210043	288.40	N
(0) - 0		AUGUST 2020 PREMIUMS	08/11/2020	21366054 PV-210043	403.76	N
012013 SIERRA CHEMICAL COMPANY 788 NORTHPORT DRIVE WEST SACRAMENTO, CA 95691	290.16	131473 MAINT SUPPLIES	08/25/2020	21367729 PO-210082	290.16	N
(916) 371-5943						N
014402 SIERRA DELTA LEAGUE PO BOX 105 GARDEN VALLEY, CA 95633	1,803.77	2-2020-21 RVHS DUES	08/27/2020	21368032 PO-210351	1,803.77	N
(0) - 0						N
012926 SITELOGIQ 1512 SILICA AVE SACRAMENTO, CA 95815-3312	9,648.00	PM40910 ENERGY MNGR PROP 39	08/20/2020	21367259 PV-210062	9,648.00	N
(916) 988-8808						N
012628 SOLANO COUNTY OFFICE OF EDUCATION	4,111.56	20-02105 TUPE GRANT	08/06/2020	21365653 CL-200173	4,111.56	N

5100 BUSINESS CENTER DRIVE
FAIRFIELD, CA 94534

(707) 399-4415

N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
<hr/>						
013858 SPURR 1850 GATEWAY BOULEVARD CONCORD, CA 94520 (888) 400-2155	768.87	DHW RMS DO TRANS STORAGE PREPAID GAS ISLE DHS ISLE RVHS CMS CAFE	08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020 08/20/2020	21367260 PV-210070 21367260 PV-210070 21367260 PV-210070 21367260 PV-210070 21367260 PV-210070 21367260 PV-210070 21367260 PV-210070 21367260 PV-210070 21367260 PV-210070 21367267 PV-210070	39.62 49.26 15.11 15.11 103.23 16.23 161.65 76.69 192.09 99.88	N N N N N N N N N N
<hr/>						
014069 STAPLES ADVANTAGE 500 STAPLES DRIVE FRAMINGHAM, MA 01702 (0) - 0	1,395.65	3451966777 BUS OFF SUPPLIES 3451023956 BUS OFF SUPPLIES 3452468707 ED SV SUPPLIES 3451966778 ED SV SUPPLIES 3451966775 MAINT SUPPLIES 3453634745 SUPT SUPPLIES 3453334135 MAINT SUPPLIES 3454224986 DHW SUPPLIES 3454381864 WIND RIVER SUPPLIES 3454381867 DHW SUPPLIES 3454381865 DHW SUPPLIES 3454381866 DHW SUPPLIES 3453634744 DHW SUPPLIES	08/04/2020 08/04/2020 08/04/2020 08/04/2020 08/04/2020 08/25/2020 08/25/2020 08/25/2020 08/25/2020 08/25/2020 08/25/2020 08/25/2020 08/25/2020	21365303 PO-210012 21365303 PO-210012 21365303 PO-210040 21365303 PO-210040 21365303 PO-210067 21367730 PO-210015 21367730 PO-210067 21367730 PO-210258 21367731 PO-210266 21367730 PO-210277 21367730 PO-210277 21367730 PO-210277 21367733 PV-210082	75.03 80.27 10.78 20.65 96.22 70.02 25.83 121.18 363.89 291.92 176.37 18.82 44.67	N N N N N N N N N N N N N
<hr/>						
015087 STAPLES TECHNOLOGY SOLUTIONS PO BOX 95230 CHICAGO, IL 60694-5230 (916) 402-4365	59,685.00	KMS087 200 HOTSPOT DEVICES KMV947 200 DATA PLANS-3 MONTHS	08/25/2020 08/25/2020	21367719 PO-210293 21367719 PO-210293	36,330.00 23,355.00	N N
<hr/>						
014342 STAR SPORTS 5474 GATEWAY PLAZA DRIVE BENICIA, CA 94510 (707) 745-6724	3,574.00	46784 RVHS FOOTBALL UNIFORMS	08/27/2020	21368033 PO-210352	3,574.00	N
<hr/>						
013504 STAT PADS LLC 13897 W. WAINWRIGHT BOISE, ID 93713	225.00	1161633 DEFIBILLATION RENEWAL	08/11/2020	21366041 PO-210242	225.00	N

(866) 782-8723

N



Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
003646 STATE OF CALIFORNIA 1300 I STREET SUITE 810 SACRAMENTO, CA 95814 (0) - 0 N	160.00	461259 FINGERPRINTING	08/20/2020	21367261 PV-210071	160.00	N
000096 STEWART INDUSTRIAL SUPPLY INC 608 HWY 12 RIO VISTA, CA 94571 (707) 374-5567 N	496.81	23100 TRANS SUPPLIES	08/04/2020	21365304 PO-210046	496.81	N
014430 TAQUERIA MEXICO 133 MAIN ST RIO VISTA, CA 94571 (707) 374-2680 N	257.61	RVHS SUPPLIES	08/20/2020	21367239 PO-210109	257.61	N
011477 THE COLLEGE BOARD P.O. BOX 910506 DALLAS, TX 75391-0506 (800) 323-7155 N	5,529.00	EP96568829 RVHS AP TEST EP96568829 RVHS AP EXAMS	08/18/2020 08/25/2020	21366882 PV-210048 21367734 PV-210080	2,703.00 2,826.00	N N
014873 TPX COMMUNICATIONS PO BOX 509013 SAN DIEGO, CA 92150-9013 (877) 487-2877 N	2,851.65	RVHS LD DHS LD DO LD	08/20/2020 08/20/2020 08/20/2020	21367262 PV-210072 21367262 PV-210072 21367262 PV-210072	1,267.11 1,235.78 348.76	N N N
012694 U.S. BANK 221 SOUTH FIGUEROA ST, STE 210 LM-CA-F2TC LOS ANGELES, CA 90012 (0) - 0 N	10,994.17	AUGUST 2020 GASB 75	08/25/2020	21367735 PV-210084	10,994.17	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
001896 UNITED PARCEL SERVICE INC 55 GLENLAKE PARKWAY NE ATLANTA, GA 30328	255.40	DO SHIPPING	08/11/2020	21366055 PV-210044	96.49	N
		DO SHIPPING	08/20/2020	21367263 PV-210073	127.91	N
		DO SHIPPING	08/20/2020	21367263 PV-210073	31.00	N
(0) - 0 N						
013419 US BANK NATIONAL ASSOCIATION 1310 MADRID ST SUITE 101 MARSHALL, MN 56258	570.83	421473745 DHW LEASE	08/20/2020	21367240 PO-210278	570.83	N
(800) 328-5371 N						
010906 WASTE MANAGEMENT OF WOODLAND P.O. BOX 78251 PHOENIX, AZ 85062-8251	795.58	DHS WASTE SERVICE	08/20/2020	21367264 PV-210074	795.58	N
(0) - 0 N						
013341 WESTERN ASSOCIATION 533 AIRPORT BLVD SUITE 200 BURLINGAME, CA 94010-2009	1,450.00	1305279 DHS WASC VISIT/REPORT	08/20/2020	21367265 PV-210075	1,450.00	N
(650) 696-1060 N						
015083 WEVIDEO 1975 W. EL CAMINO MOUNTAIN VIEW, CA 94040	379.00	11428 ED SV WEVIDEO LICENSE	08/20/2020	21367226 PO-210243	379.00	N
(650) 800-3403 N						
014818 WILLDAN FINANCIAL SERVICES 27368 VIA INDUSTRIA, SUITE 200 TEMECULA, CA 92590	2,716.63	010-45337 PROF SERVICES	08/04/2020	21365308 PV-210030	2,716.63	N
(951) 587-3500 N						
012528 WILLIAMS SCOTSMAN INC	3,747.84	RMS LEASE	08/11/2020	21366057 PV-210045	936.96	N

4911 ALLISON PARKWAY
VACAVILLE, CA 95688

(707) 451-3000

N

DHW LEASE
RVHS LEASE
RMS LEASE

08/11/2020 21366057 PV-210045
08/11/2020 21366057 PV-210045
08/11/2020 21366057 PV-210045

936.96 N
936.96 N
936.96 N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014450 WIZIX 4777 BENNETT DRIVE SUITE D LIVERMORE, CA 94551	174.19	170195 DO MACHINE STAPLES	08/20/2020	21367266 PV-210076	174.19	N
(916) 913-6191		N WIZIX TECHNOLO				
District total:	762,259.28					
Report total:	762,259.28					

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 2020

Attachments: _____

From: Bonnie Kauzlarich, Dir. of Personnel

Item Number: 10.4

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

SUBJECT:

Request for a leave of absence made by Cheyenne Jahner

BACKGROUND:

Cheyenne Jahner, Instructional Assistant III at D.H. White Elementary School for 3.75 hrs/day, has requested a leave of absence, beginning August 12, 2020, until such time that students return to school full-time.

STATUS:

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approves the request for leave of absence made by Cheyenne Jahner.

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: September 8, 2020

Attachments: X

From: Nicholas Casey, Principal

Item Number: 10.5

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

SUBJECT:

Surplus non-operable technology equipment from inventory and deem its value to be \$0

BACKGROUND:

The attached list of technology can no longer be used or updated to run any of our programs, nor can they access needed internet.

STATUS:

D.H. White Elementary request the permission of the RDUSD Board of Trustees to surplus the attached list of old technology.

PRESENTER:

Nicholas Casey, Principal

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

There is \$0 cost to the school or District. All equipment will be sent to E-waste if approved

RECOMMENDATION:

That the Board approves to surplus non-operational technology equipment and deem its value at \$0

Time allocated: 2 minutes

**River Delta Unified School District
Surplus Declaration**

School Site: D. H. White Elementary

Board Meeting Date: 9/8/2020

Asset Tag#	Make	Description	Serial #	Approx. Value
007788RUSD	Apple	Laptop		\$0
007698RUSD	Apple	Desktop		\$0
1656	HP	Chromebook		\$0
1641	HP	Chromebook		\$0
1639	HP	Chromebook		\$0
1635	HP	Chromebook		\$0
1647	HP	Chromebook		\$0
1364	HP	Chromebook		\$0
1230	HP	Chromebook		\$0
1362	HP	Chromebook		\$0
1633	HP	Chromebook		\$0
1212	HP	Chromebook		\$0
1378	HP	Chromebook		\$0
1361	HP	Chromebook		\$0
1372	HP	Chromebook		\$0

1822	HP	Chromebook		\$0
1833	HP	Chromebook		\$0
1634	HP	Chromebook		\$0
1657	HP	Chromebook		\$0
1796	HP	Chromebook		\$0
2888	HP	Chromebook		\$0
2407	Lenovo	Chromebook		\$0
2425	Lenovo	Chromebook		\$0
2559	Lenovo	Chromebook		\$0

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 2020

Attachments: X

From: Nicole Latimer, Chief Educational Services Officer

Item Number: 10.6

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

SUBJECT:

Request to approve the three-year digital monitoring system agreement with Hapara G Suite Highlights at a cost not to exceed \$22,833.36.

BACKGROUND:

Hapara Highlights helps you see what learners are doing in the [Google Chrome Browser](#) in near-real-time. Feedback mechanisms allow you to reinforce pro-learning behavior and re-direct unfocused behavior. You can remotely open or close a browser tab on learner devices to re-focus them to the task at hand. You can share files, sites or URLs with your students easily.

Hapara Highlights also allows you to directly send messages to students and provide more personalized and private feedback. Highlights supports you in engaging students in conversations about their learning and online behavior. You can also tag activities to provide guidance and feedback at any time.

STATUS:

This is a new contract.

PRESENTER: Nicole Latimer, Chief Educational Services Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES: Not to exceed 22,833.36 paid by Educational Services Funds.

RECOMMENDATION:

That the Board approve the three-year agreement with Hapara Highlights at a cost not to exceed \$22,833.36.

Time allocated: 2 minutes



QUOTE

RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT

Attention To:

Nicole Latimer
445 MONTEZUMA ST.
RIO VISTA, CA 94571
United States

Issued by:

Mitchell Derr
mitch.derr@hapara.com

PO Box 3117
Redwood City, CA 94064
United States

Quote Date

8/20/2020

Quote Number

00016128

Description	Unit Price	Quantity	Discount PC	Total Price
<p>1 year of Hapara G Suite Highlights (priced per student) which includes deployment and adoption services, including dedicated set-up and consultation/follow up, Professional Learning package and support services (48 hour response).</p> <p>Order for RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT.</p> <p>Your subscription runs from September 01, 2020 to August 31, 2021</p> <p>This is Year 1 of a 3 year agreement. Both the 1 year and the 2 year agreements need to be paid together to get the 20% off.</p>	USD 4.95	1,922.00	20.00%	USD 7,611.12
Subtotal			USD 9,513.90	
Discount Amount			USD 1,902.78	
Total Price			USD 7,611.12	

Due Date 9/19/2020

Thank you for allowing us to provide you with a quote for our services. The quote is valid for 30 days from the date of the quote ("Quote Date" above).

Please note this quote does not include any applicable sales tax.

Please email Purchase Order to customeraccounts@hapara.com or fax to the following fax no:+1-650-644-2705. If you have any queries regarding pricing please feel free to contact the sales representative who issued the email (this can be found at the top of the quote).



QUOTE

RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT

Attention To:

Nicole Latimer
445 MONTEZUMA ST.
RIO VISTA, CA 94571
United States

Issued by:

Mitchell Derr
mitch.derr@hapara.com

PO Box 3117
Redwood City, CA 94064
United States

Quote Date

8/20/2020

Quote Number

00016129

Description	Unit Price	Quantity	Discount	Total Price
2 years of Hapara G Suite Highlights (priced per student) which includes deployment and adoption services, including dedicated set-up and consultation/follow up, Professional Learning package and support services (48 hour response). Order for RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT. This is Year 2 and 3 of a 3 year agreement. Both the 1 year and the 2 year agreements need to be paid together to get the 20% off. Your subscription runs from September 01, 2021 to August 31, 2023	7.92	1,922.00	3,805.56	USD 15,222.24

Subtotal Price USD 19,027.80

Discount USD 3,805.56

Total Price USD 15,222.24

Due Date 9/19/2020

Thank you for allowing us to provide you with a quote for our services. The quote is valid for 30 days from the date of the quote ("Quote Date" above).

Please note this quote does not include any applicable sales tax.

Please email Purchase Order to customeraccounts@hapara.com or fax to the following fax no:+1-650-644-2705. If you have any queries regarding pricing please feel free to contact the sales representative who issued the email (this can be found at the top of the quote).

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 2020

Attachments: X

From: Katherine Wright, Superintendent

Item Number: 10.7

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

SUBJECT:

Request to approve the revisions to Appendix A – Designated Positions of the Conflict of Interest Code for River Delta Unified School District

BACKGROUND:

It is required by Government Code Section 87300 et seq., that the district maintain an up-to-date Conflict of Interest Code which includes the identified/designated employees who are required to complete an annual report— which discloses certain investments, income, interests in real property and business position and who must disqualify themselves from making or participating in the making of financial decisions affecting those interests.

STATUS:

The purpose of the amendment to the Code is to update the list of those who must report due to change in personnel as of September 8, 2020. The amendment consists of revision to titles of existing positions and deletion of positions that the District no longer have personnel.

PRESENTER:

Katherine Wright, Superintendent

COST AND FUNDING SOURCES:

No Cost to the District to amend the Conflict of Interest Codes for River Delta USD.

RECOMMENDATION:

That the Board approves the revisions to the Conflict of Interest Code as submitted.

Time allocated: 5 minutes

CONFLICT OF INTEREST CODE FOR THE
RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT

The Political Reform Act (Government Code 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 CCR 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 CCR 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designating positions and establishing disclosure categories shall constitute the conflict of interest code of the River Delta Joint Unified School District (“District”).

Individuals holding designated positions shall file their statements of economic interests with the District, which will make the statements available for public inspection and reproduction. (Government Code 81008.) All statements will be retained by the District.

CONFLICT OF INTEREST CODE FOR THE
RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT

APPENDIX A
Designated Positions

<u>Position</u>	<u>Disclosure Category</u>
Superintendent	1
Athletic Director	2
Chief Educational Services Officer	2
Coordinator, After School Program	2
Coordinator, First 5 Readiness Program	2
Coordinators, Secondary Education (VP)	2
Director, Accounting Dept.	2
Director, Personnel Dept.	2
Director, Special Education and Educational Services	2
Director, Maintenance, Operations & Transportation Dept.	2
Supervisor, Maintenance, Operations & Transportation Dept.	2
District Nurses	2
Executive Assistant to the Superintendent	2
School Principals	2
Transportation Assistant, Transportation Dept.	2
Consultants/New Positions	*

* Consultants/New Positions shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in this code subject to the following limitation:

The Superintendent may determine in writing that a particular consultant or new position, although a "designated position", is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's or new position's duties and, based on that description, a statement of the extent of disclosure requirements. The Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Government Code 81008)

Public Officials Who Manage Public Investments:

The following positions are not covered by the conflict of interest code because they must file a statement of economic interests pursuant to Government Code Section 87200 and, therefore, are listed for informational purposes only:

- Members of the Board of Trustees
- Chief Business Officer

An individual holding one of the above listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe their position has been categorized incorrectly. The Fair Political Practices Commission makes

CONFLICT OF INTEREST CODE FOR THE
RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT

the final determination whether a position is covered by Government Code Section 87200.

APPENDIX B

Disclosure Categories

Category 1

Designated persons in this category must report:

- a. Interests in real property which are located entirely or partly within district boundaries, or within two miles of district boundaries or of any land owned or used by the district. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.
- b. Investments or business positions in or income, including receipt of gifts, loans, and travel payments, from sources which:
 - (1) Are engaged in the acquisition or disposal of real property within the district.
 - (2) Are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or
 - (3) Manufacture or sell supplies, books, machinery or equipment of the type used by the district.

Category 2

Designated persons in this category must report investments or business positions or income, including receipt of gifts, loans, and travel payments, from sources which:

- a. Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs; or,
- b. Manufacture or sell supplies, books, machinery or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

FPPC Adopted:

Exhibit
version:

RIVER DELTA UNIFIED SCHOOL DISTRICT
Rio Vista, California

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 2020

Attachments: _____

From: Katherine Wright, Superintendent

Item Number: 10.8

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

SUBJECT:

Donations

BACKGROUND:

Donations to Receive and Acknowledge:

River Delta Unified School District – Student School Supplies

Judy Tussy - \$300

Riverview – Student Planners

Rio Vista Lions Club - \$1000.20

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: 2 minutes

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 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 second and final 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 May 2020.

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 was submitted for a first reading at the August 11, 2020 Board meeting.

STATUS:

Attached are Board Policies, Administrative Regulations and Exhibits which have been affected by changes in law effective prior to May 2020 which need to be approved for second reading and adoption by the Board of Trustees.

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Jennifer Gaston, Recorder

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approves the second and final reading and adopts these Board Policies, Administrative Regulations and Exhibits as submitted resulting from legislation effective prior to May 2020.

Time allocated: 3 minutes

CSBA POLICY GUIDE SHEET

May 2020

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.

Board Policy 0430 - Comprehensive Local Plan for Special Education

Policy updated to reflect the requirement that the Special Education Local Plan Area (SELPA) submit its local plan to the county office of education and/or Superintendent of Public Instruction and the requirement, beginning July 1, 2020, to review the plan every three years. Policy also clarifies the different types of SELPA governance structures and adds an option for arrangements in which the district joins with other districts and the county office of education to form a SELPA. Policy deletes material related to the referral and eligibility of students for special education, which is addressed in AR 6164.4 - Identification and Evaluation of Individuals for Special Education. Policy adds requirement to adopt a procedure for the ongoing review of programs and a mechanism for correcting any identified problem.

Administrative Regulation 0430 - Comprehensive Local Plan for Special Education

Regulation updated to reflect the new template for the SELPA plan developed by the California Department of Education (CDE). Section on "Definitions" revised to delete definitions for terms which are not used in this policy and regulation. Section on "Elements of the Plan" expanded to include further details regarding required components. Regulation also reflects **NEW LAW (SB 75, 2019)** which requires the SELPA plan to include an annual assurances support plan, beginning July 1, 2021 based on a CDE template developed by July 1, 2020. Regulation adds a requirement that each school post a notice of the public hearing that will be held by the SELPA to adopt the plan, and adds a new section on "Availability of the Plan" which includes a requirement to post the SELPA plan on the district's web site and make it available in the district office.

Board Policy 1312.3 - Uniform Complaint Procedures

Policy updated to add medical condition as a characteristic that is protected from discrimination, reflect **NEW LAW (SB 75, 2019)** which extends the use of uniform complaint procedures (UCP) to complaints alleging noncompliance with the physical education instructional minutes requirement for grades 7-12, and add an item indicating the use of the UCP for complaints regarding health and safety in a license-exempt California State Preschool Program (CSPP) consistent with CDE's Federal Program Monitoring Instrument.

Administrative Regulation 1312.3 - Uniform Complaint Procedures

Regulation updated to reflect **NEW LAW (SB 75, 2019)** which extends the use of UCP to complaints alleging noncompliance with the physical education instructional minutes requirement for grades 7-12, and to add a section reflecting requirements for complaints alleging noncompliance with health and safety standards for CSPP programs, formerly in AR 1312.4 - Williams Uniform Complaint Procedures.

Exhibit (1) 1312.3 - Uniform Complaint Procedures

New exhibit presents a sample notice, formerly in E(3) 1312.4 - Williams Uniform Complaint Procedures, regarding health and safety standards in license-exempt CSPP programs and available complaint procedures.

Exhibit (2) 1312.3 - Uniform Complaint Procedures

New exhibit presents a sample complaint form, formerly in E(4) 1312.4 - Williams Uniform Complaint Procedures, for complaints alleging that a license-exempt CSPP program does not comply with health and safety standards.

Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures

Regulation updated to delete material related to complaints regarding noncompliance with health and safety requirements in a license-exempt CSPP program as such complaints have been moved to BP/AR 1312.3 - Uniform Complaint Procedures, consistent with CDE's Federal Program Monitoring instrument.

Exhibit (3) 1312.3 - Williams Uniform Complaint Procedures

Exhibit presenting example of classroom notice for CSPP health and safety complaints moved to E(1) 1312.3 - Uniform Complaint Procedures, consistent with CDE's Federal Program Monitoring instrument.

Exhibit (4) 1312.3 - Williams Uniform Complaint Procedures

Exhibit presenting a sample complaint form for CSPP health and safety complaints moved to E(2) 1312.3 - Uniform Complaint Procedures, consistent with CDE's Federal Program Monitoring instrument.

Board Policy 1340 - Access to District Records

Policy updated to reflect **NEW LAW (AB 1819, 2019)** which allows members of the public to use their own equipment on district premises, free of charge, to photograph, copy, or reproduce a disclosable district record, provided that the equipment does not make physical contact with the record.

Administrative Regulation 1340 - Access to District Records

Regulation updates the list of confidential public records to include the prohibition against releasing an employee's personal email address, upon request from the employee. Regulation also reflects **NEW LAW (AB 1819, 2019)** which allows members of the public to use their own equipment, free of charge, to photograph, copy, or reproduce a disclosable district record on district premises, provided that the means of copying or reproducing the record does not require the equipment to make physical contact with the record, does not damage the record, and does not result in unauthorized access to the district's computer systems or secured networks.

NEW - Administrative Regulation 3231 - Impact Aid

New regulation addresses requirements of Title VII Impact Aid, which provides assistance to districts with concentrations of children residing on lands owned by the federal government, including Indian lands. Districts with children residing on Indian lands are **mandated** to adopt policy and procedures with specified components, including, but not limited to, consultation with Indian tribes and parents/guardians of students living on Indian lands in the planning and development of programs and activities supported by Impact Aid.

Board Policy 4112.9/4212.9/4312.9 - Employee Notifications

Policy updated to make change for gender neutrality and to revise legal references to reflect corresponding revisions in the Exhibit.

Exhibit 4112.9/4212.9/4312.9 - Employee Notifications

Exhibit updates Section I (All Employees) to (1) delete cite to 2 CCR 11024 which does not directly include a sexual harassment notice requirement; (2) indicate that the notification regarding a public hearing on an alternative schedule for secondary grades is addressed in BP 6112 rather than the AR; (3) delete an item regarding the oath or affirmation for disaster service workers since law does not specifically require an employee notification; (4) indicate that the notification regarding AIDS and hepatitis B was moved from AR 4119.43/4219.43/4319.43 to the BP; (5) indicate that the notification of workers' compensation benefits is addressed in AR 4157.1/4257.1/4357.1 rather than the BP; and (6) indicate that the notification regarding the district's nondiscrimination policy and complaint procedures are addressed in AR 4030 rather than the BP. Section II (Certificated Employees) updated to expand legal cites for the reelection notice for probationary employees and broaden the item to apply to districts with less than 250 average daily attendance. Section III (Classified Employees) updated to (1) delete the dismissal notice for merit system districts since the personnel commission establishes dismissal procedures for such districts and the notice is not reflected in policy; (2) add another legal cite pertaining to the notice of employee drug testing requirements and indicate that the notification is addressed in AR 4112.42/4212.42/4312.42 rather than the BP; and (3) add a requirement to provide school bus drivers with information regarding post-accident procedures. Section V (Individual Employees Under Special Circumstances) updated to indicate that the notice on potential eligibility for workers' compensation benefits is addressed in AR 4157.1/4257.1/4357.1 rather than the BP.

Board Policy 4113 - Assignment

Policy updated to reflect **NEW LAW (AB 1219, 2019)** which requires annual monitoring of the assignment of certificated employees at all schools, and requires the Commission on Teacher Credentialing (CTC) to administer a statewide system that produces an annual data file of vacancies and misassignments and provides

districts an opportunity to submit additional evidence that an employee is legally authorized for the assignment. Policy also adds legal requirements to report misassignments in the school accountability report card and to use Williams uniform complaint procedures to address any complaint alleging teacher misassignment or vacancy.

Administrative Regulation 4113 - Assignment

Regulation updated to make minor corrections for gender neutrality.

Board Policy 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens

Policy updated to add the requirement that the district's exposure control plan for bloodborne pathogens be consistent with the district's injury and illness prevention program established pursuant to Labor Code 6401.7. Legal cites added for training and hepatitis B vaccination requirements, and material deleted regarding the exemption of designated first aid providers from the pre-exposure hepatitis B vaccination, which is repeated in the AR. Paragraph added to include the district's responsibility to implement follow-up procedures in the event of an exposure incident.

Administrative Regulation 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens

Regulation updated to add federal legal cites where applicable, add definition of personal protective equipment, and delete requirement to communicate hazards to employees through labels and signs, which is not applicable to school districts. Section on "Preventive Measures" expanded to include the provision of personal protective equipment, observance of universal precautions, and compliance with state regulations for needleless systems, needle devices, and non-needle sharps. Regulation also adds more detail regarding the exemption of certain first aid providers from the pre-exposure hepatitis B vaccine and adds required components of staff training.

Exhibit 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens

Exhibit updated to clarify which employees are required to sign a statement when they decline to accept the hepatitis B vaccination offered by the district.

Board Policy 4119.43/4219.43/4319.43 - Universal Precautions

Policy updated to include material formerly in the AR on the provision of information to employees regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B and appropriate methods to prevent exposure. Policy also adds optional paragraph regarding the inclusion of related information in employee handbooks.

Administrative Regulation 4119.43/4219.43/4319.43 - Universal Precautions

Regulation updated to add a definition of occupational exposure and delete other unnecessary definitions. Section on "Employee Information" moved to BP. Section on "Infection Control Practices" revised to delete detailed requirements that are specifically applicable to employees identified as having occupational exposure, which are addressed in BP/AR 4119.42 - Exposure Control Plan for Bloodborne Pathogens, and to delete items with limited applicability in school settings.

Board Policy 4151/4251/4351 - Employee Compensation

Policy updated to delete Labor Code citation that is not applicable to public agencies and instead reflect Education Code provisions related to overtime compensation for classified employees.

NEW - Board Policy 5141.5 - Mental Health

New policy addresses strategies and services to promote students' emotional well-being and mental health, including student instruction, staff training, crisis intervention, counseling services and referrals, Section 504 evaluation, and collaboration with mental health professionals, agencies, and organizations. Policy reflects **NEW LAW (SB 75, 2019)** which establishes the Mental Health Student Services Act for the purpose of supporting mental health partnerships among county mental health agencies and local educational agencies.

Board Policy 5145.3 - Nondiscrimination/Harassment

Policy updated to reflect law prohibiting discrimination based on medical condition and to reflect **NEW LAW (AB 34, 2019)** which requires the district, starting in the 2020-21 school year, to post its

nondiscrimination policies, and specified state and federal laws regarding discrimination, bullying, and harassment, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students.

Administrative Regulation 5145.3 - Nondiscrimination/Harassment

Regulation updated to reflect **NEW LAW (AB 34, 2019)** which requires the district, starting in the 2020-21 school year, to post its nondiscrimination policies, specified state and federal laws regarding discrimination, bullying, and harassment, and a link to CDE resources in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. Regulation also reflects **NEW LAW (AB 711, 2019)** which requires the district to update a former student's records upon receiving government-issued documentation or a written request for a name and/or gender change.

Board Policy 6020 - Parent Involvement

Policy updated to reflect the requirements to work with parents/guardians and family members to jointly develop the district's parent involvement policy and to include strategies for family engagement in the local control and accountability plan (LCAP). For districts that receive federal Title IV funding for family engagement programs, policy adds the requirement to inform parents/guardians and organizations of the existence of the program. Policy also contains material formerly in the AR regarding the inclusion of the Title I local educational agency plan into the LCAP and the distribution of the district and school-level parent involvement policies.

Administrative Regulation 6020 - Parent Involvement

Regulation updated to revise the section on "District Strategies for Title I Schools," including moving and adding strategies under item #2 to reflect means by which the district may provide coordination, technical assistance, and other support to build school capacity for parent involvement activities, and adding strategies under item #5 to reflect means by which the district may use evaluation findings to design evidence-based strategies for more effective parent/guardian and family involvement. Section on "School-Level Strategies for Title I Schools" revises item #7 to include strategies formerly in section on "District Strategies for Title I Schools." Minor changes made throughout section on "District Strategies for Non-Title I Schools" to more directly reflect law.

Board Policy 6115 - Ceremonies and Observances

Policy updated to add the board's authority to designate any day as a holiday, in addition to those holidays designated by law, and to revise the date upon which schools close in observance of any holiday except Veterans Day. Policy also adds optional language stating that the board may adopt a resolution to authorize the display of symbolic flags or banners in support of specific awareness days or months.

Administrative Regulation 6115 - Ceremonies and Observances

Regulation updated to reflect state law requiring schools to be closed on any day designated as a holiday by the President, Governor, or district board or negotiated with employee organizations. School closure on Cesar Chavez Day and Native American Day deleted from the body of the regulation since school closure on these holidays only applies to districts that have agreed to do so in a memorandum of understanding with employee bargaining units. Section on "Commemorative Exercises" expands Note to include additional days of significance on which schools are encouraged, but not required, to conduct commemorative exercises.

NEW - Administrative Regulation 6173.4 - Title VI Indian Education Programs

New regulation reflects major requirements for districts that receive federal Title VI Indian education funding, which supports local educational agencies, Indian tribes and organizations, and consortia in meeting the unique cultural, language, and educational needs of American Indian students and ensuring that all students meet challenging state academic standards. Districts receiving such funding are **mandated** to adopt procedures to ensure that the program will be operated and evaluated in consultation with, and with the involvement of, parents/guardians and family members of American Indian students and community representatives. Regulation also includes allowable expenditures of Title VI funds, the provision of professional development as needed, maintenance of student eligibility records, and distribution of program evaluation results.

CSBA Sample Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0430(a)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

Note: Pursuant to Education Code 56195.1, school districts and county offices of education (COE) are required to form geographical regions, known as Special Education Local Plan Areas (SELPA), of sufficient size and scope to administer a local plan and the allocation of funds for all the special education service needs of the children residing within the boundaries of the region. Districts may join together or with a COE to form a SELPA, or a single district may form its own SELPA. Each SELPA is required to develop and administer a local plan describing how it will provide special education services. Pursuant to Education Code 56195.5, the Governing Board has authority, consistent with the SELPA plan, over the programs it directly maintains.

The following policy and accompanying administrative regulation should be revised to reflect requirements for the type of SELPA in which the district participates.

The Governing Board ~~desires~~ **recognizes its obligation** to provide a free, appropriate, public education (FAPE) to all individuals with disabilities, aged 3 to 21 years, who reside in the district, ~~including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.~~

~~Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized. (Education Code 56303)~~

~~(cf. 3541.2 - Transportation for Students with Disabilities)~~

~~(cf. 4112.23 - Special Education Staff)~~

~~(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))~~

~~(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)~~

~~(cf. 6159 - Individualized Education Program)~~

~~(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)~~

~~(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)~~

~~(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)~~

~~(cf. 6159.4 - Behavioral Interventions for Special Education Students)~~

~~(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)~~

~~(cf. 6164.6 - Identification and Education Under Section 504)~~

~~Note: Education Code 56195.1 requires a local plan for the education of all individuals with disabilities residing in the district. This plan may be developed in conjunction with other districts (Option 1 below) or by a single district (Option 2).~~

~~The special education local plan area (SELPA) shall administer a local plan and administer the allocation of funds. (Education Code 56195)~~

~~(cf. 1220 - Citizen Advisory Committees)~~

~~(cf. 1312.3 - Uniform Complaint Procedures)~~

~~(cf. 3541.2 - Transportation for Students with Disabilities)~~

~~(cf. 4112.23 - Special Education Staff)~~

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

(Districts that participate in a multi-district SELPA with the county office of education)

In order to meet the needs of individuals with disabilities, the district shall participate as a member of a Special Education Local Plan Area (SELPA) with other districts and the county office of education pursuant to Education Code 56195.1.

The district shall enter into agreements with other members of the SELPA in accordance with Education Code 56195.1 and 56195.7. Consistent with these agreements, the district shall adopt policies governing the programs and services it operates. (Education Code 56195.8)

The Superintendent or designee shall work with the other members of the SELPA to develop a local plan for the education of individuals with disabilities. The plan shall be approved by the Board and the other members of the SELPA, and shall be submitted to the Superintendent of Public Instruction. (Education Code 56195.1)

Note: The remainder of this policy applies to all districts.

Pursuant to Education Code 56195.9, beginning July 1, 2020, the local plan must be reviewed by the SELPA at least once every three years. The budget plan, service plan, and annual assurances support plan must still be reviewed annually pursuant to Education Code 56205; see the accompanying administrative regulation.

The local plan shall be reviewed at least once every three years and updated as needed to ensure the information contained in the plan remains relevant and accurate. The local plan shall be updated cooperatively by a committee of representatives of special and regular education teachers and administrators selected by the groups they

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

represent and with participation by parent/guardian members of the community advisory committee, or parents/guardians selected by the community advisory committee, to ensure adequate and effective participation and communication. (Education Code 56195.9)

Note: Pursuant to Education Code 56195.7, a single-district SELPA is mandated to adopt a written procedure for the ongoing review of programs and a mechanism for correcting any identified problem. For districts participating in a multi-district SELPA with or without a COE pursuant to

Option 2 or 3 above, these requirements are contained in the written agreement entered into by members of the SELPA. The following paragraph may be revised to reflect district and/or SELPA practice.

Special education programs and services shall be reviewed on an ongoing basis. The results of such evaluations shall be use to identify and correct any program deficiencies.

Legal Reference: (see next page)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE

- 56000-56001 *Education for individuals with exceptional needs*
- 56020-56035 *Definitions*
- 56040-56046 *General provisions*
- 56048-56050 *Surrogate parents*
- 56055 *Foster parents*
- 56060-56063 *Substitute teachers*
- 56170-56177 *Children enrolled in private schools*
- 56190-56194 *Community advisory committees*
- 56195-56195.10 *Local plans*
- 56205-56208 *Local plan requirements*
- 56213 *Special education local plan areas with small or sparse populations*
- 56240-56245 *Staff development*
- 56300-56385 *Identification and referral, assessment, instructional planning*
- 56440-56447.1 *Programs for individuals between the ages of three and five years*
- 56500-56508 *Procedural safeguards, including due process rights*
- 56520-56524 *Behavioral interventions*
- 56600-56606 *Evaluation, audits and information*
- 56836-56836.05 *Administration of local plan*

GOVERNMENT CODE

- 7579.5 *Surrogate parent, appointment, qualifications, liability*
- 95000-95029 *California Early Intervention Services Act*

WELFARE AND INSTITUTIONS CODE

- 361 *Limitations on parental control*
- 726 *Limitations on parental control*

CODE OF REGULATIONS, TITLE 5

- 3000-3089 *Regulations governing special education*

UNITED STATES CODE, TITLE 20

- 1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

- 794 *Rehabilitation Act of 1973, Section 504*

UNITED STATES CODE, TITLE 42

- 12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

- 99.10-99.22 *Inspection, review and procedures for amending education records*
- 104.1-104.39 *Section 504 of the Rehabilitation Act of 1973*
- 300.1-300.818 *Assistance to states for the education of children with disabilities, including:*
- 300.500-300.520 *Due process procedures for parents and children*
- 303.1-303.654 *Early intervention program for infants and toddlers with disabilities*

Management Resources:

WEB SITES

- California Department of Education, Special Education:* <http://www.cde.ca.gov/sp/se>
- U.S. Department of Education, Office of Special Education Programs:*
<http://www.ed.gov/about/offices/list/osers/osep>

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Philosophy, Goals, Objectives, and Comprehensive Plans

AR 0430(a)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

Definitions

Note: The following administrative regulation reflects the 2004 reauthorization of the federal Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), implementing federal regulations (34 CFR 300.1-300.818), and conforming state legislation (AB 1663, Ch. 454, Statutes of 2007). Note that in cases where state law provides greater protections to students, state law supersedes federal law.

Free appropriate public education (FAPE) means special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet the standards of the California Department of Education, including the requirements of 34 CFR 300.1-300.818; include appropriate preschool, elementary school, or secondary school education for individuals between the ages of 3 and 21; and are provided in conformity with an individualized education program (IEP) that meets the requirements of 34 CFR 300.320-300.324. (Education Code 56040; 34 CFR 300.17, 300.101, 300.104; Education Code 56040)

FAPE applies to students who are suspended or expelled or placed by the district in a nonpublic, nonsectarian school. (34 CFR 300.17, 300.101, 300.104)

Note: AB 1663 (Ch. 454, Statutes of 2007) added Education Code 56040.1 to provide the following definition, consistent with federal law.

Least restrictive environment means that, to the maximum extent appropriate, students with disabilities, including individuals in public or private institutions or other care facilities, be educated with individuals who are nondisabled, including the provision of nonacademic and extracurricular services and activities. Special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (Education Code 56040.1; 34 CFR 300.107, 300.114, 300.117; Education Code 56040.1)

Note: AB 1663 (Ch. 454, Statutes of 2007) amended Education Code 56000 and 56031 to define "special education," as specified in the following two paragraphs.

Special education means specially designed instruction, provided at no cost to the parent/guardian, to meet the unique needs of individuals with disabilities including a full continuum of program options including instruction conducted in the classroom, in the home, in hospitals and institutions, and other settings, and instruction in physical education to meet the educational and service needs in the least restrictive environment. (Education Code 56300, 56031)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

~~Special education may include each of the following if the services otherwise meet the definition in the above paragraph: (Education Code 56031)~~

- ~~1. Speech language pathology services, or any other designated instruction and service or related service, pursuant to Education Code 56363, if the service is considered special education rather than designated instruction and service or related service under state standards~~
- ~~2. Travel training~~
- ~~3. Career technical education~~
- ~~4. Transition services for students with disabilities in accordance with 34 CFR 300.43 if provided as specially designed instruction, or a related service, if required to assist a student with disabilities to benefit from special education~~

~~Specially designed instruction means adapting the content, methodology, or delivery of instruction to address the unique needs of the student that result from the student's disability and to ensure access of the student to the general curriculum, so that the student can meet the educational standards that apply to all students in the district. (34 CFR 300.39)~~

~~Note: Pursuant to Government Code 7579.5, when a student is a ward of the court, the district would appoint a surrogate parent only when the court has limited the right of the parent/guardian to make educational decisions for his/her child and the student has no responsible adult, such as a foster parent, to represent him/her. Since Welfare and Institutions Code 361 and 726 require the juvenile court to appoint a responsible adult when the court limits parental rights, rarely will it be necessary for the district to appoint a surrogate because that appointment would be superseded by the court's appointment of a responsible adult or foster parent. See BP/AR 6159.3 Appointment of Surrogate Parent for Special Education.~~

~~Surrogate parent means an individual assigned to act as a surrogate for the parent/guardian. The surrogate may represent an individual with disabilities in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the IEP, and in other matters relating to the provision of FAPE to the individual with disability. (34 CFR 300.519; Education Code 56050)~~

Elements of the Local Plan

~~Note: Education Code 56205 and 56206 details the elements that must be included in the local plan developed by the Special Education Local Plan Area (SELPA), including a requirement that the plan contain assurances of general compliance with Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), and the Americans with Disabilities Act (42 USC 12101-12213). The following section is optional.~~

~~Pursuant to Education Code 56122, the California Department of Education (CDE) has developed templates for plan development, which are available on its web site.~~

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

The local plan developed by the **sSpecial eEducation lLocal pPlan aArea** (SELPA) shall include, but not be limited to, **the following**: (Education Code **56122**, 56205, 56206)

1. **Assurances that pPolicies, procedures, and programs; that are consistent with state laws, regulations, and policyies, are in effect as specified in Education Code 56205(a)(1-22) and in conformity with and 20 USC 1412(a), 20 USC 1413(a)(1), and 34 CFR 300.201 governing the following:**
 - a. Free appropriate public education**
 - b. Full educational opportunity**
 - c. Child find and referral**
 - d. Individualized education programs, including development, implementation, review, and revision**
 - e. Least restrictive environment**
 - f. Procedural safeguards**
 - g. Annual and triennial assessments**
 - h. Confidentiality**
 - i. Transition from the Infants and Toddlers with Disabilities programs pursuant to 20 USC 1431 to the preschool program**
 - j. Children in private schools**
 - k. Compliance assurances, including general compliance with the federal Individuals with Disabilities Education Act (20 USC 1400-1482), Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794), the federal Americans with Disabilities Act of 1990 (42 USC 12101-12213), related federal regulations, and Education Code 56000-56865**
 - l. A description of the governance and administration of the local plan in accordance with Education Code 56205(a)(12)**
 - m. Personnel qualification to ensure that personnel, including special education teachers and personnel and paraprofessionals are appropriately and adequately prepared and trained in accordance with Education Code 56058 and 56070 and 20 USC 1412(a)(14) and 1413(a)(3)**

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

- n. Performance goals and indicators**
 - o. Participation in state and districtwide assessments, including assessments described in 20 USC 6301 et seq. and alternate assessments in accordance with 20 USC 1412(a)(16), and reports relating to assessments**
 - p. Supplementation of state, local, and other federal funds, including nonsupplantation of funds**
 - q. Maintenance of financial effort**
 - r. Opportunities for public participation before adoption of policies and procedures**
 - s. Suspension and expulsion rates**
 - t. Access to instructional materials by blind individuals with exceptional needs and others with print disabilities in accordance with 20 USC 1412(a)(23)**
 - u. Overidentification and disproportionate representation by race and ethnicity of children as individuals with exceptional needs, including children with disabilities with a particular impairment described in 20 USC 1401 and 1412(a)(24)**
 - v. Prohibition of mandatory medication use pursuant to Education Code 56040.5 and 20 USC 1412(a)(25)**
2. **An annual budget plan and annual service plan adopted at a public hearing held by the SELPA, including descriptions of the SELPA's allocation plan in accordance with Education Code 56836-56845, all revenues by revenue source received by the SELPA specifically for the purpose of special education, a breakdown of the distribution of funds to each local educational agency (LEA) within the SELPA, projected total special education expenditures by each LEA, projected total expenditures by the SELPA and the LEAs within the SELPA, projected funding to be received specifically for regionalized operations, and a breakdown of projected SELPA operating expenditures**
 3. **An annual service plan, describing the services to be provided by each LEA, regardless of whether the LEA participates in the local plan, including the nature of the services and the physical location at which the services will be provided. This description shall demonstrate that all individuals with exceptional needs shall have access to services and instruction appropriate to meet their needs as specified in their individualized education programs.**

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

Note: Pursuant to Education Code 56122, as amended by SB 75 (Ch. 51, Statutes of 2019), beginning July 1, 2021, the local plan must include an annual assurances support plan to demonstrate how the SELPA and its participating agencies are coordinating to assure effective outcomes for students with disabilities. A template for the annual assurances support plan will be developed by CDE by July 1, 2020.

- 4. Beginning July 1, 2021, an annual assurances support plan to demonstrate how the SELPA and its participating agencies are coordinating for purposes of assuring effective outcomes for students with disabilities, including a description of:

 - a. How the SELPA will support each participating district in achieving the goals, actions, and services identified in its local control and accountability plan**
 - b. How the SELPA will connect any participating district in need of technical assistance to the statewide system of support**
 - c. The services, technical assistance, and support the SELPA will provide to meet the required policies, procedures, and programs specified in Education Code 56205****
- 3.5.** A description of programs for early childhood special education from birth through five years of age
- 4.6.** A description of the method by which members of the public, including parents/guardians of individuals with disabilities who are receiving services under the plan, may address questions or concerns pursuant to Education Code 56205
- 5.7.** A description of a dispute resolution process, **including mediation and arbitration to resolve disputes over the distribution of funding, the responsibility for service provision, and the other governance activities specified within the local plan**
- 6.8.** Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205 **and that the committee had at least 30 days to conduct this review before submission of the local plan to CDE**
- 7.9.** A description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303
- 8.10.** A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools, **and the method for of ensuring that all requirements of each student's IEP are being met, and a method for evaluating whether the student is making appropriate educational progress**

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

9.11. A description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment

The local plan, annual budget plan, ~~and~~ annual service plan, ~~and~~ annual assurances support plan shall be written in language that is understandable to the general public. ~~They shall be adopted at a public hearing of the SELPA, for which notice of the hearing shall be posted in each school in the SELPA at least 15 days before the hearing.~~ (Education Code 56205)

Note: Education Code 56195.8 ~~mandates~~ entities providing special education to adopt policies that include, among other things, information on the number of individuals with disabilities who are being provided special education and related services. Other mandated policies are located throughout CSBA's policy manual.

~~Each entity providing special education shall adopt policies for the programs and services it operates, consistent with agreements adopted pursuant to Education Code 56195.1 and 56195.7. (Education Code 56195.8)~~

~~(cf. 3541.2—Transportation for Students with Disabilities)~~

~~(cf. 3542—School Bus Drivers)~~

~~(cf. 4112.23—Special Education Staff)~~

~~(cf. 5144.2—Suspension and Expulsion/Due Process (Students with Disabilities))~~

~~(cf. 6159—Individualized Education Program)~~

~~(cf. 6159.1—Procedural Safeguards and Complaints for Special Education)~~

~~(cf. 6159.2—Nonpublic, Nonsectarian School and Agency Services for Special Education)~~

~~(cf. 6164.4—Identification and Evaluation of Individuals for Special Education)~~

~~(cf. 6164.41—Children with Disabilities Enrolled by Their Parents in Private School)~~

~~(cf. 6164.6—Identification and Education Under Section 504)~~

Availability of the Plan

~~The Superintendent or designee shall post on the district's web site the approved local plan, annual budget plan, annual service plan, and annual assurances support plan and any updates or revisions to the plans. A complete copy of the local plan, annual budget plan, annual service plan, annual assurances support plan, and policies and procedures shall be held on file in the district office and shall be accessible to any interested party. (Education Code 56205.5)~~

(11/06 3/08) 5/20

CSBA Sample Board Policy

Community Relations

BP 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: To address prohibited discrimination and violations of state and federal laws governing educational programs, 5 CCR 4621 **mandates** districts to adopt uniform complaint procedures (UCP) consistent with the state's complaint procedures specified in 5 CCR 4600-4670. See the section "Complaints Subject to UCP" below for a list of programs and activities subject to these procedures pursuant to state law.

The California Department of Education (CDE) monitors district programs and operations for compliance with these requirements through its Federal Program Monitoring (FPM) process. The FPM consists of a review of (1) written district policies and procedures for required statements, including prohibition of discrimination (such as discriminatory harassment, intimidation, and bullying) against students pursuant to Education Code 234.1; and (2) records of required activities, such as annual notification provided to students, parents/guardians, employees, and other school community members.

The U.S. Department of Education's Office for Civil Rights (OCR) enforces federal anti-discrimination laws, including Title II of the Americans with Disabilities Act (42 USC 12101-12213), Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000e-17), Title IX of the Education Amendments Act of 1972 (20 USC 1681-1688), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Age Discrimination Act of 1975 (42 USC 6101-6107). OCR has issued guidance describing federal requirements for discrimination complaint procedures. OCR requires such complaint procedures to be "prompt and equitable." OCR evaluates a district's procedures based on factors specified in the accompanying administrative regulation, including whether the procedures (1) provide notice to the district's students, parents/guardians, and employees; (2) ensure adequate, reliable, and impartial investigation of complaints; (3) contain reasonably prompt timeframes for major stages of the complaint process; (4) provide notice to the complainant of the resolution of the complaint; and (5) provide an assurance that action will be taken to prevent recurrence of any discrimination found and to correct its effects.

The following policy and accompanying administrative regulation reflect all components required by law and the **2020-21** FPM instrument. Additional details provided herein may help districts during a compliance check by CDE or in the event that a CDE or OCR investigation occurs.

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to UCP

Note: The FPM process includes a review of a district's policies and procedures to determine whether all district programs and activities that are subject to the UCP, as listed in the FPM instrument, are addressed. Items #1-~~12~~ **13** list all programs and activities identified in the FPM instrument. ~~The district may revise the following items to reflect the programs it offers and the grade levels it serves.~~ **According to CDE, the district's policy must list all such programs and activities and, at the district's discretion, may add a paragraph below the list stating the UCP programs and activities that are implemented in the district.**

UNIFORM COMPLAINT PROCEDURES (continued)

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal laws or regulations governing any program subject to the UCP which is offered by the district, including adult education programs; After School Education and Safety programs; agricultural career technical education; ~~American Indian education centers and early childhood education program assessments; bilingual education; California Peer Assistance and Review programs for teachers; state career technical and technical education, career technical, and technical training programs;~~ federal career technical education; child care and development programs; child nutrition programs; compensatory education; consolidated categorical aid programs; **Economic Impact Aid**; the federal Every Student Succeeds Act; migrant education; **Regional Occupational Centers and Programs**; school safety plans; ~~special education programs;~~ California State Preschool Programs; ~~Tobacco-Use Prevention Education programs;~~ and any other district-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code 64000

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3555 - Nutrition Program Compliance)

~~*(cf. 5131.62 - Tobacco)*~~

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

~~*(cf. 6159 - Individualized Education Program)*~~

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

(cf. 6178.2 - Regional Occupational Center/Program)

(cf. 6200 - Adult Education)

2. Any complaint, by a student, employee, or other person participating in a district program or activity, alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, **medical condition**, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

UNIFORM COMPLAINT PROCEDURES (continued)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

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

Note: Education Code 46015, as added by AB 2289 (Ch. 942, Statutes of 2018), authorizes the use of UCP for complaints alleging the district's noncompliance with requirements related to the provision of parental leave to a pregnant or parenting student or other accommodations to which pregnant and parenting students are entitled pursuant to Education Code 46015.

4. Any complaint alleging district noncompliance with requirements to provide a pregnant or parenting student the accommodations specified in Education Code 46015, including those related to the provision of parental leave, right of return to the school of previous enrollment or to an alternative education program, if desired, and possible enrollment in school for a fifth year of instruction to enable the student to complete state and Board-imposed graduation requirements (Education Code 46015)
5. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

Note: Pursuant to Education Code 52075, any complaint alleging noncompliance with the requirements of Education Code 52060-52077 may be filed in accordance with the district's UCP. Pursuant to Education Code 52064.1, as added by AB 1808 (Ch. 32, Statutes of 2018), by July 1, 2019 districts are required to develop a local control funding formula budget overview for parents/guardians in conjunction with the LCAP.

6. Any complaint alleging district noncompliance with applicable requirements of Education Code 52060-52077 related to the implementation of the local control and accountability plan, including the development of a local control funding formula budget overview for parents/guardians (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

UNIFORM COMPLAINT PROCEDURES (continued)

Note: Education Code 64001, as amended by AB 716 (Ch. 471, Statutes of 2018), provides for the use of UCP for complaints alleging noncompliance with requirements to develop a school plan for student achievement pursuant to Education Code 64001 and to establish a school site council pursuant to Education Code 65000-65001.

7. Any complaint alleging noncompliance with requirements related to the development of a school plan for student achievement or the establishment of a school site council, as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64000-64001, 65000-65001)

(cf. 0420 - School Plans/Site Councils)

8. Any complaint, by or on behalf of a student who is a foster youth as defined in Education Code 51225.2, alleging district noncompliance with any requirement applicable to the student regarding placement decisions; the responsibilities of the district's educational liaison to the student; the award of credit for coursework satisfactorily completed in another school, district, or country; school or records transfer; or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173.1 - Education for Foster Youth)

Note: Items #9-11 are for use by districts that maintain high schools.

AB 2121 (Ch. 581, Statutes of 2018) amended Education Code 51225.1 and 51225.2 to add authorization to use the district's UCP for any complaint alleging the district's noncompliance with specified educational rights of migrant students and of students enrolled in a newcomer program (i.e., a program designed to meet the academic and transitional needs of newly arrived immigrant students that has as a primary objective the development of English language proficiency). Also see AR 6175—Migrant Education Program.

9. Any complaint, by or on behalf of a student who transfers into the district after the second year of high school and is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student currently enrolled in the district, a child of a military family as defined in Education Code 49701, or a migrant student as defined in Education Code 54441, or by or on behalf of an immigrant student participating in a newcomer program as defined in Education Code 51225.2 in the third or fourth year of high school, alleging district noncompliance with any requirement applicable to the student regarding the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1)

(cf. 6173 - Education for Homeless Children)

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

(cf. 6173.3 - Education for Juvenile Court School Students)

UNIFORM COMPLAINT PROCEDURES (continued)

10. Any complaint, by or on behalf of a student who is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student, a child of a military family as defined in Education Code 49701, a migrant child as defined in Education Code 54441, or a newly arrived immigrant student who is participating in a newcomer program as defined in Education Code 51225.2, alleging district noncompliance with requirements for the award of credit for coursework satisfactorily completed in another school, district, or country (Education Code 51225.2)
11. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

(cf. 6152 - Class Assignment)

Note: ~~Item #12 is for use by districts that maintain elementary schools. Education Code 51222, as amended by SB 75 (Ch. 51, Statutes of 2019), extends the UCP to complaints alleging noncompliance with the physical education instructional minutes requirement for grades 7-12.~~

12. Any complaint alleging district noncompliance with the physical education instructional minutes requirement ~~for students in elementary school~~ (Education Code 51210, **51222**, 51223)

(cf. 6142.7 - Physical Education and Activity)

- 13. Complaints regarding the noncompliance of a license-exempt California State Preschool Program (CSPP) with health and safety standards specified in Health and Safety Code 1596.7925 and related state regulations (Education Code 8235.5; Health and Safety Code 1596.7925)**

Note: 5 CCR 4621 **mandates** that district policy ensure that complainants are protected from retaliation as specified in item #~~13~~ **14** below.

- ~~13.14.~~ Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

Note: Pursuant to 5 CCR 4610, a district may, at its discretion, use the UCP to investigate and resolve other complaints.

- ~~14.15.~~ Any other complaint as specified in ~~a~~ district policy

UNIFORM COMPLAINT PROCEDURES (continued)

Note: 5 CCR 4631 authorizes the district to utilize alternative dispute resolution (ADR) methods, including mediation, to resolve complaints before initiating a formal investigation. However, the district should ensure that any ADR it uses, particularly "in-person ADR," is appropriate for the particular situation. For example, in some instances (e.g., sexual assault), face-to-face mediation should not be used, even if all parties voluntarily agree, given the risk that a student might feel pressured to "voluntarily" agree to it. The following **optional** paragraph provides for a neutral mediator and should be revised to reflect district practice.

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process **to reach a resolution to the for resolving a** complaint **in a manner** that is acceptable to all parties. **An ADR process** such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

Note: The following paragraph is **mandated** pursuant to 5 CCR 4621. Appropriate disclosure will vary in each case depending on the facts and circumstances.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

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

(cf. 5125 - Student Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

When an allegation that is not subject to UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

UNIFORM COMPLAINT PROCEDURES (continued)

Note: It is important to maintain records of all UCP complaints and the investigations of those complaints. If the district is investigated by OCR or CDE, these are important documents in demonstrating that the district has complied with federal law, state law, and its own policies and regulations.

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

(cf. 3580 - District Records)

Non-UCP Complaints

Note: 5 CCR 4611 details complaint issues that are not subject to UCP. Such issues include, but are not limited to, allegations of child abuse, health and safety complaints regarding a child development program, allegations of fraud, and employment discrimination complaints.

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division and the appropriate law enforcement agency.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Note: Complaints of employment discrimination are not subject to the UCP. Instead, pursuant to 2 CCR 11023, the district must establish an impartial and prompt process for addressing such complaints. In addition, 5 CCR 4611 requires that employment discrimination complaints be referred to the Department of Fair Employment and Housing (DFEH). See AR 4030 - Nondiscrimination in Employment for applicable complaint procedures.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

UNIFORM COMPLAINT PROCEDURES (continued)

Note: Education Code 35186 requires the district to use UCP, with modifications, to investigate and resolve complaints related to the issues stated in the following paragraph (i.e., "Williams complaints"). Because Education Code 35186 sets forth different timelines for investigation and resolution of these kinds of complaints than the timelines specified in law for other uniform complaints, CDE has created a separate uniform complaint process for the Williams complaints. See AR 1312.4 - Williams Uniform Complaint Procedures for the separate procedure.

~~In addition, Education Code 8235.5, as added by AB 1808, authorizes the use of Williams uniform complaint procedures to address any complaints alleging violations of health and safety requirements applicable to California State Preschool Programs (Education Code 8235-8239.1) that are exempt from licensing pursuant to Health and Safety Code 1596.792.~~

Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, **or** teacher vacancies and misassignments, **or health and safety violations in any license exempt California State Preschool Program** shall be investigated and resolved in accordance with the procedures in AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 8235.5, 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

*Legal Reference:*EDUCATION CODE

200-262.4 Prohibition of discrimination

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32280-32289 School safety plan, uniform complaint procedures

~~33380-33384 California Indian Education Centers~~

35186 Williams uniform complaint procedures

~~44500-44508 California Peer Assistance and Review Program for Teachers~~

46015 Parental leave for students

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49014 Student fees

49060-49079 Student records, especially:

49069.5 Records of foster youth

49490-49590 Child nutrition programs

49701 Interstate Compact on Educational Opportunity for Military Children

51210 Courses of study grades 1-6

51222 Physical education, secondary schools

51223 Physical education, elementary schools

51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements

51226-51226.1 Career technical education

51228.1-51228.3 Course periods without educational content

Legal Reference continued: (see next page)

UNIFORM COMPLAINT PROCEDURES (continued)*Legal Reference: (continued)*EDUCATION CODE (continued)52060-52077 *Local control and accountability plan, especially:*52075 *Complaint for lack of compliance with local control and accountability plan requirements*~~52160-52178 *Bilingual education programs*~~52300-52462 *Career technical education*52500-52616.24 *Adult schools*~~54000-54029 *Economic Impact Aid*~~54400-54425 *Compensatory education programs*54440-54445 *Migrant education*54460-54529 *Compensatory education programs*~~56000-56865 *Special education programs*~~59000-59300 *Special schools and centers*64000-64001 *Consolidated application process; school plan for student achievement*65000-65001 *School site councils*GOVERNMENT CODE11135 *Nondiscrimination in programs or activities funded by state*12900-12996 *Fair Employment and Housing Act*HEALTH AND SAFETY CODE1596.792 *California Child Day Care Act; general provisions and definitions*1596.7925 *California Child Day Care Act; health and safety regulations*~~104420 *Tobacco Use Prevention Education*~~PENAL CODE422.55 *Hate crime; definition*422.6 *Interference with constitutional right or privilege*CODE OF REGULATIONS, TITLE 211023 *Harassment and discrimination prevention and correction*CODE OF REGULATIONS, TITLE 5~~3080 *Applicability of uniform complaint procedures to complaints regarding students with disabilities*~~4600-4670 *Uniform complaint procedures*4680-4687 *Williams uniform complaint procedures*4900-4965 *Nondiscrimination in elementary and secondary education programs*UNITED STATES CODE, TITLE 201221 *Application of laws*1232g *Family Educational Rights and Privacy Act*1681-1688 *Title IX of the Education Amendments of 1972*6301-6576 *Title I Improving the Academic Achievement of the Disadvantaged*6801-7014 *Title III language instruction for limited English proficient and immigrant students*UNITED STATES CODE, TITLE 29794 *Section 504 of Rehabilitation Act of 1973*UNITED STATES CODE, TITLE 422000d-2000e-17 *Title VI and Title VII Civil Rights Act of 1964, as amended*2000h-2-2000h-6 *Title IX of the Civil Rights Act of 1964*6101-6107 *Age Discrimination Act of 1975*12101-12213 *Title II equal opportunity for individuals with disabilities*CODE OF FEDERAL REGULATIONS, TITLE 2835.107 *Nondiscrimination on basis of disability; complaints*CODE OF FEDERAL REGULATIONS, TITLE 3499.1-99.67 *Family Educational Rights and Privacy Act*100.3 *Prohibition of discrimination on basis of race, color or national origin**Legal Reference: (see next page)*

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference: (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34 (continued)

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Notification of nondiscrimination on the basis of age

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Uniform Complaint Procedure 2020-21 Program Instrument

Sample UCP Board Policies and Procedures

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

Dear Colleague Letter, September 22, 2017

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Harassment and Bullying, October 2010

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002

WEB SITES

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

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

Family Policy Compliance Office: <https://www2.ed.gov/policy/gen/guid/fpco>

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

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

CSBA Sample Administrative Regulation

Community Relations

AR 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: 5 CCR 4621 **mandates** that the district's uniform complaint procedures (UCP) be consistent with the procedures of 5 CCR 4600-4670. Additionally, Education Code 52075 **mandates** districts to adopt policies and procedures implementing the use of UCP to investigate and resolve complaints alleging noncompliance with requirements related to the local control and accountability plan (LCAP) **and Education Code 8235.5 mandates districts to adopt policies and procedures for resolving complaints regarding specified health and safety issues in license-exempt California State Preschool Programs (CSPP).**

Furthermore, a number of federal civil rights statutes and their implementing regulations mandate districts to adopt policies and procedures for the prompt and equitable resolution of complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). For example, all districts are **mandated** pursuant to 28 CFR 35.107 to adopt policy and procedures to address discrimination on the basis of disability, while districts that receive federal financial assistance are **mandated** pursuant to 34 CFR 106.8 and 34 CFR 110.25 to adopt such policies and procedures to address discrimination on the basis of sex and age. Some of the factors considered by the U.S. Department of Education's Office for Civil Rights (OCR) when determining whether a district's procedures are "prompt and equitable" are addressed throughout the following administrative regulation.

Apart from these mandates, state law authorizes the use of UCP to resolve complaints of noncompliance with laws related to the development of a school plan for student achievement and the establishment of school site councils; accommodations for pregnant and parenting students; prohibition against the charging of student fees; educational rights of foster youth, homeless students, former juvenile court school students, children of military families, migrant students, and students participating in a newcomer program for newly arrived immigrants; assignment of students to courses without educational content; and physical education instructional minutes. See the section "Complaints Subject to UCP" in the accompanying Board policy.

Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

Compliance Officers

Note: 5 CCR 4621 **mandates** the district to identify in its policies and procedures the person(s), position(s), or unit(s) responsible for ensuring compliance with applicable state and federal laws and regulations governing educational programs, including the receiving and investigating of complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and retaliation. During its Federal Program Monitoring (FPM) process, California Department of Education (CDE) staff will check to ensure that the district's procedures list the specific title(s) of the employee(s) responsible for receiving and investigating complaints. Districts should identify the specific title(s) of the compliance officer(s) in the space provided below. If a district identifies multiple compliance officers, it is recommended that one be designated the "lead compliance officer."

UNIFORM COMPLAINT PROCEDURES (continued)

The district designates the individual(s), position(s), or unit(s) identified below as responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

Superintendent or Designee

(title or position)

River Delta Unified School District

(unit or office)

445 Montezuma Street, Rio Vista, CA 94571

(address)

(707) 374-1711

(telephone number)

Superintendent@rdusd.org

(email)

Note: The following paragraph is for use by districts that have designated more than one compliance officer.

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

Note: 5 CCR 4621 **mandates** that the district's policy **provide require that** employees responsible for compliance and/or for investigating and resolving complaints **are to be** knowledgeable about the laws and programs at issue in the complaints they are assigned. OCR requires that the compliance officer(s) involved in implementing discrimination complaint procedures be knowledgeable about the procedures and be able to explain them to parents/guardians and students. They must also have training or experience in handling discrimination complaints, including appropriate investigative techniques and understanding of the applicable legal standards.

UNIFORM COMPLAINT PROCEDURES (continued)

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

Note: During the FPM process, CDE staff will check to ensure that the district's policy contains a statement ensuring annual dissemination of notice of the district's UCP to the persons specified below.

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 5145.6 - Parental Notifications)

Note: 5 CCR 4622 requires the district to include specified information in its annual UCP notice to students, parents/guardians, employees, and others. During the FPM process, CDE staff will check the notice to ensure that it contains the components specified below.

UNIFORM COMPLAINT PROCEDURES (continued)

A sample of the annual notice is available through CDE's web site. It is the district's responsibility to update the notice as necessary to reflect new law.

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group and all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3260 - Fees and Charges)

3. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
4. A statement that a complaint regarding student fees must be filed no later than one year from the date the alleged violation occurred
5. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6173.3 - Education for Juvenile Court School Students)

(cf. 6175 - Migrant Education Program)

6. Identification of the responsible staff member(s), position(s), or unit(s) designated to receive complaints

UNIFORM COMPLAINT PROCEDURES (continued)

7. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
8. A statement that the complainant has a right to appeal the district's decision to CDE by filing a written appeal, including a copy of the original complaint and the district's decision, within 15 days of receiving the district's decision
9. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable
10. A statement that copies of the district's UCP are available free of charge

Note: The following paragraph may be modified to reflect district practice. Pursuant to Education Code 221.61, districts are required to post information related to Title IX on their web sites, including specified information about complaint procedures under Title IX. See AR 5145.3 - Nondiscrimination/Harassment. A district that does not maintain a web site may comply by posting the information on the web site of its county office of education. A comprehensive list of rights based on the provisions of the federal regulations implementing Title IX can be found in Education Code 221.8. In addition, in its April 2015 Dear Colleague Letter: Title IX Coordinators, OCR recommends that districts use web posting and social media to disseminate their nondiscrimination notices, policies, and procedures and communicate current compliance officer(s)' contact information to students, parents/guardians, and employees.

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

Note: Both federal and state laws contain requirements for translation of certain information and documents. Title VI of the Civil Rights Act of 1964 requires districts to ensure meaningful access to their programs and activities by persons with limited English proficiency. OCR has interpreted this to require that, whenever information is provided to parents/guardians, districts must notify limited-English-proficient (LEP) parents/guardians in a language other than English in order to be adequate. OCR enforces this requirement consistent with the Department of Justice's 2002 Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. Under the Guidance, a recipient of federal funds has an obligation to provide language assistance to LEP individuals based on balancing four factors: (1) the number or proportion of LEP individuals likely to encounter the program, (2) the frequency with which LEP individuals come in contact with the program, (3) the nature and importance of the services provided by the program, and (4) the resources available to the recipient. State law is more specific than federal law: Education Code 48985 requires translation of certain information and documents if 15 percent or more of students enrolled in the school speak a single primary language other than English.

UNIFORM COMPLAINT PROCEDURES (continued)

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

Filing of Complaints

Note: Complaints filed under UCP may be filed directly with a compliance officer or with any site administrator not designated as a compliance officer. For example, acts of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may initially be reported to a principal. See AR 5145.3 - Nondiscrimination/Harassment and AR 5145.7 - Sexual Harassment. If a site administrator not designated as a compliance officer receives a UCP complaint, the site administrator must notify a compliance officer. A district may also establish a site-level process for receiving informal reports about incidents for which a UCP complaint may be filed and notifying students and parents/guardians of their right to file a UCP complaint. Any site-level process established by a district should be in writing and distributed in the same manner as the grievance procedures listed herein with an explanation of how it interacts with the UCP complaint process.

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)

Note: Education Code 49013 **and 52075 mandates** districts to adopt procedures that allow for anonymous complaints to be filed when a district allegedly violates the prohibition against the charging of student fees **or violates any requirement related to the LCAP.** Pursuant to Education Code 52075, anonymous complaints are permitted with regard to the LCAP, as long as evidence, or information leading to evidence, to support the allegation of noncompliance is provided in the complaint.

UNIFORM COMPLAINT PROCEDURES (continued)

2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by persons who allege that they have personally suffered unlawful discrimination or who believe that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

Note: OCR's Revised Sexual Harassment Guidance indicates that if a complainant in a sexual harassment case requests that the complainant's name or that of the victim not be revealed to the alleged perpetrator or asks that the complaint not be pursued, the district should first inform the complainant that honoring the request may limit its ability to respond and pursue disciplinary action against the alleged perpetrator. The OCR publication acknowledges that situations may exist in which a district cannot honor a student's request for confidentiality, but cautions that, in all instances, the district must still continue to ensure that it provides a safe and nondiscriminatory environment for all students. Districts should consult legal counsel before honoring a confidentiality request to withhold the victim's name from the alleged perpetrator, especially in the case of alleged sexual assault. These guiding principles would also apply to harassment on the basis of race, gender, disability, or other protected characteristic.

5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

UNIFORM COMPLAINT PROCEDURES (continued)

Mediation

Note: The following section should be used only by those districts that have decided to establish procedures for attempting to resolve complaints through alternative dispute resolution procedures such as mediation; see the accompanying Board policy. **The following section may be modified to specify the alternative dispute resolution method and timelines used within the district.**

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with an investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Note: 5 CCR 4631, which requires the district to provide the complainant with the opportunity to present relevant information, does not provide any timeline. Thus, **the timeline specified below may be modified to reflect district practice.**

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the

UNIFORM COMPLAINT PROCEDURES (continued)

complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

Note: In the investigation, the compliance officer should consider all relevant circumstances, such as how the misconduct affected one or more students' education; the type, frequency, and duration of the misconduct; the identity, age, and sex of the individuals involved in and impacted by the conduct and the relationship between them; the number of persons engaged in the conduct and at whom the conduct was directed; the size of the school, location of the incidents, and context in which they occurred; and other incidents at the school involving different individuals.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

Note: 5 CCR 4631 allows the district to dismiss a complaint when the complainant refuses to provide the investigator with relevant documents or otherwise obstructs the investigation. 5 CCR 4631 also provides that, if the district refuses to provide the investigator with access to records or other documents, the investigator may issue a finding in favor of the complainant. During the FPM process, CDE staff will check to ensure that both of these statements regarding the provision of access to information are included in the district's policy or procedures, as specified below.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct

UNIFORM COMPLAINT PROCEDURES (continued)

the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Timeline for Final Decision

Note: Pursuant to 5 CCR 4631, the district's written decision must be sent to the complainant within 60 calendar days of receiving the complaint. Option 1 below is for districts that do not allow complainants to appeal the compliance officer's decision to the Governing Board. Option 2 is for districts that allow appeals to the Board, and it requires the compliance officer's decision within 30 calendar days so that the Board's decision can still be given within the 60-day time limit.

Pursuant to 5 CCR 4631, only a complainant has the right to receive a written report and to file a complaint with the Board if dissatisfied with the compliance officer's decision. However, OCR has recommended that the same rights be extended to a respondent to a complaint alleging unlawful discrimination to ensure the process is equitable for all involved. Furthermore, OCR recommends notifying the respondent in such a complaint whenever the complainant approves an extension of the timeline. Options 1 and 2 reflect these recommendations and may be modified to reflect district practice.

Pursuant to 5 CCR 4640, when a UCP complaint is erroneously sent to CDE without first being filed with the district, the 60-day period specified in 5 CCR 4631 begins when the district receives the complaint.

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the Board.

UNIFORM COMPLAINT PROCEDURES (continued)

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. When required by law, the matter shall be considered in closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant, shall be sent the district's final written decision, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Final Written Decision

Note: 5 CCR 4631 and guidance provided by OCR specify components that should be part of the district's decision. Inclusion of these items will help protect the district's position in case of an appeal to CDE, a complaint submitted to OCR, or if litigation is filed.

For all complaints, the district's final written decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law

UNIFORM COMPLAINT PROCEDURES (continued)

3. Disposition of the complaint
4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. The manner in which the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The relationship between the alleged victim(s) and offender(s)
 - d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective actions imposed on the respondent
- b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
- c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence

UNIFORM COMPLAINT PROCEDURES (continued)

6. Notice of the complainant's and respondent's right to appeal the district's decision to CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

Note: The Family Educational Rights and Privacy Act (FERPA) (20 USC 1232g; 34 CFR 99.1-99.67) protects student privacy, including student records containing details of the actions taken in response to a UCP complaint. However, pursuant to 20 USC 1221, FERPA may not "be construed to affect the applicability of Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Title V of the Rehabilitation Act of 1973, the Age Discrimination Act, or other statutes prohibiting discrimination, to any applicable program." In February 2015, the Family Policy Compliance Office (FPCO), the federal agency which administers FERPA, released a letter concluding that FERPA permits a district to disclose to a student who was subjected to unlawful discrimination certain information about the sanctions imposed upon the offender when the sanctions directly relate to that student. Thus, if properly remedying the impact of discrimination would require disclosing to the alleged victim certain information on how the district disciplined the alleged student offender (e.g., an order that the alleged offender stay away from the alleged victim), FPCO interprets FERPA as allowing the district to disclose that information.

Given the potential liability from improperly disclosing such information, districts are advised to consult with legal counsel when presented with a situation where a victim of unlawful discrimination requests information about sanctions imposed upon the offender.

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

Note: Education Code 48985 requires that reports sent to parents/guardians be written in their primary language when 15 percent or more of a school's enrolled students speak a single primary language other than English. During the FPM process, CDE staff will check to ensure compliance with this requirement. Based on Title VI of the Civil Rights Act of 1964, OCR requires districts to ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved is enrolled in a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language pursuant to Education Code 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

UNIFORM COMPLAINT PROCEDURES (continued)

Note: During the FPM process, CDE staff will expect to see a statement detailing a complainant's right to pursue civil law remedies (i.e., action in a court of law) in addition to or in conjunction with the right to pursue administrative remedies from CDE.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

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

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

(cf. 5137 - Positive School Climate)

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling

(cf. 6164.2 - Guidance/Counseling Services)

2. Academic support
3. Health services

UNIFORM COMPLAINT PROCEDURES (continued)

4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team

(cf. 6164.5 - Student Success Teams)

6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

(cf. 6145 - Extracurricular and Cocurricular Activities)

7. Disciplinary action, such as suspension or expulsion, as permitted by law

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

Note: Generally, when a complaint is found to have merit, an appropriate remedy is provided to the complainant or other affected person. However, in certain instances, the law may require a remedy to be provided to all affected persons, not just the complainant or subject of the complaint. For example, pursuant to Education Code 49013 and 5 CCR 4600, if the district, or CDE on appeal, finds merit in the complaint alleging noncompliance with the law regarding student fees and charges, the district is required to provide a remedy to all affected students and parents/guardians, as specified below. The same requirement applies to allegations of noncompliance with the LCAP requirements, pursuant to Education Code 52075, and to noncompliance with required instructional minutes for ~~elementary students~~ physical education, pursuant to Education Code **51222 and** 51223. Districts that do not maintain elementary schools should delete reference to physical education below.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes ~~for students in elementary schools~~, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, **51222**, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Note: 5 CCR 4632-4633 provide that complainants may appeal to CDE if they disagree with the district's decision on any matter within the scope of the UCP, as provided below.

Any complainant who is dissatisfied with the district's final written decision on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 15 calendar days of receiving the district's decision. (5 CCR 4632)

UNIFORM COMPLAINT PROCEDURES (continued)

The complainant shall specify the basis for the appeal of the decision and how the facts of the district's decision are incorrect and/or the law has been misapplied. The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's decision in that complaint. (5 CCR 4632)

Note: Although not required pursuant to 5 CCR 4631-4633, OCR recommends that the right to appeal the district's decision to CDE be extended to the respondent to an allegation of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) to ensure fairness for all parties involved. The following paragraphs reflect OCR's recommendation.

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, the respondent, in the same manner as the complainant, may file an appeal with CDE.

Upon notification by CDE that the district's decision has been appealed, the Superintendent or designee shall forward the following documents to CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the written decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's UCP
7. Other relevant information requested by CDE

Note: CDE may directly intervene in a complaint without waiting for action by the district when certain conditions exist, including the following: (1) the complaint alleges failure to comply with the UCP, including failure to follow the required timelines and failure to implement the final written decision; (2) the complainant requires anonymity due to the possibility of retaliation and would suffer immediate and irreparable harm if a complaint was filed and the complainant was named; (3) the complainant would suffer immediate and irreparable harm as a result of an application of a districtwide policy that is in conflict with state or federal law and that filing a complaint would be futile; (4) the complainant alleges failure to comply with the due process procedures established pursuant to special education law and regulation to implement a due process hearing order; (5) the complainant alleges facts that indicate that one or more students may be in immediate physical danger or that the health, safety, or welfare of one or more students is threatened; or (6) the complainant alleges failure to follow a student's individualized education program.

UNIFORM COMPLAINT PROCEDURES (continued)**Health and Safety Complaints in California State Preschool Program**

Note: The following section is for use by districts that operate any license-exempt CSPP program. Education Code 8235.5 mandates districts to adopt policies and procedures for resolving complaints regarding specified health and safety issues in a license-exempt CSPP program.

See the accompanying exhibits for a sample classroom notice and complaint form.

In each license-exempt CSPP classroom, a notice shall be posted notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. (Education Code 8235.5)

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint and shall contain a space to indicate whether the complainant desires a response to the complaint. If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. (Education Code 8235.5)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8235.5)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall report the resolution of the complaint to the complainant within 45 working days of the initial filing of the complaint. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled meeting. (Education Code 8235.5)

Note: Pursuant to Education Code 8235.5, a complainant who is not satisfied with the district's decision related to a complaint of health and safety conditions in a CSPP program may appeal to the Superintendent of Public Instruction. The law does not provide a timeline for filing the appeal, but the 2020-21 FPM instrument provides a timeline of 30 days.

UNIFORM COMPLAINT PROCEDURES (continued)

A complainant may file a written appeal of the district's decision to CDE in accordance with 5 CCR 4632. (Education Code 8235.5)

Any such appeal shall be filed within 30 days of receiving the decision.

Note: The following paragraph reflects a requirement of the 2020-21 FPM instrument.

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent of Schools.

CSBA Sample Exhibit

Community Relations

E(1) 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: Education Code 8235.5 requires that the following notice be posted in each classroom with a license-exempt California State Preschool Program (CSPP) (Education Code 8235-8239.1). The notice must include the health and safety requirements that apply to such CSPP programs pursuant to Health and Safety Code 1596.7925, which may be the subject of a complaint under the uniform complaint procedures.

NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS: PRESCHOOL COMPLAINT RIGHTS

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 8235.5, you are hereby notified that any California State Preschool Program that is exempt from licensure must have:

1. Outdoor shade that is safe and in good repair
2. Drinking water that is accessible and readily available throughout the day
3. Safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children
4. Restroom facilities that are available only for preschoolers and kindergartners
5. Visual supervision of children at all times
6. Indoor and outdoor space that is properly contained or fenced and provides sufficient space for the number of children using the space at any given time
7. Playground equipment that is safe, in good repair, and age appropriate

Note: Education Code 8235.5 requires that the notice include the location to obtain a complaint form and provides that posting a notice downloadable from the California Department of Education's web site will satisfy this requirement. The law does not require that complaint forms be placed in any specific location. The following paragraph lists locations where complaint forms may be available and should be modified to reflect district practice, including adding the school and district web site addresses.

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the district's uniform complaint procedures as required by law. A complaint form may be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a

UNIFORM COMPLAINT PROCEDURES (continued)

copy of the California Department of Education complaint form from the following web site: <http://www.cde.ca.gov/re/cp/uc>. However, a complaint need not be filed using either the district's complaint form or the complaint form from the California Department of Education.

CSBA Sample Exhibit

Community Relations

E(2) 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: Pursuant to Education Code 8235.5, uniform complaint procedures should be used for complaints alleging that a license-exempt California State Preschool Program (CSPP) does not comply with any of the health and safety requirements specified in Health and Safety Code 1596.7925.

PRESCHOOL COMPLAINT FORM: UNIFORM COMPLAINT PROCEDURES

Education Code 8235.5 requires that the district's uniform complaint procedures be used for the filing of complaints concerning noncompliance with health and safety standards for license-exempt California State Preschool Programs. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? Yes No

Contact information: (if response is requested)

Name: _____

Address: _____

Phone number: Day: _____ Evening: _____

E-mail address, if any: _____

Date problem was observed: _____

Location of the problem that is the subject of this complaint:

School name/address: _____

Room number/name of room/location of facility: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or district for the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

The preschool does not have outdoor shade that is safe and in good repair.

Drinking water is not accessible and/or readily available throughout the day.

The preschool does not provide safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children.

UNIFORM COMPLAINT PROCEDURES (continued)

- Restroom facilities are not available only for preschoolers and kindergartners.
- The preschool program does not provide visual supervision of children at all times.
- Indoor or outdoor space is not properly contained or fenced or does not provide sufficient space for the number of children using the space at any given time.
- Playground equipment is not safe, in good repair, or age appropriate.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation.

Note: Education Code 8235.5 requires complaints identified above to be filed with the preschool administrator or designee. Districts should specify the names and/or locations in the spaces below.

Please file this complaint at the following location:

(preschool administrator or designee)

(address)

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

(Signature)

(Date)

CSBA Sample Administrative Regulation

Community Relations

AR 1312.4(a)

WILLIAMS UNIFORM COMPLAINT PROCEDURES

Note: Education Code 35186 **mandates** that districts establish policies and procedures to address complaints regarding insufficiency of textbooks and instructional materials, teacher vacancy or misassignment, and emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff. When such a complaint is filed with the district, the district is required to investigate and resolve the complaint in accordance with the Williams uniform complaint procedures established pursuant to 5 CCR 4680-4687. ~~In addition, pursuant to Education Code 8235.5, as added by AB 1808 (Ch. 32, Statutes of 2018), California State Preschool Programs (CSPP) (Education Code 8235 8239.1) that are exempt from licensing pursuant to Health and Safety Code 1596.792 must utilize district complaint procedures, with modifications as necessary, to resolve allegations of noncompliance with applicable health and safety requirements. The Legislative Counsel's Digest of AB 1808 clarifies that the Williams uniform complaint procedures are the applicable procedures.~~

It is recommended that districts use these procedures only for complaints specified in law and this administrative regulation. See BP/AR 1312.3 - Uniform Complaint Procedures for a discussion of the types of complaints subject to the uniform complaint procedures established pursuant to 5 CCR 4600-4670. For procedures related to complaints about employees, see BP/AR 1312.1 - Complaints Concerning District Employees. For complaints concerning the district's adoption and selection of specific instructional materials, see BP/AR 1312.2 - Complaints Concerning Instructional Materials. For complaints regarding the district's nutrition program, see BP 3555 - Nutrition Program Compliance.

Types of Complaints

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)
 - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
 - b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
 - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

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

2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)
 - a. A semester begins and a teacher vacancy exists.
 - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.

(cf. 4112.22 - Staff Teaching English Learners)

- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester. (5 CCR 4600)

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

3. Complaints regarding the condition of school facilities, including any complaint alleging that: (Education Code 35186; 5 CCR 4683)
 - a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers. (Education Code 35292.5)

Open restroom means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs. (Education Code 35292.5)

Note: The following **optional** paragraph is for use by districts that maintain any of grades 6-12. Education Code 35292.6 requires a school that serves any of grades 6-12 and meets a 40 percent student poverty threshold, as defined in 20 USC 6314, to stock at least 50 percent of the school's restrooms with feminine hygiene products for use in connection with the menstrual cycle, and to not charge students for such products. See AR 3517 - Facilities Inspection. Although Education Code 35292.6 does not require a complaint process, it is recommended that the Williams uniform complaint procedures be used to address any allegation of noncompliance with Education Code 35292.6 in order to ensure consistency in the procedures that districts use to address allegations of noncompliance with all restroom maintenance requirements.

In any district school serving any of grades 6-12 in which 40 percent or more of the students in the school or school attendance area are from low-income families, as defined in 20 USC 6314, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to stock, at all times, at least half of the restrooms in the school with feminine hygiene products and to not charge students for the use of such products.

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Note: Item #4 is for use by districts that operate one or more CSPP programs which are exempt from licensure by Health and Safety Code 1596.792 and are subject to the health and safety requirements of Health and Safety Code 1596.7925, as added by AB 1808. Pursuant to Health and Safety Code 1596.7925, the California Department of Education (CDE) must adopt regulations by July 1, 2019, that contain the program requirements specified below.

4. Complaints regarding the noncompliance of a license-exempt California State Preschool Program (CSPP) with health and safety standards specified in Health and Safety Code 1596.7925 and related state regulations, including any complaint alleging that: (Education Code 8235.5; Health and Safety Code 1596.7925)
 - a. The preschool does not have outdoor shade that is safe and in good repair.
 - b. Drinking water is not accessible and/or readily available throughout the day.
 - c. The preschool does not provide safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children.
 - d. Restroom facilities are not available only for preschoolers and kindergartners.
 - e. The preschool program does not provide visual supervision of children at all times.
 - f. Indoor or outdoor space is not properly contained or fenced or does not provide sufficient space for the number of children using the space at any given time.
 - g. Playground equipment is not safe, in good repair, or age appropriate.

Forms and Notices

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

Note: Education Code 8235.5 and 35186 requires that the district's complaint form contain the elements stated in the following paragraph. In addition, Education Code 8235.5 and 35186 requires that a notice be posted in each classroom in each school in the district, as specified below. See the accompanying exhibits for sample forms and classroom notices.

The Superintendent or designee shall ensure that the district's complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired. (Education Code 8235.5; 35186; 5 CCR 4680)

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Note: The following paragraph may be revised to reflect the grade levels offered by the district.

The Superintendent or designee shall post in each K-12 classroom in each school a notice containing the components specified in Education Code 35186. In each license exempt CSPP classroom, a notice containing the components specified in Education Code 8235.5 shall be posted. (Education Code 8235.5, 35186)

Filing of Complaint

Note: Education Code 8235.5 and 35186 requires that complaints be investigated and resolved within the timelines specified below. During the Federal Program Monitoring (FPM) process, CDE staff will expect to see statements regarding the filing of the complaint, the investigation, timelines, and the complainant's right to appeal to the Governing Board and to appeal facilities complaints to CDE, as detailed in the following section and the section "Investigation and Response" below.

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee, or the preschool administrator or designee as appropriate, at the school in which the complaint arises. A complaint about problems beyond the authority of the principal or preschool administrator shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (Education Code 8235.5, 35186; 5 CCR 4680)

Investigation and Response

The principal/preschool administrator or a designee of the Superintendent shall make all reasonable efforts to investigate any problem within their the principal's or designee's authority. (Education Code 8235.5, 35186; 5 CCR 4685)

Investigation of a complaint regarding preschool health or safety issues shall begin within 10 calendar days of receipt of the complaint. (Education Code 8235.5)

The principal/preschool administrator or Superintendent's designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 8235.5, 35186; 5 CCR 4685)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the principal/preschool administrator or Superintendent's designee shall report the resolution of the complaint to the complainant within 45 working days of the initial filing of the complaint. If the principal/preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8235.5, 35186; 5 CCR 4680, 4685)

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Note: Education Code 48985 specifies that, when 15 percent or more of the students enrolled in a particular school speak a single primary language other than English, all notices, reports, statements, or records sent to the parents/guardians of such students be written in English and in the primary language. Education Code ~~8235.5~~ and 35186 requires that, when Education Code 48985 is applicable, any response requested by the complainant must be written in English and in the primary language in which the complaint was filed.

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code ~~8235.5~~, 35186)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code ~~8235.5~~, 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a ~~or #4~~ in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal/~~preschool administrator~~ or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code ~~8235.5~~, 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Education Code ~~8235.5~~, 35186; 5 CCR 4686)

(cf. 1340 - Access to District Records)

Reports

Note: During the FPM process, CDE staff will expect to see the following statement.

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled public Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code ~~8235.5~~, 35186; 5 CCR 4686)

Legal Reference: (see next page)

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference:

EDUCATION CODE

234.1 Prohibition of discrimination, harassment, intimidation, and bullying

1240 County superintendent of schools, duties

~~8235-8239.1 California State Preschool Programs, especially:~~

~~8235.5 California State Preschool Program, complaints regarding health and safety issues~~

17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account

33126 School accountability report card

35186 Williams uniform complaint procedures

35292.5-35292.6 Restrooms, maintenance and cleanliness

48985 Notice to parents in language other than English

60119 Hearing on sufficiency of instructional materials

HEALTH AND SAFETY CODE

~~1596.792 California Child Day Care Act; general provisions and definitions~~

~~1596.7925 California Child Day Care Act; health and safety regulations~~

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4680-4687 Williams uniform complaint procedures

UNITED STATES CODE, TITLE 20

6314 Title I schoolwide program

Management Resources:

WEB SITES

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

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

California Department of Education, Williams case: <http://www.cde.ca.gov/eo/ce/wc>

State Allocation Board, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

(8/14 3/19) 5/20

CSBA Sample Exhibit

Community Relations

E(3) 1312.4(a)

WILLIAMS UNIFORM COMPLAINT PROCEDURES

Note: Education Code 8235.5, as added by AB 1808 (Ch. 32, Statutes of 2018), requires that the following notice be posted in each classroom with a license exempt California State Preschool Program (CSPP) (Education Code 8235 8239.1). The notice must include the health and safety requirements that apply to such CSPP programs pursuant to Health and Safety Code 1596.7925, which may be the subject of a complaint under the Williams uniform complaint procedures.

NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS: PRESCHOOL COMPLAINT RIGHTS

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 8235.5, you are hereby notified that any California State Preschool Program that is exempt from licensure must have:

1. Outdoor shade that is safe and in good repair
2. Drinking water that is accessible and readily available throughout the day
3. Safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children
4. Restroom facilities that are available only for preschoolers and kindergartners
5. Visual supervision of children at all times
6. Indoor and outdoor space that is properly contained or fenced and provides sufficient space for the number of children using the space at any given time
7. Playground equipment that is safe, in good repair, and age appropriate

Note: Education Code 8235.5 requires that the notice include the location to obtain a complaint form and provides that posting a notice downloadable from the CDE's web site will satisfy this requirement. The law does not require that complaint forms be placed in any specific location. The following paragraph lists locations where complaint forms may be available and should be modified to reflect district practice, including adding the school and district web site addresses.

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the district's Williams uniform complaint procedures as required by law. A complaint form may be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

copy of the California Department of Education complaint form from the following web site: <http://www.cde.ca.gov/re/ep/uc>. However, a complaint need not be filed using either the district's complaint form or the complaint form from the California Department of Education.

CSBA Sample Exhibit

Community Relations

E(4) 1312.4(a)

WILLIAMS UNIFORM COMPLAINT PROCEDURES

Note: Pursuant to Education Code 8235.5, as added by AB 1808 (Ch. 32, Statutes of 2018), Williams uniform complaint procedures should be used for complaints alleging that a license exempt California State Preschool Program (CSPP) does not comply with any of the health and safety requirements specified in Health and Safety Code 1596.7925.

PRESCHOOL COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES

Education Code 8235.5 requires that the complaint procedures in 5 CCR 4680-4687 be used for the filing of complaints concerning noncompliance with health and safety standards for license exempt California State Preschool Programs. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? Yes No

Contact information: (if response is requested)

Name: _____

Address: _____

Phone number: Day: _____ Evening: _____

E-mail address, if any: _____

Date problem was observed: _____

Location of the problem that is the subject of this complaint:

School name/address: _____

Room number/name of room/location of facility: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or district for the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

The preschool does not have outdoor shade that is safe and in good repair.

Drinking water is not accessible and/or readily available throughout the day.

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

The preschool does not provide safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children.

Restroom facilities are not available only for preschoolers and kindergartners.

The preschool program does not provide visual supervision of children at all times.

Indoor or outdoor space is not properly contained or fenced or does not provide sufficient space for the number of children using the space at any given time.

Playground equipment is not safe, in good repair, or age appropriate.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation.

Note: Education Code 8235.5, as added by AB 1808, requires complaints identified above to be filed with the preschool administrator or designee. Districts should specify the names and/or locations in the spaces below.

Please file this complaint at the following location:

(preschool administrator or designee)

(address)

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

(Signature) (Date)

CSBA Sample Board Policy

Community Relations

BP 1340(a)

ACCESS TO DISTRICT RECORDS

Note: The following **optional** policy and accompanying administrative regulation reflect requirements of the California Public Records Act (CPRA) (Government Code 6250-6270) pertaining to public access to public records of the district. "Public records," as defined by Government Code 6252, include any **records writing containing information** relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics; see **section on** "Definitions" in the accompanying administrative regulation. For information regarding retention of records, see BP/AR 3580 - District Records, AR 4112.6/4212.6/4312.6 - Personnel Files, and BP/AR 5125 - Student Records.

The Governing Board recognizes the right of **citizens members of the public** to have access to public records of the district. The **Board intends the** district **to shall** provide any person reasonable access to the public records of the schools and district during normal business hours and within the requirements of law. Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act and other state or federal law.

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3580 - District Records)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

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

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

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 6162.5 - Student Assessment)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

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

Note: In City of San Jose v. Superior Court, the California Supreme Court held that communications regarding public business **transmitted to or that have been sent, received, or stored** by public officials on a personal account or device are not categorically exempt from disclosure under the CPRA (Government Code 6250-6270). The court noted that public agencies are required to disclose all applicable records that can be located "with reasonable effort," including those records contained on a public official's or employee's personal device regardless of whether they were transmitted through district servers. Such searches need not be extraordinarily **vily extensive** or intrusive. For further information, see CSBA's Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications. Also see AR 3580 - District Records and BB 9012 - Board Member Electronic Communications.

In response to a public records request, the Superintendent or designee shall make reasonable efforts to locate the requested records, including, but not limited to, any electronic communication substantively related to the records, such as email, text messages, instant messages, and other electronic communications, regardless of whether they are transmitted through a district-provided device or account or through an employee's or Board member's personal device or account.

ACCESS TO DISTRICT RECORDS (continued)

(cf. 4040 - Employee Use of Technology)

(cf. 9012 - Board Member Electronic Communications)

Note: Government Code 6253 authorizes the district to charge a person requesting a copy of a record a fee covering the direct costs of duplication; however, no fee can be charged to a person who wishes to inspect but not copy a record. In North County Parents Organization for Children with Special Needs v. Department of Education, the court determined that direct costs include only the cost of running the copy machine and possibly the expense of the person operating it. **Examples of costs that do not fit this definition include costs associated with** ~~Direct costs do not include the other costs that may be associated with the request, such as~~ searching, reviewing, or redacting the record; assisting the requester in formulating the request; responding to the request; or employee time to sit with the requester during inspection of the record. Because it is not clearly authorized by law, districts wishing to charge for the cost of the copy machine operator should consult with legal counsel.

In addition, Government Code 6253 authorizes districts to provide faster access or access to more records than the minimum standards provided by law. According to the court in North County Parents Organization, this provision permits a district to waive or reduce its fees, **as a reduction in copy fees permits greater access to records**. For example, a district may consider waiving fees below a certain dollar threshold because the costs of collecting the fee exceed the fee amount.

Pursuant to Government Code 6253, as amended by AB 1819 (Ch. 695, Statutes of 2019), members of the public who request to inspect a disclosable record of the district have the right to use their own equipment on district premises, without being charged any fees or costs, to photograph, copy, or reproduce the record in a manner that does not require the equipment to make physical contact with the record. For further information about exceptions and limitations on the use of one's own equipment to copy a record of the district, see "Inspection of Records and Requests for Copies" in the accompanying administrative regulation.

The district may charge for copies of public records or other materials requested by individuals or groups, **unless they are using their own personal equipment to reproduce the record**. The charge shall be based on actual costs of duplication, as determined by the Superintendent or designee and as specified in administrative regulation.

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

In order to help maintain the security of district records, members of the public granted access shall examine records in the presence of a district staff member.

Legal Reference: (see next page)

ACCESS TO DISTRICT RECORDS (continued)

Legal Reference:

EDUCATION CODE

234.7 Student protections relating to immigration and citizenship status

35145 Public meetings

35170 Authority to secure copyrights

35250 Duty to keep certain records and reports

41020 Requirement for annual audit

42103 Publication of proposed budget; hearing

44031 Personnel file contents and inspections

44839 Medical certificates; periodic medical examination

49060-49079 Student records

49091.10 Parental review of curriculum and instruction

GOVERNMENT CODE

3547 Proposals relating to representation

6250-6270 California Public Records Act

6275-6276.48 **California Public Records Act; other exemptions from disclosure**

8310.3 California Religious Freedom Act

53262 Employment contracts

54957.2 Minute book record of closed sessions

54957.5 Agendas and other writings distributed for discussion or consideration

81008 Political Reform Act, public records; inspection and reproduction

~~8310.3 California Religious Freedom Act~~

CALIFORNIA CONSTITUTION

Article I, Section 3 Right of access to governmental information

CODE OF REGULATIONS, TITLE 5

430-438 Individual student records

COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608

Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282

Sacramento County Employees' Retirement System v. Superior Court (2011) 195 Cal. App. 4th 440

International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319

Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381

Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324

Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414

North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144

ATTORNEY GENERAL OPINIONS

71 Ops. Cal. Atty. Gen. 235 (1988)

64 Ops. Cal. Atty. Gen. 186 (1981)

Management Resources: (see next page)

ACCESS TO DISTRICT RECORDS (continued)

Management Resources:

CSBA PUBLICATIONS

Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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, April 2018

California Department of Justice Guidelines for Access to Public Records, October 2017

Summary of the California Public Records Act, 2004

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

The People's Business: A Guide to the California Public Records Act, 2008 rev. April 2017

WEB SITES

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

California Office of the Attorney General: <https://oag.ca.gov>

Institute for Local Government: <http://www.cacities.org>

State Bar of California: <http://www.calbar.ca.gov>

(11/08 5/17) 5/20

Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Community Relations

AR 1340(a)

ACCESS TO DISTRICT RECORDS

Note: Article 1, Section 3 of the California Constitution grants any person the right to access information concerning meetings and writings of state and local government bodies, officials, and agencies as long as the constitutional rights of privacy and due process are protected. Courts broadly interpret rules or laws granting access and narrowly interpret those denying access; thus, the burden is on the district to demonstrate the need for restricting access to public records.

The following **optional** administrative regulation lists those records defined as public and, in contrast, those defined as confidential to which there is no public access. It is not intended to provide an all-inclusive list of records that may be defined as either public or confidential.

Definitions

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

Emails and other electronic communications related in a substantive manner to district business are considered public records. Furthermore, in City of San Jose v. Superior Court, the California Supreme Court held that using a personal account or personal device to send, ~~or receive~~, **or store** communications regarding public business does not categorically exclude those records from disclosure upon request under the California Public Records Act (CPRA) (Government Code 6250-6270). The court noted that public agencies are required to disclose all applicable records that can be located "with reasonable effort," including those records contained on a public employee's or official's personal device or account. Such searches need not be extraordinarily **orily extensive** or intrusive. For further information, see CSBA's Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications. Also see the accompanying Board policy, AR 3580 - District Records, and BB 9012 - Board Member Electronic Communications.

Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. (Government Code 6252)

(*cf.* 3580 - District Records)

(*cf.* 9012 - Board Member Electronic Communications)

Writing means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

Member of the public means any person, except a member, agent, officer, or employee of the district or a federal, state, or other local agency acting within the scope of such membership, agency, office, or employment. (Government Code 6252)

ACCESS TO DISTRICT RECORDS (continued)

Public Records

Note: While not specifically enumerated in Government Code 6252, items #1-14 below are items which fall within the definition of "public records."

Public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved district budgets and annual audits (Education Code 41020, 42103)

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

2. Statistical compilations

3. Reports and memoranda

4. Notices and bulletins

5. Minutes of public meetings (Education Code 35145)

(cf. 9324 - Minutes and Recordings)

6. Meeting agendas (Government Code 54957.5)

(cf. 9322 - Agenda/Meeting Materials)

7. Official communications between the district and other government agencies

Note: District and school plans (e.g., local control and accountability plan, school plan for student achievement, comprehensive safety plan) must generally be accessible to the public. However, pursuant to Education Code 32281, the Governing Board may choose to prohibit disclosure of those portions of the comprehensive safety plan that include tactical responses to criminal incidents **that may result in death or serious bodily injury at the school site**. See BP 0450 - Comprehensive Safety Plan.

8. District and school plans, and the information and data relevant to the development and evaluation of such plans, unless otherwise prohibited by law

(cf. 0400 - Comprehensive Plans)

(cf. 0420 - School Plans/Site Councils)

(cf. 0440 - District Technology Plan)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3543 - Transportation Safety and Emergencies)

ACCESS TO DISTRICT RECORDS (continued)

(cf. 7110 - Facilities Master Plan)

9. Initial proposals of exclusive employee representatives and of the district (Government Code 3547)

(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)

Note: Although Government Code 6254 exempts from disclosure those records pertaining to pending litigation, **until the pending litigation or claim has been finally adjudicated or otherwise settled.** However, the Attorney General opined in 71 Ops.Cal.Atty.Gen. 235 (1988) that records predating the filing of the lawsuit are subject to disclosure. In Fairley v. Superior Court, a California Court of Appeal concurred and held that documents were exempted only if they were prepared for use in litigation. (See item #2 in the section "Confidential Records" below.) The Board should consult legal counsel if it believes that any document related to litigation should not be disclosed.

10. Records pertaining to claims and litigation against the district which have been adjudicated or settled (Government Code 6254, 6254.25)

(cf. 3320 - Claims and Actions Against the District)

11. Statements of economic interests required by the Conflict of Interest Code (Government Code 81008)

(cf. 9270 - Conflict of Interest)

Note: Generally, the names and salaries of public employees are subject to disclosure under the CPRA. In Sacramento County Employees Retirement System v. Superior Court, a California Court of Appeal held that the names and corresponding pension benefits of members of a county retirement system are subject to disclosure and are not considered "individual records of members" protected by Government Code 31532. However, in International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, the California Supreme Court recognized that, in some instances, the salaries of certain employees might be exempt from disclosure, depending on the facts and circumstances. The Board should consult legal counsel if it believes that any document related to the names and salaries of public employees should not be disclosed.

12. Documents containing names, salaries, and pension benefits of district employees

13. Employment contracts and settlement agreements (Government Code 53262)

(cf. 2121 - Superintendent's Contract)

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

(cf. 4141/4241 - Collective Bargaining Agreement)

14. Instructional materials including, but not limited to, textbooks (Education Code 49091.10)

ACCESS TO DISTRICT RECORDS (continued)

(cf. 5020 - Parent Rights and Responsibilities)

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

Access to public records of the district shall be granted to Governing Board members on the same basis as any other member of the public. When Board members are authorized to access public records in the administration of their duties, the Superintendent or designee shall not discriminate among any of the Board members as to which record, or portion of the record, will be made available, or when it will be made available. (Government Code 6252.5, 6252.7)

Note: Government Code 6254.29 specifies that the CPRA does not require a district to disclose an employee's a social security number and states the Legislature's intent that districts will redact social security numbers from any records being disclosed to the public. In addition, Government Code 6254.3 prohibits disclosure of an employee's personal cell phone number and birth date.

When disclosing to a member of the public any record that contains personal information, including, but not limited to, an employee's home address, home telephone number, social security number, personal cell phone number, or birth date, the Superintendent or designee shall ensure that such personal information is redacted from that record. (Government Code 6254.29, 6254.3)

Confidential Public Records

Note: Education Code 234.7 prohibits the collection of information or documents regarding the citizenship or immigration status of students or their family members. If the district becomes aware of the citizenship or immigration status of any student, it is prohibited from disclosing that information to U.S. Immigration and Customs Enforcement (ICE), as such disclosure is not among the limited exceptions specified in law for which student records may be released without parental consent or a lawful judicial order. An ICE "administrative warrant" is not a court order that would allow a district to disclose student records without parent/guardian consent. See BP/AR 5125 - Student Records, BP/AR 5145.13 - Response to Immigration Enforcement, and the Office of the Attorney General's publication Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues.

In addition, pPursuant to Government Code 8310.3, districts are prohibited from collecting or disclosing to federal government authorities any personal information regarding an individual's religious beliefs, practices, or affiliation for the purpose of compiling a list, registry, or database of individuals based on religious affiliation, national origin, or ethnicity.

~~In addition, Education Code 234.7 prohibits the collection of information or documents regarding the citizenship or immigration status of students or their family members. If the district becomes aware of the citizenship or immigration status of any student, it is prohibited from disclosing that information to U.S. Immigration and Customs Enforcement (ICE), as such disclosure is not among the limited exceptions specified in law for which student records may be released without parental consent or a lawful judicial order. An ICE "administrative warrant" is not a court order that would allow a district to disclose student records without parent/guardian consent. See BP/AR 5125 - Student Records, BP/AR 5145.13 - Response to Immigration Enforcement, and the Office of the Attorney General's publication Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues.~~

ACCESS TO DISTRICT RECORDS (continued)

Unless otherwise authorized or required by law, information regarding an individual's citizenship or immigration status or religious beliefs, practices, or affiliation shall not be disclosed to federal government authorities. (Education Code 234.7; Government Code 8310.3)

(cf. 5145.13 - Response to Immigration Enforcement)

Records to which the members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, and interagency or intradistrict memoranda that are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

2. Records specifically generated in connection with or prepared for use in litigation to which the district is a party or to respond to claims made against the district pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law (Government Code 6254, 6254.25)
3. Personnel records, medical records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

(cf. 4112.5/4212.5/4312.5) - Criminal Record Check)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)

The home addresses, home telephone numbers, personal cell phone numbers, or birth date of employees may only be disclosed as follows: (Government Code 6254.3)

- a. To an agent or a family member of the employee
- b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties
- c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, except that the home address and any telephone number for an employee who performs law enforcement-related functions, or the birth date of any employee, shall not be disclosed

ACCESS TO DISTRICT RECORDS (continued)

Upon written request of any employee, the district shall not disclose the employee's home address, home telephone number, personal cell phone number, **personal email address**, or birth date, and the district shall remove ~~this information~~ **the home address, home telephone number, and personal cell phone number** from any mailing list of the district except a list used exclusively to contact the employee.

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

- d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents

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

4. Student records, except directory information and other records to the extent permitted ~~under the law, when disclosure is authorized~~ by law **and district policy**

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.3 - Challenging Student Records)

5. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)

(cf. 6162.51 - State Academic Achievement Tests)

6. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the district relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)

7. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in an unfair competitive disadvantage to the person supplying the information (Government Code 6254)

8. Library circulation and patron use records of a borrower or patron including, but not limited to, name, address, telephone number, email address, borrowing information, or use of library information resources, except when disclosure is to persons acting

ACCESS TO DISTRICT RECORDS (continued)

within the scope of their duties in the administration of the library; to persons authorized in writing, by the individual to whom the records pertain, to inspect the records; or by court order (Government Code 6254, 6267)

(cf. 6163.1 - Library Media Centers)

Note: The following exemption protects attorney-client privileged communications and attorney work product, as well as other work product prepared for use in pending litigation or claims. Pursuant to the Rules of Professional Conduct of the State Bar of California, when an attorney has been hired to represent the district as a whole, this privilege may only be waived by the Board.

In Los Angeles County Board of Supervisors v. Superior Court, the California Supreme Court held that invoices for the services of district counsel, or portions of those invoices, may be privileged and therefore exempt from disclosure. The Board should consult with legal counsel to determine what records to disclose in response to a CPRA request for such invoices.

9. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)

(cf. 9124 - Attorney)

10. Documents prepared by or for the district to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code 6254)
11. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school district (Government Code 6253.5)

(cf. 9223 - Filling Vacancies)

12. Minutes of Board meetings held in closed session (Government Code 54957.2)

(cf. 9321 - Closed Session Purposes and Agendas)

13. Computer software developed by the district (Government Code 6254.9)
14. Information security records, the disclosure of which would reveal vulnerabilities to, or otherwise increase potential for an attack on, the district's information technology system (Government Code 6254.19)
15. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)

ACCESS TO DISTRICT RECORDS (continued)

(cf. 5141.6 - School Health Services)

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

Note: Item #17 below reflects an exemption often referred to as the "catch-all" or "public interest" exemption pursuant to Government Code 6255. This exemption allows a district to withhold a record based on analysis of the specific facts of the situation and in light of the competing public interests. This exemption also includes the "deliberative process privilege" which is designed to protect a district's decision-making process in order to encourage candid discussions within the district. Legal counsel should be consulted to determine whether a request for a record falls under this exemption.

17. Any other records for which the district can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

Inspection of Records and Requests for Copies

Note: Court decisions have held that a public record request may be made orally, by phone, or in writing, including by email, fax, or hand delivery. The district may ask, but not require, that the person put an oral request in writing.

Any person may request a copy or inspection of any district record that is **open to the public** **and** not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request to inspect or copy a district record, the Superintendent or designee shall determine whether the request seeks release of a disclosable public record in the district's possession. The Superintendent or designee shall promptly inform the person making the request of the determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester **and** setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request

ACCESS TO DISTRICT RECORDS (continued)

3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the district (e.g., two different school sites) with substantial interest in the request
4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 6253)

Public records shall be open to inspection at all times during district office hours. Any reasonably segregable portion of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Government Code 6253)

Note: Government Code 6253 states that copies of records must be provided "promptly." The term "promptly" is not defined in law, but Government Code 6253 also states that a district may not delay or obstruct the **inspection or** copying of records. Thus, if the records are held in a manner that allows for prompt disclosure, the records generally should not be withheld because of the 10-day response period or the 14-day extension detailed above.

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

Note: The following **optional** paragraph is for use by districts that charge for copies. See the accompanying Board policy.

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Superintendent or designee.

Note: Pursuant to Government Code 6253, as amended by AB 1819 (Ch. 695, Statutes of 2019), members of the public have the right to use their own equipment on district premises to copy a disclosable record, without being charged any fees or costs. The record must be reproduced in a manner as specified below.

Without charging any fees or costs, the Superintendent or designee shall allow members of the public to use their own equipment on district premises to photograph or otherwise copy or reproduce a disclosable record as long as the means of copy or reproduction: (Government Code 6253)

ACCESS TO DISTRICT RECORDS (continued)

- 1. Do not require the equipment to make physical contact with the record**
- 2. Will not result in damage to the record**
- 3. Will not result in unauthorized access to the district's computer systems or secured networks by using software, equipment, or any other technology capable of accessing, altering, or compromising the district's electronic records**

Note: Government Code 6253, as amended by AB 1819, authorizes the district to impose reasonable limits on the use of personal equipment by members of the public to copy disclosable records, as specified below.

The Superintendent or designee may impose any reasonable limit on the use of personal equipment to photograph, copy, or reproduce a disclosable record that is necessary to protect the safety of the records, or to prevent the copying of records from being an unreasonable burden to the orderly function of the district and its employees. The Superintendent or designee may also impose any limit that is necessary to maintain the integrity of, or ensure the long-term preservation of, historic or high-value records. (Government Code 6253)

In addition to maintaining public records for public inspection during district office hours, the district may comply with public records requests by posting any public record on the district's web site and, in response to a public records request, directing the member of the public to the location on the web site where the record can be found. However, if the member of the public is unable to access or reproduce the record from the web site, the district shall promptly provide an exact copy of the public record upon payment of duplication fees, if applicable, unless it is impracticable to provide an exact copy. (Government Code 6253)

If any person requests that a public record be provided in an electronic format, the district shall make that record available in any electronic format in which it holds the information. The district shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the district to create copies for its own use or for use by other agencies. (Government Code 6253.9)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.

ACCESS TO DISTRICT RECORDS (continued)

2. The request would require data compilation, extraction, or programming to produce the record.

Assistance in Identifying Requested Records

Note: Government Code 6253.1 requires the district to assist a person requesting to inspect or obtain a copy of a public record as specified below. This assistance is not required if the district grants the request and the records are made available or if the request is denied on the grounds that the records are confidential.

If the Superintendent or designee denies a request for disclosable records, the requester shall be assisted in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist
3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the Public Records Act shall not be construed so as to delay or obstruct the inspection or copying of public records. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)

(12/16 3/19) 5/20

CSBA Sample Board Policy

All Personnel

BP 4112.9(a)

4212.9

EMPLOYEE NOTIFICATIONS

4312.9

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide district employees all notifications required by law and any other notifications ~~he/she~~ **the Superintendent or designee** believes will promote staff knowledge of the district's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, district employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

(cf. 3580 - District Records)

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

Legal Reference:

EDUCATION CODE

231.5 Sexual harassment policy

17612 Notification of pesticide use

22455.5 STRS information to potential members

22461 Postretirement compensation limitation

35031 Nonreelection of superintendent, assistant superintendent, or manager of classified services

35171 Notice of regulations pertaining to certificated employee evaluations

37616 Notice of public hearing on year-round schedule

44031 Personnel file contents, inspection

44663-44664 Evaluation of certificated employees

44842 Reemployment notices, certificated employees

44896 Transfer of administrator or supervisor to teaching position

44916 Written statement of employment status

44929.21 Reelection or nonreelection of probationary employee after second year

44929.23 Reelection notice, districts with less than 250 ADA

44934 Notice of disciplinary action for cause

44934.1 Suspension or dismissal for egregious misconduct

44936 Notice of suspension or dismissal

44938 Notice of unprofessional conduct and opportunity to correct

44940.5-44941 Notification of suspension and intent to dismiss

44948.3 Dismissal of probationary employees

44948.5 Nonreelection procedures, districts under 250 ADA

44949 Cause, notice and right to hearing

44951 Continuation in position unless notified, administrative or supervisory personnel

44954 Nonreelection of temporary employees

44955 Reduction in number of employees

45113 Notification of charges, classified employees

Legal Reference continued: (see next page)

BP 4112.9(b)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

Legal Reference: (continued)

EDUCATION CODE (continued)

- 45117 Notice of layoff, classified employees
- 45169 Employee salary data, classified employees
- 45192 Industrial and accident leave
- 45195 Additional leave
- 46162 Notice of public hearing on block schedule
- 49013 Complaints regarding student fees
- 49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion
- 49414 Epinephrine auto-injectors
- 49414.3 Administration of opioid antagonist

CIVIL CODE

- 1798.29 District records, breach of security

GOVERNMENT CODE

- 1126 Incompatible activities of employees
- ~~3100-3109 Oath or affirmation of allegiance~~
- 8355 Certification of drug-free workplace, including notification
- 12950 Sexual harassment
- 21029 Retirement credit for period of military service
- 54957 Complaints against employees; right to open session
- 54963 Unauthorized disclosure of confidential information

HEALTH AND SAFETY CODE

- 1797.196 Automated external defibrillators; notification of use and locations
- 104420 Tobacco-free schools
- 120875 Information on AIDS, AIDS-related conditions, and hepatitis B
- 120880 Notification to employees re AIDS, AIDS-related conditions, and hepatitis B

LABOR CODE

- 245-249 Healthy Workplaces, Healthy Families Act of 2014
- 1034 Lactation accommodation
- 2800.2 Notification of availability of continuation health coverage
- 2810.7 Notice to participate in flexible spending account
- 3550-3553 Notifications re: workers' compensation benefits
- 5401 Workers' compensation; claim form and notice of potential eligibility

PENAL CODE

- 11105 Access to criminal history information
- 11105.2 Subsequent arrest notification
- 11165.7 Child Abuse and Neglect Reporting Act; notification requirement
- 11166.5 Employment; statement of knowledge of duty to report child abuse or neglect

UNEMPLOYMENT INSURANCE CODE

- 2613 Disability insurance; notice of rights and benefits

CODE OF REGULATIONS, TITLE 2

- 11023 Nondiscrimination in employment

~~11024 Sexual harassment~~

- 11049 Notice of right to request pregnancy disability leave or transfer
- 11091 California Family Rights Act, designation notice
- 11096 Notice of right to request family care leave

CODE OF REGULATIONS, TITLE 5

- 4622 Uniform complaint procedures
- 80303 Reports of change in employment status, alleged misconduct

Legal Reference continued: (see next page)

BP 4112.9(c)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

Legal Reference: (continued)

CODE OF REGULATIONS, TITLE 8

3204 Employees exposed to bloodborne pathogens, access to exposure and medical records

5191 Chemical hygiene plan

~~5193 California bloodborne pathogens standard~~

5194 Hazard communication program

CODE OF REGULATIONS, TITLE 13

1234 Reports regarding school buses and bus drivers

2480 Vehicle idling, limitations

UNITED STATES CODE, TITLE 38

4334 Uniformed Services Employment and Reemployment Rights Act, notice requirement

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

CODE OF FEDERAL REGULATIONS, TITLE 29

825.300 Family and Medical Leave Act; notice requirement

CODE OF FEDERAL REGULATIONS, TITLE 34

84.205-84.210 Drug-free workplace statement

104.8 Nondiscrimination

106.9 Dissemination of policy, nondiscrimination on basis of sex

CODE OF FEDERAL REGULATIONS, TITLE 40

763.84 Asbestos inspections, response actions and post-response actions

763.93 Asbestos management plans

CODE OF FEDERAL REGULATIONS, TITLE 49

382.113 Controlled substance and alcohol use and testing notifications

382.303 Post-accident information, procedures, and instructions

382.601 Controlled substance and alcohol use and testing notifications

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Policy Reference UPDATE Service

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CSBA Sample Exhibit

All Personnel

E 4112.9(a)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS

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

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees			
At the beginning of school year or upon employment	Education Code 231.5; Government Code 12950; 2 CCR 11024	AR 4119.11 4219.11 4319.11	The district's policy on sexual harassment, legal remedies, complaints
Annually to all employees, and 72 hours before pesticide application	Education Code 17612	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information
To all employees, prior to implementing year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round program
To all employees, prior to implementing alternative schedule	Education Code 46162	AR-BP 6112	Public hearing on alternative schedule in secondary grades
Annually to all employees	Education Code 49013; 5 CCR 4622	AR 1312.3 BP 0460 BP 3260	Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan
Annually to all employees	Education Code 49414	AR 5141.21	Request for volunteers to be trained to administer epinephrine auto-injectors
At least once per year	Education Code 49414.3	AR 5141.21	Request for volunteers to be trained to administer opioid antagonist
To all employees	Government Code 1126	BP 4136 4236 4336	Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal

E 4112.9(b)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
Prior to beginning employment	Government Code 3102	AR 4112.3 4212.3 4312.3	Oath or affirmation of allegiance required of disaster service workers
To all employees	Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210	BP 4020 BP 4159 4259 4359	District's drug- and alcohol-free workplace; actions to be taken if violated; available employee assistance programs
Upon employment	Government Code 21029	None	Right to purchase PERS service credit for military service performed prior to public employment
Upon placement of automated external defibrillator (AED) in school, and annually thereafter	Health and Safety Code 1797.196	AR 5141	Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan
To all employees, if the district receives Tobacco-Use Prevention Education funds	Health and Safety Code 104420	AR 3513.3	District's tobacco-free schools policy and enforcement procedures
Annually to all employees, or more frequently if there is new information	Health and Safety Code 120875, 120880	ARBP 4119.43 4219.43 4319.43	AIDS and hepatitis B, including methods to prevent exposure
To all employees, with each paycheck	Labor Code 246	AR 4161.1 4361.1 AR 4261.1	Amount of sick leave available
Upon hire, in employee handbook, and upon request for parental leave	Labor Code 1034	BP 4033	The district's policy on lactation accommodation
To covered employees and former employees	Labor Code 2800.2	AR 4154 4254 4354	Availability of COBRA/ Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage
To employees participating in a flexible spending account	Labor Code 2810.7	None	Deadline to withdraw funds from account before the end of the plan year

E 4112.9(c)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
To every new employee, either at the time employee is hired or by end of first pay period	Labor Code 3551	BPAR 4157.1 4257.1 4357.1	Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor
Prior to beginning employment	Penal Code 11165.7, 11166.5	AR 5141.4	Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law
Upon employment, and when employee goes on leave for specified reasons	Unemployment Insurance Code 2613	AR 4154 4254 4354	Disability insurance rights and benefits
To all employees and job applicants	2 CCR 11023; 34 CFR 104.8, 106.9	BP 0410 BPAR AR 4030	District's policy on nondiscrimination and related complaint procedures
To all employees via employee handbook, or to each new employee	2 CCR 11091, 11095; 29 CFR 825.300	AR 4161.8 4261.8 4361.8	Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act(cfRA); obligation to provide 30 days' notice of need for leave when possible
Annually to all employees	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; inspections, response actions, post-response actions planned or in progress
II. To Certificated Employees			
To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire	Education Code 22455.5	AR 4121	Criteria for membership in retirement system; right to elect membership at any time
Upon employment of a retired certificated individual	Education Code 22461	AR 4117.14 4317.14	Postretirement earnings limitation or employment restriction; monthly report of compensation

E 4112.9(d)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees (continued)			
To certificated employees	Education Code 35171	AR 4115 BP 4315	District regulations related to performance evaluations
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated	Education Code 44663	AR 4115	Copy of employee's evaluation
To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee	Education Code 44664	AR 4115	Notice and description of the unsatisfactory performance
By May 30, if district issues reemployment notices to certificated employees	Education Code 44842	AR 4112.1	Request that the employee notify district of intent to remain in service next year
To certificated employees upon employment, and to nonpermanent employees in July of each school year	Education Code 44916	AR 4112.1 AR 4121	Employment status and salary
To probationary employee, by March 15 of employee's second year of employment, in districts that grant permanent status after two years	Education Code 44929.21, 44929.23 , 44948.5	BP 4116	Whether or not employee is reelected for next school year
When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year	Education Code 44934, 44934.1, 44936	BP 4118 AR 4118	Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice
To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/ dismissal notice	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct

E 4112.9(e)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

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

III. To Classified Employees

~~To classified employee charged with mandatory leave of absence offense, in merit system district~~ ~~Education Code 44940.5~~ ~~AR 4218~~ ~~Notice of intent to dismiss in 30 days~~

E 4112.9(f)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. To Classified Employees (continued)			
When classified employee is subject to disciplinary action for cause, in nonmerit district	Education Code 45113	AR 4218	Notice of charges, right to hearing, timeline for requesting hearing
To classified employees at least 60 days prior to layoff, or by April 29 for specially funded program that expires at end of school year	Education Code 45117	AR 4217.3	Notice of layoff and reemployment rights
To classified employees upon employment and upon each change in classification	Education Code 45169	AR 4212	Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek
To classified permanent employee whose leave is exhausted	Education Code 45192, 45195	AR 4261.1 AR 4261.11	Exhaustion of leave, opportunity to request additional leave
To school bus drivers and school activity bus drivers prior to expiration of specified documents	13 CCR 1234	AR 3542	Expiration date of driver's license, driver's certificate and medical certificate; need to renew
To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter	13 CCR 2480	AR 3542	Limitations on vehicle idling; consequences of not complying
To school bus drivers, prior to district drug testing program and thereafter upon employment	49 CFR 382.113, 382.601	BP-AR 4112.42 4212.42 4312.42	Explanation of federal requirements for drug testing program and district's policy
To school bus drivers, prior to operating school bus	49 CFR 382.303	AR 4112.42 4212.42 4312.42	Post-accident information, procedures, and instructions

E 4112.9(g)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. To Administrative/Supervisory Personnel			
To superintendent, deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract	Education Code 35031	BP 2121 BP 4312.1	Decision not to reelect or reemploy upon expiration of contract or term
Upon request by administrative or supervisory employee transferred to teaching position	Education Code 44896	AR 4313.2	Statement of the reasons for the release or reassignment
By March 15 to employee who may be released/reassigned the following school year	Education Code 44951	AR 4313.2	Notice that employee may be released or reassigned the following school year
V. To Individual Employees Under Special Circumstances			
In the event of a breach of security of district records, to affected employees	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies
Prior to placing derogatory information in personnel file	Education Code 44031	AR 4112.6 4212.6 4312.6	Notice of derogatory information, opportunity to review and comment
To employees who volunteer to administer epinephrine auto-injector	Education Code 49414	AR 5141.21	Defense and indemnification from civil liability by the district
To employees returning from military leave of absence, within 30 days of return	Government Code 20997	AR 4161.5 4261.5 4361.5	Right to receive PERS service credit for military service; application form
24 hours before Board meets in closed session to hear complaints or charges against employee	Government Code 54957	BB 9321	Employee's right to have complaints/charges heard in open session
When taking disciplinary action against employee for disclosure of confidential information	Government Code 54963	BP 4119.23 4219.23 4319.23	Law prohibiting disclosure of confidential information obtained in closed session

E 4112.9(h)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
Within one working day of work-related injury or victimization of crime	Labor Code 3553, 5401	BP AR 4157.1 4257.1 4357.1	Potential eligibility for workers' compensation benefits, claim form
When adverse employment action is based on DOJ criminal history information or subsequent arrest notification	Penal Code 11105, 11105.2	AR 4112.5 4212.5 4312.5	Copy of DOJ notification
To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter	8 CCR 3204	AR 4119.42 4219.42 4319.42	The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation	8 CCR 5191	AR 3514.1	Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material
To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area	8 CCR 5194	AR 3514.1	Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights
To employee eligible for military leave	38 USC 4334	AR 4161.5 4261.5 4361.5	Notice of rights, benefits, and obligations under military leave
Within five days of employee's request for FMLA leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave	29 CFR 825.300; 2 CCR 11049, 11091	AR 4161.8 4261.8 4361.8	Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice

E 4112.9(i)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
Whenever notice of eligibility for FMLA is provided to employee	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

(3/17 3/20) 5/20

CSBA Sample Board Policy

Certificated Personnel

BP 4113(a)

ASSIGNMENT

Note: Education Code 35035 gives the Superintendent or designee the authority to assign personnel subject to Governing Board approval. The following **optional** policy may be revised to reflect district practice.

Staff assignments must be reported to the California Department of Education through the California Longitudinal Pupil Achievement Data Systems (CALPADS) Professional Assignment Information Form.

In order to serve the best interests of students and the educational program, the Governing Board authorizes the Superintendent or designee to assign certificated personnel to positions for which ~~their~~ **they are qualified pursuant to their** certification, preparation, ~~certification,~~ professional experience, and aptitude ~~qualify them.~~

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4112.22 - Staff Teaching English Learners)

(cf. 4112.23 - Special Education Staff)

(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)

Teachers may be assigned to any school within the district in accordance with the collective bargaining agreement or Board policy.

(cf. 4141/4241 - Collective Bargaining Agreement)

Assignment to Courses/Classes

The Superintendent or designee shall assign teachers ~~to courses~~ based on the grade level and subject matter authorized by their credentials.

When there is no credential authorization requirement for teaching an elective course, the Superintendent or designee shall select the credentialed teacher whose knowledge and skills best prepare ~~him/her~~ **the teacher** to provide instruction in that subject.

Note: The Commission on Teacher Credentialing's (CTC) Administrator's Assignment Manual describes "local teaching assignment options" available to districts when assigning a teacher outside ~~his/her~~ **the** credential authorization **of the teacher**. See the accompanying administrative regulation for requirements pertaining to assignments to departmentalized classes in grades K-12 (Education Code 44258.3) or elective courses (Education Code 44258.7).

According to the CTC manual, it is inappropriate to use a local teaching assignment option for an individual who holds an emergency permit, provisional internship permit (PIP), or short-term staff permit (STSP). For information about the circumstances under which persons holding these permits may be employed, see

ASSIGNMENT (continued)

BP/AR 4112.2 - Certification. If a district uses a local teaching assignment option for a holder of an intern credential, the CTC cautions that the district must ensure that the individual meets the specific requirements of the teaching assignment option as well as the requirements of the intern credential; see BP/AR 4112.21 - Interns for further information about intern programs.

The CTC manual indicates that a district may use the options at its discretion. The following paragraph may be revised to reflect options available in the district.

When specifically authorized by law or regulation, the Superintendent or designee may, with the teacher's consent, assign a teacher, with his/her consent, to a position outside the teacher's his/her credential authorization in accordance with the local teaching assignment options described in the Commission on Teacher Credentialing's (CTC) Administrator's Assignment Manual. Such assignments made pursuant to Education Code 44256, 44258.2, and 44263 shall be annually approved by Board resolution. In such cases, the Superintendent or designee shall reference in district records the statute or regulation under which the assignment is authorized.

(cf. 3580 - District Records)

If at any time a certificated employee is required by the district to accept an assignment which the employee believes is not legally authorized by the employee's credential, the employee shall notify the Superintendent or designee, in writing, of the misassignment. Within 15 working days, the Superintendent or designee shall notify the employee of the legality of the assignment. If no action is taken by the district, the employee shall provide written notification to the County Superintendent of Schools. No adverse action shall be taken against an employee who files a notice of misassignment. (Education Code 44258.9)

Vacancies and Misassignments

Note: Education Code 44258.9 provides that the County Superintendent of Schools is responsible for monitoring district assignment practices and vacancies, as defined in Education Code 33126, and reporting the results to the CTC. Pursuant to Education Code 44258.9, the County Superintendent must annually monitor and review assignment practices in (1) schools and districts likely to have problems with teacher misassignment and vacancies based on past experience and other available information, and (2) schools ranked in deciles 1-3 on the statewide Academic Performance Index (API). However, the API has been suspended pending transition to a new state accountability system. All other schools undergo review of assignment practices on a four year cycle. In counties in which there is a single school district, the CTC is responsible for monitoring teacher assignments.

Education Code 33126 requires that vacancies and misassignments be reported on the School Accountability Report Card. Also, Education Code 35186 requires districts to develop procedures by which a parent/guardian can file a complaint related to teacher misassignments or vacancies. See AR/E 1312.4 Williams Uniform Complaint Procedures.

ASSIGNMENT (continued)

Pursuant to Education Code 44258.9, the County Superintendent is required to notify any certificated administrator responsible for a misassignment and advise him/her to correct it within 30 calendar days. The County Superintendent is also required to notify the Superintendent of any district where five percent or more of the certificated teachers in the secondary schools are misassigned, advising him/her to correct the misassignments within 120 calendar days. If a teacher believes he/she has been misassigned, he/she is authorized, after exhausting any local remedies, to file a written notification with the County Superintendent, who must advise the teacher as to the legality of the assignment within 15 working days.

Education Code 44258.9, as amended by AB 1219 (Ch. 782, Statutes of 2019), requires that the assignments of certificated employees at all schools be monitored annually. Pursuant to Education Code 44258.9, the County Superintendent of Schools is responsible for the monitoring of teacher assignments in districts. However, CTC is designated as the monitoring authority for any district that operates within a city or county in which there is a single district. Such districts should modify the following section accordingly to reflect CTC as the monitoring authority.

Pursuant to Education Code 44258.9, CTC administers a State Assignment Accountability System which annually produces a data file of vacant positions and assignments that do not have a clear match of credential to assignment. As provided below, CTC will notify districts of an opportunity to review the initial data, and districts may submit documentation within 60 days to correct any errors. Within 90 days of CTC's notification (i.e., 30 days after the deadline for the district's review), the County Superintendent must review the data and any additional documentation submitted by the district and make a determination of potential misassignments and vacant positions. Beginning in 2020-21, CTC will report the misassignment and vacancy data on its web site.

The Superintendent or designee shall periodically report to the Board on teacher assignments and vacancies, including the number and type of assignments made outside a teacher's credential authorization through a local teaching assignment option. Whenever district misassignments and vacancies are reviewed by the County Superintendent of Schools or CTC, as applicable, the Superintendent or designee shall report the results to the Board and shall provide recommendations for remedying any identified issues.

Annually, the district shall review potential misassignments and vacant positions throughout the district. Upon receiving notification from CTC of the availability of data regarding potential misassignments and vacant positions in the district, the Superintendent shall review the data within 60 days. When necessary, the Superintendent or designee may respond by submitting additional documentation to the County Superintendent showing that an employee is legally authorized for an assignment and/or that a position identified as vacant was miscoded and a legally authorized employee is assigned to the position. (Education Code 44258.9)

If the district subsequently receives, within 90 days of CTC's initial notification, a notification from the County Superintendent indicating that a certificated employee in the district is assigned to a position for which the employee has no legal authorization, the district shall correct the assignment within 30 calendar days. (Education Code 44258.9)

ASSIGNMENT (continued)

Note: Pursuant to Education Code 44258.9, the district serves as the monitoring authority for any charter school it has authorized. However, pursuant to Education Code 44258.10, the district is not required to advise the charter school administrator to correct the misassignment of any teachers employed by the charter school during the 2019-2020 school year until July 1, 2025.

The district shall serve as the monitoring authority for teacher assignments in any charter school it has authorized, in accordance with Education Code 44258.9-44258.10.

(cf. 0420.41 - Charter School Oversight)

Any complaint alleging teacher misassignment or vacancy shall be filed and addressed through the district's procedures specified in AR 1312.4 - Williams Uniform Complaint Procedures.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

The school accountability report card for each school shall include any assignment of teachers outside their subject areas of competence, misassignments, including misassignments of teachers of English learners, and the number of vacant teacher positions for the most recent three-year period. (Education Code 33126)

(cf. 0510 - School Accountability Report Card)

Equitable Distribution of Qualified and Experienced Teachers

Note: The following section may be revised to reflect district practice. ~~20 USC 6312, as amended by the Every Student Succeeds Act (ESSA) (P.L. 114 95), maintains the requirement For districts that receive federal Title I funding, 20 USC 6312 requires that the Title I local educational agency (LEA) plan include a description of how the district will identify and address, consistent with the state's ESSA plan, any disparities that result in low-income or minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers. The LEA plan will be transitioned out at the end of the 2016-17 school year. According to the California Department of Education's (CDE) Every Student Succeeds Act 2016-17 School Year Transition Plan (April 2016), districts will meet These specific Title I planning requirements are fulfilled through the local control and accountability plan and the consolidated application reporting system beginning with the 2017-18 school year.~~

~~According to the U.S. Department of Education's Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions (May 2016), the approved State Plan to Ensure Equitable Access to Excellent Educators remains in effect through the 2016-17 school year and states may, but are not required to, amend the plan. The CDE's transition plan indicates that districts will not be required to participate in the state's Compliance Monitoring, Interventions and Sanctions (CMIS) program in the 2016-17 school year and that the CDE intends to update the CMIS with new guidelines.~~

The Superintendent or designee shall ensure that identify and address the equitable distribution of highly qualified and experienced teachers are equitably distributed among

ASSIGNMENT (continued)

district schools, including those with higher than average levels of low-income, minority, and/or academically underperforming students. ~~He/she~~ **The Superintendent or designee** shall annually report to the Board comparisons of teacher qualifications across district schools, including the number of teachers serving under a provisional internship permit, short-term staff permit, intern credential, emergency permit, or credential waiver.

Strategies for ensuring equitable access to experienced teachers may include, but are not limited to, incentives for voluntary transfers, provision of professional development, and/or programs to recruit and retain effective teachers.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4114 - Transfers)

(cf. 4131 - Staff Development)

(cf. 4131.1 - Teacher Support and Guidance)

(cf. 6171 - Title I Programs)

Legal Reference: (see next page)

ASSIGNMENT (continued)

Legal Reference:

EDUCATION CODE

- 33126 *School accountability report card*
- 35035 *Additional powers and duties of superintendent*
- 35186 *Complaint process*
- 37616 *Assignment of teachers to year-round schools*
- 44225.6 *Commission report to the legislature re: teachers*
- 44250-44277 *Credentials and assignments of teachers*
- 44314 *Subject matter programs, approved subjects*
- 44824 *Assignment of teachers to weekend classes*
- 44955 *Reduction in number of employees*

GOVERNMENT CODE

- 3543.2 *Scope of representation*

CODE OF REGULATIONS, TITLE 5

- 80003-80005 *Credential authorizations*
- 80020-80020.5 *Additional assignment authorizations*
- 80335 *Performance of unauthorized professional services*
- 80339-80339.6 *Unauthorized certificated employee assignment*

UNITED STATES CODE, TITLE 20

- 6311 *State plan*
- 6312 *Local educational agency plans*
- 6601-6651 *Teacher and Principal Training and Recruiting Fund*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

- California State Plan to Ensure Equitable Access to Excellent Educators*
- Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016*

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

- Administrator's Assignment Manual - Updates and Revisions, May 2014*
- The Administrator's Assignment Manual, rev. September 2007*

U.S. DEPARTMENT OF EDUCATION GUIDANCE

- Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, rev. May 4, 2016*
- Improving Teacher Quality State Grants: ESEA Title II, Part A, rev. October 5, 2006*

WEB SITES

- CSBA: <http://www.csba.org>
- California Department of Education: <http://www.cde.ca.gov>
- Commission on Teacher Credentialing: <http://www.ctc.ca.gov>
- U.S. Department of Education: <http://www.ed.gov>

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Certificated Personnel

AR 4113(a)

ASSIGNMENT

Assignment to Departmentalized Classes Outside Credential Authorization

Note: Education Code 44258.3 allows the Governing Board to assign the holder of a credential (including a provisional internship permit or short-term staff permit, but not an emergency permit) to teach any subject in departmentalized classes in any of grades K-12 provided that the Board first verifies that the teacher has adequate knowledge of each subject to be taught. If the district chooses to make such assignments, Education Code 44258.3 **mandates** the Board to establish policies and procedures, with specified components, for verifying the adequacy of these teachers' subject matter knowledge. Subject matter specialists as identified below must be involved in the development and implementation of these procedures. For further information, see the Commission on Teacher Credentialing's (CTC) [Administrator's Assignment Manual](#).

Any holder of a credential other than an emergency permit may be assigned, with **his/her** consent, to teach departmentalized classes in grades K-12 regardless of the designations on **his/her the** teaching credential, provided that **the teacher's their** subject matter knowledge is verified prior to the assignment. (Education Code 44258.3)

Procedures for verifying a teacher's subject matter knowledge shall be developed and implemented by the Superintendent or designee with the involvement of appropriate subject matter specialists, including curriculum specialists, resource teachers, classroom teachers certified to teach the subject, staff assigned to regional subject matter projects or curriculum institutes, or college faculty. (Education Code 44258.3)

Note: Items #1-2 below may be revised to reflect procedures and criteria established by the district.

Procedures to be used for this purpose shall specify: (Education Code 44258.3)

1. One or more of the following ways in which subject matter competence shall be assessed:
 - a. Observation by subject matter specialists
 - b. Oral interviews
 - c. Demonstration lessons
 - d. Presentation of curricular portfolios
 - e. Written examinations

ASSIGNMENT (continued)

2. Specific criteria and standards for verifying subject matter knowledge by any of the above methods. These criteria shall include, but need not be limited to, evidence of the individual's knowledge of the subject matter to be taught, including demonstrated knowledge of the curriculum framework for the subject and the specific content of the district's course of study for the subject at the grade level to be taught.

(cf. 4115 - Evaluation/Supervision)

Whenever a teacher is assigned to teach departmentalized classes pursuant to Education Code 44258.3, the Superintendent or designee shall notify the exclusive representative of the district's certificated employees. (Education Code 44258.3)

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

Assignment to Elective Courses Outside Credential Authorization

Note: The following section is **optional**. Education Code 44258.7 authorizes districts to assign a teacher to an elective course outside **his/her the teacher's** credential authorization provided that the teacher has special skills and preparation in that subject area and the assignment is approved by a local committee on assignments.

In order to make such assignments, the district must submit a plan to the County Superintendent of Schools which includes, but is not limited to, statements signed by the Board president or chair and the Superintendent approving the establishment of the committee, procedures for the selection of committee members, term of office for committee members, and criteria for determining teachers' qualifications for these assignments.

Pursuant to Education Code 44258.7, an "elective course" for this purpose is a course other than English, mathematics, science, or social science. The CTC's Administrator's Assignment Manual clarifies that whether a course is considered to be within these subject areas or an elective depends on whether students in the class receive graduation credit for the subject area. For instance, if a drama, speech, or journalism course grants graduation credit for English, then it cannot be taught by a teacher outside of **his/her the teacher's** credential authorization under this option. However, if the course does not grant credit for English, then a teacher may be approved by the committee on assignments to teach the course outside **his/her the** credential authorization.

A full-time teacher with special skills and preparation outside **his/her the** credential authorization may, with **his/her the teacher's** consent and the prior approval of a district committee on assignments, be assigned to teach an elective course in the area of the special skills or preparation, excluding a course in English, mathematics, science, or social studies. (Education Code 44258.7)

The Superintendent or designee shall establish a committee on assignments, consisting of an equal number of teachers selected by teachers and school administrators selected by school administrators, to approve such assignments. (Education Code 44258.7)

ASSIGNMENT (continued)

Note: The following two paragraphs are **optional** and may be revised to reflect district practice.

Committee members shall serve a two-year term but may be reappointed using the same procedure as the initial appointment.

When determining whether a teacher is qualified for an assignment pursuant to Education Code 44258.7, the committee may consider the teacher's education, prior experience, observation by subject matter specialists, oral interviews, demonstration lessons, presentation of curricular portfolios, and/or written examinations.

Assignments approved by the committee shall be for a maximum of one school year, but may be extended by action of the committee upon application by the principal and teacher. (Education Code 44258.7)

(3/04 3/09) 5/20

CSBA Sample Board Policy

All Personnel	BP 4119.42(a)
	4219.42
EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS	4319.42

Note: Pursuant 29 CFR 1910.1030 and 8 CCR 5193(e), districts must identify employees who have occupational exposure to bloodborne pathogens and must establish a written exposure control plan to eliminate or minimize employee exposure to these pathogens. ~~The exposure control plan must be consistent with the district's Injury and Illness Prevention Program and may be incorporated into that program; see BP/AR 4157/4257/4357 - Employee Safety.~~ **Because safety conditions of employment are within the scope of bargaining pursuant to Government Code 3543.2, the** ~~The~~ district may want to consult legal counsel regarding whether components of its exposure control plan are subject to collective bargaining.

As part of its commitment to provide a safe and **healthful healthy** work environment, the Governing Board recognizes the importance of **developing an exposure control plan** protecting employees from possible infection due to contact with bloodborne pathogens, including, but not limited to, hepatitis B virus, hepatitis C virus, and human immunodeficiency virus (HIV). The Superintendent or designee shall establish a written exposure control plan in accordance with state and federal standards for dealing with potentially infectious materials in the workplace ~~to protect employees from possible infection due to contact with bloodborne pathogens, including but not limited to hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV).~~

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.6 - School Health Services)

The exposure control plan shall be consistent with the district's injury and illness prevention program established pursuant to Labor Code 6401.7 and 8 CCR 3203. (8 CCR 5193)

(cf. 4157/4257/4357 - Employee Safety)

The Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the district's exposure control plan, employees having occupational exposure shall **receive training and** be offered the hepatitis B vaccination. **(8 CCR 5193; 29 CFR 1910.1030)**

Note: ~~The following optional paragraph may be implemented only if the district complies with specific conditions; see AR 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens.~~

~~The Superintendent or designee may exempt designated first aid providers from pre-exposure hepatitis B vaccination under the conditions specified by state regulations. (8 CCR 5193(f))~~

BP 4119.42(b)
4219.42
4319.42

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

Note: The following **optional** paragraph allows for employees to be included in the training and vaccination program without being classified as having occupational exposure.

Any employee not identified by the Superintendent or designee as having occupational exposure may submit a request to the Superintendent or designee to be included in the training and hepatitis B vaccination program. The Superintendent or designee may deny a request when there is no reasonable anticipation of contact with any infectious material.

In the event that an employee has an exposure incident, the district shall implement follow-up procedures in accordance with the exposure control plan. All such incidents shall be evaluated to determine whether changes need to be made in district practices.

Legal Reference: (see next page)

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

Legal Reference:

GOVERNMENT CODE

3543.2 Scope of bargaining

LABOR CODE

142.3 Authority of Cal/OSHA to adopt standards

144.7 Requirement to amend standards

6401.7 Injury and illness prevention program

CODE OF REGULATIONS, TITLE 8

3203 Injury and illness prevention program

3204 Access to employee exposure and medical records

5193 California bloodborne pathogens standards

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.1030 OSHA bloodborne pathogens standards

Management Resources:

CDE ADVISORIES

1016.89 *Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings*

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Frequently Asked Questions About the Bloodborne Pathogens Standard

A Best Practices Approach for Reducing Bloodborne Pathogens Exposure, 2001

Exposure Control Plan for Bloodborne Pathogens, 2001

WEB SITES

OSHA: <http://www.osha.gov>

Cal/OSHA **California Department of Industrial Relations, Occupational Safety and Health:**

http://www.dir.ca.gov/occupational_safety.html

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

U.S. Department of Labor, Occupational Safety and Health Administration: <http://www.osha.gov>

CSBA Sample Administrative Regulation

All Personnel	AR 4119.42(a) 4219.42
EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS	4319.42

Note: The following **sample optional administrative** regulation summarizes Cal/OSHA's key requirements for preventing and handling exposure to bloodborne pathogens pursuant to (8 CCR 5193). The Cal/OSHA standards are detailed and lengthy, and districts are encouraged to examine the full content of 8 CCR 5193 to determine any additional requirements applicable to their circumstances. **Because safety conditions of employment are within the scope of bargaining pursuant to Government Code 3543.2, the district may want to consult legal counsel regarding whether components of its exposure control plan are subject to collective bargaining.**

Districts may wish to consider including the following **optional** regulation in their employee handbooks.

Definitions

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193(b); 29 CFR 1910.1030)

Exposure incident means a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties. (8 CCR 5193(b); 29 CFR 1910.1030)

Parenteral contact means piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions. (8 CCR 5193(b); 29 CFR 1910.1030)

A *sharp* is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193(b))

A *sharps injury* is any injury caused by a sharp, including, but not limited to, cuts, abrasions, or needlesticks. (8 CCR 5193(b))

Work practice controls are controls that reduce the likelihood of exposure by defining the manner in which a task is performed. (8 CCR 5193(b); 29 CFR 1910.1030)

Engineering controls are controls, such as sharps disposal containers, needleless systems, and sharps with engineered sharps injury protection, that isolate or remove the bloodborne pathogens hazard from the workplace. (8 CCR 5193(b); 29 CFR 1910.1030)

Engineered sharps injury protection is a physical attribute, **such as a barrier, blunting, encapsulation, withdrawal, or other effective mechanism,** built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193(b); 29 CFR 1910.1030)

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

Personal protective equipment is specialized clothing or equipment worn or used by an employee for protection against a hazard, such as gloves, gowns, laboratory coats, face shields or masks. (8 CCR 5193)

Exposure Control Plan

The district's **written** exposure control plan **for bloodborne pathogens** shall contain at least the following components: (8 CCR 5193(e); **29 CFR 1910.1030**)

1. A determination of which employees have occupational exposure to blood or other potentially infectious materials, **which** ~~The district's exposure determination~~ shall be made without regard to ~~the employees'~~ use of personal protective equipment and shall include a list of:
 - a. All job classifications in which all employees have occupational exposure
 - b. Job classifications in which some employees have occupational exposure
 - c. All tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure occurs and which are performed by employees listed in item #1b above

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.6 - School Health Services)

2. The schedule and method of implementing **each of the following in accordance with 8 CCR 5193 and this administrative regulation:**
 - a. Methods of compliance required by 8 CCR 5193(d) **and 29 CFR 1910.1030**, ~~such as~~ **including** universal precautions, general and specific engineering and work practice controls, and personal protective equipment

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

- b. Hepatitis B vaccination
- c. Bloodborne pathogen post-exposure evaluation and follow-up
- d. Communication of hazards to employees ~~including labels, signs,~~ **through** information and training

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

- e. Recordkeeping, **including medical records, training records, and a log of sharps injuries**
3. The district's procedure for **evaluating documenting the route(s) of exposure and the** circumstances **surrounding under which** exposure incidents **occurred**
4. An effective procedure for gathering information about each exposure incident involving a sharp, **as required for the log of sharps injuries**
5. An effective procedure for periodically determining the frequency of use of the types and brands of sharps involved in exposure incidents **documented in the sharps injury log**
6. An effective procedure for identifying currently available engineering controls and selecting such controls, **as appropriate,** for the procedures performed by employees in their work areas or departments
7. An effective procedure for documenting instances when a licensed healthcare professional directly involved in **a patient's an employee's** care determines, **in the reasonable exercise of clinical judgment,** that the use of an engineering control would jeopardize **an individual's the employee's** safety or the success of a medical, dental, or nursing procedure involving the **individual employee**
8. An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed by employees in their respective work areas or departments

The exposure control plan shall be reviewed and updated at least annually and whenever necessary to: (8 CCR 5193~~(e)~~; **29 CFR 1910.1030**)

1. Reflect new or modified tasks and procedures affecting occupational exposure
2. **Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens and, to** ~~To~~ the extent that sharps are used in the district, **reflect progress in document consideration and implementation of appropriate commercially available** ~~implementing the use of~~ **needleless systems and needle devices and** sharps with engineered sharps injury protection
3. Include new or revised employee positions with occupational exposure
4. Review and evaluate the exposure incidents which occurred since the previous update

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

5. Review and respond to information indicating that the exposure control plan is deficient in any area

The district's exposure control plan shall be accessible to employees upon request. (8 CCR 3204(e), 5193(c); 29 CFR 1910.1030)

Preventive Measures

~~Note: The implementation of universal precautions is another preventive measure that should be utilized by the district. See BP/AR 4119.43/4219.43/4319.43 Universal Precautions.~~

The Superintendent or designee shall use engineering **controls** and work practice controls, **as defined above**, to eliminate or minimize employee exposure **to bloodborne pathogens**, ~~and shall regularly examine and update controls~~ **Engineering controls and work practice controls shall be evaluated on a regular schedule and, as applicable, maintained, replaced, or updated** to ensure their effectiveness. (8 CCR 5193(d); 29 CFR 1910.1030)

Whenever potential occupational exposure continues to exist after institution of engineering and work practice controls, the district shall provide, at no cost to the employee, appropriate personal protective equipment. (8 CCR 5193; 29 CFR 1910.1030)

Employees shall observe universal precautions to prevent contact with blood or other potentially infectious materials, including, but not limited to, handwashing, proper use of personal protective equipment, and proper disposal or washing of contaminated garments or objects. (8 CCR 5193; 29 CFR 1910.1030)

Any use of needleless systems, needle devices, or non-needle sharps shall adhere to the specific requirements of 8 CCR 5193(d) and 29 CFR 1910.1030.

Pre-Exposure Hepatitis B Vaccination

The hepatitis B vaccination and vaccination series shall be made available at no cost to all employees who have occupational exposure. The hepatitis B vaccination shall be made available after an employee with occupational exposure has received the required training and within 10 working days of initial assignment, unless the employee has previously received the complete hepatitis B vaccination series, **or** antibody testing has revealed that the employee is immune, or vaccination is contraindicated **by for** medical reasons. (8 CCR 5193(d); 29 CFR 1910.1030)

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

Note: Pursuant to 8 CCR 5193 and 29 CFR 1910.1030, if the employee declines to accept the hepatitis B vaccination offered by the district, the district must ensure that he/she the employee signs the statement reproduced as E 4119.42/4219.42/4319.42 in the accompanying Exhibit.

Employees who decline to accept the vaccination shall sign the hepatitis B declination statement. (8 CCR 5193(f); 29 CFR 1910.1030)

The Superintendent or designee may exempt designated first aid providers from the pre-exposure hepatitis B vaccine in accordance with 8 CCR 5193(f). from the pre-exposure hepatitis B vaccine designated first aid providers whose primary job assignment is not the rendering of first aid, provided that the district implements the procedures in its exposure control plan for providing hepatitis B vaccine to all unvaccinated first aid providers who have rendered assistance in any situation involving the presence of blood or other potentially infectious materials and provides appropriate follow-up for those who experience an exposure incident. (8 CCR 5193)

Information and Training

The Superintendent or designee shall ensure that all employees with occupational exposure participate in a training program containing the elements required by state regulations, during working hours and at no cost to the employee. This program shall be offered at the time of initial assignment to tasks where occupational exposure may take place, and at least annually thereafter, and whenever a change of tasks or procedures affects the employee's exposure. The training shall be offered during working hours and at no cost to the employee. (8 CCR 5193(g); 29 CFR 1910.1030)

The training shall address, at a minimum: (8 CCR 5193; 29 CFR 1910.1030)

1. The exposure control standard contained in 8 CCR 5193 and 29 CFR 1910.1030
2. The epidemiology and symptoms of bloodborne diseases
3. Modes of transmission of bloodborne pathogens
4. The district's exposure control plan and the means by which employees may obtain a copy of the written plan
5. Appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

- 6. The use and limitations of methods to prevent or reduce exposure, including appropriate engineering controls, administrative or work practice controls, and personal protective equipment**
- 7. The types, proper use, location, removal, handling, decontamination, and disposal of personal protective equipment**
- 8. The basis for selecting personal protective equipment**
- 9. The hepatitis B vaccine, including its efficacy, safety, and method of administration; the benefits of being vaccinated; and that the vaccine will be offered free of charge**
- 10. Appropriate actions to take and persons to contact in an emergency or exposure incident involving blood or other potentially infectious materials**
- 11. The post-exposure evaluation and follow-up that the district is required to provide for the employee following an exposure incident**

Additional training shall be provided to affected employees whenever a change of tasks or procedures a change, such as the introduction or modification of tasks or procedures or the introduction of new engineering, administrative, or work practice controls, affects the employee's exposure. The additional training may be limited to addressing the new exposures created. (8 CCR 5193; 29 CFR 1910.1030)

Designated first aid providers shall receive training that includes the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious. (8 CCR 5193~~(g)~~)

Reporting Incidents

All exposure incidents shall be reported as soon as possible to the Superintendent or designee.

Unvaccinated designated first aid providers must report any first aid incident involving the presence of blood or other potentially infectious material, regardless of whether an exposure incident occurred, by the end of the work shift. The full hepatitis B vaccination series shall be made available to such employees no later than 24 hours after the first aid incident. (8 CCR 5193~~(f)~~)

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

Note: Requirements of 8 CCR 5193 related to designated first aid providers do not apply to employees who assist in nonemployment-related first aid situations as "good Samaritans." Although employees are not covered by the bloodborne pathogen standards if their exposure is unrelated to their job duties, Cal/OSHA encourages employers to offer post exposure evaluation and follow up to all employees.

Sharps Injury Log

The Superintendent or designee shall establish and maintain a log recording each exposure incident involving a sharp. ~~The exposure incident shall be recorded within 14 working days of the date the incident is reported to the district.~~ (8 CCR 5193(e); 29 CFR 1910.1030)

The exposure incident shall be recorded within 14 working days of the date the incident is reported to the district. (8 CCR 5193(e))

The information recorded shall include the following, if known or reasonably available: (8 CCR 5193(e); 29 CFR 1910.1030)

1. Date and time of the exposure incident
2. Type and brand of sharp involved in the exposure incident
3. A description of the exposure incident, including:
 - a. Job classification of the exposed employee
 - b. Department or work area where the exposure incident occurred
 - c. The procedure that the exposed employee was performing at the time of the incident
 - d. How the incident occurred
 - e. The body part involved in the incident
 - f. If the sharp had engineered sharps injury protection, whether the protective mechanism was activated and whether the injury occurred before, during, or after the protective mechanism was activated
 - g. If the sharp had no engineered sharps injury protection, the injured employee's opinion as to whether and how such a mechanism could have prevented the injury

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

- h. The employee's opinion about whether any other engineering, administrative, or work practice could have prevented the injury

Post-Exposure Evaluation and Follow-up

Following a report of an exposure incident, the Superintendent or designee shall immediately make available to the exposed employee, at no cost, a confidential medical evaluation, post-exposure evaluation, and follow-up. The Superintendent or designee shall, at a minimum: (8 CCR 5193~~(f)~~; **29 CFR 1910.1030**)

1. Document the route(s) of exposure and the circumstances under which the exposure incident occurred

Note: Pursuant to 8 CCR 5193 and 29 CFR 1910.1030, the district must identify and document the source individual, unless to do so is not feasible or is prohibited by law. If the source individual provides consent, that individual's blood should be tested as soon as feasible to determine hepatitis B, hepatitis C, or HIV infectivity.

Districts: The district should obtain permission from the source individual before disclosing confidential information about that source individual, in accordance with law. Legal counsel should be consulted as necessary to ensure compliance with confidentiality laws.

2. Identify and document the source individual, unless that identification is ~~in~~ **not** feasible or **is** prohibited by law
3. **With the consent of the exposed employee, p**Provide for the collection and testing of the employee's blood for hepatitis B, hepatitis C, and HIV serological status
4. Provide for post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service
5. Provide for counseling and evaluation of reported illnesses

The Superintendent or designee shall provide the health care professional **responsible for the employee's hepatitis B vaccination** with a copy of 8 CCR 5193 **and 29 CFR 1910.1030**; a description of the employee's duties as they relate to the exposure incident; documentation of the route(s) of exposure and circumstances under which exposure occurred; results of the source individual's blood testing, if available; and all medical records maintained by the district relevant to the appropriate treatment of the employee, including vaccination status. (8 CCR 5193~~(f)~~; **29 CFR 1910.1030**)

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

The district shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation. (8 CCR 5193(f))

Note: Districts should obtain permission from the source individual before disclosing confidential information about that source individual, in accordance with law. Legal counsel should be consulted regarding current rules for the contents and format of consent forms.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

Records

Upon an employee's initial employment and at least annually thereafter, the Superintendent or designee shall inform employees with occupational exposure of the existence, location, and availability of related records; the person responsible for maintaining and providing access to records; and the employee's right of access to these records. (8 CCR 3204)

(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)

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

Medical records for The district shall maintain a medical record of each employee with occupational exposure, including the employee's hepatitis B vaccination status, the results of any post-exposure medical examinations and follow-up procedures, a copy of the information provided to the health care professional, and a copy of the health care professional's written opinion. The medical record shall be kept confidential and not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by law. (8 CCR 5193(h); 29 CFR 1910.1030)

Upon request by an employee, or a designated representative with the employee's written consent, the Superintendent or designee shall provide access to a record in a reasonable time, place, and manner, no later than 15 days after the request is made. (8 CCR 3204(e))

Records shall be maintained as follows: (8 CCR 3204(d), 5193(h); 29 CFR 1910.1030)

1. **The m**Medical records **of each employee with occupational exposure** shall be maintained for the duration of employment plus 30 years.
2. Training records shall be maintained for three years from the date of training.
3. The sharps injury log shall be maintained five years from the date the exposure incident occurred.

AR 4119.42(j)
4219.42
4319.42

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

4. Exposure records shall be maintained for at least 30 years.
5. Each analysis using medical or exposure records shall be maintained for at least 30 years.

(3/93 7/99) 5/20

CSBA Sample Exhibit

All Personnel	E 4119.42
	4219.42
EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS	4319.42

HEPATITIS B VACCINE DECLINATION

Note: 8 CCR 5193 and 29 CFR 1910.1030 requires the district to ensure that the following statement is signed by any employee with occupational exposure to bloodborne pathogens or other potentially infectious materials who declines to accept the hepatitis B vaccination offered by the district.

In accordance with 8 CCR 5193 and 29 CFR 1910.1030, the district makes the hepatitis B vaccine available to employees who may reasonably be expected to have contact with blood or other potentially infectious materials in the performance of their duties. Any employee who declines this vaccine is required to read and sign the following statement:

I understand that, due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to myself.

Employee Name (Please print)

Signature

Employee Name (Please print)

Date

(3/93) 5/20

CSBA Sample Board Policy

All Personnel

BP 4119.43(a)

4219.43

UNIVERSAL PRECAUTIONS

4319.43

Note: **The following policy and accompanying administrative regulation establish the expectation that all employees will observe universal precautions to prevent the spread of infectious diseases. In addition, pursuant to 8 CCR 5193(d) and 29 CFR 1910.1030, all districts with one or more employees having occupational exposure to bloodborne pathogens must enforce universal precautions to prevent contact with blood or other potentially infectious materials; see BP/AR 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens.**

Because safety conditions of employment are within the scope of bargaining pursuant to Government Code 3543.2, the district may want to consult legal counsel regarding whether components of this policy or the accompanying administrative regulation are subject to collective bargaining.

In order to protect **all** employees from contact with potentially infectious blood or other body fluids, the Governing Board requires that universal precautions be observed throughout the district. Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

(cf. 4157/4257/4357 - Employee Safety)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.24 - Specialized Health Care Services)
(cf. 5141.6 - School Health Services)
(cf. 6145.2 - Athletic Competition)

Note: Health and Safety Code ~~420875~~ **120880** requires districts to provide information regarding AIDS and hepatitis B, as specified below, **including that the cost of a hepatitis B vaccination may be covered by the employees' health benefit plan. For employees who are identified as having occupational exposure to bloodborne pathogens, the cost of a hepatitis B vaccination must be borne by the district pursuant to 8 CCR 5193 and 29 CFR 1910.1030; see AR 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens.**

~~However, since, pursuant to 8 CCR 5193(b), hepatitis C is included in the definition of "bloodborne pathogens," districts~~ **Districts** may also wish to provide information to employees about the hepatitis C virus **and other bloodborne pathogens that may be controlled through the use of universal precautions.** The following paragraph should be modified to reflect any additional information provided to employees.

The Superintendent or designee shall distribute to employees information provided by the California Department of Education (CDE) regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B. This information shall include, but not be limited to, any appropriate methods employees may use to prevent exposure to AIDS and hepatitis B, including information concerning the availability of a vaccine to prevent contraction of hepatitis B, and that the cost of this vaccination may be covered by the health

UNIVERSAL PRECAUTIONS (continued)

plan ~~benefits~~ of the employees. Information shall be distributed ~~at least~~ annually, or more frequently if there is new information supplied by ~~the California Department of Education CDE~~. (Health and Safety Code 120875, 120880)

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

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

Information regarding universal precautions may be included in employee handbooks.

Employees shall immediately report any exposure incident or first aid incident in accordance with the district's exposure control plan **for bloodborne pathogens** or other safety procedures.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

Legal Reference: (see next page)

UNIVERSAL PRECAUTIONS (continued)

Legal Reference:

GOVERNMENT CODE

3543.2 Scope of bargaining

HEALTH AND SAFETY CODE

117600-118360 Handling and disposal of regulated waste

120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B

120880 Information to employees of school district

LABOR CODE

6401.7 Injury and illness prevention program

CODE OF REGULATIONS, TITLE 8

3203 Injury and illness prevention program

5193 California bloodborne pathogens standard

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.1030 OSHA bloodborne pathogens standards

Management Resources:

CDE PROGRAM ADVISORIES

1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV Infected Persons in School Settings

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Hepatitis B Questions and Answers for the Public

WEB SITES

American Federation of Teachers: <https://www.aft.org>

Cal/OSHA California Department of Industrial Relations, Occupational Safety and Health:

http://www.dir.ca.gov/occupational_safety.html

California Department of Public Health: <https://www.cdph.ca.gov>

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

U.S. Department of Labor, Occupational Safety and Health Administration: <http://www.osha.gov>

CSBA Sample Administrative Regulation

All Personnel	AR 4119.43(a) 4219.43
UNIVERSAL PRECAUTIONS	4319.43

Definitions

Note: Districts may wish to include the following **optional** administrative regulation in their employee handbook.

Universal precautions are an approach to infection control. All human blood and certain human body fluids, including, but not limited to semen, vaginal secretions, and any body fluid that is visibly contaminated with blood, are treated as if known to be infectious for human immunodeficiency virus (HIV), hepatitis B virus (HBV), hepatitis C virus (HCV), and other bloodborne pathogens. (8 CCR 5193(b); 29 CFR 1910.1030)

Occupational exposure means reasonably anticipated contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193; 29 CFR 1910.1030)

~~*Personal protective equipment* includes specialized clothing or equipment worn or used for protection against a hazard. General work clothes such as uniforms, pants, shirts, or blouses not intended to function as protection against a hazard are not considered to be personal protective equipment. (8 CCR 5193(b))~~

A *sharp* is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193(b))

~~*Engineered sharps injury protection* is a physical attribute built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193(b))~~

Employee Information

Note: Health and Safety Code 120875 requires districts to provide information regarding AIDS and hepatitis B, as specified below. However, since, pursuant to 8 CCR 5193(b), hepatitis C is included in the definition of "bloodborne pathogens," districts may also wish to provide information to employees about the hepatitis C virus. The following paragraph should be modified to reflect any additional information provided to employees.

~~The Superintendent or designee shall distribute to employees information provided by the California Department of Education regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B. This information shall include, but not be limited to, any appropriate methods employees may use to prevent exposure to AIDS and hepatitis B, including information concerning the availability of a vaccine to prevent contraction of~~

UNIVERSAL PRECAUTIONS (continued)

hepatitis B, and that the cost of this vaccination may be covered by the health plan benefits of the employees. Information shall be distributed at least annually, or more frequently if there is new information supplied by the California Department of Education. (Health and Safety Code 120875, 120880)

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

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

Infection Control Practices

For the prevention of infectious disease, the district shall:

1. ~~The Superintendent or designee shall ensure that the worksite is e~~Effectively maintained ~~the worksite~~ in a clean and sanitary condition, and shall implement an appropriate written schedule for cleaning and decontamination of the worksite. ~~(8 CCR 5193(d))~~

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

2. ~~When necessary for employees with~~ Where occupational exposure ~~to bloodborne pathogens,~~ remains after the institution of engineering and work practice controls, the Superintendent or designee shall provide appropriate personal protective equipment, such as gloves, masks, and outer garments, at no cost to the employee. Such equipment may include gloves, gowns, masks, eye protection, and other devices that do not permit blood or other potentially infectious materials to pass through or reach the employee's clothes, skin, eyes, mouth or other mucous membranes under normal conditions of use. The Superintendent or designee shall maintain, repair, make accessible and require employees to use and properly handle protective equipment. (8 CCR 5193(d))
3. ~~The Superintendent or designee shall p~~Provide handwashing facilities which are readily accessible to employees, ~~or, if not feasible,~~ When provision of handwashing facilities is not feasible, the Superintendent or designee shall provide an appropriate antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. (8 CCR 5193(d))

~~For the prevention of infectious disease, employees shall routinely:~~ (8 CCR 5193(d)) **Any employee who has contact with blood or other body fluid, regardless of whether bloodborne pathogens are known to be present, shall:**

UNIVERSAL PRECAUTIONS (continued)

1. ~~Perform all procedures involving blood or other potentially infectious materials in such a manner as to minimize splashing, spraying, spattering, and generating droplets of these substances.~~

2.1. Use personal protective equipment as appropriate.

a. ~~Appropriate clothing, including but not limited to, gowns, aprons, lab coats, clinic jackets or similar outer garments, shall be worn in occupational exposure situations.~~

~~If a garment becomes penetrated by blood or other potentially infectious materials, the employee shall remove the garment immediately or as soon as feasible. All personal protective equipment shall be removed prior to leaving the work area. When removed, it shall be placed in an appropriately designated area or container for storage, washing, decontamination or disposal.~~

b. ~~Gloves shall be worn when it can be reasonably anticipated that the employee may have hand contact with blood, other potentially infectious materials, mucous membranes and nonintact skin, and when handling or touching contaminated items or surfaces.~~

~~Disposable gloves shall be replaced as soon as practical when contaminated, or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised. They shall not be washed or decontaminated for reuse. Utility gloves may be decontaminated for reuse if the integrity of the gloves is not compromised, but must be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.~~

c. ~~Masks in combination with eye protection devices or face shields shall be worn whenever splashes, spray, spatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can be reasonably anticipated.~~

3.2. Wash hands and other skin surfaces thoroughly with soap and running water:

a. ~~Immediately or as soon as feasible following contact of hands or any other skin or mucous membranes~~ with blood or other potentially infectious materials

b. Immediately after removing gloves or other personal protective equipment

UNIVERSAL PRECAUTIONS (continued)

3. When handwashing facilities are not available, ~~the employee shall~~ use antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. In such instances, hands shall be washed with soap and running water as soon as feasible.
4. Refrain from eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses in work areas with a reasonable likelihood of occupational exposure **to bloodborne pathogens.**
5. Clean and decontaminate all equipment and environmental and work surfaces after contact with blood or other potentially infectious material, no later than the end of the shift or more frequently as required by state regulations.
6. Rather than using the hands directly, use mechanical means such as a brush and dust pan, tongs, or forceps to clean up broken glassware which may be contaminated.
7. Use effective ~~patient handling~~ techniques ~~and other methods~~ designed to minimize the risk of a sharps injury in all procedures involving the use of sharps ~~in patient care.~~

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.24 - Specialized Health Care Services)

- a. ~~Needleless systems shall be used to administer medication or fluids, withdraw body fluids after initial venous or arterial access is established, and conduct any other procedure involving the potential for an exposure incident for which a needleless system is available as an alternative to the use of needle devices. If needleless systems are not used, needles or non needle sharps with engineered sharps injury protection shall be used.~~
- b. ~~Contaminated needles or other sharps shall not be broken, bent, recapped, removed from devices, or stored or processed in a manner that requires employees to reach by hand into the containers where these sharps have been placed.~~
- c. ~~Disposable sharps shall not be reused.~~
8. Handle, store, treat, and dispose of regulated waste in accordance with Health and Safety Code 117600-118360 and other applicable state and federal regulations.

UNIVERSAL PRECAUTIONS (continued)

- a. Immediately or as soon as possible after use, contaminated sharps shall be placed in containers meeting the requirements of 8 CCR 5193(d)(3)(D). ~~Containers shall be easily accessible, maintained upright throughout use where feasible, and replaced as necessary to avoid overfilling.~~
- b. Specimens of blood or other potentially infectious material shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport, or shipping.

(cf. 4157/4257/4357 - Employee Safety)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.6 - School Health Services)
(cf. 6145.2 - Athletic Competition)

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.

(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 supervisory 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 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)

(cf. 4312.1 - Contracts)

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. 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.

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: According to Office of Management and Budget Memorandum M-20-17, during extraordinary circumstances such as a pandemic which interrupts district operations, employees paid with federal grant funds can continue to be paid out of federal grant funds as long as other similarly situated employees paid with nonfederal funds are continuing to get compensated. The following optional paragraph establishes such emergency contingencies so that the Board may continue to provide employee compensation during such times.

In extraordinary circumstances or emergency situations, the Board may determine to continue to compensate employees during periods of extended closure or disruption of normal district operations when permitted by law and consistent with collective bargaining agreements and memoranda of understanding.

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 FLSA (29 CFR 553.20) and ~~Labor Code 510~~ **Education Code 45128**, employees who are not specifically exempted by law, **including classified employees in both merit and non-merit system districts**, must receive overtime pay **or compensatory time off** at a rate not less than one and one-half

EMPLOYEE COMPENSATION (continued)

times their regular rate of pay for hours worked in excess of **eight hours in any one day and in excess of 40 hours per work calendar week. However, if the Board has established a work day of less than eight hours but at least seven hours, and a work week of less than 40 hours but at least 35 hours, all time worked in excess of the established work schedule must be deemed overtime.** Furthermore, 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.

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 overtime rules if 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.

Pursuant to Education Code 45130, districts are not required to pay overtime for any classified positions established by the Board, or by the personnel commission in a merit system district, as supervisory, administrative, or executive. In approving positions for exclusion from the overtime provisions, the Board or personnel commission must certify in writing that the duties, flexibility of hours, salary, benefit structure, and authority of the positions are of such a nature that they should be set apart from those positions which are subject to the overtime provisions. See BP/AR 4300 - Administrative and Supervisory Personnel. However, Education Code 45130 requires that, if a classified employee in an exempt position is required to work on a holiday designated in law or by the Board, the employee must be paid the regular pay for that day plus compensation or compensatory time off at a rate not less than the employee's normal rate of pay.

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.

District employees shall be paid an overtime rate of not less than one and one-half times 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, **teachers, school administrators, and other 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 in positions established by the Board as executive, administrative, or professional shall be exempt from overtime rules** capacity and are paid a monthly salary that is at least twice the state minimum wage for full time employment. (Labor Code 510, 515; **Education Code 45128, 45130**; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

(cf. 4300 - Administrative and Supervisory Personnel)

EMPLOYEE COMPENSATION (continued)

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. **Education Code 45129 provides that the compensatory time off must be used within 12 calendar months.**

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 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 12 calendar months** after making the request if the use of the compensatory time does not unduly disrupt district operations. (**Education Code 45129**; 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:

EDUCATION CODE

45022-45061.5 Salaries, especially:

45023 Availability of salary schedule

45028 Salary schedule for certificated employees

45127-45133.5 Classified employees; work week; overtime provisions

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

Legal Reference continued: (see next page)

EMPLOYEE COMPENSATION (continued)

Legal Reference: (continued)

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:

OFFICE OF MANAGEMENT AND BUDGET PUBLICATIONS

Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Coronavirus (COVID-19) Due to Loss of Operations, Memorandum M-20-17, March 19, 2020

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>

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CSBA Sample Board Policy

Students

BP 5141.5(a)

MENTAL HEALTH

Note: Education Code 215 requires all governing boards to adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide) with specified components; see BP/AR 5141.52 - Suicide Prevention. The following optional policy is intended to address broader mental health issues facing students and may be revised to reflect district practice.

The Governing Board recognizes that students' emotional well-being and mental health contribute to their ability to perform to their full academic and personal potential. The Superintendent or designee shall develop strategies and services to build students' resiliency skills, help students cope with life challenges, and reduce the stigma associated with mental illness.

The Superintendent or designee shall consult and collaborate with school-employed mental health professionals, the county mental health department, psychologists and other health professionals, social workers, and/or community organizations to strengthen local mental health services and develop and implement an integrated plan to support student mental health.

(cf. 1220 - Citizen Advisory Committees)

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

To the extent possible, the district shall focus on preventive strategies which increase students' connectedness to school, create a support network of peers and trusted adults, and provide techniques for conflict resolution. The district shall investigate and resolve any complaint of bullying, intimidation, harassment, or discrimination in accordance with law and district policy.

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Note: The state's content standards for health education include voluntary standards pertaining to mental, emotional, and social health at selected elementary and secondary grades and suicide prevention instruction at grade 7 or 8 and in high school.

The district shall provide instruction to students that promotes their healthy mental, emotional, and social development. Health education courses shall be aligned with the state content standards and curriculum framework and shall include, but not be limited to, instruction related to identifying signs of depression and self-destructive behaviors, developing coping skills, and identifying resources that may provide assistance.

MENTAL HEALTH (continued)

(cf. 6142.8 - Comprehensive Health Education)

The Superintendent or designee shall provide school staff with information and training to recognize the early signs of an emerging mental health condition, identify risk factors and warning signs of suicidal intent, respond to students who have been impacted by traumatic stress, and link students with effective services and supports. Such information may also be provided to parents/guardians and families.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 5141.52 - Suicide Prevention)

The Superintendent or designee shall develop a protocol for identifying and assessing students who may be suffering from an anxiety disorder, depression, eating disorder, or other severe or disabling mental illness. The Superintendent or designee may establish districtwide or school-site crisis intervention team(s) to respond to mental health concerns in the school setting.

A school counselor, school psychologist, or school social worker may provide mental health counseling to students in accordance with the specialization(s) authorized on the individual's credential. As needed, students and their parents/guardians may be provided referrals to mental health services in the community and/or to mental health services at or near district schools.

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

Note: Pursuant to 28 CFR 35.108, a student should be evaluated in accordance with Section 504 of the Rehabilitation Act (29 USC 794) if the student has a disability, including a mental impairment, that substantially limits a major life activity, has a record of such impairment, or is regarded as having such impairment. See BP/AR 6164.6 - Identification and Education Under Section 504. Districts also have an affirmative, ongoing duty to actively and systematically seek out, identify, locate, and evaluate all children with disabilities who may be in need of special education and related services (Education Code 56171, 56300-56385; 20 USC 1412; 34 CFR 300.111). See BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education.

If a student has an emotional or mental illness that limits a major life activity, has a record of such impairment, or is regarded as having such impairment, or may need special education and related services, the student shall be referred for an evaluation for purposes of determining whether any educational or related services are required in accordance with Section 504 of the Rehabilitation Act or the federal Individuals with Disabilities Education Act, as applicable. (Education Code 56301-56302; 29 USC 794; 28 CFR 35.108)

MENTAL HEALTH (continued)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

Note: In addition to using district funds for mental health programs or services, districts may apply for grant funds administered by the county mental health agency or other sources.

The Mental Health Services Act, established by Proposition 63 in 2004, provides funding, personnel, and other resources to support county mental health programs, including, but not limited to, prevention and early intervention programs. Funding may be allocated for outreach to families and others to recognize the early signs of potentially severe and disabling mental illnesses, access and linkage to medically necessary care for children with severe mental illness, reduction in stigma and discrimination against people with mental illness, and strategies to reduce negative outcomes that may result from untreated mental illness.

Welfare and Institutions Code 5886, as added by SB 75 (Ch. 51, Statutes of 2019), establishes the Mental Health Student Services Act, a competitive grant program to award funds to county mental health or behavioral health departments for the purpose of creating mental health partnerships with school districts, charter schools, and county offices of education.

The Superintendent or designee shall explore potential funding sources for district programs and services that support student's mental health. In accordance with local plans and priorities, the district may apply to the county for grants for prevention and early intervention activities that are designed to prevent mental illness from becoming severe and disabling and to improve timely access for underserved populations.

Legal Reference:**EDUCATION CODE**215-216 *Student suicide prevention*234.6 *Posting suicide prevention policy on web site*32280-32289.5 *Comprehensive safety plan*49060-49079 *Student records*49600 *Responsibilities of school counselors*49602 *Confidentiality of student information*49604 *Suicide prevention training for school counselors*56171 *Duty to identify and assess children in private schools who need special education services*56300-56385 *Identification, referral, and assessment for special education***WELFARE AND INSTITUTIONS CODE**5698 *Emotionally disturbed youth; legislative intent*5840-5840.8 *Prevention and early intervention programs*5850-5886 *Children's Mental Health Services Act***UNITED STATES CODE, TITLE 20**1400-1482 *Individuals with Disabilities Education Act***UNITED STATES CODE, TITLE 29**794 *Rehabilitation Act of 1973, Section 504*

Legal Reference continued: (see next page)

MENTAL HEALTH (continued)

Legal Reference: (continued)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Nondiscrimination on the basis of disability

CODE OF FEDERAL REGULATIONS, TITLE 34

34 CFR 300.1-300.818 Individuals with Disabilities Education Act

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2019

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

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

NATIONAL CHILD TRAUMATIC STRESS NETWORK PUBLICATIONS

Child Trauma Toolkit for Educators, 2008

WEB SITES

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

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

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

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

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

California Department of Health Care Services, Mental Health Services:

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

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

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

National Child Traumatic Stress Network: <https://www.nctsn.org>

National Council for Behavioral Health, Mental Health First Aid:

<https://www.mentalhealthfirstaid.org>

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

Suicide Prevention Lifeline: <https://suicidepreventionlifeline.org>

Suicide Prevention Resource Center: <https://www.sprc.org/about-suicide>

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

CSBA Sample Board Policy

Students

BP 5145.3(a)

NONDISCRIMINATION/HARASSMENT

Note: The following **mandated** policy reflects various provisions of state and federal law which prohibit discrimination against students in educational programs and activities based on certain actual or perceived characteristics of an individual, including Education Code 220, **as amended by AB 699 (Ch. 493, Statutes of 2017)**, which prohibits discrimination based on **disability**, race, nationality, immigration status, ethnicity, gender, gender identity, gender expression, **sex**, sexual orientation, religion, or any other characteristic contained in the definition of hate crimes in Penal Code 422.55; Government Code 11135, which prohibits discrimination based on all the foregoing characteristics and on **sex, color, ancestry**, age, **medical condition, marital status, disability**, and an individual's genetic information; Title VI (42 USC 2000d-2000e-17), which prohibits discrimination based on race, color, or national origin; Title IX (20 USC 1681-1688), which prohibits discrimination based on sex, gender, gender identity, pregnancy, and parental status; the Age Discrimination Act of 1975 (42 USC 6101-6107), which prohibits discrimination based on age; and Title II (20 USC 12101-12213) and Section 504 (29 USC 794), which prohibit discrimination based on disability. Education Code 260 gives the Governing Board primary responsibility for ensuring that district programs and activities are free from discrimination based on age or any of **these the** characteristics **listed in Education Code 220**. See also BP 0410 - Nondiscrimination in District Programs and Activities.

Moreover, this sample Board policy and the accompanying administrative regulation reflect the statutory right of a transgender student to participate in sex-segregated educational programs and use facilities consistent with **his/her one's** gender identity as specified in Education Code 221.5, and best practices based on existing state and federal law. Districts with questions about the rights of transgender and gender-nonconforming students should consult legal counsel as appropriate. For more information on the rights of transgender students, see CSBA's [Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination](#).

Education Code 234.1 **mandates** that districts adopt policy prohibiting discrimination **at school or in any which applies to all acts related to** school activity **related to or** school attendance **occurring within a school** or under the authority of the district, including discriminatory harassment, intimidation, and bullying, based on the foregoing characteristics. The California Department of Education (CDE), through its Federal Program Monitoring process, reviews districts' uniform complaint procedures (UCP) and other anti-discrimination policies and practices to ensure compliance with these requirements. In addition, the U.S. Department of Education's Office for Civil Rights (OCR) is responsible for the administrative enforcement of federal laws and regulations prohibiting discrimination on the basis of race, color, national origin, sex, disability, and age in programs and activities that receive federal financial assistance from the department, and requires the adoption of nondiscrimination policies and complaint procedures.

OCR has clarified in several publications that conduct that occurs off campus may have an adverse effect on a student at school (i.e., create a "hostile environment" for the student). When that happens, the district has an obligation to investigate and to take steps to protect the student.

This policy shall apply to all acts **constituting unlawful discrimination or harassment** related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

NONDISCRIMINATION/HARASSMENT (continued)

The Governing Board desires to provide a safe school environment that allows all students equal access **to** and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, 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, **medical condition**, 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.

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 6164.6 - Identification and Education Under Section 504)

~~Note: Education Code 234.1 prohibits unlawful discrimination in all acts related to school activity or school attendance. OCR has clarified in several publications that conduct that occurs off campus may have an adverse effect on a student at school (i.e., create a "hostile environment" for the student). When that happens, the district has an obligation to investigate and to take steps to protect the student.~~

~~This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school related or school-sponsored activities but which may have an impact or create a hostile environment at school.~~

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also **includes the creation of a hostile environment through occurs when** prohibited conduct ~~that~~ is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Note: In addition to the types of prohibited student conduct described above, **prohibited conduct unlawful discrimination** includes different treatment of students with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services. See BP 0410 - Nondiscrimination in District Programs and Activities.

NONDISCRIMINATION/HARASSMENT (continued)

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

Note: Pursuant to Education Code 234.1 and 34 CFR ~~106.8~~ **106.9**, a district is required to ~~adopt and~~ publicize its nondiscrimination policies to the school community. **In addition, Education Code 234.6, as added by AB 34 (Ch. 282, Statutes of 2019), requires the district, starting in the 2020-21 school year, to make readily accessible on its web site its nondiscrimination, sexual harassment, suicide prevention, and other specified policies and information related to specified state and federal laws and resources. For further information regarding specific posting requirements, see "Measures to Prevent Discrimination" in the accompanying administrative regulation. The following paragraph may be modified to reflect district practice.**

~~In addition, in its October 2010 Dear Colleague Letter: Harassment and Bullying, OCR identifies training of the school community as one of the key measures for minimizing discriminatory and harassing behavior in school. See the accompanying administrative regulation for specific measures to prevent discrimination and facilitate students' access to the educational program.~~

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. **In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.**

Note: In its October 2010 Dear Colleague Letter: Harassment and Bullying, OCR identifies training of the school community as one of the key measures for minimizing discriminatory and harassing behavior in school. See the accompanying administrative regulation for specific measures to prevent discrimination and facilitate students' access to the educational program. The following paragraph may be modified to reflect district practice.

He/she The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. **He/she The Superintendent or designee** shall report **his/her the** findings and recommendations to the Board after each review.

NONDISCRIMINATION/HARASSMENT (continued)

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1330 - Use of Facilities)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Note: Policies related to discrimination must be consistent with the First Amendment right to free speech. Education Code 48950 prohibits a district from subjecting a high school student to disciplinary sanctions solely on the basis of speech or other communication that would be constitutionally protected if engaged in outside of campus. However, Education Code 48950 also specifies that the law does not prohibit discipline for harassment, threats, or intimidation unless constitutionally protected. Whether such speech might be entitled to constitutional protection would be determined on a case-by-case basis, with consideration for the specific words used and the circumstances involved. The district should consult legal counsel as necessary.

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 defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or 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)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.2 - Freedom of Speech/Expression)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(cf. 3580 - District Records)

Legal Reference: (see next page)

NONDISCRIMINATION/HARASSMENT (continued)

Legal Reference:

EDUCATION CODE

200-262.4 *Prohibition of discrimination*
48900.3 *Suspension or expulsion for act of hate violence*
48900.4 *Suspension or expulsion for threats or harassment*
48904 *Liability of parent/guardian for willful student misconduct*
48907 *Student exercise of free expression*
48950 *Freedom of speech*
48985 *Translation of notices*
49020-49023 *Athletic programs*
49060-49079 *Student records*
51500 *Prohibited instruction or activity*
51501 *Prohibited means of instruction*
60044 *Prohibited instructional materials*

CIVIL CODE

1714.1 *Liability of parents/guardians for willful misconduct of minor*

GOVERNMENT CODE

11135 *Nondiscrimination in programs or activities funded by state*

PENAL CODE

422.55 *Definition of hate crime*
422.6 *Crimes, harassment*

CODE OF REGULATIONS, TITLE 5

432 *Student record*
4600-4670 *Uniform complaint procedures*
4900-4965 *Nondiscrimination in elementary and secondary education programs*

UNITED STATES CODE, TITLE 20

1681-1688 *Title IX of the Education Amendments of 1972*

12101-12213 *Title II equal opportunity for individuals with disabilities*

UNITED STATES CODE, TITLE 29

794 *Section 504 of Rehabilitation Act of 1973*

UNITED STATES CODE, TITLE 42

2000d-2000e-17 *Title VI and Title VII Civil Rights Act of 1964, as amended*

2000h-2-2000h-6 *Title IX of the Civil Rights Act of 1964*

6101-6107 *Age Discrimination Act of 1975*

12101-12213 *Title II equal opportunity for individuals with disabilities*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 *Nondiscrimination on basis of disability; complaints*

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 *Disclosure of personally identifiable information*
100.3 *Prohibition of discrimination on basis of race, color or national origin*
104.7 *Designation of responsible employee for Section 504*

104.8 *Notice*

106.8 *Designation of responsible employee for Title IX*

106.9 *Notification of nondiscrimination on basis of sex*

110.25 *Prohibition of discrimination based on age*

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources: (see next page)

NONDISCRIMINATION/HARASSMENT (continued)

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, ~~July 2016~~ March 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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, April 2018

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

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

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Resolution Agreement Between the Arcadia Unified School District, U.S. Department of Education, Office for Civil Rights, and the U.S. Department of Justice, Civil Rights Division, (2013) OCR 09-12-1020, DOJ 169-12C-70

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, Fact Sheet, August 2010

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, August 2003

WEB SITES

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

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

California Office of the Attorney General: <http://oag.ca.gov>

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendmentcenter.org>

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

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CSBA Sample Administrative Regulation

Students

AR 5145.3(a)

NONDISCRIMINATION/HARASSMENT

Note: The following **mandated** administrative regulation provides measures that may be implemented by a district to comply with state and federal laws and regulations prohibiting unlawful discrimination at school or in school-sponsored or school-related activities, including discriminatory harassment, intimidation, and bullying, of any student based on **his/her 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, **medical condition**, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected category or association with a person or group with one or more of these actual or perceived characteristics. Federal and state law also prohibit retaliation against those who engage in activity to protect civil rights.

5 CCR 4621 **mandates** the district to identify in its policies and procedures the person(s), position(s), or unit(s) responsible for ensuring compliance with applicable state and federal laws and regulations governing educational programs, including the receiving and investigating of complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying. In addition, 34 CFR 106.8 and other federal regulations **mandate** districts that receive federal financial assistance to adopt procedures for the "prompt and equitable" resolution of student and employee discrimination complaints, including the designation of one or more responsible employees to ensure district compliance with federal laws and regulations governing the district's educational programs.

During the Federal Program Monitoring process, California Department of Education (CDE) staff will check to ensure that the district's procedures list the specific title(s) of the employee(s) responsible for investigating complaints. The U.S. Department of Education's (USDOE) Office for Civil Rights (OCR) is the agency responsible for the administrative enforcement of federal antidiscrimination laws and regulations in programs and activities that receive federal financial assistance from the department. In reviewing a district's discrimination policies and procedures, OCR will examine whether the district has identified the employee(s) responsible for coordinating compliance with federal civil rights laws, including the investigation of complaints.

The following paragraphs identify the employee(s) designated to coordinate the district's efforts to comply with state and federal civil rights laws (e.g. Title IX and Section 504 coordinators), including the investigation and resolution of discrimination complaints under AR 1312.3 - Uniform Complaint Procedures. Note also that a district may designate more than one employee to coordinate compliance and/or receive and investigate complaints, although each employee designated as a coordinator/compliance officer must be properly trained.

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status,

NONDISCRIMINATION/HARASSMENT (continued)

pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Superintendent

(title or position)

445 Montezuma Street, Rio Vista, CA 94571

(address)

(707) 374-1711

(telephone number)

Superintendent@rdusd.org

(email)

*(cf. 1312.1 - Complaints Concerning District Employees)**(cf. 1312.3 - Uniform Complaint Procedures)***Measures to Prevent Discrimination**

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

Note: As part of its responsibility to monitor district compliance with legal requirements concerning discrimination pursuant to Education Code 234.1, CDE is required to ensure that the district posts its nondiscrimination policies in all schools, offices, staff lounges, and student government meeting rooms.

In addition, federal regulations enforced by OCR require the district to notify students, parents/guardians, and employees of its policies prohibiting discrimination on the basis of sex (34 CFR 106.8, **106.9**), disability (34 CFR **104.7** **104.8** and 28 CFR 35.107), and age (34 CFR 110.25) and of related complaint procedures.

~~Item #1 below may be revised to specify the means by which the district publicizes its nondiscrimination policies and complaint procedures.~~

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them ~~on the district's web site and other~~ **in** prominent locations and providing easy access to them through district-supported ~~social media, when available~~ **communications**.

Note: Education Code 234.6, as added by AB 34 (Ch. 282, Statutes of 2019), requires a district, starting with the 2020-21 school year, to post its nondiscrimination policies on its web site as specified below. In addition to the policies listed below, if the district has a policy in regard to the prevention

NONDISCRIMINATION/HARASSMENT (continued)

and response to hate violence, it is also required to be posted, and the following item should be modified accordingly. See BP 5145.9 - Hate-Motivated Behavior.

2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

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

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Note: Education Code 234.6, as added by AB 34, requires a district, starting in the 2020-21 school year, to post the definitions specified below.

3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

Note: Education Code ~~221.6~~ 221.61 requires districts and public schools to post on their web sites information related to Title IX (20 USC 1681-1688). Education Code 234.6, as added by AB 34, requires districts, beginning in the 2020-21 school year, to post the Title IX information required pursuant to 221.61 in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. Additionally, districts are required to provide a link to the Title IX information included on CDE's website pursuant to Education Code 221.6, in the same manner. A comprehensive list of rights based on the federal regulations implementing Title IX can be found in Education Code 221.8. A district that does not maintain a web site may comply by posting the information below on the web site of its county office of education. A school without a web site may comply by posting the information on the web site of the district or county office of education.

- 2.4. Post in a prominent ~~and conspicuous~~ location on the district ~~and school~~ web site **in a manner that is easily accessible to parents/guardians and students** information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.6, 221.61, 234.6)
 - a. The name and contact information of the district's Title IX coordinator, including the phone number and email address

NONDISCRIMINATION/HARASSMENT (continued)

- b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
- c. A description of how to file a complaint of noncompliance **with under** Title IX in accordance with AR 1312.3 - Uniform Complaint Procedures, which shall include:
 - (1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
 - (2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site
 - (3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office
- d. **A link to the Title IX information included on the California Department of Education's (CDE) web site**

Note: Education Code 234.6, as added by AB 34, requires a district, starting in the 2020-21 school year, to post a link to statewide resources as specified below.

- 5. **Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)**

(cf. 1113—District and School Web Sites)

(cf. 1114—District Sponsored Social Media)

- ~~3.6.~~ Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. **(Education Code 234.1)**

NONDISCRIMINATION/HARASSMENT (continued)

Note: In its October 2010 Dear Colleague Letter: Harassment and Bullying, OCR identifies training of the school community as one of the key measures for minimizing discriminatory and harassing behavior in school. Item #4 below may be modified to reflect district practice.

- 4.7.** Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

Note: Both federal and state laws contain requirements for translation of certain information and documents. Title VI of the Civil Rights Act of 1964 requires school districts to ensure meaningful access to their programs and activities by persons with limited English proficiency. OCR has interpreted this to require that, whenever information is provided to parents/guardians, districts must notify limited-English-proficient (LEP) parents/guardians in a language other than English in order to be adequate. OCR enforces this requirement consistent with the Department of Justice's 2002 2003 Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. Under the Guidance, a recipient of federal funds has an obligation to provide language assistance to LEP individuals based on balancing four factors: (1) the number or proportion of LEP individuals likely to encounter **or be served by** the program, (2) the frequency with which LEP individuals come in contact with the program, (3) the nature and importance of the services provided by the program, and (4) the resources available to the recipient **and costs**. State law is more specific than federal law: Education Code 48985 requires translation of certain information and documents if 15 percent or more of students enrolled in the school speak a single primary language other than English.

- 5.8.** ~~The Superintendent or designee shall e~~Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

- 6.9.** Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding the district's nondiscrimination policy; what

NONDISCRIMINATION/HARASSMENT (continued)

constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

7.10. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

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

Note: Item #**8-11** below may be revised to reflect district practice. In some situations, the district may need to provide assistance to a student to protect ~~him/her~~ **the student** from harassment or bullying. Each situation will need to be analyzed to determine the most appropriate course of action to meet the needs of the student, based on the circumstances involved.

8.11. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination

NONDISCRIMINATION/HARASSMENT (continued)

4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

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

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

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that **he/she the student** knew was not true

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Process for Initiating and Responding to Complaints

Note: Education Code 234.1 requires that districts adopt a process for receiving and investigating complaints of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying. Such a process, which is required to be consistent with the uniform complaint procedures specified in 5 CCR 4600-4670, must include (1) a requirement that school personnel who witness an act take immediate steps to intervene when safe to do so, (2) a timeline for investigating and resolving complaints, (3) an appeal process, and (4) translation of forms when required by Education Code 48985. In addition, federal regulations require districts to adopt procedures providing for the prompt and equitable resolution of complaints of discrimination on the basis of sex (34 CFR 106.8), disability (34 CFR 104.7 and 28 CFR 35.107), and age (34 CFR 110.25). OCR guidance on federal civil rights requirements notes that districts may have a responsibility to respond to notice of discrimination whether or not a formal complaint is filed. In addition, districts may have an obligation to respond to notice of sexual harassment of students which occurs off school grounds or outside school-sponsored or school-related programs or activities, since the sexual harassment may still create a hostile environment at school. This principle would also apply to harassment on other bases, such as race, gender, or disability.

~~Any student~~ **Students** who feels that ~~he/she has~~ **they have** been subjected to unlawful discrimination described above or in district policy **is are** strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, ~~any-students~~ who observes any such incident **is are** strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

NONDISCRIMINATION/HARASSMENT (continued)

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

Note: Though a formal complaint must be in writing pursuant to 5 CCR 4600, the district's obligation to provide a safe school environment for its students overrides the need to comply with formalities. Thus, once the district receives notice of an incident, whether verbally or in writing, it is good practice to begin the investigation of the report and to take steps to stop any prohibited conduct and address any effect on students. The following paragraph reflects such practice and is consistent with OCR recommendation.

When a verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, **he/she the principal or compliance officer** shall make a note of the report and encourage the student or parent/guardian to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Once notified verbally or in writing, the principal or compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Transgender and Gender-Nonconforming Students

Note: **The following section may be modified to reflect district practice. Pursuant to Education Code 221.5, a district is required to permit a student to use facilities and participate in sex-segregated school programs and activities consistent with the student's gender identity, regardless of the gender listed on his/her educational records. Because Education Code 221.5 affords transgender students these rights, districts in California are not impacted by the February 22, 2017 action of the USDOE and U.S. Department of Justice to rescind earlier federal guidance which had indicated that, under Title IX, students must be allowed to use sex-segregated facilities in accordance with their gender identity. In implementing state law, districts may review recommended practices in the USDOE's Office of Elementary and Secondary Education's Examples of Policies and Emerging Practices for Supporting Transgender Students. For more information on the rights of transgender students, see CSBA's Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination. The term "gender identity" is not specifically defined in the Education Code. The following definition is consistent with case law and generally accepted terms within academia, as well as the Resolution Agreement between the Arcadia Unified School**

NONDISCRIMINATION/HARASSMENT (continued)

District, the U.S. Department of Education Office for Civil Rights, and the U.S. Department of Justice, Civil Rights Division, which defines "gender identity" as "one's internal sense of gender, which may be different from one's assigned sex, and which is consistently and uniformly asserted, or for which there is other evidence that the gender identity is sincerely held as part of the student's core identity."

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense of his/her gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity is different from the gender he/she was assigned at birth.

Regardless of whether they are sexual in nature, **The district prohibits** acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, **regardless of whether the acts are sexual in nature are prohibited**. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her **the student's** gender identity
2. Disciplining or disparaging a student or excluding him/her **the student** from participating in activities, for behavior or appearance that is consistent with his/her **the student's** gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the restroom that corresponds to his/her **the student's** gender identity

NONDISCRIMINATION/HARASSMENT (continued)

4. Taunting a student because **he/she the student** participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. **Use of Using** gender-specific slurs
7. Physically assaulting of a student motivated by hostility toward **him/her the student** because of **his/her the student's** gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

Note: Timelines included in items #1-2 below may be modified to reflect district practice.

1. **Right to privacy:** A student's transgender or gender-nonconforming status is **his/her the student's** private information and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless **he/she the employee** is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit

NONDISCRIMINATION/HARASSMENT (continued)

the district's ability to meet the student's needs related to **his/her the student's** status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to **his/her the student's** parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of **his/her** gender identity and begin to treat the student consistent with **that his/her** gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.
3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, **his/her the student's** parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to **his/her the student's** status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting **his/her the student's** educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

Note: ~~The following section may be modified to reflect district practice.~~ Pursuant to Education Code 221.5, a district is required to permit a student to use facilities and participate in sex-segregated school programs and activities consistent with the student's gender identity, regardless of the gender listed on **the student's his/her** educational records. Because Education Code 221.5 affords transgender students these rights,

NONDISCRIMINATION/HARASSMENT (continued)

districts in California are not impacted by the February 22, 2017 action of the USDOE and U.S. Department of Justice to rescind earlier federal guidance which had indicated that, under Title IX, students must be allowed to use sex-segregated facilities in accordance with their gender identity. In implementing state law, districts may review recommended practices in the USDOE's Office of Elementary and Secondary Education's Examples of Policies and Emerging Practices for Supporting Transgender Students. For more information on the rights of transgender students, see CSBA's Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination.

4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, **access to a staff member's office,** or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because **he/she the student** is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with **his/her the student's** gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with **his/her the student's** gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

Note: **5 CCR 432** requires the legal name, sex, date of birth, etc., of a student to be maintained as part of the student's "mandatory permanent student records" but does not prohibit keeping of other records, such as a student's preferred name, as part of the student's "permitted student records." **Education Code 49062.5 and 49070, as added and amended by AB 711 (Ch. 179, Statutes of 2019), respectively, require districts to update a former student's records to change the student's name and/or gender as specified below. See AR 5125 - Student Records.**

5. **Student Records:** A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed 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. Such preferred name may be added to the student's record and official documents as~~

NONDISCRIMINATION/HARASSMENT (continued)

~~permitted by law.~~ **When a student presents government-issued documentation of a name and/or gender change or submits a request for a name and/or gender change through the process specified in Education Code 49070, the district shall update the student's records. (Education Code 49062.5, 49070)**

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.3 - Challenging Student Records)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronoun(s) consistent with ~~his/her~~ **the student's** gender identity, without the necessity of a court order or a change to ~~his/her~~ **the student's** official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with ~~his/her~~ **the student's** gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress ~~Code~~ and Grooming)

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CSBA Sample Board Policy

Instruction

BP 6020(a)

PARENT INVOLVEMENT

Note: **Education Code 11503 and** 20 USC 6318, ~~as amended by the Every Student Succeeds Act (P.L. 114-95),~~ **mandates** each district receiving federal Title I, Part A, funds to have a written parent/guardian and family engagement policy developed jointly with and agreed upon by parents/guardians and family members of participating students. Education Code 11504 **mandates** districts to adopt a policy on parent/guardian involvement applicable to each school that does not receive Title I funds. The following policy and accompanying administrative regulation contain language satisfying both mandates and should be revised to reflect district practice.

In addition, Education Code 51101 mandates policy for all districts addressing the manner in which parents/guardians, school staff, and students may share responsibility for continuing the intellectual, physical, emotional, and social development and well-being of students; see BP/AR 5020 - Parent Rights and Responsibilities for language fulfilling this mandate.

For best practices in implementing parent/guardian and family engagement programs, see the California Department of Education's Family Engagement Framework: A Tool for California School Districts.

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent/guardian involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall **consult work** with parents/guardians and family members ~~in the development of~~ **to jointly develop and agree upon policy and strategies to meaningfully** ~~opportunities for them to be~~ **involved** ~~parents/guardians and family members~~ **members** in district and school activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home.

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1230 - School-Connected Organizations)

(cf. 1240 - Volunteer Assistance)

(cf. 1250 - Visitors/Outsiders)

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

(cf. 5020 - Parent Rights and Responsibilities)

The district's local control and accountability plan (**LCAP**) shall include goals and strategies for parent/guardian involvement **and family engagement**, including district efforts to seek parent/guardian input in district and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities. (Education Code 42238.02, 52060)

PARENT INVOLVEMENT (continued)

(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent/guardian and family engagement efforts, including, but not limited to, input from parents/guardians, family members, and school staff on the adequacy of involvement opportunities and on barriers that may inhibit participation.

(cf. 0500 - Accountability)

Title I Schools

Note: The following section is for use by districts that receive Title I funds. 20 USC 6318 **mandates** that such districts develop, jointly with parents/guardians and family members of participating students, policy which establishes expectations and objectives for meaningful parent/guardian and family involvement and describes how the district will address specified components. See the accompanying administrative regulation for the required components and optional strategies for addressing each component.

State law (Education Code 11503) also **mandates** procedures to ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the Title I parent/guardian and family engagement program.

The Superintendent or designee shall involve parents/guardians and family members in establishing district expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding, developing strategies that describe how the district will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians and family members. (Education Code 11503; 20 USC 6318)

(cf. 6171 - Title I Programs)

Note: The following paragraph is for use by districts that receive more than \$500,000 in Title I, Part A funding. Pursuant to 20 USC 6318, the Governing Board must reserve at least one percent of the district's Title I funding to carry out parent/guardian and family engagement activities, provided that one percent of the allocation received by the district totals more than \$5,000. **As amended by P.L. 114-95, 20 USC 6318 requires that at least 90 percent of the reserved funds must be distributed to eligible schools, with priority given to "high need schools" as defined in 20 USC 6631.**

When the district's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities **and shall distribute at least 90 percent of those reserved funds to eligible schools, with priority given to high-need schools as defined in 20 USC 6631.** The Superintendent or designee shall involve parents/guardians and family members of

PARENT INVOLVEMENT (continued)

participating students in decisions regarding how the district's Title I funds will be allotted for parent/guardian and family engagement activities **and shall ensure that priority is given to schools in high poverty areas in accordance with law.** (20 USC 6318)

(cf. 3100 - Budget)

Note: **As amended by P.L. 114 95,** 20 USC 6318 identifies allowable uses of the Title I funds reserved for parent/guardian and family engagement, as provided below. These uses are consistent with the activities that must be addressed in the district's parent/guardian and family engagement policy, as described in the accompanying administrative regulation.

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following: (20 USC 6318)

1. Support for schools and nonprofit organizations in providing professional development for district and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members
2. Support for programs that reach parents/guardians and family members at home, in the community, and at school
3. Dissemination of information on best practices focused on parent/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians and family members
4. Collaboration, **or the provision of subgrants to schools to enable collaboration,** with community-based or other organizations or employers with a record of success in improving and increasing parent/**guardian** and family engagement
5. Any other activities and strategies that the district determines are appropriate and consistent with this policy

Note: The following paragraph is for use by districts that receive funds under federal Title IV, Part E (20 USC 7241-7246).

If the district also receives funds under federal Title IV, Part E, to coordinate and enhance family engagement programs, the Superintendent or designee shall inform parents/guardians and organizations of the existence of Title IV. (20 USC 6318)

PARENT INVOLVEMENT (continued)

Note: Pursuant to 20 USC 6318, the district's parent/guardian and family engagement policy must be incorporated into the district's Title I LEA plan. In California, all the requirements of the LEA plan are addressed in an addendum to the ~~local control and accountability plan (LCAP)~~. See BP 0460 - Local Control and Accountability Plan.

The district's Board policy and administrative regulation containing parent/guardian and family engagement strategies shall be incorporated into the district's ~~local control and accountability plan~~ LCAP in accordance with 20 USC 6312. (20 USC 6318)

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement policy in accordance with 20 USC 6318.

District and school-level parent/guardian and family engagement policies and administrative regulations shall be distributed to parents/guardians of students participating in Title I programs and shall be available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. (20 USC 6318)

(cf. 5145.6 - Parental Notifications)

Non-Title I Schools

Note: The following section is for use by districts that do not receive any Title I funds or that have one or more individual schools that do not receive Title I funds. Education Code 11504 **mandates** the Board to adopt a policy on parent/guardian involvement, applicable to each school that does not receive Title I funds, that is consistent with the purposes and goals in Education Code 11502. See the accompanying administrative regulation for information about these goals and sample strategies for addressing each goal.

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502. (Education Code 11504)

Legal Reference: (see next page)

PARENT INVOLVEMENT (continued)

Legal Reference:

EDUCATION CODE

11500-~~11506~~ **11505** Programs to encourage parent involvement
48985 Notices in languages other than English
51101 Parent rights and responsibilities
52060-52077 Local control and accountability plan
54444.1-54444.2 Parent advisory councils, services to migrant children
56190-56194 Community advisory committee, special education
64001 School plan for student achievement, consolidated application programs

LABOR CODE

230.8 Time off to visit child's school

CODE OF REGULATIONS, TITLE 5

18275 Child care and development programs, parent involvement and education

UNITED STATES CODE, TITLE 20

6311 State plan

6312 Local educational agency plan

6314 Schoolwide programs

6318 Parent and family engagement

6631 Teacher and school leader incentive program, purposes and definitions

7241-7246 Family engagement in education programs

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services

35.160 Communications

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Title I School-Level Parental Involvement Policy

Family Engagement Framework: A Tool for California School Districts, 2014

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Parental Involvement: Title I, Part A, Non-Regulatory Guidance, April 23, 2004

WEB SITES

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

California Department of Education, Family, School, Community Partnerships:

<http://www.cde.ca.gov/ls/pf>

California Parent Center: <http://parent.sdsu.edu>

California State PTA: <http://www.capta.org>

National Coalition for Parent Involvement in Education: <http://www.ncpie.org>

National PTA: <http://www.pta.org>

Parent Information and Resource Centers: <http://www.pirc-info.net>

Parents as Teachers National Center: <http://www.parentsasteachers.org>

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

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Instruction

AR 6020(a)

PARENT INVOLVEMENT

Note: The following administrative regulation contains parent/guardian and family engagement strategies that meet legal requirements applicable to districts and schools receiving federal Title I funds and those that do not receive Title I funds. The district should use and adapt the section(s) applicable to its circumstances. If desired, the district may develop one set of strategies applicable to all schools, provided that all the provisions required by law for both types of schools are included.

District Strategies for Title I Schools

Note: The following section is for use by districts that receive Title I, Part A, funds. 20 USC 6318, as amended by the Every Student Succeeds Act (P.L. 114-95), **mandates** that such districts develop a policy, **jointly with and agreed upon by parents/guardians and family members of participating students**, that describes the means by which the district will address the components specified in items #1-6 below. Under each required component below are optional strategies for addressing the component, which should be modified to reflect the specific strategies jointly developed by the district and the parents/guardians and family members of participating students. In the state's Federal Program Monitoring process, California Department of Education (CDE) staff will check to ensure that the district has identified such strategies.

To ensure that parents/guardians and family members of students participating in Title I programs are provided with opportunities to be involved in their children's education, the district shall:

Note: Pursuant to 20 USC 6318, districts must involve parents/guardians and family members in the development of the Title I local educational agency (LEA) plan described in 20 USC 6312; also see BP 6171 - Title I Programs. In California, all the requirements of the LEA plan are addressed in an addendum to the local control and accountability plan (LCAP). See BP 0460 - Local Control and Accountability Plan for further information about the development of the LCAP, including requirements for consultation with parents/guardians and other stakeholders and for the establishment of a parent advisory committee and English learner parent advisory committee.

1. Involve parents/guardians and family members in the joint development of a district plan that meets the requirements of 20 USC 6312 and in the development of school support and improvement plans pursuant to 20 USC 6311 (20 USC 6318)

(cf. 0460 - Local Control and Accountability Plan)
(cf. 6171 - Title I Programs)

The Superintendent or designee may:

- a. In accordance with Education Code 52063, establish a district-level parent advisory committee and, as applicable, an English learner parent advisory committee to review and comment on the **District's Local Control and Accountability Plan (LCAP)** in accordance with the review schedule established by the Governing Board

PARENT INVOLVEMENT (continued)

- b. Invite input on the plan from other district committees and school site councils
(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
 - c. Communicate with parents/guardians through the district newsletter, web site, or other methods regarding the plan and the opportunity to provide input
 - d. Provide copies of working drafts of the plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand
 - e. Ensure that there is an opportunity at a public Board meeting for public comment on the plan prior to the Board's approval of the plan or revisions to the plan
 - f. Ensure that school-level policies on parent/guardian and family engagement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans
2. Provide coordination, technical assistance, and other support necessary to assist and build the capacity of Title I schools in planning and implementing effective parent/guardian and family engagement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations or individuals with expertise in effectively engaging parents/guardians and family members in education (20 USC 6318)

(cf. 1700 - Relations Between Private Industry and the Schools)

The Superintendent or designee may:

- a. Assign district personnel to serve as a liaison to the schools regarding Title I parent/guardian and family engagement issues
- b. Identify funding and other resources, including community resources and services, that may be used to strengthen district and school parent/guardian and family engagement programs
- c. Provide training for the principal or designee of each participating school regarding Title I requirements for parent/guardian and family engagement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of related activities

PARENT INVOLVEMENT (continued)

- d. With the assistance of parents/guardians, provide information and training to teachers and other staff regarding effective parent/guardian involvement practices and legal requirements
- e. Provide information to schools about the indicators and assessment tools that will be used to monitor progress

Note: 20 USC 6318 mandates that the district's policy or regulation include items #2a-f below. The district may expand these items to describe methods the district will use to carry out each activity.

~~The Superintendent or designee shall: (20 USC 6318)~~

- a. ~~Assist parents/guardians in understanding such topics as the challenging state academic content standards and academic achievement standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children~~

~~(cf. 6011—Academic Standards)~~

~~(cf. 6162.5—Student Assessment)~~

~~(cf. 6162.51—State Academic Achievement Tests)~~

- b. ~~Provide parents/guardians with materials and training, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to help them work with their children to improve their children's achievement~~
- c. ~~With the assistance of parents/guardians, educate teachers, specialized instructional support personnel, principals and other school leaders, and other staff, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools~~

~~(cf. 4131—Staff Development)~~

~~(cf. 4231—Staff Development)~~

~~(cf. 4331—Staff Development)~~

- d. ~~To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, state, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in fully participating in their children's education~~

PARENT INVOLVEMENT (continued)

e. — Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand

f. — Provide other such reasonable support for parent/guardian involvement activities as parents/guardians may request

Note: Although not mandated to be included in the district's policy or regulation, item #2g reflects a legal requirement in 20 USC 6318(g) to inform parents/guardians about the existence of parent information and resource centers in the state that work with Title I schools, districts, and parents/guardians. See the management resources in the accompanying Board policy for resources that can help districts locate the centers closest to them.

g. — Inform parents/guardians and parent organizations of the existence and purpose of parent information and resource centers in the state that provide training, information, and support to parents/guardians of participating students

Note: Items #2a t below are **optional** and should be revised to reflect district practice. Items #2a h are authorized, but not required, by 20 USC 6318.

In addition, the Superintendent or designee may:

a. — Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training

b. — Provide necessary literacy training, using Title I funds if the district has exhausted all other reasonably available sources of funding for such training

c. — Pay reasonable and necessary expenses associated with parent/guardian involvement activities, including transportation and child care costs, to enable parents/guardians to participate in school related meetings and training sessions

d. — Train parents/guardians to enhance the involvement of other parents/guardians

e. — Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students, in order to maximize parent/guardian involvement and participation

PARENT INVOLVEMENT (continued)

- f. Adopt and implement model approaches to improving parent/guardian involvement
- g. Establish a districtwide parent advisory council to provide advice on all matters related to parent/guardian involvement in Title I programs
- h. Develop appropriate roles for community based organizations and businesses in parent/guardian involvement activities
- i. Make referrals to community agencies and organizations that offer literacy training, parent/guardian education programs, and/or other services that help to improve the conditions of parents/guardians and families

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

- j. Provide a master calendar of district activities and district meetings
- k. Provide information about opportunities for parent/guardian and family engagement through the district newsletter, web site, or other written or electronic means
- l. Engage parent teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions

(cf. 1230—School Connected Organizations)

- m. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians and family members as needed
- n. Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions
- o. Provide ongoing district level workshops to assist school site staff, parents/guardians, and family members in planning and implementing improvement strategies, and seek their input in developing the workshops
- p. Provide training for the principal or designee of each participating school regarding Title I requirements for parent/guardian and family engagement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of related activities

PARENT INVOLVEMENT (continued)

q. Regularly evaluate the effectiveness of staff development activities related to parent/guardian and family engagement

r. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

s. Assign district personnel to serve as a liaison to the schools regarding Title I parent/guardian and family engagement issues

t. Provide information to schools about the indicators and assessment tools that will be used to monitor progress

3. To the extent feasible and appropriate, coordinate and integrate Title I parent/guardian and family engagement strategies with parent/guardian and family engagement strategies of other relevant federal, state, and local programs and ensure consistency with federal, state, and local laws (20 USC 6318)

The Superintendent or designee may:

- a. Identify overlapping or similar program requirements

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 2230 - Representative and Deliberative Groups)

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

(cf. 5030 - Student Wellness)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Career Technical Education)

- b. Involve district and school site representatives from other programs to assist in identifying specific population needs
- c. Schedule joint meetings with representatives from related programs and share data and information across programs
- d. Develop a cohesive, coordinated plan focused on student needs and shared goals

PARENT INVOLVEMENT (continued)

4. Conduct, with meaningful involvement of parents/guardians and family members, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement policy in improving the academic quality of the schools served by Title I, including identification of: (20 USC 6318)
 - a. Barriers to **greater** participation in parent/guardian and family engagement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
 - b. The needs of parents/guardians and family members, so they can better assist with their children's learning and engage with school personnel and teachers
 - c. Strategies to support successful school and family interactions

(cf. 0500 - Accountability)

~~Note: Although it is not mandated to be included in the district's policy or regulation, the following paragraph reflects a legal requirement of Education Code 11503 pertaining to evaluation of the district's parent/guardian involvement efforts.~~

~~The Superintendent or designee shall notify parents/guardians of this review and assessment through regular school communications mechanisms and shall provide a copy of the assessment to parents/guardians upon their request. (Education Code 11503)~~

The Superintendent or designee may:

- a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of district communications
- b. Gather and monitor data regarding the number of parents/guardians and family members participating in district activities and the types of activities in which they are engaged
- c. Recommend to the Board measures to evaluate the impact of the district's parent/guardian and family engagement efforts on student achievement

~~Note: Although it is not mandated to be included in the district's policy or regulation, the following paragraph reflects a legal requirement of Education Code 11503 pertaining to evaluation of the district's parent/guardian involvement efforts.~~

PARENT INVOLVEMENT (continued)

The Superintendent or designee shall notify parents/guardians of this review and assessment through regular school communications mechanisms and shall provide a copy of the assessment to parents/guardians upon their request. (Education Code 11503)

5. Use the findings of the evaluation conducted pursuant to item #4 above to design evidence-based strategies for more effective parent/guardian and family involvement and, if necessary, to revise the parent/guardian and family engagement policy (20 USC 6318)

The Superintendent or designee may:

- a. **Analyze data from the evaluation to identify parent/guardian and family engagement activities that have been successful and those activities that have had lower participation or less meaningful involvement by parents/guardians**
 - b. **Analyze parent/guardian and family participation to determine the level of participation by traditionally underrepresented groups**
 - c. **With the involvement of parents/guardians, recommend and draft proposed policy revisions to submit to the Board for consideration**
6. Involve parents/guardians in the activities of schools served by Title I, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents/guardians or family members served by the district to adequately represent the needs of the population served by the district for the purposes of developing, revising, and reviewing the parent/guardian and family engagement policy (20 USC 6318)

The Superintendent or designee may:

- a. Include information about school activities in district communications to parents/guardians and family members
- b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians and family members
- c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children

PARENT INVOLVEMENT (continued)

Note: Pursuant to 20 USC 6318, the district's parent/guardian and family engagement policy must be incorporated into the district's Title I LEA plan. In California, all the requirements of the LEA plan are addressed in an addendum to the local control and accountability plan (LCAP). See BP 0460 Local Control and Accountability Plan.

The district's Board policy and administrative regulation containing parent/guardian and family engagement strategies shall be incorporated into the district's local control and accountability plan in accordance with 20 USC 6312 and shall be distributed to parents/guardians of students participating in Title I programs. (20 USC 6318)

(cf. 5145.6 Parental Notifications)

In addition, the district shall promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement by implementing the actions specified in item #7 of the section "School-Level Policies for Title I Schools" below. (20 USC 6318)

School-Level Policies for Title I Schools

Note: The following section is for use by districts that receive federal Title I, Part A funds. 20 USC 6318, as amended by P.L. 114-95, mandates requires that each individual school receiving Title I funds have a written parent/guardian and family engagement policy, developed jointly with and agreed upon by parents/guardians and family members of participating students, that describes the means for carrying out the requirements of 20 USC 6318(c) through (f), reflected in items #1-8 below. The following section lists the required components but does not include specific strategies which since those should be added by each school. Schools may also use a template available on the web site of the California Department of Education, Title I School-Level Parental Involvement Policy, to develop the school-level policy.

At each school receiving Title I funds, a written policy on parent/guardian and family engagement shall be developed jointly with the parents/guardians and family members of participating students. **Such The school** policy shall describe the means by which the school will: (20 USC 6318)

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved
2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent/guardian involvement

Note: As provided in item #3 below, 20 USC 6318 requires parent/guardian involvement in the development of the comprehensive plan required by 20 USC 6314 for schoolwide programs. Under state law (Education Code 64001), this plan must be incorporated into the school plan for student achievement

PARENT INVOLVEMENT (continued)

covering all categorical programs in the state's consolidated application; see AR 6171 - Title I Programs and BP/AR 0420 - School Plans/Site Councils for further information about the development of this plan.

3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent/guardian and family engagement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314

The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.

4. Provide the parents/guardians of participating students all of the following:
 - a. Timely information about Title I programs
 - b. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the achievement levels of the **challenging** state academic standards

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

(cf. 5123 - Promotion/Acceleration/Retention)

- c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education, **and, as soon as practicably possible, to receive responses to the suggestions of parents/guardians. The district shall respond to any such suggestions as soon as practicably possible.**
5. If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the district

Note: 20 USC 6318 requires Title I schools to develop a school-parent compact as provided in item #6 below. U.S. Department of Education non-regulatory guidance, Parental Involvement: Title I, Part A, provides a sample template that schools may use in the development of the school-parent compact.

6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards

PARENT INVOLVEMENT (continued)

This compact shall address:

- a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's challenging academic achievement standards
- b. Ways in which parents/guardians will be responsible for supporting their children's learning, volunteering in the classroom, and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5113 - Absences and Excuses)

(cf. 6145 - Extracurricular/Cocurricular Activities)

(cf. 6154 - Homework/Makeup Work)

- c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
 - (1) Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement
 - (2) Frequent reports to parents/guardians on their children's progress
 - (3) Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities
 - (4) Regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand

7. **Build the capacity of the school and parents/guardians for strong parent involvement by implementing the required activities described in item #2 in the section "District Strategies for Title I Schools" above. Promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement through the following actions:**

- a. Assist parents/guardians in understanding such topics as the challenging state academic content standards and academic achievement standards, state and

PARENT INVOLVEMENT (continued)

local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

- b. Provide parents/guardians with materials and training, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to help them work with their children to improve their children's achievement
- c. With the assistance of parents/guardians, educate teachers, specialized instructional support personnel, principals and other school leaders, and other staff, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

- d. To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, state, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in fully participating in their children's education
- e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand
- f. Provide other such reasonable support for parent/guardian involvement activities as parents/guardians may request

Note: Items #7a-q below are **optional** and should be revised to reflect district practice. Items #7a-h are authorized, but not required, by 20 USC 6318.

PARENT INVOLVEMENT (continued)

In addition, the Superintendent or designee **school plan** may **include strategies to:**

- a. Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training
- b. Provide necessary literacy training, using Title I funds if the district has exhausted all other reasonably available sources of funding for such training
- c. Pay reasonable and necessary expenses associated with parent/guardian involvement activities, including transportation and child care costs, to enable parents/guardians to participate in school-related meetings and training sessions
- d. Train parents/guardians to enhance the involvement of other parents/guardians
- e. Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students, in order to maximize parent/guardian involvement and participation
- f. Adopt and implement model approaches to improving parent/guardian involvement
- g. Establish a ~~districtwide~~ parent advisory council to provide advice on all matters related to parent/guardian involvement in Title I programs
- h. Develop appropriate roles for community-based organizations and businesses in parent/guardian involvement activities
- i. Make referrals to community agencies and organizations that offer literacy training, parent/guardian education programs, and/or other services that help to improve the conditions of parents/guardians and families

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

- j. Provide a master calendar of district/**school** activities and ~~district~~ meetings
- k. Provide information about opportunities for parent/guardian and family engagement through the district newsletter, web site, or other written or electronic means

PARENT INVOLVEMENT (continued)

- l. Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions

(cf. 1230 - School-Connected Organizations)

- m. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians and family members as needed
- n. Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions
- o. Provide ongoing district-level workshops to assist school site staff, parents/guardians, and family members in planning and implementing improvement strategies, and seek their input in developing the workshops
- p. Regularly evaluate the effectiveness of staff development activities related to parent/guardian and family engagement
- q. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

8. To the extent practicable, provide opportunities for the informed participation of parents/guardians and family members (including parents/guardians and family members with limited English proficiency, parents/guardians and family members with disabilities, and parents/guardians and family members of migrant children), including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/guardians can understand

If the school has a parent involvement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements. (20 USC 6318)

~~Each school's parent/guardian and family engagement policy shall be made available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. (20 USC 6318)~~

PARENT INVOLVEMENT (continued)

Note: The following paragraph is **optional**. Education Code 64001 requires that the school plan for student achievement covering the categorical programs in the state's consolidated application, including Title I schoolwide programs, be annually reviewed by the school site council and submitted to the Board for approval; see BP/AR 0420 - School Plans/Site Councils.

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent/guardian and family engagement policy. Such evaluation may be conducted during the process of reviewing the **school's single school** plan for student achievement in accordance with Education Code 64001.

The school's policy shall be periodically updated to meet the changing needs of parents/guardians and the school. (20 USC 6318)

District Strategies for Non-Title I Schools

Note: The following section is for use by districts that do not receive any Title I funds or that have one or more individual schools that do not receive Title I funds. Education Code 11504 **mandates** the Board to adopt a policy on parent/guardian involvement, applicable to each school that does not receive Title I funds, that is consistent with the purposes and goals in Education Code 11502 as reflected in items #1-5 below. Subitems under items #1-5 are **optional** strategies for carrying out the legal requirement and should be revised to reflect district practice. **The district may develop one administrative regulation applicable to both Title I and non-Title I schools, provided it meets the requirements below and in the sections above.**

For each school that does not receive federal Title I funds, the Superintendent or designee shall, at a minimum:

1. Engage parents/guardians **and family members** positively in their children's education by **providing assistance and training on topics such as state academic standards and assessments to** ~~helping them develop~~ **increase their knowledge and skills to use at home** ~~that to~~ support their children's academic efforts at school and their children's development as responsible members of society (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education
- b. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter

PARENT INVOLVEMENT (continued)

- c. Provide parents/guardians with information about students' class assignments and homework assignments
2. Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Provide parents/guardians with information regarding ways to create an effective study environment for their children at home and to encourage good study habits
 - b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing
 - c. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees
3. Build consistent and effective **two-way** communication between the home and school so that parents/guardians **and family members** may know when and how to assist their children in support of classroom learning activities (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students
- b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom
- c. Provide information about parent/guardian and family engagement opportunities through district, school, and/or class newsletters, the district's web site, and other written or electronic communications
- d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand
- e. Develop mechanisms to encourage parent/guardian input on district and school issues

PARENT INVOLVEMENT (continued)

- f. Identify barriers to parent/guardian and family participation in school activities, including parents/guardians and family members who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
 - g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or child care
4. Train teachers, **and** administrators, **specialized instructional support personnel, and other staff** to communicate effectively with parents/guardians **as equal partners** (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy
 - b. Invite input from parents/guardians regarding the content of staff development activities pertaining to home-school communications
5. Integrate **and coordinate** parent/guardian and family engagement ~~programs into school plans for academic accountability~~ **activities within the LCAP with other activities**

The Superintendent or designee may:

- a. Include parent/guardian and family engagement strategies in school reform or school improvement initiatives
- b. Involve parents/guardians and family members in school planning processes

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CSBA Sample Board Policy

Instruction

BP 6115(a)

CEREMONIES AND OBSERVANCES

The Governing Board recognizes the importance of having students observe holidays, celebrate events of cultural or historical significance, and acknowledge the contributions of outstanding individuals in society. On days designated by the Board, staff shall provide students with appropriate commemorative exercises so that they may acquire the knowledge, skills, and principles essential for informed, responsible citizenship in a democratic society.

(cf. 6111 - School Calendar)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.94 - History-Social Science Instruction)

(cf. 6142.3 - Civic Education)

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

Note: Education Code 37220 lists holidays on which district schools must be closed. See the accompanying administrative regulation. Pursuant to Education Code 37220, the Governing Board may designate any other day as a holiday.

District schools shall be closed on the holidays specified in Education Code 37220 and on any other day designated as a holiday by the Board. The Board may, by adoption of a resolution, revise the date upon which schools close in observance of any holiday except Veterans Day, which shall be celebrated on its actual date. (Education Code 37220)

In addition, the Board may, through the adoption of a resolution, authorize the display of symbolic flags or banners in support of specific awareness months.

(cf. 6144 - Controversial Issues)

Legal Reference: (see next page)

CEREMONIES AND OBSERVANCES (continued)

Legal Reference:

EDUCATION CODE

37220-37222.1820 *Holidays and commemorative events*

44015.1 *Week of the School Administrator*

45203 *Paid holidays, classified employees*

45460 *Classified School Employee Week*

52720-52730 *Daily performance of patriotic exercises in public schools* **Patriotic exercises and instruction**

~~52730~~ *Patriotic exercises, daily instruction*

GOVERNMENT CODE

430-439 *Display of flags*

3540-3549.3 *Meeting and negotiating*

UNITED STATES CODE, TITLE 4

6 *Time and occasion for display of flag*

7 *Position and manner of display of flag*

UNITED STATES CODE, TITLE 36

106 ~~Note~~ *Constitution Day and Citizenship Day*

106 Note Educational program on the U.S. Constitution

COURT DECISIONS

Newdow v. Rio Linda Union School District, 597 F.3d 1007, 1012 (9th Cir. 2010)

West Virginia State Board of Education et al v. Barnette et al (1943) 319 U.S. 624 (1943)

Management Resources:

CSBA PUBLICATIONS

~~*Constitution Day: New Mandate for Districts Receiving Federal Funds, CSBA Advisory, August 2005*~~

FEDERAL REGISTER

~~*70 Fed. Reg. 29727 Constitution Day and Citizenship Day (2005)*~~

WEB SITES

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

California Department of Education, History/Social Science Instructional Materials:

<http://www.cde.ca.gov/ci/hs/im>

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CSBA Sample Administrative Regulation

Instruction

AR 6115(a)

CEREMONIES AND OBSERVANCES

Holidays

Note: The following list may be expanded to reflect district practice. Education Code 37220 **specifies holidays on which public schools must be closed, and** allows the Governing Board to designate any other day as a holiday. **See the accompanying Board policy.** In addition, Education Code 37220 provides that the Board, by adoption of a resolution, may revise the date upon which district schools close in observance of any of these holidays except Veterans Day, which must be celebrated on its actual date.

Education Code 37220.5 and 37220.7 authorize the closing of school on March 31 in observance of Cesar Chavez Day and/or on the fourth Friday in September for Native American Day, provided that the Board agrees to do so in a memorandum of understanding reached with employee bargaining units pursuant to Government Code 3540-3549.3. **If the district has such an agreement, the holiday(s) should be added to the following list.**

Education Code 37220 **also** provides that a district may, if it so chooses, allow community groups to use school facilities on those dates when the school is closed for a holiday. See BP/AR 1330 - Use of School Facilities.

District schools shall be closed on the following holidays: (Education Code 37220)

New Year's Day	January 1
Dr. Martin Luther King Jr. Day	Third Monday in January or the Monday or Friday of the week in which January 15 occurs
Lincoln Day	The Monday or Friday of the week in which February 12 occurs
Washington Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day	The Thursday in November designated by the President
Christmas Day	December 25

CEREMONIES AND OBSERVANCES (continued)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

In addition, schools shall be closed on any day designated by the Governor or President for a holiday, any special or limited holiday on which the Governor provides that the schools shall close, and any other day designated as a holiday by the Governing Board and/or negotiated with employee organizations. (Education Code 37220)

Note: The following paragraph is **optional**. Education Code 37220.5 and 37220.7 authorize the closing of school on March 31 in observance of Cesar Chavez Day and/or on the fourth Friday in September for Native American Day, provided that the Board agrees to do so in a memorandum of understanding reached with employee bargaining units pursuant to Government Code 3540-3549.3. The following paragraph should be modified to reflect any agreements reached by the Board and the bargaining units and should be deleted entirely if no such agreements have been reached.

~~In addition, the district has reached agreement with the district employee organizations pursuant to Government Code 3540-3549.3 to close schools in observance of the following holidays:~~

~~Cesar Chavez Day ————— March 31~~

~~Native American Day ————— Fourth Friday in September~~

Holidays which fall on a Sunday shall be observed the following Monday. Holidays which fall on a Saturday shall be observed the preceding Friday. If any of the above holidays occurs under federal law on a date different from that indicated above, the Governing Board may close the schools on the date recognized by federal law instead of on the date above. (Education Code 37220)

(cf. 6111 - School Calendar)

Commemorative Exercises

Note: As listed in the section below, Education Code 37220, 37221, and 45460 require the observance of various special days with suitable commemorative exercises. In addition, both federal and state law (36 USC 106, Note and Education Code 37221) require districts to hold commemorative exercises for U.S. Constitution Day and Citizenship Day each year on or near September 17; see BP 6142.3—Civic Education. **The following section lists special days that schools are required by state and/or federal law to observe with suitable commemorative exercises.**

In addition to commemorative exercises that are required by law, Education Code 37222-37222.1820 and 51009, as well as various legislative resolutions, have designated other days of special significance on which schools are encouraged, but not required, to conduct appropriate commemorative exercises, including, but not limited to: (1) School Board Recognition Month in January; (2) Ed Roberts Day on January 23; (3) Fred Korematsu Day of Civil Liberties and the Constitution on January 30; (4) Ronald Reagan Day on February 6; **(5) Lunar New Year on the date corresponding with the second new moon**

CEREMONIES AND OBSERVANCES (continued)

following the winter solstice, or the third new moon following the winter solstice if an intercalary month intervenes; ~~(5)~~ **(6)** Week of the School Administrator on the first full week of March; ~~(6)~~ **(7)** California Agriculture Day on the first day of spring each year; ~~(7)~~ **(8)** Welcome Home Vietnam Veterans Day on March 30; **(9) Cesar Chavez on March 31;** ~~(8)~~ **(10)** California Poppy Day on April 6; **(11) Dolores Huerta Day on April 10;** ~~(9)~~ **(12)** John Muir Day on April 21; ~~(10)~~ **(13)** Labor History Month in May; ~~(11)~~ **(14)** the Day of the Teacher on the second Wednesday in May; ~~(12)~~ **(15)** Harvey Milk Day on May 22; **(16) Native American Day on the fourth Friday in September;** ~~(13)~~ **(17)** Larry Itliong Day on October 25; and ~~(14)~~ **(18)** Bill of Rights Day on December 15. Pursuant to Education Code 37220.5 and 37220.7, districts also may, but are not required to, conduct commemorative exercises for Cesar Chavez Day and Native American Day in addition to or instead of closing school on those days; see section above on "Holidays." The California Department of Education's web site includes a calendar of events listing other days for which special recognition is encouraged. The list below may be modified to include any optional days of special significance so designated by the Board.

District schools shall hold exercises in accordance with law to commemorate the following special days: (Education Code 37220, 37221, 45460)

U.S. Constitution and Citizenship Day	On or near September 17
Dr. Martin Luther King, Jr. Day	The Friday before the day schools are closed for this holiday
Abraham Lincoln's Birthday	The school day before the day schools are closed for this holiday
Susan B. Anthony Day	February 15
George Washington's Birthday	The Friday preceding the third Monday in February
Black American Day	March 5
Conservation, Bird, and Arbor Day	March 7
Classified Employee Week	Third week in May

Commemorative exercises shall be integrated into the regular educational program to the extent feasible.

(cf. 6142.94 - History-Social Science Instruction)

(cf. 6142.3 - Civic Education)

Patriotic Exercises

Note: Education Code 52720 requires all schools to conduct patriotic exercises daily. Pursuant to Education Code 52720 and 52730, this requirement may be satisfied by reciting the Pledge of Allegiance and/or through the instruction described below.

CEREMONIES AND OBSERVANCES (continued)

Each school shall conduct patriotic exercises daily. ~~These patriotic exercises shall consist of the reciting of~~ **which may include** the Pledge of Allegiance **to the Flag of the United States** and/or ~~may also include~~ instruction that promotes understanding of the concepts of "pledge," "allegiance," "republic," and "indivisible" and understanding of the importance of the pledge as an expression of patriotism, love of country, and pride in the United States. (Education Code 52720, 52730)

Note: The following paragraph is for use by districts maintaining elementary schools.

At elementary schools, such exercises shall be conducted at the beginning of each school day. (Education Code 52720)

Note: **The following paragraph is for use by districts maintaining secondary schools.** ~~For secondary schools, Education Code 52720 requires that the patriotic exercises be conducted in accordance with mandated regulations adopted by the Board.~~ **mandates that the Board adopt regulations pertaining to the conduct of patriotic exercises in secondary schools.** ~~Districts maintaining secondary schools should modify~~ **The following paragraph should be revised** to reflect district practice.

At secondary schools, such exercises shall be conducted during the homeroom period.

Note: **In Newdow v. Rio Linda Union School District, the Ninth Circuit Court of Appeals upheld a school policy permitting teacher-led recitation of the Pledge of Allegiance pursuant to Education Code 52720 where students were permitted by policy to decline participation for personal reasons.** ~~Federal courts have~~ **In West Virginia State Board of Education et al. v. Barnette et al., the court held that individuals may not be compelled to salute the flag or to stand during the salute.** ~~(West Virginia State Board of Education et al v. Barnette et al.)~~

~~Individuals~~ **A student** may choose not to participate in the flag salute **or Pledge of Allegiance** for personal reasons.

Display of Flag

The flag of the United States and the flag of California shall be displayed during business hours at the entrance or on the grounds of every district school and on or near the district office. At all times, the national flag shall be placed in the position of first honor. (Government Code 431, 436; 4 USC 6)

When displayed on a building or on a flagstaff in the open, the national flag shall be displayed only from sunrise to sunset unless properly illuminated during the hours of darkness. The flag should not be displayed during inclement weather unless an all-weather flag is used. (4 USC 6)

The national flag shall fly at half-staff on the following occasions: (4 USC 7)

CEREMONIES AND OBSERVANCES (continued)

1. For 30 days from the death of the President or a former President
2. For 10 days from the death of the Vice President, the Chief Justice or a retired Chief Justice, or the Speaker of the House of Representatives
3. From the day of death until interment of an Associate Justice of the Supreme Court, a secretary of an executive or military department, former Vice President, or the Governor of a state
4. On the day of death and the following day for a Member of Congress
5. On Memorial Day, until noon only
6. On Peace Officers Memorial Day (May 15), unless it falls on Armed Forces Day
7. Upon a proclamation from the Governor in the event of the death of a present or former official of the state government or a member of the Armed Forces from the state who has died while serving on active duty
8. On other occasions by order of the President and in accordance with presidential instructions or orders

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BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 2020

Attachments: X

From: Katherine Wright, Superintendent

Item Number: 12

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 July 2020.

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 October 13, 2020 Board meeting.

STATUS:

Attached are Board Policies, Administrative Regulations and Exhibits which have been affected by changes in law effective prior to July 2020 which need to be approved for first reading.

PRESENTER:

Katherine Wright, Superintendent

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 July 2020.

Time allocated: 3 minutes

CSBA POLICY GUIDE SHEET July 2020

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.

Board Policy 3555 - Nutrition Program Compliance

Policy updated to reflect **NEW STATE REGULATIONS** (Register 2020, No. 21) which provide that complaints regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses should be submitted directly to the California Department of Education (CDE), and complaints alleging discrimination on the basis of race, color, national origin, sex, age, or disability should be submitted to the U.S. Department of Agriculture (USDA). Complaints regarding other program requirements or other bases for discrimination are to be investigated and resolved at the district level. Policy also deletes the USDA nondiscrimination statement that must be included on all forms of communication regarding program availability, which is now presented in the accompanying exhibit.

NEW - Exhibit 3555 - Nutrition Program Compliance

New exhibit presents the USDA statement, formerly in BP 3555, which must be included on all forms of communication available to the public regarding the availability of child nutrition programs in order to advise the public of the district's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints against the district.

Administrative Regulation 4030 - Nondiscrimination in Employment

Regulation updated to reflect **NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026)** which require that allegations of sexual harassment that meet the federal definition be investigated through Title IX complaint procedures, as described in AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, rather than the complaint procedures detailed in this regulation.

Board Policy 4119.11/4219.11/4319.11 - Sexual Harassment

Policy updated to reflect **NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026)** which require that complaints of behavior that meets the federal definition of sexual harassment be addressed through new Title IX complaint procedures. Title of compliance officer changed to Title IX Coordinator pursuant to federal regulations, and responsibility assigned to Title IX Coordinator to receive complaints and determine the appropriate complaint procedure to use.

Administrative Regulation 4119.11/4219.11/4319.11 - Sexual Harassment

Regulation updated to reflect **NEW LAW (SB 778, 2019)** which (1) requires a district with five or more employees to provide two hours of sexual harassment training to supervisory employees and one hour of sexual harassment training to nonsupervisory employees by January 1, 2021 and every two years thereafter, and (2) requires new nonsupervisory employees and employees promoted to supervisory positions to receive the training within six months of hire or promotion. Regulation also reflects **NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026)** which require the district to designate a Title IX Coordinator and disseminate the Coordinator's contact information.

NEW - Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures

New regulation reflects **NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026)** which establish a Title IX complaint procedure for addressing complaints of behavior that meets the federal definition of sexual harassment. Regulation describes the types of behavior subject to these complaint procedures, the process for filing a complaint with the Title IX Coordinator, the requirement to offer supportive measures to the complainant, the option for the parties to participate in an informal resolution process, required notifications, the investigation process, issuance of a written decision, the right to appeal the decision, and the requirement to maintain records of sexual harassment complaints and training materials for seven years.

Board Policy 5141.22 - Infectious Diseases

Policy reflects **NEW LAW (AB 262, 2019)** which requires local health officers to notify and update districts of an outbreak, or imminent outbreak, of a communicable disease and requires districts to comply with any orders issued by the health officers and all applicable privacy laws. Policy also clarifies that any allowable exclusions apply only to on-campus instruction and provides that the superintendent or designee will, when necessary, inform the local health official of any potential outbreak.

Administrative Regulation 5141.22 - Infectious Diseases

Regulation updated to add section on "Prevention and Mitigation Plan" reflecting general best practices based on COVID-19 guidance. Regulation also adds recommendations from CDE's Science Safety Handbook pertaining to experiments involving human blood sampling.

Administrative Regulation 5145.3 - Nondiscrimination/Harassment

Regulation updated to reflect **NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026)** which require that allegations of sexual harassment that meet the federal definition be investigated through Title IX complaint procedures, as described in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures, rather than the district's uniform complaint procedures.

Board Policy 5145.6 - Parental Notifications

Policy updated for gender neutrality and to update legal references based on new laws reflected in the accompanying exhibit.

Exhibit 5145.6 - Parental Notifications

Exhibit updated to reflect **NEW LAW (SB 74, 2020)** which extends the suspension of certain mandated activities through the 2020-21 school year; reflect **NEW FEDERAL REGULATION (85 Fed. Reg. 30026)** which requires notice of the contact information of the district's Title IX Coordinator; delete legal cites for the Open Enrollment Act, which is no longer operational; delete reference to BP 5141.33 which is no longer applicable to exclusions from school; reflect **NEW LAW (SB 1109, 2018)** which requires dissemination of an opioid fact sheet to parents/guardians of student athletes; reflect **NEW LAW (AB 2370, 2018)** which requires child care centers with buildings constructed before 2010 to test drinking water for lead and notify parents/guardians of the results of that test; add notice requirements for districts receiving Impact Aid for children residing on Indian lands; reflect **NEW FEDERAL REGULATION (85 Fed. Reg. 30026)** which requires notifications to the parents/guardians of a student who complains of sexual harassment regarding rights, the complaint process, and the availability of supportive measures; and move the classroom notice requirement pertaining to complaints about health and safety in California State Preschool Programs to AR/E 1312.3 - Uniform Complaint Procedures consistent with CDE's Federal Program Monitoring instrument.

Board Policy 5145.7 - Sexual Harassment

Policy updated to include examples of actions to reinforce the district's sexual harassment policy, consistent with **NEW LAW (AB 34, 2019)** which requires posting the sexual harassment policy on the district's web site and **NEW LAW (AB 543, 2019)** which requires displaying a poster and providing the sexual harassment policy in student orientations. Policy also reflects **NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026)** which require that complaints of behavior that meets the federal definition of sexual harassment be addressed through new Title IX complaint procedures. Title of compliance officer changed to Title IX Coordinator throughout policy pursuant to federal regulations.

Administrative Regulation 5145.7 - Sexual Harassment

Regulation updated to reflect **NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026)** which amend the process for resolving complaints of sexual harassment, including, but not limited to, requirements to designate a Title IX Coordinator and disseminate the Coordinator's contact information. Regulation also reflects **NEW LAW (AB 543, 2019)** which requires the district to create a poster notifying students of the district's sexual harassment policy and to display the poster in specified locations, and requires the district to provide a copy of the policy to students as part of any orientation program for new and continuing students. Regulation reflects **NEW LAW (AB 34, 2019)** which requires the district to post the district's sexual harassment policy and the definition of sexual harassment in a prominent location on the district's web site.

NEW - Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures

New regulation reflects **NEW FEDERAL REGULATIONS (85 Fed. Reg. 30026)** which establish a Title IX complaint procedure for addressing complaints of behavior that meets the federal definition of sexual harassment. Regulation describes the types of behavior subject to these complaint procedures, the process for filing a complaint with the Title IX Coordinator, the offer of supportive measures to the complainant, the option for the parties to participate in an informal resolution process, required notifications, the investigation process, issuance of a written decision, the right to appeal the decision, and the requirement to maintain records of sexual harassment complaints and training materials for seven years.

Board Policy 6142.7 - Physical Education and Activity

Policy updated to add statement on equal access and equal opportunities for participation in physical education regardless of gender, gender expression, sexual orientation, and mental or physical disability, as included in CDE's Federal Program Monitoring instrument. Policy also reflects U.S. Department of Health and Human Services recommendations for moderate to vigorous physical activity in children, clarifies credential requirements for teachers of physical education, and reflects the requirement that students who have been granted a permanent exemption from physical education must still be offered physical education courses of at least 400 minutes each 10 school days.

Administrative Regulation 6142.7 - Physical Education and Activity

Regulation updated to reflect **NEW LAW (SB 75, 2019)** which extends the use of uniform complaint procedures (UCP) to include complaints alleging noncompliance with physical education instructional minutes in grades 7-12. Regulation also reflects U.S. Department of Health and Human Services recommendations for moderate to vigorous physical activity in children and expands the list of duties of the physical fitness test coordinator as described in state regulations.

Board Policy 6159 - Individualized Education Program

Policy updated to include the requirement, formerly in BP/AR 0430 - Comprehensive Local Plan for Special Education, to provide a free appropriate public education (FAPE) to students who have been suspended or expelled from school or who are placed by the district in a nonpublic, nonsectarian school. Policy adds the requirement to provide FAPE to individuals age 18-21 who are incarcerated in an adult correctional facility if they had been identified as students with disabilities or had an individualized education program (IEP) in their prior educational placement. Paragraph on the rights of foster parents moved to AR.

Administrative Regulation 6159 - Individualized Education Program

Regulation updates the section on "Contents of the IEP" to consolidate lists of IEP requirements for clarity. Regulation reflects **NEW LAW (SB 98, 2020)** which requires the IEP to describe the means by which the IEP will be provided under emergency conditions in which instruction and/or services cannot be provided to the student at school or in person for more than 10 school days. Regulation also reflects **NEW LAW (AB 947, 2019)** which (1) authorizes districts to consider elements of the "expanded core curriculum," as defined, when developing an IEP for a student who is blind, has low vision, or is visually impaired, and (2) establishes requirements for orientation and mobility evaluations conducted for such students. Regulation also reflects **NEW LAW (AB 605, 2019)** which requires districts to provide assistive technology devices for use in a student's home or other setting when required by the student's IEP, and requires that such students be given continued access to assistive technology devices for up to two months after transferring out of the district. Section on "Parent/Guardian Consent for Provision of Special Education and Services" revised to more directly reflect law.

Board Policy 6159.1 - Procedural Safeguards for Special Education

Policy updated to encourage early, informal resolution of any dispute regarding special education services. Policy also reflects **NEW STATE REGULATIONS (Register 2020, No. 21)** which establish a complaint process, separate from UCP, for complaints alleging noncompliance with federal or state laws related to the provision of FAPE to students with disabilities, such as the district's violation of the federal Individuals with Disabilities in Education Act or state law on special education, violation of a settlement agreement, failure to implement a due process hearing order, or physical safety concerns that interfere with the provision of FAPE.

Administrative Regulation 6159.1 - Procedural Safeguards for Special Education

Regulation updated to clarify that due process complaints should be filed with the state Office of Administrative Hearings and that such complaints must generally be filed within two years of the date the parent/guardian or district knew or should have known about the alleged violation. Regulation also adds new section on "State Compliance Complaints" reflecting **NEW STATE REGULATIONS (Register 2020, No. 21)** which establish a complaint process, separate from UCP, for complaints alleging noncompliance with federal or state laws related to the provision of FAPE to students with disabilities, such as the district's violation of the federal Individuals with Disabilities Education Act or state law on special education, violation of a settlement agreement, failure to implement a due process hearing order, or physical safety concerns that interfere with the provision of FAPE.

Board Policy 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education

Policy updated to include the provision of nonpublic, nonsectarian school and agency (NPS/A) services in the comprehensive local plan of the Special Education Local Plan Area. Policy reflects **NEW LAW (AB 1172, 2019)** which requires districts to verify that the NPS/A provides staff training in the use of practices and interventions specific to the unique behavioral needs of the student population at the NPS/A. Policy also reflects the requirement for the district to pay the full amount of the school's tuition or, as amended by AB 1172, the fees for the agency. Legal cite for Education Code 56366.3 deleted as it has been repealed.

Administrative Regulation 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education

Regulation updated to include the maximum term of the master contract between the district and NPS/A, expand the components of the contract in accordance with state law and regulations, and include the ability to terminate the contract for cause with 20 days' notice. Regulation also provides more detail regarding the annual IEP review focused on NPS/A students. New section on "On-Site Visits" reflects **NEW LAW (AB 1172, 2019)** which (1) requires the district to conduct an on-site visit of an NPS/A the first time the district places a student at that NPS/A, and (2) requires the district to annually conduct an on-site monitoring visit to review the services provided to the student, the facilities, and the student's progress.

CSBA Sample Board Policy

Business and Noninstructional Operations

BP 3555(a)

NUTRITION PROGRAM COMPLIANCE

Note: The following policy is **mandated required** for any district whose child nutrition programs (i.e., National School Lunch Program, School Breakfast Program, Special Milk Program, and/or other child nutrition program) receive state or federal funding. **During the California Department of Education's (CDE) Administrative Review of the district's child nutrition programs, CDE will review whether the district has a written procedure that complies with requirements pertaining to civil rights and nondiscrimination.** 5 CCR 4621 **mandates** that districts adopt uniform complaint procedures for the investigation and resolution of specified types of complaints, and 5 CCR 4610 makes those procedures applicable to allegations of unlawful discrimination, harassment, intimidation, bullying, or violation of state or federal laws governing educational programs, including child nutrition programs. See BP/AR 1312.3—**Uniform Complaint Procedures.**

Various state and federal laws prohibit discrimination in district programs and activities on the basis of actual or perceived race, color, ancestry, **nationality**, national origin, **immigration status**, ethnic group **identification, ethnicity**, age, religion, marital **or parental** status, **pregnancy, parental status, physical or mental** disability, **medical condition**, sex, sexual orientation, gender, gender identity, **or 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. See BP 0410 - Nondiscrimination in District Programs and Activities. 7 CFR 210.23, 215.7, and 220.7 specify that children must not be denied benefits or discriminated against in child nutrition programs on the basis of race, color, national origin, sex, age, or disability, and complaints alleging discrimination on any of these bases may be investigated by the California Department of Education (CDE) or U.S. Department of Agriculture, Food and Nutrition Service.

The CDE's Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs and the U.S. Department of Agriculture's (USDA) FNS Instruction 113-1, Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, provide guidance to districts on how best to comply with federal law.

The Governing Board recognizes the district's responsibility to comply with state and federal nondiscrimination laws as they apply to the district's nutrition programs. The district shall not deny any individual the benefits or service of any nutrition program or discriminate **against him/her** on any basis prohibited by law.

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

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

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5030 - Student Wellness)

Compliance Coordinator

Note: According to **the** CDE's Civil Rights and Complaint Procedures for the Child Nutrition Programs, districts are required to appoint a **civil rights** coordinator to be responsible for ensuring district compliance with law governing child nutrition programs. The following paragraph may be revised to reflect district practice.

NUTRITION PROGRAM COMPLIANCE (continued)

The Board shall designate a compliance coordinator for nutrition programs, who may also be the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures, as the district's civil rights coordinator to ensure compliance with the laws governing its-the district's nutrition programs, and to investigate any related complaints.

Note: Items #1-10 below reflect the duties of the coordinator as provided in CDE's <u>Civil Rights and Complaint Procedures for the Child Nutrition Programs</u> .
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The responsibilities of the compliance officer/coordinator include, but are not limited to:

1. Providing the name of the civil rights compliance coordinator, and the Section 504 coordinator and Title IX coordinator if different from the civil rights compliance coordinator, to the California Department of Education (CDE) and other interested parties

(cf. 6164.6 - Identification and Education Under Section 504)

2. Annually providing mandatory civil rights training to all frontline staff who interact with program applicants or participants and to those who supervise frontline staff

Note: FNS Instruction 113-1 lists required components of training that must be provided to nutrition program staff, as provided below.
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The subject matter of such training shall include, but not be limited to, collection and use of data, effective public notification systems, complaint procedures, compliance review techniques, resolution of noncompliance, requirements for reasonable accommodation of persons with disabilities, requirements for language assistance, conflict resolution, and customer service.

3. Establishing admission and enrollment procedures that do not restrict enrollment of students on the basis of race, ethnicity, national origin, or disability, including preventing staff from incorrectly denying applications and ensuring that such persons have equal access to all programs

(cf. 6159 - Individualized Education Program)

4. Sending a public release announcing the availability of the child nutrition programs and/or changes in the programs to public media and to community and grassroots organizations that interact directly with eligible or potentially eligible participants
5. Communicating the program's nondiscrimination policy and applicable complaint procedures, as provided in the section "Notifications" below

NUTRITION PROGRAM COMPLIANCE (continued)

6. Providing appropriate translation services when a significant number of persons in the surrounding population have limited English proficiency
7. Ensuring that every part of a facility is accessible to and usable by persons with disabilities and that participants with disabilities are not excluded from the benefits or services due to inaccessibility of facilities
8. Ensuring that special meals are made available to participants with disabilities who have a medical statement on file documenting that their disability restricts their diet

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

9. Implementing procedures to process and resolve civil rights (discrimination) complaints and program-related complaints, including maintaining a complaint log, **and working with the appropriate person to resolve any complaint, and referring the complainant to the appropriate state or federal agency when necessary**

Note: Districts receiving federal financial assistance are required to request racial/ethnic data of all program applicants and participants for purposes of determining whether the program reaches potential eligible persons, identifying areas where additional outreach is needed, selecting locations for compliance reviews, and completing required reports. According to FNS Instruction 113-1, using the applicant's self-identification or self-reporting is the preferred method of obtaining racial and ethnic data.

When requesting such information, districts should be careful to not request any information in regard to the immigration status of students or their family members and, if such information is inadvertently received, to not disclose it to immigration enforcement authorities without parental consent, a court order, or judicial subpoena. See AR 5145.13 - Response to Immigration Enforcement.

10. Developing a method, which preferably uses self-identification or self-reporting, to collect racial and ethnic data for potentially eligible populations, applicants, and participants

(cf. 5022 - Students and Family Privacy Rights)

(cf. 5125 - Student Records)

(cf. 5145.13 - Response to Immigration Enforcement)

Notifications

The compliance coordinator shall ensure that the U.S. Department of Agriculture's (USDA) "And Justice for All" civil rights poster or a substitute poster approved by the USDA's Food and Nutrition Service **shall be is** displayed in areas visible to the district's nutrition program participants, such as food service areas and school offices.

NUTRITION PROGRAM COMPLIANCE (continued)

Note: FNS Instruction 113-1 requires districts to notify nutrition program applicants, participants, and potentially eligible persons of program availability, rights, and responsibilities and to advise them at each service delivery site (e.g., the school) regarding the procedure for filing a complaint. Such notice may be distributed through student and parent/guardian handbooks or other method of parental notifications.

The **compliance** coordinator shall notify the public, all program applicants, participants, and potentially eligible persons of their **program** rights and responsibilities and steps necessary **for participation to participate in the nutrition programs**. Applicants, participants, and the public also shall be advised of their right to file a complaint, how to file a complaint, the complaint procedures, and that a complaint may be file anonymously or by a third party.

(cf. 5145.6 - Parental Notifications)

Note: As part of its instructions to all recipients of federal funds, **FNS USDA** requires that all forms of communication available to the public regarding program availability also contain information about that recipient's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the recipient. **FNS USDA** provides specific language for the notification and prohibits its modification in any way. **The required language is available on USDA's web site and in the accompanying exhibit.** ~~The FNS requires that all documents, pamphlets, brochures, and other materials be updated to include the 2015 statement when supplies are exhausted, but no later than September 30, 2016.~~

In addition, **the compliance coordinator shall ensure that** all forms of communication available to the public regarding program availability shall contain, in a prominent location, **the following statement: a statement provided by USDA about the district's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the district.**

~~"In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.~~

~~Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.~~

~~To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a~~

NUTRITION PROGRAM COMPLIANCE (continued)

letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) — mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) — fax: (202) 690-7442; or

(3) — email: program.intake@usda.gov

This institution is an equal opportunity provider."

Forms of communication requiring this nondiscrimination statement include, but are not limited to, web sites, public information releases, publications, and posters, but exclude **menus items such as cups, buttons, magnets, and pens that identify the program when the size or configuration makes it impractical.** The nondiscrimination statement need not be included on every page of program information on the district's or school's web site, but the statement or a link to the statement shall be included on the home page of the program information.

A short version of the nondiscrimination statement, **stating "This institution is an equal opportunity provider," as provided by USDA,** may be used on pamphlets, brochures, and flyers in the same print size as the rest of the text.

Complaints of Discrimination

Note: 5 CCR 4610, as amended by Register 2020, No. 21, reduces the applicability of the district's uniform complaint procedures (UCP) for complaints regarding child nutrition programs. 5 CCR 15582, as added by Register 2020, No. 21, requires allegations of discrimination based on race, color, national origin, sex, age, or disability to be referred to USDA. Complaints of discrimination on any other basis are addressed through the district's UCP; see BP/AR 1312.3 - Uniform Complaint Procedures.

For information about compliance complaints, see the section below on "Complaints Regarding Noncompliance with Program Requirements."

When a complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability is unresolved at the district level, the coordinator shall notify the complainant of the option to contact and/or forward his/her complaint to one of the following

NUTRITION PROGRAM COMPLIANCE (continued)

agencies:—A complaint alleging discrimination in the district's nutrition program(s) on the basis of race, color, national origin, sex, age, or disability shall, within 180 days of the alleged discriminatory act, be filed or referred to USDA at: (5 CCR 15582)

1. ~~Child Nutrition Program Civil Rights and Program Complaint Coordinator, California Department of Education, Nutrition Services Division, 1430 N Street, Room 4503, Sacramento, CA 95814-2342 or call (916) 323-8531 or (800) 952-5609~~
2. ~~U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, (866) 632-9992, (800) 877-8339 (Federal Relay Service - English, **deaf, hard of hearing, or speech disabilities**), (800) 845-6136 (Federal Relay Service - Spanish), fax (202) 690-7442, or email program.intake.usda.gov.~~

Any eComplaints concerning the district's nutrition programs of discrimination on any other basis shall be investigated by the district using the process identified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

~~When a complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability is unresolved at the district level, the coordinator shall notify the complainant of the option to contact and/or forward his/her complaint to one of the following agencies:~~

1. ~~Child Nutrition Program Civil Rights and Program Complaint Coordinator, California Department of Education, Nutrition Services Division, 1430 N Street, Room 4503, Sacramento, CA 95814-2342 or call (916) 323-8531 or (800) 952-5609~~
2. ~~U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, (866) 632-9992, (800) 877-8339 (Federal Relay Service - English), (800) 845-6136 (Federal Relay Service - Spanish), fax (202) 690-7442, or email program.intake.usda.gov.~~

Complaints Regarding Noncompliance with Program Requirements

Note: 5 CCR 15580-15584, as added by Register 2020, No. 21, require complaints regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses to be referred to CDE. During the investigation, the complainant will have the opportunity to present information or evidence to support the allegations, and the district will have the opportunity to respond to the complaint. The district may also be subject to an on-site investigation, which may be unannounced. CDE's written decision will be issued within 90 days of receipt of the complaint.

Complaints regarding noncompliance with other nutrition program requirements are addressed locally as described below.

NUTRITION PROGRAM COMPLIANCE (continued)

Any complaint alleging that the district has not complied with program requirements pertaining to meal counting and claiming, reimbursable meals, eligibility of a child or adult, use of cafeteria funds and allowable expenses shall be filed with or referred to CDE. (Education Code 49556; 5 CCR 15584)

Complaints of noncompliance with any other nutrition program requirements shall be submitted to and investigated by the district using the following procedures.

Complaints may be filed by a student or the student's parent/guardian by phone, email, or letter. The complaint shall be submitted within one year from the date of the alleged violation and shall include the following: (5 CCR 15581)

- 1. A statement that the district has violated a law or regulation relating to its child nutrition program**
- 2. The facts on which the statement is based**
- 3. The name of the district or the school against which the allegations are made**
- 4. The complainant's contact information**
- 5. The name of the student if alleging violations regarding a specific student**

<p>Note: Pursuant to 5 CCR 15583, as added by Register 2020, No. 21, districts are required to investigate and issue a written report within the 60-day timeline provided within 5 CCR 4631, and the complainant may appeal the district's report to CDE within the 30-day timeframe provided within 5 CCR 4632.</p>

The district shall investigate and prepare a written report pursuant to 5 CCR 4631. (5 CCR 15583)

Unless extended by written agreement with the complainant, the district's compliance coordinator shall investigate the complaint and prepare a written report to be sent to the complainant within 60 days of the district's receipt of the complaint. (5 CCR 15583; 5 CCR 4631)

NUTRITION PROGRAM COMPLIANCE (continued)

Note: The following paragraph is for use by all districts.

If the complainant is not satisfied with the findings in the district's report, the complainant may appeal the decision to CDE by filing a written appeal within 30 days of receiving the decision. (5 CCR 4632)

Legal Reference: (see next page)

NUTRITION PROGRAM COMPLIANCE (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

42238.01 Definitions for purposes of funding

48985 Notices to parents in language other than English

49060-49079 Student records

49490-49590 Child nutrition programs

PENAL CODE

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

15580-15584 Child nutrition programs complaint procedures

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities ~~in~~ Education Act

1681-1688 Discrimination based on sex or blindness, Title IX

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

~~2000h-2000h-6 Title IX~~

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.19 National School Lunch Program, additional responsibilities

210.23 National School Lunch Program, district responsibilities

215.7 Special Milk Program, requirements for participation

215.14 Special Milk Program, nondiscrimination

220.7 School Breakfast Program, requirements for participation

220.13 School Breakfast Program, special responsibilities of state agencies

225.3 Summer Food Service Program, administration

225.7 Summer Food Service Program, program monitoring **and assistance**

225.11 Summer Food Service Program, corrective action procedures

226.6 Child and Adult Care Food Program, state agency administrative responsibilities

250.15 Out-of-condition donated foods, food recalls, and complaints

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 **Nondiscrimination on the basis of disability, public accommodations, ~~Aa~~ auxiliary aids and services**

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources: (see next page)

NUTRITION PROGRAM COMPLIANCE (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, June 2018~~rev. November 2015~~

U.S. DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE PUBLICATIONS

Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005

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

Notice of Non-Discrimination, August 2010

WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

U.S. Department of Agriculture, Food and Nutrition Services: <http://www.fns.usda.gov>

U.S. Department of Agriculture, Office for Civil Rights: <http://www.ascr.usda.gov>

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

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CSBA Sample Exhibit

Business and Noninstructional Operations

E 3555(a)

NUTRITION PROGRAM COMPLIANCE

NONDISCRIMINATION STATEMENT FOR NUTRITION PROGRAMS

Note: As part of its instructions to all recipients of federal funds for child nutrition programs, FNS the U.S. Department of Agriculture (USDA) requires that all forms of communication available to the public regarding program availability also contain information about that recipient's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the recipient. FNS The following exhibit presents provides specific language provided by USDA for the notification, which must not be modified in any way. and prohibits its modification in any way. The FNS requires that all documents, pamphlets, brochures, and other materials be updated to include the 2015 statement when supplies are exhausted, but no later than September 30, 2016.

The following statement shall be included, in a prominent location, on all forms available to the public regarding the availability of the district's child nutrition programs:

"In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: <https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer> http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

NUTRITION PROGRAM COMPLIANCE (continued)

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov

"This institution is an equal opportunity provider."

On pamphlets, brochures, and flyers, in the same print size as the rest of the text, the district may print a short version of the nondiscrimination statement, as follows:

"This institution is an equal opportunity provider."

CSBA Sample Administrative Regulation

All Personnel

AR 4030(a)

NONDISCRIMINATION IN EMPLOYMENT

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. The federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions about a potential conflict arise. Districts should also note that 18 states, including California, have sued the U.S. Department of Education to stop the implementation of these regulations. A preliminary injunction seeking to postpone the effective date of the regulations and prohibit their enforcement is currently pending. If the court grants the injunction, portions of the following administrative regulation will not take effect.

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 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 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.

34 CFR 106.8, as amended by 85 Fed. Reg. 30026, requires the district to designate at least one employee to coordinate its responsibilities under Title IX, who must be referred to as the Title IX Coordinator. The Title IX Coordinator may be the same person designated below, or the district may designate different employees to serve these functions. See AR 4119.11/4219.11/4319.11 - Sexual Harassment. The Title IX Coordinator is responsible for receiving complaints of sexual harassment and determining whether they should be handled in accordance with the procedures specified in this administrative regulation or in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures; see section on "Complaint Procedure" below.

NONDISCRIMINATION IN EMPLOYMENT (continued)

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to 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

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 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 for employee use, up-to-date California Department of Fair Employment and Housing (DFEH) posters on the prohibition of workplace discrimination and harassment, 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)

NONDISCRIMINATION IN EMPLOYMENT (continued)

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

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

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 to all employees, with an acknowledgment form for each employee to sign and return
 - b. Sending a copy via email with an acknowledgment return form
 - c. Posting 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

NONDISCRIMINATION IN EMPLOYMENT (continued)

778 (Ch. 215, Statutes of 2019), any district that has five or more employees 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, 2021 and once every two years thereafter.

5. Provide training 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

The district may also provide bystander intervention training to employees which includes information and practical guidance on how to recognize potentially problematic behaviors and which may motivate 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 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.

NONDISCRIMINATION IN EMPLOYMENT (continued)

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.

In lieu of using the procedures described below, complaints of sexual harassment must be addressed through the federal Title IX complaint procedures established pursuant to 34 CFR 106.44-106.45, as added by 85 Fed. Reg. 30026, if the alleged conduct meets the federal definition of sexual harassment. Pursuant to 34 CFR 106.30, Title IX sexual harassment includes (1) a district employee conditioning the provision of a district aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 and 34 USC 12291. See BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment and AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures.

Complaints of sexual harassment shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures if the alleged conduct meets the definition of sexual harassment pursuant to 34 CFR 106.30.

Any **other** 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 complainant's direct supervisor may be bypassed in filing a complaint when the supervisor is the subject of the complaint.

The complainant may first attempt to resolve the situation informally with the 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, any available evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

NONDISCRIMINATION IN EMPLOYMENT (continued)

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 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)

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 prevent further incidents. 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

NONDISCRIMINATION IN EMPLOYMENT (continued)

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.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 9321 - Closed Session)

Other Remedies

Note: Items #1-3 below state the time limits within which 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). That period may be extended under certain circumstances. Districts should consult legal counsel if any questions arise.

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

NONDISCRIMINATION IN EMPLOYMENT (continued)

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. For filing a complaint with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. 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)

CSBA Sample Board Policy

All Personnel

BP 4119.11(a)

4219.11

SEXUAL HARASSMENT

4319.11

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. The federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions about a potential conflict arise. Districts should also note that 18 states, including California, have sued the U.S. Department of Education to stop the implementation of these regulations. A preliminary injunction seeking to postpone the effective date of the regulations and prohibit their enforcement is currently pending. If the court grants the injunction, portions of the following administrative regulation will not take effect.

Note: Education Code 231.5, **2 CCR 11023, and 34 CFR 106.8** mandates the district to have a written policy on sexual harassment. As part of this mandate, the district also should adopt a sexual harassment policy related to students; see BP/AR 5145.7 - Sexual Harassment.

Generally, courts recognize two types of conduct as constituting sexual harassment. "Quid Pro Quo" ("this for that") sexual harassment is considered to have occurred when a person in a position of authority makes another individual's educational or employment benefits conditional upon that other person's willingness to engage in unwanted sexual behavior (e.g., promising a promotion for sex). "Hostile environment" sexual harassment, on the other hand, is conduct by the perpetrator that is so severe, persistent, or pervasive that it creates a hostile, intimidating, or abusive educational or professional environment for another. Sexual harassment also covers retaliatory behavior against a complainant, witness, or other participant in the complaint process. Pursuant to Government Code 12940 and 2 CCR 11009, interns, volunteers, and job applicants are entitled to the same protection against sexual harassment as applicable to employees.

Sexual harassment is prohibited pursuant to Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17) and/or Title IX of the Education Amendments of 1972 (20 USC 1681-1688; **34 CFR 106.1-106.82**), as well as the California Fair Employment and Housing Act (Government Code 12900-12996). **Whether a complaint of sexual harassment is addressed through federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as added by 85 Fed. Reg. 30026, or procedures adopted pursuant to 2 CCR 11023 is dependent on whether the alleged conduct meets the more stringent federal definition of sexual harassment or the state definition. See the accompanying administrative regulation, AR 4030 - Nondiscrimination in Employment, and AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures.**

Pursuant to 2 CCR 11034, the district may be liable for sexual harassment committed by a supervisor, coworker, or a third party. Pursuant to Government Code 12940, employers may **also** be held liable for sexual harassment committed against their workers by clients, customers, or other third parties if they knew or should have known of the harassment and failed to take immediate and appropriate corrective action to stop the harassment.

This The following policy shall apply to all district employees, and to other persons on district property or with some employment relationship with the district, such as interns, volunteers, contractors, and job applicants, and other persons with an employment relationship with the district.

SEXUAL HARASSMENT (continued)

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

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

(cf. 4030 - Nondiscrimination in Employment)

Note: Government Code 12940 clarifies that sexual harassment includes harassment based on sex, gender, pregnancy, childbirth, or related medical conditions.

Sexual harassment includes, but is not limited to, harassment that is based on the **sex**, gender, gender identity, gender expression, or sexual orientation of the victim **and harassment based on pregnancy, childbirth, or related medical conditions.**

~~This policy shall apply to all district employees and to other persons on district property or with some employment relationship with the district, such as interns, volunteers, contractors, and job applicants.~~

~~Note: In addition to district discipline imposed on employees who engage in sexual harassment, Government Code 12940 provides that such employees may be held personally liable in a court of law for any damage to the victim(s).~~

~~Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal.~~

~~*(cf. 4117.7/4317.7 - Employment Status Reports)*~~

~~*(cf. 4118 - Dismissal/Suspension/Disciplinary Action)*~~

~~*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*~~

Note: Federal and state courts have provided guidance that may help employers avoid liability or mitigate damages in sexual harassment cases. In Department of Health Services v. Superior Court (McGinnis), the California Supreme Court outlined measures that may constitute mitigating factors in the assessment of damages, including establishing anti-harassment policies, communicating those policies to employees, consistently enforcing the policies, preserving the confidentiality of employees who report harassment, and preventing retaliation against reporting employees. The U.S. Supreme Court in Burlington Industries v. Ellerth held that, for certain claims under federal law, an employer may defend against sexual harassment claims by proving that (1) reasonable care was exercised to prevent and promptly correct any sexually harassing behavior, and (2) the employee (victim) failed to take advantage of the preventive and corrective opportunities provided by the employer.

SEXUAL HARASSMENT (continued)

Pursuant to Government Code 12950.1, **as amended by SB 778 (Ch. 215, Statutes of 2019)**, employers with **50 five** or more employees are required to provide ~~two hours of~~ sexual harassment training to supervisory **and nonsupervisory** employees. See the accompanying administrative regulation for timelines and training requirements.

Items #1-4 below reflect the courts' guidance and Government Code 12950.1, and should be modified to reflect district practice.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to employees and others to whom the policy may apply

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

3. Ensuring prompt, thorough, **and fair, and equitable** investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

Sexual Harassment Reports and Complaints

Note: Pursuant to 2 CCR 11034, the district may be liable for sexual harassment committed by a supervisor, coworker, or a third party. In addition, as part of its affirmative duty to prevent sexual harassment, the district is required pursuant to 2 CCR 11023 to instruct supervisors to report complaints. **34 CFR 106.8, as amended by 85 Fed. Reg. 30026, requires the district to designate at least one employee to coordinate**

SEXUAL HARASSMENT (continued)

its responsibilities under Title IX, who must be referred to as the Title IX Coordinator. See the accompanying administrative regulation.

34 CFR 106.44, as added by 85 Fed. Reg. 30026, requires the district, when there is actual knowledge of sexual harassment, to respond promptly in a manner that is not unreasonable in light of the known circumstances and in compliance with Title IX regulations. 34 CFR 106.30, as added, defines "actual knowledge" as notice of sexual harassment or allegations of sexual harassment being submitted to the district's Title IX Coordinator, any official of the district who has authority to institute corrective measures, or any employee of an elementary or secondary school. For this reason, the district should train all employees regarding the reporting process.

In Faragher v. City of Boca Raton, one of the factors relied on by the U.S. Supreme Court in finding liability for harassment by a supervisor was the failure of the policy to provide an assurance to its employees that harassing supervisors may be bypassed in registering complaints.

Any district employee who feels that he/she has been sexually harassed in the performance of his/her district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her direct supervisor, another supervisor, a district administrator, or the district's Title IX Coordinator for nondiscrimination, the Superintendent, or, if available, a complaint hotline or an ombudsman. An employee may bypass his/her supervisor in filing a complaint where if the supervisor is the subject of the complaint. A supervisor or administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Note: In Faragher v. City of Boca Raton, one of the factors relied on by the U.S. Supreme Court in finding liability for harassment by a supervisor was the failure of the policy to provide an assurance to its employees that harassing supervisors may be bypassed in registering complaints.

Complaints of sexual harassment shall be filed and investigated in accordance with the complaint procedure specified in AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Once notified, the Title IX Coordinator shall ensure the complaint is addressed through either AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures for complaints meeting the Title IX definition of sexual harassment or AR 4030 - Nondiscrimination in Employment for complaints meeting the state definition, as applicable, and shall offer supportive measures to the complainant.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

SEXUAL HARASSMENT (continued)

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)

Note: In addition to district discipline imposed on employees who engage in sexual harassment, Government Code 12940 provides that such employees may be held personally liable in a court of law for any damage to the victim(s).

Upon investigation of a sexual harassment complaint, any district employee who is found to have engaged or participated in sexual harassment or who aids, abets, incites, compels, or coerces to have aided, abetted, incited, compelled, or coerced another to commit sexual harassment in violation of this policy is shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950 Sexual harassment; distribution of information

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

11009 Employment discrimination

11021 Retaliation

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

11034 Terms, conditions, and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

Legal Reference continued: (see next page)

SEXUAL HARASSMENT (continued)

Legal Reference: (continued)

UNITED STATES CODE, TITLE 20

1681-1688 Title IX ~~prohibition against discrimination~~ **of the Education Amendments of 1972**

UNITED STATES CODE, TITLE 42

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.9 Nondiscrimination on the basis of sex in education programs or activities

106.51-~~106.64~~ **106.82** Nondiscrimination on the basis of sex in employment in education programs or activities

COURT DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998

Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57

Management Resources:

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Promising Practices for Preventing Harassment, November 2017

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/index.html>

CSBA Sample Administrative Regulation

All Personnel

AR 4119.11(a)

4219.11

SEXUAL HARASSMENT

4319.11

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. However, in June 2020, two motions for a preliminary injunction were filed seeking to postpone the effective date of the regulations and prohibit their enforcement. If the court issues an injunction, portions of this administrative regulation reflecting the Title IX regulations will not be in effect. CSBA will notify districts when the court issues its decision.

Districts are also cautioned that the federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions arise.

Note: The following administrative regulation is **mandated** pursuant to Education Code 231.5 and includes reasonable steps for preventing the occurrence of discrimination and harassment as required pursuant to Government Code 12940 (California Fair Employment and Housing Act). The focus of this administrative regulation is on sexual harassment by and of employees. Pursuant to Government Code 12940 and 2 CCR 11009, interns, volunteers, and job applicants are entitled to the same protection against sexual harassment as applicable to employees.

For information related to sexual harassment involving students, see BP/AR 5145.7 - Sexual Harassment.

This **The following** administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

Title IX Coordinator

Note: Pursuant to 34 CFR 106.8, districts that receive federal financial assistance are mandated to designate an employee to ensure district compliance with Title IX of the Education Amendments of 1972 and its implementing regulations. The following paragraph specifies that the Title IX Coordinator will be the same person(s) designated to serve as the coordinator for nondiscrimination in employment pursuant to AR 4030 - Nondiscrimination in Employment. Districts may modify this policy to designate separate district employees to serve these functions.

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as well as to investigate and resolve sexual harassment complaints under AR 4030 - Nondiscrimination in Employment. The Title IX Coordinator(s) may be contacted at:

Superintendent or designee
445 Montezuma Street, Rio Vista, CA 94571
(707) 374-1700
Superintendent@rdsd.org

SEXUAL HARASSMENT (continued)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

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

Definitions- Prohibited Conduct

Note: Alleged conduct that meets the federal definition of sexual harassment in 34 CFR 106.30, as added by 85 Fed. Reg. 30026, requires investigation and resolution through Title IX regulations; see AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Pursuant to 34 CFR 106.30, sexual harassment includes (1) a district employee conditioning the provision of a district aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 and 34 USC 12291)

Education Code 212.5 defines sexual harassment as any unwelcome sexual advance, request for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone in the educational setting. Conduct that does not meet the definition of sexual harassment in 34 CFR 106.30 shall be investigated and resolved in accordance with AR 4030 - Nondiscrimination in Employment.

In *Oncale v. Sundowner Offshore Services, Inc.*, the U.S. Supreme Court held that same-sex sexual harassment could be actionable under Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17).

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire. **Conduct is considered to be sexual harassment when** made against another person of the same or opposite sex in the work or educational setting **when under any of the following conditions:** (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.

SEXUAL HARASSMENT (continued)

2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.

3. The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.

~~3.4.~~ Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

~~Note: Pursuant to Government Code 12940, conduct may meet the definition of sexual harassment regardless of whether or not the alleged harasser is motivated by sexual desire for the victim.~~

~~*Prohibited sexual harassment* also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.~~

Note: Pursuant to Government Code 12940, the district may be held liable for sexual harassment committed against employees by clients, customers, or other third parties if the district knew, or should have known, of the harassment and failed to take immediate and appropriate corrective action to stop the harassment. The following paragraph clarifies that sexual harassment may include acts by supervisors, co-workers, or other parties and should be modified to reflect district practice.

Examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

SEXUAL HARASSMENT (continued)

Training

Note: The following paragraph is consistent with a district's affirmative duty to protect its employees from sex discrimination, including sexual harassment, pursuant to 2 CCR 11023. In its informal guidance, Promising Practices for Preventing Harassment, the U.S. Equal Employment Opportunity Commission recommends that employers provide sexual harassment training to all employees, not just supervisors and managers. In addition, since BP/AR 5145.7—Sexual Harassment requires employees to report sexual harassment against students, training employees to recognize and address sexual harassment incidents furthers the district's interest in protecting both employees and students against prohibited conduct. Thus, it is strongly recommended that districts periodically provide sexual harassment training or information to all their employees, especially those who work at school sites.

Provision of periodic training to all district employees could also help foster a positive work environment and mitigate damages against a district in the event of sexual harassment litigation. In Department of Health Services v. Superior Court (McGinnis), the California Supreme Court held that employers that have taken reasonable steps to prevent and correct workplace sexual harassment may be able to reduce damages in the event of a lawsuit. Such steps may include establishing anti harassment policies and communicating those policies to employees.

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. The training shall include how to recognize prohibited or harassing conduct, the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee. The training shall also include information about processes for employees to informally share or obtain information about harassment without filing a complaint.

(cf. 1312.3—Uniform Complaint Procedures)
(cf. 4030—Nondiscrimination in Employment)
(cf. 5145.7—Sexual Harassment)

Note: Government Code 12950.1, as amended by SB 778 (Ch. 215, Statutes of 2019), requires districts with 50 five or more employees to provide two hours of sexual harassment training and education to supervisory and nonsupervisory employees by January 1, 2021 (or two years after a training provided in 2019) and once every two years thereafter. to every supervisory employee, defined as any employee with the authority to take employment action, including hiring, transferring, suspending, and disciplining other employees, or recommend such action if the exercise of that authority is not merely routine or clerical in nature. As amended, Government Code 12950.1 requires that new nonsupervisory employees be provided the training within six months of hire, consistent with the requirement for all All newly hired supervisors or employees promoted to a supervisory position must receive the training within six months of their hire or assumption of the supervisory position. Compliance with this law does not insulate the district from any liability for harassment.

SEXUAL HARASSMENT (continued)

Governing Board members, as elected officials, are not usually considered "supervisors"; however, since Board members have the authority to hire, reward, or discipline the Superintendent and other employees, Board members may also be required to receive sexual harassment training. Districts should consult with legal counsel to ensure that the appropriate individuals receive training.

~~Although the law does not require districts with fewer than 50 employees to provide sexual harassment training to supervisors, court decisions have held that providing training may help mitigate damages in sexual harassment lawsuits. The provision of supervisor training may also be a factor in determining whether a district has taken reasonable steps to prevent discrimination and harassment pursuant to Government Code 12940. Therefore, it is recommended that all districts, regardless of the number of employees, provide sexual harassment training. Districts with fewer than 50 employees that do not provide sexual harassment training may revise the remainder of this section to reflect district practice.~~

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, **and nonsupervisory employees receive at least one hour**, of classroom or other effective interactive training and education regarding sexual harassment. All ~~such~~ newly hired **employees and** ~~or promoted~~ employees **promoted to a supervisory position** shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

(cf. 4300 - Administrative and Supervisory Personnel)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

~~Note: Government Code 12950.1 and 2 CCR 11024 require that the training for supervisory employees contain specified components and be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.~~

The district's sexual harassment training and education program **for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of**

SEXUAL HARASSMENT (continued)

sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws ~~on~~ **concerning** the prohibition, prevention, and correction of sexual harassment; ~~the remedies available to sexual harassment victims in civil actions, and potential district and/or individual exposure or liability~~
2. The types of conduct that constitute sexual harassment ~~and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources~~
3. Remedies available for victims in civil actions, and potential employer/individual exposure/liability
4. **Strategies to prevent harassment in the workplace**
- 3.5. ~~A supervisor's~~ **Supervisors'** obligation to report sexual harassment, discrimination, and retaliation of which he/she ~~they~~ becomes aware ~~and what to do if the supervisor himself/herself is personally accused of harassment~~
4. ~~Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint~~
6. Practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
7. The limited confidentiality of the complaint process
8. Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
9. **Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint**

SEXUAL HARASSMENT (continued)

10. What to do if the supervisor is personally accused of harassment

- 5.11. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received.

6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received

7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance

Note: Item #8 below is required pursuant to Government Code 12950.1, as amended by SB 396 (Ch. 858, Statutes of 2017).

- 8.12. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation

13. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

Notifications

Note: Education Code 231.5 requires that the district provide copies of its policy on sexual harassment to staff, as specified below. In addition, 2 CCR 11024 requires that supervisory employees undergoing mandatory training receive a copy of the district's policy and acknowledge receipt of the policy; see item #6 in the section "Training" above.

SEXUAL HARASSMENT (continued)

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

~~(cf. 4112.9/4212.9/4312.9 – Employee Notifications)~~

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

Note: Government Code 12950 requires the Department of Fair Employment and Housing (DFEH) to develop an information sheet on employment discrimination and the illegality of sexual harassment **and a poster regarding the rights of transgender employees.** ~~This document is~~ **These documents are** available on DFEH's web site.

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC

SEXUAL HARASSMENT (continued)

7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

Note: ~~Government Code 12950, as amended by SB 396 (Ch. 858, Statutes of 2017), requires districts to post, in a prominent and accessible location, a poster developed by DFEH regarding transgender rights. This poster is available on DFEH's web site.~~

In addition, the district shall post, in a prominent and accessible location, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

CSBA Sample Administrative Regulation

All Personnel

AR 4119.12(a)

4219.12

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES

4319.12

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. The federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions about a potential conflict arise. Districts should also note that 18 states, including California, have sued the U.S. Department of Education to stop the implementation of these regulations. A preliminary injunction seeking to postpone the effective date of the regulations and prohibit their enforcement is currently pending. If the court grants the injunction, the following administrative regulation will not take effect.

Note: Title IX of the Education Amendments of 1972 (20 USC 1681-1688; 34 CFR 106.1-106.82) prohibits discrimination based on sex, including sexual harassment, and mandates that the district adopt and publish complaint procedures.

The following administrative regulation reflects the Title IX complaint procedure detailed in 34 CFR 106.44-106.45, as added by 85 Fed. Reg. 30026, which must be used, effective August 14, 2020, to address any complaint of sexual harassment that meets the definition in 34 CFR 106.30. Pursuant to 34 CFR 106.30, allegations of sexual harassment governed by these regulations include (1) a district employee conditioning the provision of a district aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 and 34 USC 12291. Alleged sexual harassment in employment that does not meet this definition should be addressed through the district's complaint procedures described in AR 4030 - Nondiscrimination in Employment.

34 CFR 106.44 requires the district, when there is actual knowledge of sexual harassment, to respond promptly in a manner that is not deliberately indifferent. 34 CFR 106.30 defines "actual knowledge" as notice of sexual harassment or allegations of sexual harassment being submitted to the district's Title IX Coordinator, any official of the district who has authority to institute corrective measures, or any employee of an elementary or secondary school. A district is deliberately indifferent only if its response to Title IX sexual harassment is clearly unreasonable in light of the known circumstances.

Application of the Title IX complaint procedures to the facts of a specific complaint may implicate complicated questions about the intersection of state law, federal law, and, in cases involving employees, the applicable collective bargaining agreement. Districts with questions about specific complaints are strongly encouraged to consult legal counsel.

Also see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment for information about prohibited conduct, training, required notifications, and processes for reporting sexual harassment.

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30)

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

- 1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct**
- 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity**
- 3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291**

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

All other sexual harassment complaints shall be investigated and responded to pursuant to AR 4030 - Nondiscrimination in Employment.

(cf. 4030 - Nondiscrimination in Employment)

A report of sexual harassment shall be submitted directly to or forwarded to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint.

Note: Given the district's duty pursuant to 34 CFR 106.44 to respond to reports of sexual harassment in a manner that is not deliberately indifferent, the Title IX Coordinator should file a complaint in certain situations even when the victim chooses not to do so, including, but not limited to, when a safety threat exists. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

The Superintendent or designee shall ensure that the Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent, and that such persons receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonably burden the other party. Such measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures. (34 CFR 106.30, 106.44)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

Note: Pursuant to Education Code 48900.2, a student in grades 4-12 may be suspended and/or expelled from school for sexual harassment. Districts should also note that Education Code 48915(c) requires the Superintendent or designee to recommend expulsion for any student, irrespective of grade, who commits sexual assault or battery as defined in the Penal Code. See AR 5144.1 - Suspension and Expulsion/Due Process.

34 CFR 106.44 allows a student to be removed in emergency situations as described below, but requires that a student should not be "disciplined" prior to a finding being made pursuant to the grievance process established by 34 CFR 106.45. Due to this inconsistency in state and federal law, districts are advised to consult legal counsel as to the manner of imposing an emergency removal.

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint that did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly, and simultaneously to the parties, send written notice of the dismissal and the reasons for the dismissal. (34 CFR 106.45)

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR 106.30, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

Formal Complaint Process

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

- 1. The district's complaint process, including any informal resolution process**
- 2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.**

If, during the course of the investigation, the district investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

- 3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process**
- 4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence**
- 5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process**

Note: The following paragraph is optional. Although not required by law, a best practice is to provide notice to the parties of the name of the investigator, facilitator, and decision-maker in order to give the parties an opportunity to raise concerns of conflict of interest or bias as prohibited by 34 CFR 106.45.

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall provide either party with no less than three calendar days to raise concerns of conflict of interest or bias regarding any of these persons.

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

Note: Pursuant to 34 CFR 106.45, when investigating a formal complaint, the burden of proof rests on the district and not on the parties. However, the district must obtain the party's voluntary, written consent to access, consider, disclose, or otherwise use a party's records that are maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional, which are made and maintained in connection with the provision of treatment to the party.

34 CFR 106.45 authorizes, but does not require, the district to conduct a live hearing at which each party's advisor may ask the other party and any witnesses all relevant questions and follow-up questions. If the district chooses to include such a hearing as a component of its complaint procedure, the following list should be modified to include requirements for the hearing in accordance with 34 CFR 106.45.

During the investigation process, the district shall: (34 CFR 106.45)

- 1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence**
- 2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence**
- 3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney**
- 4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties**
- 5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate**
- 6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report**
- 7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness**

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

- 8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response**

- 9. After sending the investigative report to the parties and before reaching a determination regarding responsibility, afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party**

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

Note: Districts with questions about the application of a collective bargaining agreement in the context of a Title IX investigation should consult legal counsel.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

Note: Pursuant to 34 CFR 106.45, the person designated as the decision-maker of the determination of responsibility cannot be the same person designated as the Title IX Coordinator, an investigator, or the person who considers appeals. The following paragraph may be revised to reflect the position designated by the district to provide a written determination of responsibility. While designation decisions will depend on the size of the district, a best practice is to designate an upper-level administrator as the decision-maker and designate the Superintendent as the person to consider appeals.

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

Note: 34 CFR 106.45 requires that the district's complaint process include a "reasonably prompt" timeframe for concluding the complaint process, but does not specify the number of days within which the final decision must be issued. Districts may revise the following paragraph to include a different timeline as long as it would satisfy the requirement to act promptly.

The written decision shall be issued within 45 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

Note: 34 CFR 106.45 mandates that the district's complaint procedures state whether the district's determination of responsibility will be based on a "preponderance of evidence" standard or "clear and convincing evidence" standard. The following paragraph reflects the "preponderance of evidence" standard, which is a less stringent standard to prove misconduct, and should be revised if the district chooses to use a "clear and convincing evidence" standard. The standard selected by the district must be applied uniformly for all Title IX sexual harassment complaints. The district should consult with legal counsel in determining which standard to use.

In making this determination, the district shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

- 1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30**
- 2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process**
- 3. Findings of fact supporting the determination**
- 4. Conclusions regarding the application of the district's code of conduct to the facts**

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

- 5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant**
- 6. The district's procedures and permissible bases for the complainant and respondent to appeal**

Appeals

Note: 34 CFR 106.45 allows either the complainant or respondent to appeal the district's decision. The district may revise the following section to reflect applicable timelines established by the district.

The following section should also be revised to identify the person who has been designated as the decision-maker(s) for the appeal. Pursuant to 34 CFR 106.45, the decision-maker for the appeal cannot be the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

- 1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties**
- 2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator**
- 3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome**
- 4. Issue a written decision describing the result of the appeal and the rationale for the result**
- 5. Provide the written decision simultaneously to both parties**

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

An appeal must be filed in writing within 10 calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered. Either party has the right to file a complaint with the U.S. Equal Employment Opportunity Commission.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Remedies

Note: 34 CFR 106.45 mandates that the district's Title IX complaint process list, or describe the range of, possible remedies that the district may implement following any determination of responsibility. The following section may be revised to reflect district practice.

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, any determinations

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, any appeal or informal resolution and the results therefrom, and responses made pursuant to 34 CFR 106.44. (34 CFR 106.45)

The Superintendent or designee shall also maintain for a period of seven years all materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public. (34 CFR 106.45)

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 *Prohibition of discrimination on the basis of sex*

48900 *Grounds for suspension or expulsion*

48900.2 *Additional grounds for suspension or expulsion; sexual harassment*

48985 *Notices, report, statements and records in primary language*

CIVIL CODE

51.9 *Liability for sexual harassment; business, service and professional relationships*

1714.1 *Liability of parents/guardians for willful misconduct of minor*

GOVERNMENT CODE

12950.1 *Sexual harassment training*

CODE OF REGULATIONS, TITLE 5

4600-4670 *Uniform complaint procedures*

4900-4965 *Nondiscrimination in elementary and secondary education programs*

UNITED STATES CODE, TITLE 20

1092 *Definition of sexual assault*

1221 *Application of laws*

1232g *Family Educational Rights and Privacy Act*

1681-1688 *Title IX of the Education Amendments of 1972*

UNITED STATES CODE, TITLE 34

12291 *Definition of dating violence, domestic violence, and stalking*

UNITED STATES CODE, TITLE 42

1983 *Civil action for deprivation of rights*

2000d-2000d-7 *Title VI, Civil Rights Act of 1964*

2000e-2000e-17 *Title VII, Civil Rights Act of 1964 as amended*

Legal Reference continued: (see next page)

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.82 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2000, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

WEB SITES

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

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

CSBA Sample Board Policy

Students

BP 5141.22(a)

INFECTIOUS DISEASES

Note: The following **optional** policy may be modified to reflect district practice.

In order to help protect the safety of students and staff, the Centers for Disease Control and Prevention recommend that districts develop contingency plans for dealing with an infectious disease outbreaks, such as a pandemic influenza **including influenza or coronavirus pandemics**. These contingency plans should be incorporated into the district's emergency and disaster preparedness plan. See AR 3516 - Emergencies and Disaster Preparedness Plan. **Also see the U.S. Department of Health and Human Services' School District (K-12) Pandemic Influenza Planning Checklist for components districts may want to consider when developing and updating emergency and disaster preparedness plans.**

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing **an appropriate a high-quality** education for all students. **The Board recognizes that prevention and education are the most effective means of limiting the spread of infectious diseases.** The Superintendent or designee shall collaborate with **parents/guardians and local and state health agencies and organizations officials** to develop **and regularly update** a comprehensive approach to **plan for** disease prevention that promotes preventative measures, **mitigation, and education, communication, and training** of students and staff. **All measures to limit the spread of infectious diseases shall be nondiscriminatory and ensure that equity is promoted.**

Infectious Disease Prevention

Note: ~~In order to help protect the safety of students and staff, the Centers for Disease Control and Prevention recommend that districts develop contingency plans for dealing with an infectious disease outbreaks, such as a pandemic influenza. These contingency plans should be incorporated into the district's emergency and disaster preparedness plan. See AR 3516 - Emergencies and Disaster Preparedness Plan.~~

~~The Superintendent or designee shall collaborate with parents/guardians and local health agencies and organizations to develop a comprehensive approach to disease prevention that promotes preventative measures, and education of students and staff.~~

(cf. 0400 - Comprehensive Plans)

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 0415 - Equity)

(cf. 1312.3 - Uniform Complaint Procedures)

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

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

INFECTIOUS DISEASES (continued)

(cf. 5141.6 - School Health Services)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall regularly review resources available from health experts to ensure that district programs **and operations** are based on the most up-to-date information.

The ~~Superintendent or designee shall ensure that the~~ district's comprehensive health education program **shall provide age-appropriate** information about the ~~prevention of~~ infectious diseases, including the nature of bloodborne pathogens and their transmission, as well as information to help prevent the spread of contagious diseases, such as a pandemic influenza. ~~He/she shall also ensure that each school has sufficient infection prevention supplies that are easily accessible to staff.~~ **nature and symptoms of communicable diseases, their transmission, and how to help prevent the spread of contagious diseases.**

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.8 - Comprehensive Health Education)

Note: Pursuant to Health and Safety Code 120175.5, as added by AB 262 (Ch. 798, Statutes of 2019), local health officers are required to promptly notify and update districts during an outbreak of a communicable disease, or upon the imminent and proximate threat of a communicable disease outbreak or epidemic that threatens the public's health, if, in the opinion of the local health officer, action or inaction on the part of the district might affect the outbreak response efforts. Local health officers are also required to make any relevant information available to districts, including, but not limited to, the locations of concentrations of cases, the number of residents affected, and the measures that districts should take to assist with outbreak response efforts. The local health officers may issue orders to districts to take any action that the health officers deem necessary to control the spread of the communicable disease.

If the local health officer notifies the district of an outbreak of a communicable disease, or the imminent and proximate threat of a communicable disease outbreak or epidemic that threatens the public's health, the district shall take any action that the health officer deems necessary to control the spread of the disease. The district shall comply with all applicable state and federal privacy laws in regard to any such information received from the local health officer. (Health and Safety Code 120175.5)

Universal Precautions

Note: Pursuant to 8 CCR 5193, employers with one or more employees having occupational exposure to bloodborne pathogens must enforce universal precautions to prevent contact with blood or other potentially infectious materials; see BP/AR 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens for a detailed exposure control plan and BP/AR 4119.43/4219.43/4319.43 - Universal Precautions. The following **optional section paragraph** addresses the need for students to follow similar procedures.

INFECTIOUS DISEASES (continued)

Students and staff shall observe universal precautions in order to prevent exposure to bloodborne pathogens and to prevent the spread of infectious diseases.

(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 inform students of the precautions to be used in cases of exposure to blood or other body fluids through injury, accident, or classroom instruction.

(cf. 5141 - Health Care and Emergencies)
(cf. 6145.2 - Athletic Competition)

Students with Infectious Diseases

Note: In *Thomas v. Atascadero Unified School District*, a federal court held that **acquired immunodeficiency syndrome (AIDS)** is a disability under Section 504 of the Rehabilitation Act (29 USC 794) and that a student with AIDS cannot be excluded from school without evidence that the student poses a risk of transmission of the **human immunodeficiency virus (HIV)** ~~HIV virus~~ to classmates or teachers. The following paragraph extends this protection to students with any bloodborne pathogen infection. 8 CCR 5193 defines bloodborne pathogens to include the hepatitis C virus in addition to hepatitis B virus and HIV.

See AR ~~5111.2~~ **5112.2** - Exclusion from Attendance for information regarding exclusions, including notification of parents/guardians.

The Superintendent or designee shall exclude students **from on-campus instruction** only in accordance with law, Board policy, and administrative regulation. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus, and human immunodeficiency virus (HIV) are not casually transmitted, the presence of infectious conditions of this type is not, by itself, sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)
(cf. 6164.6 - Identification and Education Under Section 504)

Note: The following **optional** paragraph encourages parents/guardians to notify the school if their child has an infectious disease so that staff can assist in maintaining the child's health. However, **it's important to note that** the law does **not** require parents/guardians to inform school officials of a student's **HIV/AIDS status medical condition**; thus, a student cannot be penalized because the parent/guardian did not provide such notification.

Both **state and** federal **and state** law (~~20 USC 1232g and~~ Education Code 49060-49069.7; 20 USC 1232g) require that student health information remain confidential. In the event that a parent/guardian authorizes the district to disclose the fact that the student has an infectious disease, **such as the student's HIV status**, it is recommended that any decision to inform staff should be made by the Superintendent or designee, the student, and ~~his/her family~~ **the student's parent/guardian**, in consultation with district legal counsel.

INFECTIOUS DISEASES (continued)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. **If necessary, the Superintendent or designee shall inform the local health official of any potential outbreak.** The Superintendent or designee shall ensure that student confidentiality **and privacy** rights are strictly observed in accordance with law.

(cf. 4119.23/4219.23/4319.23 - *Unauthorized Release of Confidential/Privileged Information*)
 (cf. 5022 - *Student and Family Privacy Rights*)
 (cf. 5125 - *Student Records*)

*Legal Reference:*EDUCATION CODE48210-48216 *Persons excluded***49060-49069.7 Student records**49073-49079 *Privacy of pupil records*49403 *Cooperation in control of communicable disease and immunization of pupils*49405 *Smallpox control*49406 *Examination for tuberculosis (employees)*49408 **Student emergency information of use in emergencies**49602 **Counseling and c**Confidentiality of student information51202 *Instruction in personal and public health and safety*CALIFORNIA CONSTITUTION**Article 1, Section 1 Right to Privacy**CIVIL CODE56-56.37 *Confidentiality of Medical Information Act*1798-~~1798.76~~ **1798.78** *Information Practices Act*HEALTH AND SAFETY CODE**120175.5 Local health officers and communicable diseases**120230 *Exclusion for communicable disease*120325-120380 *Immunization against communicable diseases*120875-120895 *AIDS information*120975-~~121022~~ **121023** *Mandated blood testing and confidentiality to protect public health*121475-121520 *Tuberculosis tests for pupils students*CALIFORNIA CONSTITUTION**Article 1, Section 1 Right to Privacy**CODE OF REGULATIONS, TITLE 85193 ~~California bB~~ **bloodborne pathogens standard**CODE OF REGULATIONS, TITLE 172500-2511 *Communicable disease reporting requirements*UNITED STATES CODE, TITLE 201232g *Family Educational and Privacy Rights Act*1400-1482 *Individuals with Disabilities Education Act*

Legal Reference: (see next page)

INFECTIOUS DISEASES (continued)

Legal Reference: (continued)

UNITED STATES CODE, TITLE 29

794 *Section 504 of the Rehabilitation Act of 1973*

CODE OF FEDERAL REGULATIONS, TITLE 45

164.500-164.534 ~~Health Insurance Portability and Accountability Act (HIPAA)~~ **Privacy of individually identifiable health information**

COURT DECISIONS

Thomas v. Atascadero Unified School District, (1987 1986) 662 F.Supp. 376

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Science Safety Handbook for California Public Schools, 2014

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

School District (K-12) Pandemic Influenza Planning Checklist

WEB SITES

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

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

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

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

~~U.S. Government Pandemic Flu Information: <http://www.pandemicflu.gov>~~

(7/99 7/06) 7/20

CSBA Sample Administrative Regulation

Students

AR 5141.22(a)

INFECTIOUS DISEASES

Note: The following **optional** administrative regulation may be modified to reflect district practice.

Prevention and Mitigation Plan

The Superintendent or designee shall work with state and local health officials to develop and regularly update a plan to prevent and mitigate the spread of infectious diseases. Components of the plan may include, but are not necessarily limited to:

1. A communication strategy for informing students, parents/guardians, staff, and the community about the disease(s), including symptoms, complications, transmission, and current recommendations from state and local departments of public health
2. Protocols for assessing when campus closures are necessary and when campus(es) may reopen
3. Alternative means of instruction, schedules, and attendance, including the provision of instruction to students with disabilities, English learners, and foster or homeless youth, in the event of campus closures or partial closures

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

(cf. 6157 - Distance Learning)

(cf. 6158 - Independent Study)

(cf. 6159 - Individualized Education Program)

(cf. 6164.5 - Student Success Teams)

(cf. 6173 - Education for Homeless Youth)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6183 - Home and Hospital Instruction)

4. Guidelines regarding preventative measures such as social distancing, personal protective equipment, temperature checks, and/or any other health screening allowed by law
5. Protocols regarding the acquisition and provision of personal protective equipment and other supplies

INFECTIOUS DISEASES (continued)

6. Procedures for the cancellation or alteration of extracurricular activities and field trips

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

7. Protocols for transportation of students using district vehicles

(cf. 3540 - Transportation)

(cf. 3543 - Transportation Safety and Emergencies)

8. Information on effective hygiene practices

9. Provisions for continuing free and reduced-price meal services

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

(cf. 3553 - Free and Reduced Price Meals)

10. Processes for protecting students who are at higher risk from the disease

11. Programs that enhance a positive school climate and foster the emotional well-being of all students

(cf. 5141.5 - Mental Health)

(cf. 5141.52 - Suicide Prevention)

(cf. 6164.2 - Guidance/Counseling Services)

12. Guidelines for cleaning and sanitization of district facilities and equipment

(cf. 3510 - Green School Operations)

(cf. 3514.1 - Hazardous Substances)

13. Protocols for visitors and outside groups that utilize district facilities

14. Staff training

The Superintendent or designee shall immediately report to the local health officer the presence or suspected presence of any communicable disease. (17 CCR 2508)

Universal Precautions in the Classroom

Note: The following standards are based upon the universal precautions required for use by employees

INFECTIOUS DISEASES (continued)

pursuant to 8 CCR 5193 and should be modified to reflect district practice. **See also the California Department of Education's (CDE) Science Safety Handbook for more information about laboratory safety and universal precautions.**

Before students work with blood, blood products, or other body fluids, the teacher shall explain the potentially hazardous nature of blood and body fluids in the transmission of various agents from one person to another and the specific procedures and safety precautions to be used in the lesson.

The following precautions shall be used when students are working with blood or other body fluids:

1. Before and after exposure to blood or other body fluids, students shall wash their hands with soap and water and cover any existing cut, wound, or open sore with a sterile dressing.
2. Students shall wear gloves or other personal protective equipment as appropriate.

(cf. 5142 - Safety)

Note: CDE's Science Safety Handbook recommends that alternatives to fresh human blood, such as blood that is acquired from a local blood bank that has been tested and found to be free of hepatitis B and human immunodeficiency virus, be utilized for experiments that require blood samples. If the district permits fresh human blood samples from students to be utilized for such purposes, CDE's Science Safety Handbook states that human blood sampling may only occur on a voluntary basis, that the blood draw should be self-administered and performed in a manner consistent with the district's exposure control plan, and that goggles and gloves should be utilized. As students with specified known medical conditions are not permitted to participate, districts should have a process in place which ensures that students with such medical conditions need not share that information with their teacher(s) or other students.

3. Blood typing or similar experiments may be conducted by teacher demonstrations. When being performed individually, students shall work with their own blood or use prepackaged ABO/Rh blood cell kits that have vials of blood previously tested for transmissible agents.
 - a. For finger punctures, ~~students shall use individual sterile lancets~~ **that have engineered sharps injury protection for finger punctures** and shall not reuse them.
 - b. Before the finger is punctured, it shall be wiped with a piece of cotton that has been immersed in alcohol.
 - c. If bleeding persists after the finger is punctured, the student shall apply a sterile bandage using moderate pressure.

INFECTIOUS DISEASES (continued)

4. Lancets and any other materials contaminated with blood or body fluids shall be discarded into a solution consisting of one part bleach to 10 parts water (1:10), made fresh daily.
5. At the end of the class, surfaces shall be wiped with alcohol or a solution of one part bleach to 10 parts water.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5022 - Student and Family Privacy Rights)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.93 - Science Instruction)

CSBA Sample Administrative Regulation

Students

AR 5145.3(a)

NONDISCRIMINATION/HARASSMENT

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. The federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions about a potential conflict arise. Districts should also note that 18 states, including California, have sued the U.S. Department of Education to stop the implementation of these regulations. A preliminary injunction seeking to postpone the effective date of the regulations and prohibit their enforcement is currently pending. If the court grants the injunction, portions of the following administrative regulation will not take effect.

Note: The following **mandated** administrative regulation provides measures that may be implemented by a district to comply with state and federal laws and regulations prohibiting unlawful discrimination at school or in school-sponsored or school-related activities, including discriminatory harassment, intimidation, and bullying, of any student 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, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected category or association with a person or group with one or more of these actual or perceived characteristics. Federal and state law also prohibit retaliation against those who engage in activity to protect civil rights.

5 CCR 4621 **mandates** the district to identify in its policies and procedures the person(s), position(s), or unit(s) responsible for ensuring compliance with applicable state and federal laws and regulations governing educational programs, including the receiving and investigating of complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying. In addition, 34 CFR 106.8 and other federal regulations **mandate** districts that receive federal financial assistance to adopt procedures for the "prompt and equitable" resolution of student and employee discrimination complaints, including the designation of one or more responsible employees to ensure district compliance with federal laws and regulations governing the district's educational programs.

During the Federal Program Monitoring process, California Department of Education (CDE) staff will check to ensure that the district's procedures list the specific title(s) of the employee(s) responsible for investigating complaints. The U.S. Department of Education's (USDOE) Office for Civil Rights (OCR) is the agency responsible for the administrative enforcement of federal antidiscrimination laws and regulations in programs and activities that receive federal financial assistance from the department. In reviewing a district's discrimination policies and procedures, OCR will examine whether the district has identified the employee(s) responsible for coordinating compliance with federal civil rights laws, including the investigation of complaints.

The following paragraphs **identifies** the employee(s) designated to coordinate the district's efforts to comply with state and federal civil rights laws (e.g. Title IX and Section 504 coordinators), **including the investigation and resolution of as the same person designated to investigate and resolve** discrimination complaints under AR 1312.3 - Uniform Complaint Procedures. **Districts may modify the following paragraph to designate separate district employees to serve these functions.** Note also that a district may designate more than one employee to coordinate compliance and/or receive and investigate complaints, although each employee designated as a coordinator/compliance officer must be properly trained.

NONDISCRIMINATION/HARASSMENT (continued)

34 CFR 106.8, as amended by 85 Fed. Reg. 30026, requires that the employee designated by the district to coordinate its responsibilities under Title IX be referred to as the Title IX Coordinator. The Title IX Coordinator is responsible for receiving complaints of sexual harassment and determining whether the complaint should be appropriately addressed through AR 1312.3 or the federal Title IX complaint procedures pursuant to 34 CFR 106.44-106.45. The Title IX Coordinator may be the same person designated below and in AR 1312.3. See AR 5145.7 - Sexual Harassment and AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, **medical condition**, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Superintendent or designee
445 Montezuma Street, Rio Vista, CA 94571
(707) 374-1700
Superintendent@rdusd.org

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

NONDISCRIMINATION/HARASSMENT (continued)

Note: As part of its responsibility to monitor district compliance with legal requirements concerning discrimination pursuant to Education Code 234.1, CDE is required to ensure that the district posts its nondiscrimination policies in all schools, offices, staff lounges, and student government meeting rooms.

In addition, federal regulations enforced by OCR require the district to notify students, parents/guardians, and employees of its policies prohibiting discrimination on the basis of sex (34 CFR 106.8, 106.9), disability (34 CFR 104.8 and 28 CFR 35.107), and age (34 CFR 110.25) and of related complaint procedures. **For notification requirements specifically pertaining to sexual harassment, see BP/AR 5145.7 - Sexual Harassment.**

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them in prominent locations and providing easy access to them through district-supported communications

Note: Education Code 234.6, as added by AB 34 (Ch. 282, Statutes of 2019), requires a district, starting with the 2020-21 school year, to post its nondiscrimination policies on its web site as specified below. In addition to the policies listed below, if the district has a policy in regard to the prevention and response to hate violence, it is also required to be posted, and the following item should be modified accordingly. See BP 5145.9 - Hate-Motivated Behavior.

2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's website in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

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

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Note: Education Code 234.6, as added by AB 34, requires a district, starting in the 2020-21 school year, to post the definitions specified below.

3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's website in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

NONDISCRIMINATION/HARASSMENT (continued)

Note: Education Code 221.61 requires districts and public schools to post on their web sites information related to Title IX (20 USC 1681-1688). Education Code 234.6, as added by AB 34, requires districts, beginning in the 2020-21 school year, to post the Title IX information required pursuant to 221.61 in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. Additionally, districts are required to provide a link to the Title IX information included on CDE's website pursuant to Education Code 221.6, in the same manner. A comprehensive list of rights based on the federal regulations implementing Title IX can be found in Education Code 221.8. A district that does not maintain a web site may comply by posting the information below on the web site of its county office of education. A school without a web site may comply by posting the information on the web site of the district or county office of education.

4. Post in a prominent location on the district website in a manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.6, 221.61, 234.6)
 - a. The name and contact information of the district's Title IX **e**Coordinator, including the phone number and email address
 - b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
 - c. A description of how to file a complaint of noncompliance under Title IX **in accordance with AR 1312.3 – Uniform Complaint Procedures**, which shall include:
 - (1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
 - (2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's website
 - (3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office
 - d. A link to the Title IX information included on the California Department of Education's (CDE) website

NONDISCRIMINATION/HARASSMENT (continued)

Note: Education Code 234.6, as added by AB 34, requires a district, starting in the 2020-21 school year, to post a link to statewide resources as specified below.

5. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)
6. Provide students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior.
7. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

Note: Both federal and state laws contain requirements for translation of certain information and documents. Title VI of the Civil Rights Act of 1964 requires school districts to ensure meaningful access to their programs and activities by persons with limited English proficiency. OCR has interpreted this to require that, whenever information is provided to parents/guardians, districts must notify limited-English-proficient (LEP) parents/guardians in a language other than English in order to be adequate. OCR enforces this requirement consistent with the Department of Justice's 2003 [Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons](#). Under the Guidance, a recipient of federal funds has an obligation to provide language assistance to LEP individuals based on balancing four factors: (1) the number or proportion of LEP individuals likely to encounter or be served by the program, (2) the frequency with which LEP individuals come in contact with the program, (3) the nature and importance of the services provided by the program, and (4) the resources available to the recipient and costs. State law is more specific than federal law. Education Code 48985 requires translation of certain information and documents if 15 percent or more of students enrolled in the school speak a single primary language other than English.

NONDISCRIMINATION/HARASSMENT (continued)

8. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

10. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

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

Note: Item #11 below may be revised to reflect district practice. In some situations, the district may need to provide assistance to a student to protect the student from harassment or bullying. Each situation will need to be analyzed to determine the most appropriate course of action to meet the needs of the student, based on the circumstances involved.

11. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

NONDISCRIMINATION/HARASSMENT (continued)

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond

3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination

4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

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

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

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that the student knew was not true

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Process for Initiating and Responding to Complaints

Note: Education Code 234.1 requires that districts adopt a process for receiving and investigating complaints of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying. Such a process, which is required to be consistent with the uniform complaint procedures **(UCP)** specified in 5 CCR 4600-4670, must include (1) a requirement that school personnel who witness an act take immediate steps to intervene when safe to do so, (2) a timeline for investigating and resolving complaints, (3) an appeal process, and (4) translation of forms when required by Education Code 48985. In addition, federal regulations require districts to adopt procedures providing for the prompt and equitable resolution of complaints of discrimination on the basis of sex (34 CFR 106.8), disability (34 CFR 104.7 and 28 CFR

NONDISCRIMINATION/HARASSMENT (continued)

35.107), and age (34 CFR 110.25). OCR guidance on federal civil rights requirements notes that districts may have a responsibility to respond to notice of discrimination whether or not a formal complaint is filed. In addition, districts may have an obligation to respond to notice of sexual harassment of students which occurs off school grounds or outside school sponsored or school related programs or activities, since the sexual harassment may still create a hostile environment at school. This principle would also apply to harassment on other bases, such as race, gender, or disability.

Complaints of sexual harassment must be addressed through the federal Title IX complaint procedures established pursuant to 34 CFR 106.44-106.45, as added by 85 Fed. Reg. 30026, if the alleged conduct meets the federal definition of sexual harassment. Pursuant to 34 CFR 106.30, sexual harassment includes (1) a district employee conditioning the provision of a district aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 and 34 USC 12291. Allegations that do not meet this definition should be addressed through the district's UCP. See BP/AR 5145.7 - Sexual Harassment and AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

Students who feel that they have been subjected to unlawful discrimination described above or in district policy are strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, students who observe any such incident are strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

Note: Though a formal complaint must be in writing pursuant to 5 CCR 4600, the district's obligation to provide a safe school environment for its students overrides the need to comply with formalities. Thus, once the district receives notice of an incident, whether verbally or in writing, it is good practice to begin the investigation of the report and to take steps to stop any prohibited conduct and address any effect on students. The following paragraph reflects such practice and is consistent with OCR recommendation.

When a verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, the principal or compliance officer shall make a note of the report and encourage notify the student or parent/guardian of the right to file a formal complaint in accordance with to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title

NONDISCRIMINATION/HARASSMENT (continued)

IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the **principal or** compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Transgender and Gender-Nonconforming Students

Note: The term "gender identity" is not specifically defined in the Education Code. The following definition is consistent with case law and generally accepted terms within academia, as well as the Resolution Agreement between the Arcadia Unified School District, the U.S. Department of Education Office for Civil Rights, and the U.S. Department of Justice, Civil Rights Division, which defines "gender identity" as "one's internal sense of gender, which may be different from one's assigned sex, and which is consistently and uniformly asserted, or for which there is other evidence that the gender identity is sincerely held as part of the student's core identity."

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity is different from the gender assigned at birth.

NONDISCRIMINATION/HARASSMENT (continued)

The district prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are sexual in nature. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with the student's gender identity
2. Disciplining or disparaging a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the restroom that corresponds to the student's gender identity
4. Taunting a student because the student participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. Using gender-specific slurs
7. Physically assaulting a student motivated by hostility toward the student because of the student's gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) **or Title IX sexual harassment procedures (AR 5145.71), as applicable**, shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

NONDISCRIMINATION/HARASSMENT (continued)

Note: Timelines included in items #1-2 below may be modified to reflect district practice.
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1. **Right to privacy:** A student's transgender or gender-nonconforming status is the student's private information and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless the employee is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to the student's status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to the student's parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of gender identity and begin to treat the student consistent with that gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.
3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, the student's parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be

NONDISCRIMINATION/HARASSMENT (continued)

affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting the student's educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

Note: Pursuant to Education Code 221.5, a district is required to permit a student to use facilities and participate in sex-segregated school programs and activities consistent with the student's gender identity, regardless of the gender listed on the student's educational records. Because Education Code 221.5 affords transgender students these rights, districts in California are not impacted by the February 22, 2017 action of the USDOE and U.S. Department of Justice to rescind earlier federal guidance which had indicated that, under Title IX, students must be allowed to use sex-segregated facilities in accordance with their gender identity. In implementing state law, districts may review recommended practices in the USDOE's Office of Elementary and Secondary Education's [Examples of Policies and Emerging Practices for Supporting Transgender Students](#). For more information on the rights of transgender students, see CSBA's [Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination](#).

4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because the student is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with the student's gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with the student's gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

NONDISCRIMINATION/HARASSMENT (continued)

Note: Education Code 49062.5 and 49070, as added and amended by AB 711 (Ch. 179, Statutes of 2019), respectively, require districts to update a former student's records to change the student's name and/or gender as specified below. See AR 5125 - Student Records.

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. When a student presents government-issued documentation of a name and/or gender change or submits a request for a name and/or gender change through the process specified in Education Code 49070, the district shall update the student's records. (Education Code 49062.5, 49070)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.3 - Challenging Student Records)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronoun(s) consistent with the student's gender identity, without the necessity of a court order or a change to the student's official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.
7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with the student's gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress and Grooming)

(5/18 5/20) 7/20

CSBA Sample Board Policy

Students

BP 5145.6(a)

PARENTAL NOTIFICATIONS

The Governing Board desires to promote effective communication between the school and the home and to keep parents/guardians informed regarding educational programs, school operations, and the legal rights of students and their parents/guardians. The Superintendent or designee shall send parents/guardians ~~and students~~ all notifications required by law and any other notifications ~~he/she~~ **the Superintendent or designee** believes will promote parental understanding and involvement.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5022 - Student and Family Privacy Rights)
(cf. 6020 - Parent Involvement)

Notice of the rights and responsibilities of parents/guardians as specified in Education Code 48980 shall be sent at the beginning of each academic year and may be provided by regular mail, in electronic form when so requested by the parent/guardian, or by any other method normally used by the district for written communication with parents/guardians. (Education Code 48981)

No activity specified in Education Code 48980 shall be undertaken with respect to any particular student unless ~~his/her~~ **the student's** parent/guardian has been informed of such action through the annual notification or other separate special notification. Such notice shall state the activity that will be undertaken and the approximate date on which the activity will occur. (Education Code 48983-48984)

The annual notification shall include a request that the parent/guardian sign the notice and return it to the school or, if the notice is provided in electronic format, that the parent/guardian submit a signed acknowledgment of receipt of the notice to the school. The parent/guardian's signature is an acknowledgment of receipt of the information but does not indicate that consent to participate in any particular program has been given or withheld. (Education Code 48982)

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

Whenever a student enrolls in a district school during the school year, ~~his/her~~ **the student's** parents/guardians shall be given all required parental notifications at that time.

Note: The following paragraph applies to notices required for certain federal programs, including, but not necessarily limited to, Title I notices pursuant to 20 USC 6311 and 6312, notices regarding the rights of parents/guardians of students with disabilities pursuant to 34 CFR 300.503 and 300.504, and notices of the educational rights of homeless students pursuant to 42 USC 11432. The following paragraph may be revised to reflect district practice.

PARENTAL NOTIFICATIONS (continued)

Notifications shall be presented in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians can understand.

Note: 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 the parents/guardians of these students must also be written in the primary language and may be answered by the parent/guardian in either language. Education Code 48985 requires the California Department of Education (CDE) to notify districts, by August 1 of each year, of the schools and the languages for which the translation of notices is required based on census data submitted to the CDE in the preceding fiscal year.

Whenever 15 percent or more of the students enrolled in a district school speak a single primary language other than English, as determined from the California Department of Education census data collected pursuant to Education Code 52164, all notices sent to the parent/guardian of any such student shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language. (Education Code 48981, 48985)

Whenever an employee learns that a student's parent/guardian is unable to understand the district's printed notifications for any reason, **he/she the employee** shall inform the principal or designee, who shall work with the parent/guardian to establish other appropriate means of communication.

*Legal Reference:*EDUCATION CODE

- 221.5 Prohibited sex discrimination
- 231.5 Sexual harassment policy
- 234.7 Student protections relating to immigration and citizenship status
- 262.3 Appeals for discrimination complaints; information regarding availability of civil remedies
- 310 Language acquisition programs
- 313 Reclassification of English learners, parental consultation
- 313.2 Long-term English learner, notification
- 440 English language proficiency assessment; instruction in English language development
- 8483 Before/after school program; enrollment priorities
- 17288 Building standards for university campuses
- 17611.5-17612 Notification of pesticide use
- 32221.5 Insurance for athletic team members
- 32255-32255.6 Right to refuse harmful or destructive use of animals
- 32390 Fingerprint program; contracts; funding; consent of parent/guardian
- 33479.3 The Eric Paredes Sudden Cardiac Arrest Prevention Act
- 35160.5 Extracurricular and cocurricular activities
- 35178.4 Notice of accreditation status
- 35182.5 Advertising in the classroom
- 35183 School dress codes; uniforms
- 35186 Complaints concerning deficiencies in instructional materials and facilities
- 35211 Driver training; district insurance, parent/guardian liability

Legal Reference continued: (see next page)

PARENTAL NOTIFICATIONS (continued)*Legal Reference: (continued)**EDUCATION CODE (continued)*

- 35256 School Accountability Report Card*
- 35258 School Accountability Report Card*
- 35291 Rules for student discipline*
- 37616 Consultation regarding year-round schedule*
- 39831.5 School bus rider rules and information*
- 44050 Employee codes of conduct, employee interactions with students*
- 44808.5 Permission to leave school grounds*
- 46010.1 Notice regarding excuse to obtain confidential medical services*
- 46014 Regulations regarding absences for religious purposes*
- 46600-46611 Interdistrict attendance agreements*
- 48000 Minimum age of admission*
- 48070.5 Promotion or retention of students*
- 48204 Residency requirements*
- 48205 Absence for personal reasons*
- 48206.3 Students with temporary disabilities; individual instruction; definitions*
- 48207-48208 Students with temporary disabilities in hospitals*
- 48213 Prior notice of exclusion from attendance*
- 48216 Immunization*
- 48260.5 Notice regarding truancy*
- 48262 Need for parent conference regarding truancy*
- 48263 Referral to school attendance review board or probation department*
- 48301 Interdistrict transfers*
- ~~48350-48361 Open Enrollment Act~~*
- ~~48354 Option to transfer from school identified under Open Enrollment Act~~*
- ~~48357 Status of application for transfer from school identified under Open Enrollment Act~~*
- 48412 Certificate of proficiency*
- 48432.3 Voluntary enrollment in continuation education*
- 48432.5 Involuntary transfers of students*
- 48850-48859 Education of foster youth and homeless students*
- 48900.1 Parental attendance required after suspension*
- 48904 Liability of parent/guardian for willful student misconduct*
- 48904.3 Withholding grades, diplomas, or transcripts*
- 48906 Notification of release of student to peace officer*
- 48911 Notification in case of suspension*
- 48911.1 Assignment to supervised suspension classroom*
- 48912 Closed sessions; consideration of suspension*
- 48915.1 Expelled students; enrollment in another district*
- 48916 Readmission procedures*
- 48918 Rules governing expulsion procedures*
- 48929 Transfer of student convicted of violent felony or misdemeanor*
- 48980 Required notification at beginning of term*
- 48980.3 Notification of pesticide use*
- 48981 Time and means of notification*
- 48982 Parent signature acknowledging receipt of notice*
- 48983 Contents of notice*
- 48984 Activities prohibited unless notice given*
- 48985 Notices to parents in language other than English*

Legal Reference continued: (see next page)

PARENTAL NOTIFICATIONS (continued)*Legal Reference: (continued)*EDUCATION CODE (continued)

- 48987 Child abuse information
- 49013 Use of uniform complaint procedures for complaints regarding student fees
- 49063 Notification of parental rights
- 49067 Student evaluation; student in danger of failing course
- 49068 Transfer of permanent enrollment and scholarship record
- 49069 Absolute right to access
- 49070 Challenging content of student record
- 49073 Release of directory information
- 49073.6 Student records, social media
- 49076 Access to student records
- 49077 Access to information concerning a student in compliance with court order
- 49403 Cooperation in control of communicable disease and immunization
- 49423 Administration of prescribed medication for student
- 49451 Physical examinations: parent's refusal to consent
- 49452.5 Screening for scoliosis
- 49452.7 Information on type 2 diabetes
- 49452.8 Oral health assessment
- 49456 Results of vision or hearing test
- 49471-49472 Insurance
- 49475 Student athletes; concussions and head injuries
- 49476 Student athletes; opioid fact sheet**
- 49480 Continuing medication regimen for nonepisodic conditions
- 49510-49520 Duffy-Moscone Family Nutrition Education and Services Act of 1970
- 49557.5 Child Hunger Prevention and Fair Treatment Act of 2017; notice of negative balance in meal account
- 51225.1 Exemption from district graduation requirements
- 51225.2 Course credits; ~~foster youth, homeless youth, former juvenile court school students and military-connected students~~
- 51225.3 Graduation requirements; courses that satisfy college entrance criteria
- 51229 Course of study for grades 7-12
- 51513 Personal beliefs; privacy
- 51938 HIV/AIDS and sexual health instruction
- 52164 Language census
- 52164.1 Census-taking methods; determination of primary language; assessment of language skills
- 52164.3 Reassessment of English learners; notification of results
- 54444.2 Migrant education programs; parent involvement
- 56301 Child-find system; policies regarding written notification rights
- 56321 Special education: proposed assessment plan
- 56321.5-56321.6 Notice of parent rights pertaining to special education
- 56329 Written notice of right to findings; independent assessment
- 56341.1 Development of individualized education program; right to audio record meeting
- 56341.5 Individualized education program team meetings
- 56343.5 Individualized education program meetings
- 56521.1 Behavioral intervention
- 58501 Alternative schools; notice required prior to establishment
- 60615 Exemption from state assessment
- 60641 California Assessment of Student Performance and Progress
- 69432.9 Submission of grade point average to Cal Grant program

Legal Reference continued: (see next page)

PARENTAL NOTIFICATIONS (continued)

Legal Reference: (continued)

CIVIL CODE

1798.29 District records, breach of security

HEALTH AND SAFETY CODE

1596.857 Right to enter child care facility

1597.16 Licensed child care centers, lead testing

104420 Tobacco use prevention

104855 Availability of topical fluoride treatment

116277 Lead testing of school drinking water

120365-120375 Immunizations

120440 Sharing immunization information

124100-124105 Health screening and immunizations

PENAL CODE

626.81 Notice of permission granted to sex offender to volunteer on campus

627.5 Hearing request following denial or revocation of registration

CODE OF REGULATIONS, TITLE 5

852 Exemptions from state assessments

863 Reports of state assessment results

3052 Behavioral intervention

4622 Notification of uniform complaint procedures

4631 Uniform complaint procedures; notification of decision and right to appeal

~~4702 Student transfer from school identified under Open Enrollment Act~~

4917 Notification of sexual harassment policy

11303 Reclassification of English learners

11511.5 English language proficiency assessment; test results

11523 Notice of proficiency examinations

18066 Child care policies regarding excused and unexcused absences

18094-18095 Notice of Action; child care services

18114 Notice of delinquent fees; child care services

18118-18119 Notice of Action; child care services

CODE OF REGULATIONS, TITLE 17

2951 Hearing tests

6040 Time period to obtain needed immunizations

UNITED STATES CODE, TITLE 20

1232g Family Educational and Privacy Rights Act

1232h Privacy rights

1415 Procedural safeguards

6311 State plan

6312 Local educational agency plans

6318 Parent and family engagement

7704 Impact Aid; policies and procedures related to children residing on Indian lands

7908 Armed forces recruiter access to students

UNITED STATES CODE, TITLE 42

1758 Child nutrition programs

11431-11435 McKinney-Vento Homeless Assistance Act

CODE OF FEDERAL REGULATIONS, TITLE 7

245.5 Eligibility criteria for free and reduced-price meals

245.6a Verification of eligibility for free and reduced-price meals

Legal Reference continued: (see next page)

PARENTAL NOTIFICATIONS (continued)

Legal Reference: (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34

99.7 Student records, annual notification

99.30 Disclosure of personally identifiable information

99.34 Student records, disclosure to other educational agencies

99.37 Disclosure of directory information

104.32 District responsibility to provide free appropriate public education

104.36 Procedural safeguards

104.8 Nondiscrimination

106.8 Notification of contact information for Title IX coordinator

106.9 Dissemination of policy, nondiscrimination on basis of sex

200.48 Teacher qualifications

222.94 Impact Aid; district responsibilities

300.300 Parent consent for special education evaluation

300.322 Parent participation in IEP team meetings

300.502 Independent educational evaluation of student with disability

300.503 Prior written notice regarding identification, evaluation, or placement of student with disability

300.504 Procedural safeguards notice for students with disabilities

300.508 Due process complaint

300.530 Discipline procedures

CODE OF FEDERAL REGULATIONS, TITLE 40

763.84 Asbestos inspections, response actions and post-response actions

763.93 Asbestos management plans

Management Resources:

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Unpaid Meal Charges: Guidance and Q&A, SP 23 2017, March 2017

Civil Rights Compliance and Enforcement -- Nutrition Programs and Services, FNS Instruction 113-1, 2005

WEB SITES

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov>

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CSBA Sample Exhibit

Students

E 5145.6(a)

PARENTAL NOTIFICATIONS

Cautionary Notice: Government Code 17581.5 releases districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of ~~2018 (SB 840, Ch. 29, Statutes of 2018)~~ **2019 2020 (SB 74, Ch. 6, Statutes of 2020)** extends the suspension of these requirements through the ~~2018-19~~ **2020-21** fiscal year. As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

Note: The following exhibit lists notices which the law explicitly requires be provided to parents/guardians. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements. For example, see AR 1312.3 - Uniform Complaint Procedures for the contents of the annual notice regarding uniform complaint procedures as mandated by 5 CCR 4622.

The exhibit does not include other notices that are recommended throughout CSBA's sample policy manual but are not required by law. The district may revise the exhibit to reflect additional notifications provided by the district.

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually			
Beginning of each school year	Education Code 222.5	BP 5146	Rights and options for pregnant and parenting students
Beginning of each school year	Education Code 234.7	BP 0410	Right to a free public education regardless of immigration status or religious beliefs
Beginning of each school year	Education Code 310	BP 6142.2 AR 6174	Information on the district's language acquisition programs
Beginning of each school year	Education Code 17611.5, 17612, 48980.3	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information, and, if district has no web site and uses certain pesticides, integrated pest management plan
By February 1	Education Code 35256, 35258	BP 0510	School Accountability Report Card provided
Beginning of each school year	Education Code 35291, 48980	AR 5144 AR 5144.1	District and site discipline rules

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 44050	BP 4119.21 4219.21 4319.21	Code of conduct addressing employee interactions with students
Beginning of each school year	Education Code 46010.1	AR 5113	Absence for confidential medical services
Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	District policy authorizing transfer
Beginning of each school year	Education Code 48980	BP 6111	Schedule of minimum days and student-free staff development days
Beginning of each school year	Education Code 48980, 231.5; 5 CCR 4917; 34 CFR 106.8	AR 5145.7	Copy of sexual harassment policy as related to students; contact information for Title IX coordinator
Beginning of each school year	Education Code 48980, 32255-32255.6	AR 5145.8	Right to refrain from harmful or destructive use of animals
Beginning of each school year	Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361	BP 5111.1 AR 5116.1 AR 5117	All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process
Beginning of each school year, if Board allows such absence	Education Code 48980, 46014	AR 5113	Absence for religious exercises or purposes
Beginning of each school year	Education Code 48980, 48205	AR 5113 BP 6154	Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 48980, 48206.3, 48207, 48208	AR 6183	Availability of home/hospital instruction for students with temporary disabilities
Beginning of each school year	Education Code 48980, 49403	BP 5141.31	School immunization program
Beginning of each school year	Education Code 48980, 49423, 49480	AR 5141.21	Administration of prescribed medication
Beginning of each school year	Education Code 48980, 49451; 20 USC 1232h	AR 5141.3	Right to refuse consent to physical examination
Beginning of each school year	Education Code 48980, 49471, 49472	BP 5143	Availability of insurance
Beginning of each school year	Education Code 49013; 5 CCR 4622	AR 1312.3	Uniform complaint procedures, available appeals, civil law remedies
Beginning of each school year	Education Code 49063	AR 5125 AR 5125.3	Challenge, review, and expunging of records
Beginning of each school year	Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7	AR 5125	Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability
Beginning of each school year	Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37	AR 5125.1	Release of directory information
Beginning of each school year and at least one more time during school year using specified methods	Education Code 49428	None	How to access mental health services at school and/or in community

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5	AR 3553	Eligibility and application process for free and reduced-price meals
Beginning of each school year	Education Code 51513; 20 USC 1232h	AR 5022 BP 6162.8	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; inspection rights and procedures
Beginning of each school year	Education Code 56301	BP 6164.4	Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment
Beginning of each school year	Education Code 58501, 48980	AR 6181	Alternative schools
Beginning of each school year	Health and Safety Code 104855	AR 5141.6	Availability of dental fluoride treatment; opportunity to accept or deny treatment
Annually	5 CCR 852; Education Code 60615	AR 6162.51	Student's participation in state assessments; option to request exemption from testing
Beginning of each school year, if district receives Title I funds	20 USC 6312; 34 CFR 200.48	BP 4112.2 AR 4222	Right to request information re: professional qualifications of child's teacher and paraprofessional
Beginning of each school year	34 CFR 104.8, 106.9	BP 0410 BP 6178	Nondiscrimination
Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	USDA SP-23-2017	AR 3551	District policy on meal payments
II. At Specific Times During the Student's Academic Career			
Beginning in grade 7, at least once prior to course selection and career counseling	Education Code 221.5, 48980	BP 6164.2	Course selection and career counseling
Upon a student's enrollment	Education Code 310	BP 6142.2 AR 6174	Information on the district's language acquisition programs
When child first enrolls in a public school, if school offers a fingerprinting program	Education Code 32390, 48980	AR 5142.1	Fingerprinting program
When participating in driver training courses under the jurisdiction of the district	Education Code 35211	None	Civil liability, insurance coverage
Upon registration in K-6, if students have not previously been transported	Education Code 39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops
Beginning of each school year for high school students, if high school is open campus	Education Code 44808.5, 48980	BP 5112.5	Open campus
Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement	Education Code 48980, 51225.3	AR 6146.1	How each graduation requirement does or does not satisfy college entrance a-g course criteria; district CTE courses that satisfy a-g criteria
Upon a student's enrollment	Education Code 49063	AR 5125 AR 5125.3	Specified rights related to student records
When students enter grade 7	Education Code 49452.7	AR 5141.3	Specified information on type 2 diabetes

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
When in kindergarten, or first grade if not previously enrolled in public school	Education Code 49452.8	AR 5141.32	Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights
Beginning of each school year for students in grades 9-12	Education Code 51229, 48980	AR 6143	College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors
Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year	Education Code 51938, 48980	AR 6142.1	Sexual health and HIV prevention education, right to view A/V materials, whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse
Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year	Education Code 60641; 5 CCR 863	AR 6162.51	Results of tests; test purpose, individual score and intended use
By October 15 for students in grade 12	Education Code 69432.9	AR 5121 AR 5125	Forwarding of student's grade point average to Cal Grant program; timeline to opt out
When child is enrolled or reenrolled in a licensed child care center or preschool	Health and Safety Code 1596.7996	AR 5148	Information on risks and effects of lead exposure, blood lead testing
When child is enrolled in kindergarten	Health and Safety Code 124100, 124105	AR 5141.32	Health screening examination
To students in grades 11-12, early enough to enable registration for fall test	5 CCR 11523	AR 6146.2	Notice of proficiency examination provided under Education Code 48412

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
To secondary students, if district receives Title I funds	20 USC 7908	AR 5125.1	Request that district not release student's name, address, and phone number of child to military recruiters without prior written consent
III. When Special Circumstances Occur			
In the event of a breach of security of district records, to affected persons	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, contact information for credit reporting agencies
Upon receipt of a complaint alleging discrimination	Education Code 262.3	AR 1312.3	Civil law remedies available to complainants
When determining whether an English learner should be reclassified as fluent English proficient	Education Code 313; 5 CCR 11303	AR 6174	Description of reclassification process, opportunity for parent/guardian to participate
When student is identified as English learner and district receives Title I or Title III funds for English learner programs, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year	Education Code 313.2, 440; 20 USC 6312	AR 6174	Reason for classification, level of English proficiency, identification as long-term English learner, description of program(s), option to decline program or choose alternate, option to remove student from program at any time, exit requirements of program
When homeless or foster youth applies for enrollment in before/after school program	Education Code 8483	AR 5148.2	Right to priority enrollment; how to request priority enrollment
Before high school student attends specialized secondary program on a university campus	Education Code 17288	None	University campus buildings may not meet Education Code requirements for structural safety
At least 72 hours before use of pesticide product not included in annual list	Education Code 17612	AR 3514.2	Intended use of pesticide product
To members of athletic teams	Education Code 32221.5	AR 5143	Offer of insurance; no-cost and low-cost program options

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Annually to parents/guardians of student athletes before they participate in competition	Education Code 33479.3	AR 6145.2	Information on sudden cardiac arrest
If school has lost its WASC accreditation status	Education Code 35178.4	BP 6190	Loss of status, potential consequences
When district has contracted for electronic products or services that disseminate advertising	Education Code 35182.5	BP 3312	Advertising will be used in the classroom or learning center
At least six months before implementing uniform policy	Education Code 35183	AR 5132	Dress code policy requiring schoolwide uniform
Before implementing a year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round schedule
When interdistrict transfer is requested and not approved or denied within 30 days	Education Code 46601	AR 5117	Appeal process
Before early entry to kindergarten, if offered	Education Code 48000	AR 5111	Effects, advantages and disadvantages of early entry
When student identified as being at risk of retention	Education Code 48070.5	AR 5123	Student at risk of retention
When student excluded due to quarantine, contagious or infectious disease, danger to safety or health	Education Code 48213	AR 5112.2 BP 5141.33	Student has been excluded from school
Before already admitted student is excluded for lack of immunization	Education Code 48216; 17 CCR 6040	AR 5141.31	Need to submit evidence of immunization or exemption within 10 school days; referral to medical care
When a student is classified as truant	Education Code 48260.5, 48262	AR 5113.1	Truancy, parental obligation, availability of alternative programs, student consequences, need for conference

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When a truant is referred to a SARB or probation department	Education Code 48263	AR 5113.1	Name and address of SARB or probation department and reason for referral
When student requests to voluntarily transfer to continuation school	Education Code 48432.3	AR 6184	Copy of district policy and regulation on continuation education
Prior to involuntary transfer to continuation school	Education Code 48432.5	AR 6184	Right to request meeting prior to involuntary transfer to continuation school
To person holding educational rights, prior to recommending placement of foster youth outside school of origin	Education Code 48853.5	AR 6173.1	Basis for the placement recommendation
When student is removed from class and teacher requires parental attendance at school	Education Code 48900.1	AR 5144.4	Parental attendance required; timeline for attendance
Prior to withholding grades, diplomas, or transcripts	Education Code 48904	AR 5125.2	Damaged school property
When withholding grades, diplomas or transcripts from transferring student	Education Code 48904.3	AR 5125.2	Next school will continue withholding grades, diplomas, or transcripts
When student is released to peace officer	Education Code 48906	BP 5145.11	Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse
At time of suspension	Education Code 48911	BP 5144.1 AR 5144.1	Notice of suspension
When original period of suspension is extended	Education Code 48911	AR 5144.1	Extension of suspension
At the time a student is assigned to a supervised suspension classroom	Education Code 48911.1	AR 5144.1	The student's assignment to a supervised suspension classroom

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Before holding a closed session re: suspension	Education Code 48912	AR 5144.1	Intent to hold a closed session re: suspension
When student expelled from another district for certain acts seeks admission	Education Code 48915.1, 48918	BP 5119	Hearing re: possible danger presented by expelled student
When readmission is denied	Education Code 48916	AR 5144.1	Reasons for denial; determination of assigned program
When expulsion occurs	Education Code 48916	AR 5144.1	Readmission procedures
At least 10 calendar days before expulsion hearing	Education Code 48918	AR 5144.1	Notice of expulsion hearing
When expulsion or suspension of expulsion occurs	Education Code 48918	AR 5144.1	Decision to expel; right to appeal to county board; obligation to inform new district of status
Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	Right to request a meeting with principal or designee
One month before the scheduled minimum day	Education Code 48980	BP 6111	When minimum days are scheduled after beginning of the school year
When parents/guardians request guidelines for filing complaint of child abuse at a school site	Education Code 48987	AR 5141.4	Guidelines for filing complaint of child abuse at a school site with local child protective agencies
When student in danger of failing a course	Education Code 49067	AR 5121	Student in danger of failing a course
When student transfers from another district or private school	Education Code 49068	AR 5125	Right to receive copy of student's record and to challenge its content

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When parent/guardian's challenge of student record is denied and parent/guardian appeals	Education Code 49070	AR 5125.3	If board sustains allegations, the correction or destruction of record; if denied, right to submit written objection
When district is considering program to gather safety-related information from students' social media activity	Education Code 49073.6	BP 5125	Opportunity for input on proposed program
When district adopts program to gather information from students' social media activity, and annually thereafter	Education Code 49073.6	AR 5125	Information is being gathered, access to records, process for removal or corrections, destruction of records
Within 24 hours of release of information to a judge or probation officer	Education Code 49076	AR 5125	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition
Before release of information pursuant to court order or subpoena	Education Code 49077	AR 5125	Release of information pursuant to court order or subpoena
When screening results in suspicion that student has scoliosis	Education Code 49452.5	AR 5141.3	Scoliosis screening
When test results in discovery of visual or hearing defects	Education Code 49456; 17 CCR 2951	AR 5141.3	Vision or hearing test results
Within 10 days of negative balance in meal account	Education Code 49557.5	AR 3551	Negative balance in meal account; encouragement to apply for free or reduced-price meals
Annually to parents/guardians of student athletes before their first practice or competition	Education Code 49475	AR 6145.2	Information on concussions and head injuries
Annually to parents/guardians of student athletes	Education Code 49476	AR 6145.2	Opioid fact sheet

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Within 30 days of foster youth, homeless youth, former juvenile court school student, child of military family, or migrant student being transferred after second year of high school, or immigrant student enrolled in newcomer program in grades 11-12	Education Code 51225.1	BP 6146.1 AR 6173 AR 6173.1 AR 6173.3 AR 6175	Exemption from local graduation requirements, effect on college admission, option for fifth year of high school
Before any test/survey questioning personal beliefs	Education Code 51513	AR 5022	Permission for test, survey questioning personal beliefs
At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year	Education Code 51938	AR 6142.1	Instruction in HIV prevention or sexual health by guest speaker or outside consultant
Prior to administering survey regarding health risks and behaviors to students in 7-12	Education Code 51938	AR 5022	Notice that the survey will be administered
Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency	Education Code 52164.1, 52164.3; 5 CCR 11511.5	AR 6174	Results of state test of English proficiency
When migrant education program is established	Education Code 54444.2	BP 6175 AR 6175	Parent advisory council membership composition
When child participates in licensed child care and development program	Health and Safety Code 1596.857	AR 5148	Parent/guardian right to enter facility
When a licensed child care center has a building constructed before January 1, 2010 and has drinking water tested for lead	Health and Safety Code 1597.16	AR 5148	The requirement to test the facility, and the results of the test
When district receives Tobacco-Use Prevention Education Funds	Health and Safety Code 104420	AR 3513.3	The district's tobacco-free schools policy and enforcement procedures

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When testing by community water system finds presence of lead exceeding specified level	Health and Safety Code 116277	AR 3514	Elevated lead level at school
When sharing student immunization information with an immunization system	Health and Safety Code 120440	AR 5125	Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share
At least 14 days prior to sex offender coming on campus as volunteer	Penal Code 626.81	AR 1240 BP 1250	Dates and times permission granted; obtaining information from law enforcement
When hearing is requested by person asked to leave school premises	Penal Code 627.5	AR 3515.2	Notice of hearing
When responding to complaint re: discrimination, special education, or noncompliance with law	5 CCR 4631	AR 1312.3	Findings, disposition of complaint, any corrective actions, appeal rights and procedures
When child participates in licensed child care and development program	5 CCR 18066	AR 5148	Policies re: regarding excused and unexcused absences
Within 30 days of application for subsidized child care or preschool services	5 CCR 18094, 18118	AR 5148 AR 5148.3	Approval or denial of services
Upon recertification or update of application for child care or preschool services	5 CCR 18095, 18119	AR 5148 AR 5148.3	Any change in service, such as in fees, amount of service, termination of service
Upon child's enrollment in child care program	5 CCR 18114	AR 5148	Policy on fee collection
When payment of child care fees is seven days late	5 CCR 18114	AR 5148	Notice of delinquent fees
When district substantively changes policy on student privacy rights	20 USC 1232h	AR 5022	Notice of any substantive change in policy or regulation

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
For districts receiving Title I funds, when child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught	20 USC 6312	AR 4112.2	Timely notice to parent/guardian of child's assignment
For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners	20 USC 6312	AR 6174	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose other program
For schools receiving Title I funds, upon development of parent involvement policy	20 USC 6318	AR 6020	Notice of policy
When district receives Impact Aid funds for students residing on Indian lands, to parents/guardians of Indian children	20 USC 7704; 34 CFR 222.94	AR 3231	Relevant applications, evaluations, program plans, information about district's general educational program; opportunity to submit comments
When household is selected for verification of eligibility for free or reduced-price meals	42 USC 1758; 7 CFR 245.6a	AR 3553	Need to submit verification information; any subsequent change in benefits; appeals
When student is homeless or unaccompanied minor	42 USC 11432; Education Code 48852.5	AR 6173	Educational and related opportunities; transportation services; placement decision and right to appeal
When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30	34 CFR 99.34	AR 5125	Right to review records
When student complains of sexual harassment	34 CFR 106.44, 106.45	AR 5145.7	Right to file formal complaint, availability of supportive measures, notice of process, reason for dismissal of complaint if applicable

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When district receives federal funding assistance for nutrition program	USDA FNS Instruction 113-1	BP 3555	Rights and responsibilities, nondiscrimination policy, complaint procedures
IV. Special Education Notices			
Prior to conducting initial evaluation	Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415(d); 34 CFR 300.502, 300.503	BP 6159.1 AR 6159.1 AR 6164.4	Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards
Before functional behavioral assessment begins	Education Code 56321	AR 6159.4	Notification and consent
24 hours before IEP when district intending to record	Education Code 56341.1	AR 6159	Intention to audio-record IEP meeting
Early enough to ensure opportunity for parent/guardian to attend IEP meeting	Education Code 56341.5; 34 CFR 300.322	AR 6159	Time, purpose, location, who will attend, participation of others with special knowledge, transition statements if appropriate
When parent/guardian orally requests review of IEP	Education Code 56343.5	AR 6159	Need for written request
Within one school day of emergency intervention or serious property damage	Education Code 56521.1	AR 6159.4	Emergency intervention
Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	Prior written notice
Upon filing of state complaint	20 USC 1415(d); 34 CFR 300.504	AR 6159.1	Procedural safeguards notice
When disciplinary measures are taken or change in placement	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	Decision and procedural safeguards notice

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. Special Education Notices (continued)			
Upon requesting a due process hearing	20 USC 1415(k); 34 CFR 300.508	AR 6159.1	Student's name, address, school, description of problem, proposed resolution
Eligibility for services under Section 504	34 CFR 104.32, 104.36	AR 6164.6	District responsibilities, district actions, procedural safeguards
V. Classroom Notices			
In each classroom used for license-exempt California State Preschool Program	Education Code 8235.5	AR 1312.3 E 1312.3	Health and safety requirements for preschool programs; where to get complaint form
In each classroom in each school	Education Code 8235.5 , 35186	AR 1312.4 E 1312.4	Complaints subject to Williams uniform complaint procedures

CSBA Sample Board Policy

Students

BP 5145.7(a)

SEXUAL HARASSMENT

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. The federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions about a potential conflict arise. Districts should also note that 18 states, including California, have sued the U.S. Department of Education to stop the implementation of these regulations. A preliminary injunction seeking to postpone the effective date of the regulations and prohibit their enforcement is currently pending. If the court grants the injunction, portions of the following administrative regulation will not take effect.

Note: Education Code 231.5 and 34 CFR 106.8 mandates the district to have written policies on sexual harassment. The following policy addresses harassment by and of students in the school setting. **As part of this mandate, the district should also adopt a sexual harassment policy related to employees; see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.**

~~Title IX of the Education Amendments of 1972 (20 USC 1681-1688) prohibits discrimination based on sex by recipients of federal financial assistance. School districts are responsible under Title IX and the regulations for the issuance of a policy against sex discrimination (34 CFR 106.8). Sexual harassment is a form of sex discrimination under Title IX and can deny or limit a student's ability to participate in or receive education benefits, services, or opportunities on the basis of that student's sex.~~

Both federal law (Title IX of the Education Amendments of 1972) (20 USC 1681-1688; 34 CFR 106.1-106.82) and state law (Education Code 220, 231.5) prohibit sexual harassment and require districts to establish procedures for the prompt and equitable resolution of sexual harassment complaints. Whether a complaint is addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as added by 85 Fed. Reg. 30026, or the state uniform complaint procedures adopted pursuant to 5 CCR 4600-4670 is dependent on whether the alleged conduct meets the more stringent federal definition or the state definition of sexual harassment. See the accompanying administrative regulation, BP/AR 1312.3 - Uniform Complaint Procedures, and AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

A district can be held liable for civil damages for the sexual harassment of students pursuant to Title IX ~~and/or Education Code 220~~, if the district is found to have been "deliberately indifferent" in its response to known sexual harassment. ~~In Davis v. Monroe County Board of Education the U.S. Supreme Court held that a district would be deliberately indifferent if (1) the harasser and the context in which the sexual harassment occurred were within the district's control; (2) the harassment was so severe, pervasive, and objectively offensive that it deprived a student of access to educational opportunities or benefits provided by the district; (3) the district had actual knowledge of the harassment; and (4) the district's conduct was unreasonable considering the surrounding circumstances. This standard was applied by an appellate court in Donovan v. Poway Unified School District based on Education Code 220. Pursuant to 34 CFR 106.30, a district is deliberately indifferent if its response to Title IX sexual harassment is clearly unreasonable in light of the known circumstances.~~

In addition to filing a private civil lawsuit, an alleged victim of sexual harassment may file a complaint with

SEXUAL HARASSMENT (continued)

the California Department of Education (CDE) and/or the U.S. Department of Education's Office for Civil Rights (OCR), the federal agency responsible for administrative enforcement of federal laws and regulations that prohibit discrimination in programs and activities that receive federal financial assistance from the U.S. Department of Education. OCR applies a different standard than the "deliberate indifference" standard when addressing complaints against a district. Under OCR's enforcement standards, a district may be held to be in violation when a student is subjected to harassing conduct by another student, an employee, or a third party, and (1) the district knows or should know about the harassment, (2) the harassment is sufficiently serious as to create a hostile educational environment for the student, and (3) the district failed to take appropriate responsive actions. In other words, while a district is not responsible for the conduct of the other student or the third party, it may be liable for failing to respond adequately once it has notice. However, if a student is sexually harassed by an employee who was acting in the context of his/her job responsibilities, the district may be in violation of Title IX whether or not it has notice.

CSBA staff met with representatives from CDE and OCR to discuss this policy and the accompanying regulation as they relate to the uniform complaint procedure (UCP) requirements. As a result, the sample policy and regulation have been drafted to go beyond the minimal requirements under California's UCP laws and regulations in an attempt to address issues and concerns raised by CDE and OCR. While CDE and OCR have not approved or signed off on them, CSBA believes that the additional details provided herein may help school districts and county offices of education during any compliance check by CDE or in the event that a CDE or OCR investigation occurs.

The Governing Board 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.

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

Note: OCR's January 2001 Revised Sexual Harassment Guidance notes that, regardless of whether a harassed student, his/her parent/guardian, or a third party files a complaint under the district procedures or otherwise requests action on the student's behalf, a school that knows, or reasonably should know, about possible harassment must promptly take action to determine what occurred and then take appropriate steps to resolve the situation. Even where a parent/guardian or student does not wish to disclose the student's identity, there are steps a school can take to limit the effects of alleged harassment and prevent its recurrence without initiating formal action. Such steps may include limited investigative activities and actions to protect the complainant and the school community and prevent recurrence while keeping the identity of the complainant confidential. These actions may include providing services to the complainant, such as counseling services; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; providing training and education materials for students and employees; or changing and publicizing the school's policies on sexual violence. OCR has indicated that the principles in its Revised Sexual Harassment Guidance also apply to harassment based on race, color, national origin, disability, or age.

SEXUAL HARASSMENT (continued)

34 CFR 106.44, as added by 85 Fed. Reg. 30026, requires the district, when there is actual knowledge of sexual harassment in an education program or activity, to respond promptly in a manner that is not unreasonable in light of the known circumstances. 34 CFR 106.30, as added, defines "actual knowledge" as notice of sexual harassment or allegations of sexual harassment being submitted to the district's Title IX Coordinator, any official of the district who has authority to institute corrective measures, or any employee of an elementary or secondary school.

It is **also** important to note that a referral to law enforcement does not relieve a school district of its responsibility to investigate the complaint as a matter of sex discrimination.

The district strongly encourages **any** students who feels that **he/she is they are** being or **has have** been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who **has have** experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact **his/her their** teacher, the principal, **the district's Title IX Coordinator**, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the **principal or a district compliance officer Title IX Coordinator**.

Once notified, the **principal or compliance officer Title IX Coordinator** shall **take the steps to investigate and address the allegation, ensure the complaint is addressed through Title IX complaint procedures or uniform complaint procedures, as applicable, and shall offer supportive measures to the complainant as specified in the accompanying administrative regulation.**

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Note: Government Code 12950.1 requires any district with 50 or more employees to provide two hours of sexual harassment training and education to supervisory employees once every two years. See AR 4119.11/4219.11/4319.11 - Sexual Harassment. Education Code 234.6, as added by AB 34 (Ch. 282, Statutes of 2019), requires districts, beginning in the 2020-21 school year, to post the district's written policy on sexual harassment in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students.

Education Code 231.6, as added by AB 543 (Ch. 428, Statutes of 2019), requires districts serving students in grades 9-12 to create a poster that notifies students of the district's sexual harassment policy, and to display it prominently and conspicuously in each bathroom and locker room on campus.

SEXUAL HARASSMENT (continued)

Education Code 231.5, as amended by AB 543, requires the district to provide a copy of the district's sexual harassment policy as part of any orientation program conducted for new and continuing students.

Pursuant to 34 CFR 106.8, the district is required to notify students, parents/guardians, employees, and bargaining units of its policy to not discriminate on the basis of sex as well as its complaint procedures and processes, and to post this information in a prominent location on the district's web site and in student and staff handbooks.

Requirements related to the dissemination of the district's sexual harassment policy and procedures and best practices for reinforcing the policy are addressed in the accompanying administrative regulation.

The Superintendent or designee shall ~~take appropriate actions to reinforce~~ **inform students and parents/guardians of** the district's sexual harassment policy **by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and staff handbooks. All district staff shall be trained regarding the policy.**

Instruction/Information

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 when** the alleged victim of the harassment has not complained

Note: Where sexual harassment or violence occurs in the context of other possible rule violations, students may be reluctant to report sexual harassment or violence. For example, a student who is sexually harassed while **he/she is** away from school without permission may be reluctant to file a complaint if **he/she the student** believes ~~that he/she may be~~ disciplined **will be imposed** for the violation. As such, item #4 below clarifies that any other rule violation will be addressed separately from the sexual harassment complaint in order to encourage students to report the harassment.

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

SEXUAL HARASSMENT (continued)

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 respond to** harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedures 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 implement supportive** 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**

Complaint Process and Disciplinary Actions

Note: Pursuant to Education Code 231.5, the district's policy must contain information on where to obtain the specific procedures for reporting incidents of sexual harassment and pursuing available remedies. In addition, 34 CFR 106.8 requires a district to adopt and publish a complaint procedure providing for a prompt and equitable resolution of student complaints alleging sexual harassment. To avoid confusion that may arise from having a multiplicity of complaint processes for resolving a variety of student complaints, it is recommended that districts use the UCP to investigate and resolve sexual harassment complaints involving students. See AR 1312.3 Uniform Complaint Procedures for details of these procedures.

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

(cf. 1312.3 Uniform Complaint Procedures)

Note: Pursuant to Education Code 48900.2, a student in grades 4-12 may be suspended and/or expelled from school for sexual harassment. Education Code 48900.2 also requires the sexual harassment, when considered from the perspective of a reasonable person of the same gender as the alleged victim, to be sufficiently severe or pervasive as to have a negative impact upon the alleged victim's academic performance or to create an intimidating, hostile, or offensive educational environment for the alleged victim. Under OCR's 2001 Revised Sexual Harassment Guidance interpreting Title IX, a hostile environment is created when the conduct is sufficiently serious that it denies or limits a student's ability to

SEXUAL HARASSMENT (continued)

participate in or benefit from the school's program based on sex. OCR considers the conduct from both the subjective perspective of the individual who was harassed and from the perspective of a reasonable person with the same characteristics as the alleged victim. Districts should also note that Education Code 48915(c) requires the Superintendent or designee to recommend expulsion for any student, irrespective of grade, who commits sexual assault or battery as defined in the Penal Code. See AR 5144.1 - Suspension and Expulsion/Due Process.

Upon **completion of an** 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.

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall ~~have his/her employment terminated~~ **be subject to disciplinary action, up to and including dismissal,** in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

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

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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

Record-Keeping

In accordance with law, the Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

(cf. 3580 - District Records)

Legal Reference: (see next page)

SEXUAL HARASSMENT (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex
48900 Grounds for suspension or expulsion
48900.2 Additional grounds for suspension or expulsion; sexual harassment
48904 Liability of parent/guardian for willful student misconduct
48980 Notice at beginning of term

48985 Notices, report, statements and records in primary language

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships
1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1092 Definition of sexual assault

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, ~~discrimination~~ **of the Education Amendments of 1972**

UNITED STATES CODE, TITLE 34

12291 Definition of dating violence, domestic violence, and stalking

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-~~106.71~~ **106.82** Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (~~2001~~ **2000**, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources continued: (see next page)

SEXUAL HARASSMENT (continued)

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

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

Q&A on Campus Sexual Misconduct, September 2017

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

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

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

CSBA Sample Administrative Regulation

Students

AR 5145.7(a)

SEXUAL HARASSMENT

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. However, in June 2020, two motions for a preliminary injunction were filed seeking to postpone the effective date of the regulations and prohibit their enforcement. If the court issues an injunction, portions of this administrative regulation reflecting the Title IX regulations will not be in effect. CSBA will notify districts when the court issues its decision.

Districts are also cautioned that the federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions arise.

Note: Education Code 231.5 and Title IX of the Education Amendments of 1972 (20 USC 1681-1688; 34 CFR 106.1-106.82) prohibit discrimination based on sex, including sexual harassment, and mandate that the district adopt and publish complaint procedures. Also see AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

Title IX Coordinator

Note: Pursuant to 34 CFR 106.8, districts that receive federal financial assistance are **mandated** to designate an employee to ensure district compliance with Title IX of the Education Amendments of 1972 and its implementing regulations, including the investigation of complaints alleging sex discrimination. The following paragraph specifies the position designated as the district's Title IX Coordinator and compliance officer for purposes of complaints alleging sex discrimination, including sexual harassment, filed under that **the Title IX Coordinator will be the same person(s) designated to serve as the compliance officer(s) for the district's uniform complaint procedures pursuant to AR 1312.3 - Uniform Complaint Procedures. Districts may modify this regulation to designate separate district employees to serve these functions; the district should modify the following paragraph accordingly.**

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 ~~and California Education Code 234.1~~, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The ~~coordinator/compliance officer(s)~~ **Title IX Coordinator(s)** may be contacted at:

Superintendent or Designee
445 Montezuma Street, Rio Vista, CA 94571
(707) 374-1700
Superintendent@rdusd.org

SEXUAL HARASSMENT (continued)*(cf. 1312.3 - Uniform Complaint Procedures)**(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)*

The district shall notify students, parents/guardians, employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

Prohibited Conduct

Note: Education Code 212.5 defines sexual harassment as any unwelcome sexual advance, request for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone in the educational setting. For purposes of suspension and expulsion, Education Code 48900.2 defines sexual harassment as conduct, when considered from the perspective of a reasonable person of the same gender as the victim, that is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment for the victim; see AR 5144.1 - Suspension and Expulsion/Due Process. **Conduct that meets the federal definition of sexual harassment in 34 CFR 106.30 (i.e., (1) a district employee conditioning the provision of a district aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 and 34 USC 12291) requires investigation and resolution through Title IX regulations; see AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.**

Under the U.S. Department of Education's Office for Civil Rights (OCR) 2001 Revised Sexual Harassment Guidance interpreting Title IX, sexual harassment is unwelcome conduct of a sexual nature. A hostile environment is created when the conduct is sufficiently serious that it denies or limits a student's ability to participate in or benefit from the school's program based on sex. OCR considers the conduct from both the subjective perspective of the individual who was harassed and from the perspective of a reasonable person with the same characteristics as the victim.

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.

SEXUAL HARASSMENT (continued)

4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. ~~5137 - Positive School Climate~~)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Note: The following list contains common examples of sexual harassment from the OCR January 2001 Revised Sexual Harassment Guidance, and definitions specified in 5 CCR 4916.

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion
12. Electronic communications containing comments, words, or images described above

SEXUAL HARASSMENT (continued)

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

Notifications

A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

(cf. 5145.6 - Parental Notifications)

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)

Note: Education Code 231.6, as added by AB 543 (Ch. 428, Statutes of 2019), requires districts serving students in grades 9-12 to create a poster that notifies students of the district's sexual harassment policy, and to display it, as specified below. The district may partner with local, state, or federal agencies, or nonprofit organizations, for the purposes of the design and content of the poster.

3. **Be summarized on a poster which shall be prominently and conspicuously displayed in each bathroom and locker room at each school. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code 231.6)**

Note: Education Code 234.6, as added by AB 34 (Ch. 282, Statutes of 2019), requires districts, beginning in the 2020-21 school year, to post on the district's web site the district's written policy on sexual harassment as well as other state and federal law requirements, in the manner specified below. 34 CFR 106.8 also requires districts that have web sites to prominently display the contact information for the Title IX Coordinator and the district's nondiscrimination policy on its web site.

4. **Be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. This shall include the name or title, office address, email address, and telephone number of the employee(s) designated as the district's Title IX Coordinator. (Education Code 234.6; 34 CFR 106.8)**

SEXUAL HARASSMENT (continued)*(cf. 1113 - District and School Web Sites)**(cf. 1114 - District-Sponsored Social Media)*

Note: Education Code 231.5, as amended by AB 543, requires the district to provide a copy of the district's sexual harassment policy as part of any orientation program conducted for new and continuing students.

- 3.5.** Be provided as part of any orientation program conducted for new **and continuing** students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
- 4.6.** Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

Note: Items #5 and #6 #7 8 below are optional.

- 5.7.** Be included in the student **any** handbook **provided to students, parents/guardians, employees, or employee organizations (34 CFR 106.8)**
- 6.** Be provided to employees and employee organizations

Reporting Complaints Process and Complaint Investigation and Resolution

~~Note: The following reporting process details site level steps to be taken by students and others for reporting sexual harassment incidents. In its January 2001 Revised Sexual Harassment Guidance, OCR acknowledges that procedures adopted by districts to address student harassment complaints will vary considerably depending on a number of factors, including the size of the district.~~

Pursuant to Education Code 231.5, the district's policy must contain information on where to obtain the specific procedure for reporting incidents of sexual harassment and pursuing available remedies. In addition, 34 CFR 106.8 requires a district to adopt and publish a complaint procedure providing for a "prompt and equitable" resolution of student complaints alleging sexual harassment. To avoid confusion that may arise from having a multiplicity of complaint processes for resolving a variety of student complaints, it is recommended that districts use their uniform complaint procedures (UCP) to investigate and resolve sexual harassment complaints involving students and to track complaints through a districtwide system. See AR 1312.3 Uniform Complaint Procedures for details of these procedures.

Any student **or parent/guardian** who believes that **he/she the student** has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to **his/her a** teacher, the principal, **the district's Title IX Coordinator**, or any other available school employee. Within one school day of receiving such a report, the **principal or other** school employee shall forward the report to the **principal or the district's compliance officer identified in AR 1312.3 Title IX Coordinator**. ~~In addition, any~~ **Any** school employee who observes an

SEXUAL HARASSMENT (continued)

incident of sexual harassment involving a student shall, within one school day, report ~~his/her~~ **the** observation to the principal or ~~a district compliance officer~~ **Title IX Coordinator, regardless of**. ~~The employee shall take these actions,~~ whether ~~or not~~ the alleged victim files a **formal** complaint.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

When a report or complaint of sexual harassment involves off-campus conduct, the ~~principal~~ **Title IX Coordinator** shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If ~~he/she~~ **the Title IX Coordinator** determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the ~~principal or compliance officer~~ **Title IX Coordinator** shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with ~~the applicable~~ district's **uniform** complaint procedures. ~~Regardless of whether a formal complaint is filed, the principal or compliance officer shall take steps to investigate the allegations and, if sexual harassment is found, shall take prompt action to stop it, prevent recurrence, and address any continuing effects.~~

Complaint Procedures

All complaints of sexual harassment by and against students shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 1312.3 - Uniform Complaint Procedures.

~~If a complaint of sexual harassment is initially submitted to the principal, he/she shall, within two school days, forward the report to the compliance officer to initiate investigation of the complaint. The compliance officer shall contact the complainant and investigate and resolve the complaint in accordance with law and district procedures specified in AR 1312.3.~~

~~In investigating a sexual harassment complaint, evidence of past sexual relationships of the victim shall not be considered, except to the extent that such evidence may relate to the victim's prior relationship with the respondent.~~

~~In any case of sexual harassment involving the principal, compliance officer, or any other person to whom the incident would ordinarily be reported or filed, the report may instead be~~

SEXUAL HARASSMENT (continued)

submitted to the Superintendent or designee who shall determine who will investigate the complaint.

(cf. 5141.4 – Child Abuse Prevention and Reporting)

Confidentiality

Note: Pursuant to 5 CCR 4964, districts are required to keep complaints and allegations of sexual harassment confidential, except when disclosure is necessary to further the investigation, other needed remedial action, or ongoing monitoring.

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

Note: The Family Educational Rights and Privacy Act (FERPA) (20 USC 1232g; 34 CFR 99.1 99.67) protects student privacy, including student records such as the description of the corrective actions taken in response to a complaint of sexual harassment. Thus, districts are advised to consult legal counsel in determining what information must be included in the final written decision sent to the complainant and what information must not be included.

In determining what information to include and not include in the final written decision for complaints regarding sexual harassment, districts should be aware that current law (20 USC 1221) states that nothing in FERPA is to "be construed to affect the applicability of Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Title V of the Rehabilitation Act of 1973, the Age Discrimination Act, or other statutes prohibiting discrimination, to any applicable program." OCR has interpreted these provisions to mean that FERPA permits a district to disclose to a student, who was subjected to sexual harassment, certain information about the sanctions imposed upon the offender when the sanctions directly relate to the student. For instance, if properly remedying the impact of sexual harassment would require disclosing to the alleged victim certain information on how the district disciplined the alleged student offender (e.g., a stay away order), OCR would require the district to disclose that information.

OCR's Revised Sexual Harassment Guidance indicates that if a complainant in a sexual harassment case requests that his/her name or that of the victim not be revealed to the alleged perpetrator or asks that the complaint not be pursued, the district should first inform the complainant that honoring the request may limit its ability to respond and pursue disciplinary action against the alleged perpetrator. However, in all instances, the district must continue to ensure that it provides a safe and nondiscriminatory environment for all students. If there is a high risk of harm to the complainant or others (e.g., if the district has information that the alleged perpetrator is a repeat offender) and the district cannot respond adequately to the risk without disclosing the complainant's identity, then in such limited circumstances the district may be required to investigate the incident and disclose the complainant's identity. If the district determines that it will respect the confidentiality request, it should nevertheless take all reasonable steps to investigate and respond to the complaint. Such steps may include limited investigative activities that do not require the district to reveal the complainant's identity; providing services to the complainant, such as counseling services; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; providing training and education materials for students and employees; or changing and publicizing the district's policies on sexual violence.

SEXUAL HARASSMENT (continued)

However, when a complainant or victim of sexual harassment notifies the district of the harassment but requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

When a complainant or victim of sexual harassment notifies the district of the harassment but requests that the district not pursue an investigation, the district will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students.

(cf. 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 – Student Records)

Response Pending Investigation

Note: The following reporting process may be revised to reflect district practice. In its Q&A on Campus Sexual Misconduct, OCR cautions that schools are responsible for redressing a hostile environment that occurs on campus even if it relates to off-campus activities.

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. To the extent possible, such interim measures shall not disadvantage the complainant or victim of the alleged harassment. Interim measures may include placing the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board policy. The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when a student chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

Notifications

Note: In its January 2001 Revised Sexual Harassment Guidance, OCR states that a procedure for sexual harassment complaints cannot be prompt or equitable unless it is widely disseminated and written in language appropriate to the age of the school's students. Examples include having a copy of the procedures available throughout the school, publishing the procedures in the student handbook, and identifying individuals who can explain the procedure.

SEXUAL HARASSMENT (continued)

A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

(cf. 5145.6 – Parental Notifications)

Note: In its April 2015 Dear Colleague Letter: Title IX Coordinators, OCR recommends that districts use web posting and social media to disseminate their nondiscrimination notices, policies, and procedures and communicate the contact information for current compliance officer(s) to students, parents/guardians, and employees. Item #2 below may be modified to reflect the means used by the district to disseminate its sexual harassment policy and regulation.

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)

A copy of the district's sexual harassment policy and regulation shall be posted on district and school web sites and, when available, on district-supported social media.

(cf. 1113 – District and School Web Sites)

(cf. 1114 – District Sponsored Social Media)

3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

Note: Items #5 and #6 below are **optional**.

5. Be included in the student handbook
6. Be provided to employees and employee organizations

(7/15 9/16) 7/20

CSBA Sample Administrative Regulation

Students

AR 5145.71(a)

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. The federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions about a potential conflict arise. Districts should also note that 18 states, including California, have sued the U.S. Department of Education to stop the implementation of these regulations. A preliminary injunction seeking to postpone the effective date of the regulations and prohibit their enforcement is currently pending. If the court grants the injunction, the following administrative regulation will not take effect.

Note: Title IX of the Education Amendments of 1972 (20 USC 1681-1688; 34 CFR 106.1-106.82) prohibits discrimination based on sex, including sexual harassment, and mandates that the district adopt and publish complaint procedures.

The following administrative regulation reflects the Title IX complaint procedure detailed in 34 CFR 106.44-106.45, as added by 85 Fed. Reg. 30026, which must be used, effective August 14, 2020, to address any complaint of sexual harassment that meets the definition in 34 CFR 106.30. Pursuant to 34 CFR 106.30, allegations of sexual harassment governed by these regulations include (1) a district employee conditioning the provision of a district aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 and 34 USC 12291. Alleged sexual harassment that does not meet this definition should be addressed through the district's uniform complaint procedures (UCP); see BP/AR 1312.3 - Uniform Complaint Procedures.

34 CFR 106.44 requires the district, when there is actual knowledge of sexual harassment in an education program or activity, to respond promptly in a manner that is not deliberately indifferent. 34 CFR 106.30 defines "actual knowledge" as notice of sexual harassment or allegations of sexual harassment being submitted to the district's Title IX Coordinator, any official of the district who has authority to institute corrective measures, or any employee of the district. A district is deliberately indifferent only if its response to Title IX sexual harassment is clearly unreasonable in light of the known circumstances.

Application of the Title IX complaint procedures to the facts of a specific complaint may implicate complicated questions about the intersection of state law, federal law, and, in cases involving employees, the applicable collective bargaining agreement. Districts with questions about specific complaints are strongly encouraged to consult legal counsel.

See BP/AR 5145.7 - Sexual Harassment for information about prohibited conduct, student instruction, required notifications, and processes for reporting sexual harassment.

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30)

- 1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct**
- 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity**
- 3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291**

All other sexual harassment complaints shall be investigated and responded to pursuant to AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

A report of sexual harassment shall be submitted directly to or forwarded to the district's Title IX Coordinator using the contact information listed in AR 5145.7 - Sexual Harassment.

(cf. 5145.7 - Sexual Harassment)

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint.

<p>Note: Given the district's duty pursuant to 34 CFR 106.44 to respond to reports of sexual harassment in a manner that is not deliberately indifferent, the Title IX Coordinator should file a complaint in certain situations even when the victim chooses not to do so, including, but not limited to, when a safety threat exists. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.</p>
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Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

The Superintendent or designee shall ensure that the Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent, and that such persons receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonably burden the other party. Such measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures. (34 CFR 106.30, 106.44)

Emergency Removal from School

Note: Pursuant to Education Code 48900.2, a student in grades 4-12 may be suspended and/or expelled from school for sexual harassment. Districts should also note that Education Code 48915(c) requires the Superintendent or designee to recommend expulsion for any student, irrespective of grade, who commits sexual assault or battery as defined in the Penal Code. See AR 5144.1 - Suspension and Expulsion/Due Process.

34 CFR 106.44 allows a student to be removed in emergency situations as described below, but requires that a student should not be "disciplined" prior to a finding being made pursuant to the grievance process established by 34 CFR 106.45. Due to this inconsistency in state and federal law, districts are advised to consult legal counsel as to the manner of imposing an emergency removal.

On an emergency basis, the district may remove a student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint that did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly, and simultaneously to the parties, send written notice of the dismissal and the reasons for the dismissal. (34 CFR 106.45)

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR 106.30, the conduct may still be addressed pursuant to BP/AR 1312.3 - Uniform Complaint Procedures as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

Formal Complaint Process

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

- 1. The district's complaint process, including any informal resolution process**
- 2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.**

If, during the course of the investigation, the district investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

- 3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process**
- 4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence**
- 5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process**

Note: The following paragraph is optional. Although not required by law, a best practice is to provide notice to the parties of the name of the investigator, facilitator, and decision-maker in order to give the parties an opportunity to raise concerns of conflict of interest or bias as prohibited by 34 CFR 106.45.

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall provide either party with no less than three calendar days to raise concerns of conflict of interest or bias regarding any of these persons.

Note: Pursuant to 34 CFR 106.45, when investigating a formal complaint, the burden of proof rests on the district and not on the parties. However, the district must obtain the party's voluntary, written consent to access, consider, disclose, or otherwise use a party's records that are maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional, which are made and maintained in connection with the provision of treatment to the party.

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

34 CFR 106.45 authorizes, but does not require, the district to conduct a live hearing at which each party's advisor may ask the other party and any witnesses all relevant questions and follow-up questions. If the district chooses to include such a hearing as a component of its complaint procedure, the following list should be modified to include requirements for the hearing in accordance with 34 CFR 106.45.

During the investigation process, the district shall: (34 CFR 106.45)

- 1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence**
- 2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence**
- 3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney**
- 4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties**
- 5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate**
- 6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report**
- 7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness**
- 8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response**

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

- 9. After sending the investigative report to the parties and before reaching a determination regarding responsibility, afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party**

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

Note: Districts with questions about the application of a collective bargaining agreement in the context of a Title IX investigation should consult legal counsel.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

Note: Pursuant to 34 CFR 106.45, the person designated as the decision-maker of the determination of responsibility cannot be the same person designated as the Title IX Coordinator, an investigator, or the person who considers appeals. The following paragraph may be revised to reflect the position designated by the district to provide a written determination of responsibility. While designation decisions will depend on the size of the district, a best practice is to designate an upper-level administrator as the decision-maker and designate the Superintendent as the person to consider appeals.

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

Note: 34 CFR 106.45 requires that the district's complaint process include a "reasonably prompt" timeframe for concluding the complaint process, but does not specify the number of days within which the final decision must be issued. The following paragraph specifies a 45-day period so that, in

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

the event it is determined that the alleged conduct does not meet the definition of sexual harassment pursuant to Title IX regulations, there will be time for the district to complete the resolution of the complaint through uniform complaint procedures within the required 60-day period for that process. Districts may revise the following paragraph to include a different timeline as long as it would satisfy the requirement to act promptly.

The written decision shall be issued within 45 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

Note: 34 CFR 106.45 mandates that the district's complaint procedures state whether the district's determination of responsibility will be based on a "preponderance of evidence" standard or "clear and convincing evidence" standard. The following paragraph reflects the "preponderance of evidence" standard, which is a less stringent standard to prove misconduct, and should be revised if the district chooses to use a "clear and convincing evidence" standard. The standard selected by the district must be applied uniformly for all Title IX sexual harassment complaints. The district should consult with legal counsel in determining which standard to use.

In making this determination, the district shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant

- 6. The district's procedures and permissible bases for the complainant and respondent to appeal**

Appeals

Note: 34 CFR 106.45 allows either the complainant or respondent to appeal the district's decision. The district may revise the following section to reflect applicable timelines established by the district.

The following section should also be revised to identify the person who has been designated as the decision-maker(s) for the appeal. Pursuant to 34 CFR 106.45, the decision-maker for the appeal cannot be the same person as the decision maker that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

- 1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties**
- 2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator**
- 3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or**
- 4. Issue a written decision describing the result of the appeal and the rationale for the result**
- 5. Provide the written decision simultaneously to both parties**

An appeal must be filed in writing within 10 calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered. Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Remedies

Note: 34 CFR 106.45 mandates that the district's Title IX complaint process list, or describe the range of, possible remedies that the district may implement following any determination of responsibility. The following section may be revised to reflect district practice.

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Corrective/Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any grade level has committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion. (Education Code 48900.2, 48915)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Other actions that may be taken with a student who is determined to be responsible for sexual harassment include, but are not limited to:

- 1. Transfer from a class or school as permitted by law**
- 2. Parent/guardian conference**
- 3. Education of the student regarding the impact of the conduct on others**
- 4. Positive behavior support**
- 5. Referral of the student to a student success team**

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

(cf. 6164.5 - Student Success Teams)

6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

(cf. 6145 - Extracurricular and Cocurricular Activities)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

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

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, any appeal or informal resolution and the results therefrom, and responses made pursuant to 34 CFR 106.44. (34 CFR 106.45)

The Superintendent or designee shall also maintain for a period of seven years all materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public. (34 CFR 106.45)

(cf. 3580 - District Records)

Legal Reference: (see next page)

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48985 Notices, report, statements and records in primary language

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1092 Definition of sexual assault

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 34

12291 Definition of dating violence, domestic violence, and stalking

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.82 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2000, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources: (see next page)

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES (continued)

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

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

O&A on Campus Sexual Misconduct, September 2017

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

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

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

CSBA Sample Board Policy

Instruction

BP 6142.7(a)

PHYSICAL EDUCATION AND ACTIVITY

Note: The following ~~optional~~ policy may be revised to reflect district practice and the grade levels offered by the district. See the accompanying administrative regulation for definitions of "physical education" and "physical activity" based on the California Department of Education's (CDE) 2009 Physical Education Framework for California Public Schools.

The federal Child Nutrition and Women, Infants and Children (WIC) Reauthorization Act of 2004 (42 USC 1758b) mandates each district participating in federal meals programs to adopt a districtwide student wellness policy, including goals for physical activity. See BP 5030 - Student Wellness for language fulfilling this mandate. The following policy also ~~may~~ incorporate goals for physical activity.

Education Code 33352 requires ~~the~~ CDE, as part of the Federal Program Monitoring (FPM) process, to monitor districts' compliance with specified state physical education requirements which are reflected in the following policy and the accompanying administrative regulation. **During the FPM process, CDE will request a link to this policy as evidence of specified components of compliance.**

The Governing Board recognizes the positive benefits of physical activity on student health, **well-being**, and academic achievement. The district shall provide all students the opportunity to be physically active on a regular basis through high-quality physical education instruction and may provide additional opportunities for physical activity throughout the school day. The district's physical education and activity programs shall support the district's coordinated student wellness program and encourage students' lifelong fitness.

(cf. 5030 - Student Wellness)

(cf. 6142.8 - Comprehensive Health Education)

Note: During the FPM monitoring process, CDE will check the district's compliance with laws requiring that physical education classes be conducted in a coeducational, inclusive manner.

Physical education classes shall be conducted in the coeducational, inclusive manner prescribed by law. The district shall provide instruction in physical education that provides equal access and equal opportunities for participation for all students in grades 1-12 regardless of gender, sexual orientation, and mental or physical disability. (Education Code 220, 221.5, 33352; 5 CCR 4900, 4930, 4931, 4940, 4960; 34 CFR 106.33, 106.34, 300.108)

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

Note: Education Code 51210 and 51220 require the district's course of study for grades 1-12 to include physical education, with an emphasis on physical activities conducive to health and vigor of body and mind; see AR 6143 - Courses of Study. ~~The CDE's 2009 Physical Education Framework for California Public Schools~~ **The state curriculum framework** describes components of a comprehensive physical education program based on the voluntary Physical Education Model Content Standards adopted by the State Board of Education (SBE).

PHYSICAL EDUCATION AND ACTIVITY (continued)

The district's physical education program shall provide a developmentally appropriate sequence of instruction aligned with the state's model content standards and curriculum framework.

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

Note: The following **optional** paragraph is for use by all districts and may be revised to reflect district practice. The U.S. Department of Health and Human Services' (HHS) **Healthy People 2020 - Physical Activity Guidelines for Americans** recommends that children and adolescents participate in at least 60 minutes of **age-appropriate** moderate to vigorous physical activity per day, which can be accrued in smaller increments throughout the day. **To help reach this goal, HHS recommends that students be engaged in moderate to vigorous physical activity for at least 50 percent of physical education class time. It is recommended that the majority of the 60 minutes or more of daily physical activity be aerobic exercise, which includes vigorous physical activity at least three days a week, and that muscle and bone strengthening exercise be included at least three days a week. To help students reach these goals, the state curriculum framework recommends that students be engaged in moderate to vigorous physical activity for at least 50 percent of physical education class time.** See the accompanying administrative regulation for definitions of "moderate physical activity" and "vigorous physical activity." Also see CSBA's Fact Sheet on **Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes.**

The district's physical education program shall engage students in **age-appropriate** moderate to vigorous physical activity, as defined in the accompanying administrative regulation, **for at least 50 percent of class or session time including aerobic, muscle-strengthening, and bone-strengthening activities.** The Superintendent or designee shall develop strategies to monitor the amount of moderate to vigorous physical activity that takes place in the physical education instructional program.

Note: The following two **optional** paragraphs are for use by districts that maintain high schools.

According to the **CDE's Physical Education Framework for California Public Schools state curriculum framework**, it is the obligation of the Governing Board to determine whether to grant physical education credit for a particular course, including, but not limited to, junior ROTC, marching band, cheerleading, or drill team. In making this determination, the Board must determine how the particular course supports an overall course of study for grades 9-12 that includes the eight content areas specified in Education Code 33352 and 5 CCR 10060 for physical education programs. While it is not necessary that each individual course include all eight content areas, the course offerings must be structured so that all students receive opportunities for instruction in each of the eight areas across grades 9-12. **The CDE's Physical Education FAQs** add that any course for which physical education credit is granted must also meet requirements in Education Code 33352 pertaining to minimum instructional minutes, various reporting requirements, and the assignment of an appropriately credentialed teacher.

For grades 9-12, the overall course of study shall include the effects of physical activity upon dynamic health, the mechanics of body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combatives. (Education Code 33352; 5 CCR 10060)

PHYSICAL EDUCATION AND ACTIVITY (continued)

The Board shall approve the courses in grades 9-12 for which physical education credit may be granted.

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)

Note: The following paragraph is **optional**. See the accompanying administrative regulation for sample strategies for physical activity opportunities outside the physical education program. Also see CSBA's Fact Sheet on Maximizing Opportunities for Physical Activity During the School Day.

The Superintendent or designee shall develop strategies to supplement physical education instruction with additional opportunities for students to be physically active before, during, and after the school day.

(cf. 1330.1 - Joint Use Agreements)
(cf. 5142.2 - Safe Routes to School Program)
(cf. 5148 - Child Care and Development Program)
(cf. 5148.2 - Before/After School Programs)
(cf. 6145 - Extracurricular and Cocurricular Activities)

Note: The following **optional** paragraph is for use by all districts and may be revised to reflect district practice. The U.S. Department of Health and Human Services' (HHS) Healthy People 2020 recommends that children and adolescents participate in at least 60 minutes of moderate to vigorous physical activity per day, which can be accrued in smaller increments throughout the day. To help reach this goal, HHS recommends that students be engaged in moderate to vigorous physical activity for at least 50 percent of physical education class time. See the accompanying administrative regulation for definitions of 'moderate physical activity' and 'vigorous physical activity.' Also see CSBA's Fact Sheet on Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes.

The district's physical education program shall engage students in moderate to vigorous physical activity, as defined in the accompanying administrative regulation, for at least 50 percent of class or session time. The Superintendent or designee shall develop strategies to monitor the amount of moderate to vigorous physical activity that takes place in the physical education instructional program.

The Superintendent or designee shall ensure that the district's program provides students with equal opportunities for instruction and participation regardless of gender in accordance with law.

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

Students with disabilities shall be provided instruction in physical education in accordance with their individualized education program or Section 504 accommodation plan.

(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

PHYSICAL EDUCATION AND ACTIVITY (continued)

During air pollution episodes, extreme weather, or other inclement conditions, physical education staff shall make appropriate adjustments to the program or shall seek alternative indoor space to enable students to participate in active physical education.

(cf. 3514 - Environmental Safety)

(cf. 5141.7 - Sun Safety)

(cf. 5141.23 - Asthma Management)

(cf. 6145.2 - Athletic Competition)

~~The Superintendent or designee shall develop strategies to supplement physical education instruction with additional opportunities for students to be physically active before, during, and after the school day.~~

~~*(cf. 1330.1 - Joint Use Agreements)*~~

~~*(cf. 5142.2 - Safe Routes to School Program)*~~

~~*(cf. 5148 - Child Care and Development Program)*~~

~~*(cf. 5148.2 - Before/After School Programs)*~~

~~*(cf. 6145 - Extracurricular and Co-curricular Activities)*~~

Staffing

Note: A departmentalized class in physical education may be taught by a teacher with a single subject credential that authorizes instruction in physical education. Pursuant to Education Code 44256, the holder of a multiple subject credential may teach a departmentalized class in grades K-9 if the credential holder has completed 20 semester hours of coursework or 10 semester hours of upper division or graduate coursework in the subject of his/her major or minor pursuant to 5-CCR-80020 to be taught. In addition, Education Code 44256 authorizes allows the Board by resolution to assign-authorize a multiple subject credentialed teacher to teach a departmentalized class below grade 9 if he/she the credential holder has 20 hours completed at least 12 semester units or six upper division or graduate units of coursework or 10 hours of upper division coursework in the subject to be taught. Education Code 44258.3 authorizes the Board to assign any credentialed teacher to a departmentalized class in grades K-12 if he/she the teacher has adequate knowledge of the subject to be taught based on criteria specified in Education Code 44258.3 and specific district-adopted criteria and standards-policies and procedures. Pursuant to 5 CCR 80046.1, a credentialed teacher may seek an added authorization to teach adapted physical education to students who are precluded from participating in a general education physical education program or a specially designed physical education program.

CDE's Physical Education FAQs clarify that a teacher credentialed in a subject other than physical education may teach physical education if approved by the committee on assignments.

The CDE's Physical Education FAQs also clarify that an instructional aide or noncredentialed volunteer may assist the credentialed teacher, but may not provide the physical education instruction.

For further information about staffing of physical education classes, see the CTC's web site and its Administrator's Assignment Manual.

Physical education instruction shall be delivered by appropriately credentialed teachers who may be assisted by instructional aides, paraprofessionals, and/or volunteers.

PHYSICAL EDUCATION AND ACTIVITY (continued)

(cf. 1240 - Volunteer Assistance)
(cf. 4112.2 - Certification)
(cf. 4112.21 - Interns)
(cf. 4113 - Assignment)
(cf. 4222 - Teacher Aides/Paraprofessionals)

The district shall provide physical education teachers with continuing professional development, including classroom management and instructional strategies designed to keep students engaged and active and to enhance the quality of physical education instruction and assessment.

(cf. 4131 - Staff Development)
(cf. 5121 - Grades/Evaluation of Student Achievement)

Physical Fitness Testing

Note: The following section may be revised to reflect grade levels offered by the district. Education Code 60800 requires districts to administer a physical fitness test to students in grades 5, 7, and 9. The SBE has designated the FITNESSGRAM as the required physical fitness test. See the accompanying administrative regulation for testing requirements.

The Superintendent or designee shall annually administer the physical fitness test designated by the State Board of Education (FITNESSGRAM) to students in grades 5, 7, and 9. (Education Code 60800; 5 CCR 1041)

Temporary Exemptions

Note: ~~The following section is optional and should be revised to reflect district practice.~~

Education Code 51241 authorizes, but does not require, the district to grant temporary exemptions from physical education under the conditions described in items #1-2 below. **During the FPM process, the district may provide a link to the district's policy as evidence of any physical education exemptions offered by the district. The following section is optional and should be revised to reflect district practice.**

The Superintendent or designee may grant a student a temporary exemption from physical education under either of the following conditions: (Education Code 51241)

1. The student is ill or injured and a modified program to meet ~~his/her~~ **the student's** needs cannot be provided.
2. The student is enrolled for one-half time or less.

PHYSICAL EDUCATION AND ACTIVITY (continued)

Two-Year Exemptions

Note: The following **optional** section is for use by districts that maintain grades 10-12. Education Code 51241 authorizes, but does not require, the district to grant a two-year exemption from physical education to eligible students in grades 10-12.

Pursuant to Education Code 51241, in order to be eligible for the two-year exemption, students are required to satisfactorily meet at least five of the six standards of the FITNESSGRAM administered in grade 9. Students are considered to have satisfactorily met a standard on the FITNESSGRAM if they score in the "healthy fitness zone" on that standard. The six fitness areas measured by FITNESSGRAM are aerobic capacity, body composition, abdominal strength and endurance, trunk extensor strength and flexibility, upper body strength and endurance, and flexibility.

With the student's consent, the Superintendent or designee may exempt a student from physical education courses for any two years during grades 10-12 provided that the student has satisfactorily met at least five of the six standards of the FITNESSGRAM in grade 9. (Education Code 51241)

Note: In addition to administering the physical fitness test to students in grade 9, Education Code 51241 authorizes districts to administer the test to students in grades 10-12 so that such students may qualify for the two-year exemption. The following paragraph is **optional**.

Upon request by students and/or their parents/guardians, the Superintendent or designee may administer the FITNESSGRAM to students in grades 10-12 who need to pass the test in order to qualify for a two-year exemption from physical education courses.

Students in grades 10-12 who have been granted a two-year exemption shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (Education Code 51222)

Such students shall not be permitted to attend fewer total hours of courses and classes than they would have attended if enrolled in a physical education course. (Education Code 51241)

(cf. 6112 - School Day)

Permanent Exemptions

Note: The following section is **optional** and should be revised to reflect district practice. Education Code 51241 authorizes, but does not require, the district to grant permanent exemptions from physical education to an individual student under the conditions described in items #1-3 below.

The Superintendent or designee may grant a student a permanent exemption from physical education under any of the following conditions: (Education Code 51241)

PHYSICAL EDUCATION AND ACTIVITY (continued)

1. The student is age 16 years or older and has been enrolled in grade 10 for one or more academic years. However, such a student shall not be permitted to attend fewer total hours of courses and classes than ~~he/she~~ **the student** would have attended if enrolled in a physical education course.
2. The student is enrolled as a postgraduate student.
3. The student is enrolled in a juvenile home, ranch, camp, or forestry camp school with scheduled recreation and exercise.

Other Exemptions

Note: The following **optional** section is for use by districts that maintain high schools and should be revised to reflect district practice. Education Code 51222, 51242, and 52316 authorize, but do not require, the following exemptions from physical education courses.

The Superintendent or designee may grant a student an exemption from physical education under the following special circumstances:

1. When the student is in any of grades 10-12 and is excused for up to 24 clock hours in order to participate in automobile driver training. However, any such student shall attend a minimum of 7,000 minutes of physical education instruction during the school year. (Education Code 51222)
2. When the student is in any of grades 10-12, attends a regional occupational center or program, and, because of the travel time involved, would experience hardship to attend physical education courses. Any such student shall have a minimum school day of 180 minutes. (Education Code 52316)

(cf. 6178.2 - Regional Occupational Center/Program)

3. When the student is in high school and is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours. (Education Code 51242)

(cf. 6145.2 - Athletic Competition)

Program Evaluation

Note: The following **optional** section should be revised to reflect district practice. Districts that do not maintain high schools or do not offer any of the exemptions described in the sections above on "Two-Year Exemptions" or "Permanent Exemptions" should modify the following paragraph to delete reports of two-year and permanent exemptions.

PHYSICAL EDUCATION AND ACTIVITY (continued)

The Superintendent or designee shall annually report to the Board each school's FITNESSGRAM results for each applicable grade level. ~~He/she~~ **The Superintendent or designee** shall also report to the Board regarding the number of instructional minutes offered in physical education for each grade level, the number of two-year and permanent exemptions granted pursuant to Education Code 51241, and any other data agreed upon by the Board and the Superintendent or designee to evaluate program quality and the effectiveness of the district's program in meeting goals for physical activity **and student well-being**.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: (see next page)

PHYSICAL EDUCATION AND ACTIVITY (continued)*Legal Reference:*EDUCATION CODE**220 Prohibition of discrimination****221.5 Sex equity in education**

33126 School accountability report card

33350-33354 CDE responsibilities re: physical education

35256 School accountability report card

44250-44277 Credential types

49066 Grades; physical education class

51210 Course of study, grades 1-6

51220 Course of study, grades 7-12

51222 Physical education

51223 Physical education, elementary schools

51241 Temporary, two-year or permanent exemption from physical education

51242 Exemption from physical education for athletic program participants

52316 Excuse from attending physical education classes; **regional occupational center/program**

60800 Physical performance test

CODE OF REGULATIONS, TITLE 5~~1040-1048~~ **1044** Physical performance test**1047-1048 Testing variations and accommodations**

3051.5 Adapted physical education for individuals with exceptional needs

4600-~~4687~~ **4670** Uniform complaint procedures**4900-4965 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance**

10060 Criteria for high school physical education programs

80020 Additional assignment authorizations for specific credentials

80037 Designated subjects teaching credential; special teaching authorization in physical education

80046.1 Added authorization to teach adapted physical education

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

1758b Local wellness policy

CODE OF FEDERAL REGULATIONS, TITLE 34**106.33 Nondiscrimination on the basis of sex; comparable facilities****106.34 Nondiscrimination on the basis of sex; access to classes and schools****300.108 Assistance to states for the education of children with disabilities; physical education**ATTORNEY GENERAL OPINIONS53 *Ops. Cal. Atty. Gen.* 230 (1970)COURT DECISIONS*Doe v. Albany Unified School District* (2010) 190 Cal.App.4th 668*Cal200 et al. v. San Francisco Unified School District et al.* (2013), San Francisco Superior Court,

Case No. CGC-13-534975

Cal200 et al. v. Oakland Unified School District et al. (San Francisco Superior Court, Case No. CPF-14-513959)*Management Resources: (see next page)*

PHYSICAL EDUCATION AND ACTIVITY (continued)*Management Resources:*CSBA PUBLICATIONS

Districts at Risk from Lawsuits Regarding PE Instructional Minute Requirement, Legal Alert, May 2015

Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2012

Active Bodies, Active Minds: Physical Activity and Academic Achievement, Fact Sheet, February 2010

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, rev. February 2010

Maximizing Opportunities for Physical Activity During the School Day, Fact Sheet, November 2009

Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes, Fact Sheet, November 2009

Physical Education and California Schools, Policy Brief, rev. October 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Physical Education Framework for California Public Schools: Kindergarten Through Grade 12, 2009

Physical Education Model Content Standards for California Public Schools: Kindergarten Through Grade 12, January 2005

Adapted Physical Education Guidelines for California Schools, 2003

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index (SHI): A Self-Assessment and Planning Guide, Elementary School, 2014-2017

School Health Index (SHI): A Self-Assessment and Planning Guide, Middle/High School, 2017

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

The Administrator's Assignment Manual, 2007 2019

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

2008 Physical Activity Guidelines for Americans, 2nd Edition, October 2008 2018

WEB SITES

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

California Department of Education Physical Fitness Testing: <http://www.cde.ca.gov/ta/tg/pf>
<http://www.cde.ca.gov>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

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

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

Educational Data System, California physical fitness: <http://www.eddata.com/projects/current/epf>

Healthy People 2010: <http://www.healthypeople.gov>

National Association for Sport and Physical Education: <http://www.aahperd.org/naspe>

<https://www.pgpedia.com/n/national-association-sport-and-physical-education>

President's Council on Physical Fitness and Sports Sports, Fitness and Nutrition:

<http://www.fitness.gov>

U.S. Department of Health and Human Services: <http://www.health.gov>

CSBA Sample Administrative Regulation

Instruction

AR 6142.7(a)

PHYSICAL EDUCATION AND ACTIVITY

Definitions

Note: The following **optional** section reflects definitions provided in the California Department of Education's (CDE) 2009 Physical Education Framework for California Public Schools.

Physical education is a sequential educational program that teaches students to understand and participate in regular physical activity **for that assists in** developing and maintaining physical fitness throughout their lifetime, understand and improve their motor skills, enjoy using their skills and knowledge to establish a healthy lifestyle, and understand how their bodies work.

Physical activity is bodily movement that is produced by the contraction of skeletal muscle and that substantially increases energy expenditure, including exercise, sport, dance, and other movement forms.

Moderate physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, walking briskly, dancing, swimming, or bicycling on level terrain. A person should feel some exertion but should be able to carry on a conversation comfortably during the activity.

Vigorous physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, jogging, participating in high-impact aerobic dancing, swimming continuous laps, or bicycling uphill. Vigorous physical activity may be intense enough to result in a significant increase in heart and respiration rate.

Instructional Time

Note: The district should revise the following section to reflect the grade levels and grade configurations offered by the district. Education Code 51210 requires the adopted course of study for grades 1-6 to include instruction in physical education for at least 200 minutes each 10 school days, exclusive of recess and the lunch period. For grades 7-12, Education Code 51222 requires that all students, except students excused or exempted pursuant to Education Code 51241, attend courses of physical education for at least 400 minutes each 10 school days. However, pursuant to Education Code 51223, an elementary school maintaining grades 1-8 **must is required to** provide instruction in physical education for students in grades 7-8 that matches the requirement for grades 1-6 of not less than 200 minutes each 10 school days, exclusive of recess and the lunch period.

When determining the number of instructional minutes, it is recommended that districts exclude time spent walking to and from class or engaging in other physical activity conducted outside the physical education instructional program, such as in regular classroom activities or before/after school programs.

PHYSICAL EDUCATION AND ACTIVITY (continued)

CDE's Federal Program Monitoring (FPM) process reviews district compliance with legal requirements pertaining to minimum instructional minutes of physical education. In addition, a number of recent legal actions (e.g., *Cal200 v. San Francisco Unified School District*, *Cal200 v. Oakland Unified School District*) have examined districts' compliance with the instructional time requirements.

Instruction in physical education shall be provided for at least the following minimum period of time: (Education Code 51210, 51222, 51223)

1. For students in grades 1-6, 200 minutes each 10 school days, exclusive of recesses and the lunch period
2. For students in grades 7-8 attending an elementary school, 200 minutes each 10 school days, exclusive of recesses and the lunch period
3. For students in grades 7-8 attending a middle school or junior high school, 400 minutes each 10 school days
4. For students in grades 9-12, 400 minutes each 10 school days

Note: Districts are cautioned to schedule physical education classes in a manner that takes into consideration circumstances that may occasionally interfere with the provision of physical education. Under a settlement reached in *Cal200 et al. v. San Francisco Unified School District*, schools that skip minutes of physical education instruction for any reason are required to make up those minutes on another day so that the instructional minutes requirement is satisfied.

If the instructional minute requirement cannot be met during any 10-day period due to inclement weather, a school assembly, field trip, student assessment, or other circumstance, the school shall make up those minutes on another day in order to satisfy the instructional minute requirement.

Note: The following **optional** paragraph may be revised to reflect district practice. In order to demonstrate compliance with instructional minute requirements, it is recommended that the district determine the method(s) of documentation it will use and ensure consistent implementation. For examples of such methods, see the CDE's FPM instrument, and CSBA's Legal Alert *Districts at Risk from Lawsuits Regarding PE Instructional Minute Requirement*, **Physical Education Guidelines Elementary Schools, and Physical Education Guidelines Middle and High School**.

The Superintendent or designee shall determine a method to document compliance with the required number of instructional minutes. Such documentation may include, but not be limited to, a master schedule, **bell schedule, weekly schedule for each teacher providing physical education instruction, district calendar**, teacher roster, or log for staff or students to record the number of physical education minutes completed.

PHYSICAL EDUCATION AND ACTIVITY (continued)

Note: ~~The following paragraph is for use by districts maintaining elementary schools. As amended by AB 1391 (Ch. 706, Statutes of 2015), Education Code 51210 and 51223 authorize the use of uniform complaint procedures (5 CCR 4600-4687 4670) for any complaint that an elementary school has not complied with the physical education instructional minute requirement. Education Code 51222, as amended by SB 75 (Ch. 51, Statutes of 2019), extends such use of uniform complaint procedures to grades 7-12.~~ See BP/AR 1312.3 - Uniform Complaint Procedures.

Any complaint alleging noncompliance with the instructional minute requirement ~~for elementary schools~~ may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or ~~the~~ CDE finds merit in a complaint, the district shall provide a remedy to all affected students and parents/guardians. (Education Code 51210, **51222**, 51223; 5 CCR 4600-~~4687 4670~~)

(cf. 1312.3 - Uniform Complaint Procedures)

Monitoring Moderate to Vigorous Physical Activity

Note: The following **optional** section may be revised to reflect district practice. See the accompanying Board policy for language establishing ~~an expectation for students to be engaged in moderate to vigorous physical activity for 50 percent of physical education class/session time~~ **goals for moderate to vigorous physical activity in physical education classes.**

To monitor ~~whether~~ **the amount of time** students are engaged in moderate to vigorous physical activity ~~for at least 50 percent of physical education class or session time~~, the Superintendent or designee may:

1. Develop methods to estimate the amount of time students spend in moderate to vigorous physical activity ~~or the number of students who~~ **and the amount of time students** are inactive during physical education classes
2. Provide physical education teachers with staff development, self-monitoring tools, stopwatches, and/or heart rate monitors to assist them in planning and assessing the level of activity in their classes

(cf. 4115 - Evaluation/Supervision)

Physical Fitness Testing

Note: Education Code 60800 requires districts to administer a physical fitness test to students in grades 5, 7, and 9. The State Board of Education has designated FITNESSGRAM as the required physical fitness test. Pursuant to 5 CCR 1041, this requirement also applies to students who attend schools that are on a block schedule and students who may not be enrolled in physical education classes during the annual assessment window.

PHYSICAL EDUCATION AND ACTIVITY (continued)

The following paragraph should be modified to reflect grade levels offered by the district. In addition, if the district has chosen to administer the test in any of grades 10-12 (see accompanying Board policy), the following paragraph should be modified accordingly.

During the annual assessment window between the months of February through May, students in grades 5, 7, and 9 shall be administered the physical fitness test designated by the State Board of Education (FITNESSGRAM). (Education Code 60800; 5 CCR 1041)

(cf. 6162.5 - Student Assessment)

The Superintendent or designee may provide a make-up date for students who are unable to take the test based on absence or temporary physical restriction or limitations, such as students recovering from illness or injury. (5 CCR 1043)

Note: The following paragraph is **optional**. 5 CCR 1043.4 authorizes, but does not require, the district to designate a physical fitness test coordinator. If the district chooses to designate a test coordinator, **his/her the** duties must include those described in 5 CCR 1043.4.

On or before November 1 of each school year, the Superintendent may designate an employee to serve as the district's physical fitness test coordinator and so notify the test contractor. The test coordinator shall serve as the liaison between the district and **California Department of Education CDE** for all matters related to the physical fitness test. **His/her The** duties shall be those specified in 5 CCR 1043.4, including, but not limited to, **overseeing the administration of the test and the collection and return of all test data to the test contractor.:** (5 CCR 1043.4)

- 1. Responding to correspondence and inquiries from the contractor in a timely manner and as provided in the contractor's instructions**
- 2. Determining district and school site test and test material needs**
- 3. Overseeing the administration of the physical fitness test to students**
- 4. Overseeing the collection and return of all test data to the contractor**
- 5. Ensuring that all test data are received from school test sites in sufficient time to satisfy the reporting requirements**
- 6. Ensuring that all test data are sent to the test contractor by June 30 of each year**

Students shall be provided with their individual results after completing the FITNESSGRAM. The test results may be provided in writing or orally as the student completes the testing and shall be included in **his/her the student's** cumulative record. (Education Code 60800; 5 CCR 1043.10, 1044)

PHYSICAL EDUCATION AND ACTIVITY (continued)

(cf. 5125 - Student Records)

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

Each student's test results shall also be provided to **his/her the student's** parents/guardians.

The Superintendent or designee shall report the aggregate results of the FITNESSGRAM in the annual school accountability report card required by Education Code 33126 and 35256. (Education Code 60800)

(cf. 0510 - School Accountability Report Card)

Testing Variations

All students may be administered the FITNESSGRAM with the following test variations: (5 CCR 1047)

1. Extra time within a testing day
2. Test directions that are simplified or clarified

All students may have the following test variations if they are regularly used in the classroom: (5 CCR 1047)

1. Audio amplification equipment
2. Separate testing for individual students provided that **they the student(s)** are directly supervised by the test examiner
3. Manually Coded English or American Sign Language to present directions for test administration

Students with a physical disability and students who are physically unable to take all of the test shall undergo as much of the test as their physical condition will permit. (Education Code 60800; 5 CCR 1047)

Students with disabilities may be provided the following accommodations if specified in their individualized education program (IEP) or Section 504 plan: (5 CCR 1047)

1. Administration of the test at the most beneficial time of day to the student after consultation with the test contractor
2. Administration of the test by a test examiner to the student at home or in the hospital

PHYSICAL EDUCATION AND ACTIVITY (continued)

3. Any other accommodation specified in the student's IEP or Section 504 plan for the physical fitness test

(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

Identified English learners may be allowed the following additional test variations if regularly used in the classroom: (5 CCR 1048)

1. Separate testing with other English learners, provided that **they the student(s)** are directly supervised by the test examiner
2. Test directions translated into their primary language, and the opportunity to ask clarifying questions about the test directions in their primary language

Additional Opportunities for Physical Activity

Note: The following optional section may be revised to reflect district practice. Item #1 below should be modified or deleted by districts that do not maintain elementary schools.
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The Superintendent or designee shall implement strategies for increasing opportunities for physical activity outside the physical education program, which may include, but not be limited to:

1. Training recess, **and** lunch, **and before- and after-school** supervisors on methods to engage students in moderate to vigorous physical activity

(cf. 1240 - Volunteer Assistance)
(cf. 4231 - Staff Development)
(cf. 5030 - Student Wellness)

2. Encouraging teachers to incorporate physical activity into the classroom
3. Establishing extracurricular activities that promote physical activity, such as school clubs, intramural athletic programs, dance performances, **community service**, special events, and competitions

(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.5 - Student Organizations and Equal Access)

4. Incorporating opportunities for physical activity into before- or after-school programs and/or child care and development programs

*(cf. 5148 - Child Care and Development **Program**)*

PHYSICAL EDUCATION AND ACTIVITY (continued)

(cf. 5148.2 - Before/After School Programs)

5. Exploring opportunities for joint use of facilities or grounds in order to provide adequate space for students and community members to engage in recreational activities

(cf. 1330.1 - Joint Use Agreements)

6. Developing business partnerships to maximize resources for physical activity equipment and programs

(cf. 1700 - Relations Between Private Industry and the Schools)

7. Developing programs to encourage and facilitate walking, bicycling, or other active transport to and from school

(cf. 5142.2 - Safe Routes to School Program)

CSBA Sample Board Policy

Instruction

BP 6159(a)

INDIVIDUALIZED EDUCATION PROGRAM

Note: ~~This~~ **The following Board** policy and the accompanying administrative regulation should be revised for consistency with the policies and regulations of the Special Education Local Plan Area (~~SELPA~~) in which the district participates.

The Governing Board desires to provide ~~educational alternatives that afford students with disabilities~~ full educational opportunities **to all students with disabilities**. Students with disabilities shall receive a free appropriate public education (**FAPE**) and, **to the maximum extent possible, shall be placed—educated** in the least restrictive environment **with nondisabled students** ~~which meets their needs to the extent provided by law.~~

(cf. 0430 - Comprehensive Local Plan for Special Education)

~~*(cf. 1312.3 - Uniform Complaint Procedures)*~~

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

For each student with disabilities, an individualized education program (IEP) shall be developed which identifies the special education instruction and related services to be provided to the student. The Superintendent or designee shall develop administrative regulations regarding the ~~appointment of the individualized education program membership of the (IEP) team, the team's responsibility to develop and regularly review the IEP,~~ the contents of the IEP, and the development, review, and revision ~~of the IEP processes.~~

The district shall make FAPE available to individuals with disabilities ages 3-21 who reside in the district, including: (Education Code 56040; 20 USC 1412; 34 CFR 300.17, 300.101, 300.104)

- 1. Students who have been suspended or expelled from school**
- 2. Students who are placed by the district in a nonpublic, nonsectarian school**
- 3. Individuals age 18-21 years who are incarcerated in an adult correctional facility and were identified as being an individual with disabilities or had an IEP in their prior educational placement**

INDIVIDUALIZED EDUCATION PROGRAM (continued)

Note: Education Code 56055 provides that a foster parent, to the extent permitted by federal law, shall have the same rights relative to his/her foster child's education as a parent/guardian. Education Code 56055 clarifies that this right applies only when the juvenile court has limited the right of a parent/guardian to make educational decisions on behalf of his/her child and the child has been placed in a planned permanent living arrangement. Education Code 56055 defines "foster parent" as a licensed person, relative caretaker, or nonrelative extended family member.

Because the rights granted to parents/guardians under the Individuals with Disabilities Education Act (IDEA) are often complex, legal counsel should be consulted as appropriate.

To the extent permitted by federal law, a foster parent shall have the same rights relative to his/her foster child's IEP as a parent/guardian. (Education Code 56055)

*Legal Reference:*EDUCATION CODE**46392 Emergencies**

51225.3 Requirements for high school graduation and diploma

56040.3 Assistive technology

56055 Rights of foster parents pertaining to foster child's education

56136 Guidelines for low incidence disabilities areas

56195.8 Adoption of policies

56321 Development or revision of IEP

56321.5 Notice to include right to electronically record

56340.1-56347 Instructional planning and individualized education program

56350-~~56352~~ **56354** IEP for visually impaired students

56380 IEP reviews; notice of right to request

56390-56392 Certificate of completion, special education

56500-56509 Procedural safeguards

60640-60649 California Assessment of Student Performance and Progress

FAMILY CODE

6500-6502 Age of majority

GOVERNMENT CODE

7572.5 Seriously emotionally disturbed child, expanded IEP team

WELFARE AND INSTITUTIONS CODE

300 Children subject to jurisdiction

601 Minors habitually disobedient

602 Minors violating law defined as crime

CODE OF REGULATIONS, TITLE 5

853-853.5 State assessments, accommodations

1215.5 1218 High School Exit Examination, accommodations for students with disabilities

3021-3029 Identification, referral and assessment

3040-3043 Instructional planning and the individualized education program

3051-3053 Implementation of the individualized education programUNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

Legal Reference continued: (see next page)

INDIVIDUALIZED EDUCATION PROGRAM (continued)

Legal Reference: (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.818 *Individuals with Disabilities Education Act*

COURT DECISIONS

Marshall v. Monrovia Unified School District, (9th Circuit, 2010) 627 F.3d 773

Schaffer v. Weast (2005) 125 S. Ct. 528

Shapiro v. Paradise Valley Unified School District, No. 69 (9th Circuit, 2003) 317 F.3d 1072

Sacramento City School District v. Rachel H. (9th Cir. 1994) 14 F.3d 1398

***Andrew F. v. Douglas County School District Re-1*, 137 S. Ct. 988**

ATTORNEY GENERAL OPINIONS

85 *Ops. Cal. Atty. Gen.* 157 (2002)

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Frequently Asked Questions: Promotion, Retention, and Grading (Students with Disabilities)

California Practitioners' Guide for Educating English Learners with Disabilities, July 2019

WEB SITES

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

U.S. Department of Education, Office of Special Education and Rehabilitative Services:

<http://www.ed.gov/about/offices/list/osers/osep>

(11/03 3/06) 7/20

CSBA Sample Administrative Regulation

Instruction

AR 6159(a)

INDIVIDUALIZED EDUCATION PROGRAM

Note: The following **mandated** administrative regulation reflects the federal Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), implementing federal regulations (34 CFR 300.1-300.818), and conforming state legislation. Note that in cases where state law provides greater protections, state law supersedes federal law.

Pursuant to Education Code 56302.5, the term "assessment" as used in state law has the same meaning as "evaluation" provided in 20 USC 1414. The following administrative regulation uses the terms interchangeably.

At the beginning of each school year, the district shall have an individualized education program (IEP) in effect for each student with a disability within district jurisdiction. The IEP shall be a written statement **designed that is developed, reviewed, and revised** by the IEP team to meet the unique educational needs of a student with a disability. (Education Code 56344, **56345**; 34 CFR 300.**320, 300.323**)

Members of the IEP Team

Unless excused by written agreement in accordance with Education Code 56341, the IEP team for any student with a disability shall include the following members: (Education Code 56341, 56341.5; 20 USC 1414(~~d~~)(1); 34 CFR 300.321)

1. One or both of the student's parents/guardians and/or a representative selected by them

Note: Education Code 56055 provides that a foster parent, to the extent permitted by federal law, shall have the same rights relative to ~~his/her~~ **the** foster child's education as a parent/guardian. Education Code 56055 clarifies that this right applies only when the juvenile court has limited the right of a parent/guardian to make educational decisions on **the student's** behalf of ~~his/her child and the child~~ **and the student** has been placed in a planned permanent living arrangement. Education Code 56055 defines "foster parent" as a licensed person, relative caretaker, or nonrelative extended family member.

Because the rights granted to parents/guardians under the ~~Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482)~~ are often complex, legal counsel should be consulted as appropriate.

To the extent permitted by federal law, a foster parent shall have the same rights relative to ~~his/her~~ **a** foster child's IEP as a parent/guardian. (Education Code 56055)

2. If the student is or may be participating in the ~~regular~~ **general** education program, at least one of the student's ~~regular~~ **general** education teachers designated by the Superintendent or designee to represent the student's **general education** teachers

INDIVIDUALIZED EDUCATION PROGRAM (continued)

The **regular general** education teacher shall, to the extent appropriate, participate in the development, review, and revision of the student's IEP, including assisting in the determination of appropriate positive behavioral interventions, supports, and other strategies for the student, and supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student, consistent with 34 CFR 300.320. (Education Code 56341; 20 USC 1414(d)(3)(C); 34 CFR 300.324)

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

3. At least one of the student's special education teachers or, where appropriate, special education providers
4. A representative of the district who is:
 - a. Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities
 - b. Knowledgeable about the general education curriculum
 - c. Knowledgeable about the availability of district **and/or special education local plan area (SELPA)** resources

(cf. 0430 - Comprehensive Local Plan for Special Education)

5. An individual who can interpret the instructional implications of assessment results

This individual may already be a member of the team as described in items #2-4 above or in item #6 below.

Note: Pursuant to Education Code 56341 and 34 CFR 300.321, the determination as to whether an individual identified in item #6 below has "knowledge or special expertise" must be made by the party (either the district or parent/guardian) who invites the individual to the IEP team meeting.

The Analysis of Comments to the federal regulations, 71 Fed. Reg. 156, pg. 46670, explains that a person who does not have knowledge and special expertise regarding the student, and who is not requested to be present at the IEP team meeting by the parent/guardian or district, would not be permitted to be a member of the team or attend the meeting as an observer. This comment is consistent with an **An** Attorney General opinion (85 Ops.Cal.Atty.Gen. 157 (2002)) **which stated concluded** that members of the media may not attend an IEP team meeting as observers even though the parents/guardians have consented to such attendance. The Attorney General based this decision on the fact that the media would be "observers," not a "person with knowledge or expertise," as detailed below.

INDIVIDUALIZED EDUCATION PROGRAM (continued)

6. At the discretion of the parent/guardian or the Superintendent or designee, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate

The determination of whether the individual has knowledge or special expertise regarding the student shall be made by the party who invites the individual to be a member of the IEP team.

7. Whenever appropriate, the student with a disability

In the development, review, or revision of **his/her the** IEP, the student shall be allowed to provide confidential input to any representative of **his/her the** IEP team. (Education Code 56341.5)

8. When the student is suspected of having a specific learning disability, at least one individual who is qualified to conduct individual diagnostic examinations of the student such as a school psychologist, speech language pathologist, or remedial reading teacher

In accordance with 34 CFR 300.310, at least one team member other than the student's **regular general** education teacher shall observe the student's academic performance and behavior in the areas of difficulty in **his/her the student's** learning environment, including in the regular classroom setting. If the child is younger than five years or not enrolled in school, a team member shall observe the child in an environment appropriate for a child of that age.

Note: The requirement for a district to request the participation of a county mental health agency in the IEP team before it refers a student to the county mental health agency has been eliminated due to the repeal of Education Code 56331 by AB 114 (Ch. 43, Statutes of 2011), effective January 1, 2012.

In the following circumstances, the Superintendent or designee shall invite other specified individuals to an IEP team meeting:

1. When the student has been placed in a group home by the juvenile court, a representative of the group home shall be invited to attend IEP team meetings. (Education Code 56341.2)
2. Whenever the IEP team is meeting to consider the student's postsecondary goals and the transition services needed to assist **him/her the student** in reaching the goals **as stated in Education Code 56345(a)(8)**, the following individuals shall be invited to attend: (34 CFR 300.321)
 - a. The student, regardless of **his/her the student's** age

INDIVIDUALIZED EDUCATION PROGRAM (continued)

If the student does not attend the IEP team meeting, the Superintendent or designee shall take other steps to ensure that the student's preferences and interests are considered.

- b. To the extent appropriate, and with the consent of the parent/guardian **or adult student**, a representative of any other agency that is likely to be responsible for providing or paying for the transition services
3. If the student was previously served under the Early Education for Individuals with Exceptional Needs (Education Code 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004), and upon request of the student's parent/guardian, the Superintendent or designee shall invite the Infant and Toddlers with Disabilities Coordinator or other representative of the early education or early intervention system to the initial IEP team meeting to assist with the smooth transition of services. (Education Code 56341; 20 USC 1414(d)(1)(D); 34 CFR 300.321)

A member of the IEP team shall not be required to attend an IEP team meeting, in whole or in part, if the parent/guardian and the district agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. Even if the meeting involves a discussion of the IEP team member's area of the curriculum or related service, the member may be excused from the meeting if the parent/guardian, in writing, and the district consent to the excusal after conferring with the member and the member submits to the parent/guardian and team written input into the development of the IEP prior to the meeting. (Education Code 56341; 20 USC 1414(d)(1)(C); 34 CFR 300.321)

Contents of the IEP

The IEP shall include, but not be limited to, all of the following: (Education Code 56345, 56345.1; 20 USC 1414(d)(1)(A); 34 CFR 300.320)

1. A statement of the present levels of the student's academic achievement and functional performance, including:
 - a. The manner in which the **student's** disability affects **his/her the student's** involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students)
 - b. For a preschool **child student**, as appropriate, the manner in which the disability affects **his/her the student's** participation in appropriate activities

INDIVIDUALIZED EDUCATION PROGRAM (continued)

- c. For a student with a disability who takes alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives

Note: Education Code 56345 requires a statement of a student's academic and functional goals, as specified below, and expresses legislative recognition that, although some students with disabilities may not meet the growth projected in the annual goals and objectives, districts must make a good faith effort to assist them in achieving the goals in their IEP.

- 2. A statement of measurable annual goals, including academic and functional goals, designed to:
 - a. Meet the student's needs that result from **his/her the** disability in order to enable the student to be involved in and **make** progress in the general education curriculum
 - b. Meet each of the student's other educational needs that result from **his/her the** disability
- 3. A description of the manner in which the student's progress toward meeting the annual goals described in item #2 above will be measured and when the district will provide periodic reports on the progress the student is making toward meeting the annual goals, such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards
- 4. A statement of the special education instruction and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student to:
 - a. Advance appropriately toward attaining the annual goals
 - b. Be involved and make progress in the general education curriculum in accordance with item #1 above and to participate in extracurricular and other nonacademic activities
 - c. Be educated and participate with other students with disabilities and nondisabled students in the activities described in the IEP

(cf. 3541.2 - Transportation for Students with Disabilities)

INDIVIDUALIZED EDUCATION PROGRAM (continued)

5. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in extracurricular and other nonacademic activities described in the IEP

Note: Pursuant to 20 USC 1412(a), students with disabilities must be included in state and district assessments, with appropriate accommodations. However, with respect to such assessments, exceptions exist. For example, pursuant to Education Code 60640, a student with disabilities who is unable to participate in state achievement tests even with accommodations shall be given an alternate assessment in accordance with ~~his/her~~ **the student's** IEP. For specific program requirements, exceptions, waivers, and permitted accommodations concerning such state or districtwide assessments, see AR 6162.51 - State Academic Achievement Tests.

Education Code 56345 and 34 CFR 300.320 ~~and Education Code 56345~~ require a description of the individual accommodations that will be used by the student and, if the student will not participate in the regular assessment, a statement as to the reason for that determination and what alternate assessment will be provided.

6. A statement of any appropriate individual accommodations necessary to measure the academic achievement and functional performance of the student on state and districtwide assessments

If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or districtwide assessment, the student's IEP also shall include a statement of the reason that ~~he/she~~ **the student** cannot participate in the regular assessment and the reason that the particular alternate assessment selected is appropriate ~~for him/her~~.

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)
(cf. 6162.51 - State Academic Achievement Tests)

7. The projected date for the beginning of the services and modifications described in item #4 above and the anticipated frequency, location, and duration of those services and modifications
8. Beginning not later than the first IEP to be in effect when the student is 16 years of age, or younger if determined appropriate by the IEP team, and updated annually thereafter, the following:
- Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills
 - The transition services, including courses of study, needed to assist the student in reaching those goals

INDIVIDUALIZED EDUCATION PROGRAM (continued)

Note: Education Code 56345, as amended by SB 98 (Ch. 24, Statutes of 2020), requires that the following component be addressed in the development of a new IEP or at the next regularly scheduled review of an existing IEP.

9. A description of the means by which the IEP will be provided under emergency conditions, as described in Education Code 46392, in which instruction and/or services cannot be provided to the student either at the school or in person for more than 10 school days. The description shall take into account public health orders and shall include special education and related services, supplementary aids and services, transition services, and extended school year services.

9.10. Beginning at least one year before the student reaches age 18, a statement that the student has been informed of ~~his/her~~ **the** rights, if any, that will transfer to ~~him/her~~ **the student** upon reaching age 18, pursuant to Education Code 56041.5

~~Where appropriate, the IEP shall also include: (Education Code 56345)~~

~~1.11.~~ For a student in grades 7-12, any alternative means and modes necessary for the student to complete the district's prescribed course of study and to meet or exceed proficiency standards required for graduation

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)

~~2.12.~~ For a student whose native language is not English, ~~L~~linguistically appropriate goals, objectives, programs, and services ~~for a student whose native language is not English~~

(cf. 6174 - Education for English Learners)

~~3.13.~~ Extended school year services when the IEP team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education (FAPE)

(cf. 5148.2 - Before/After School Programs)
(cf. 6177 - Summer Learning Programs)

~~4.14.~~ ~~Provision for transition into the regular education program~~ if the student is to be transferred from a special class ~~or center~~ or nonpublic, nonsectarian school into a ~~regular~~ **general** education program in a public school for any part of the school day, ~~provision for transition into the regular~~ **general** education program including descriptions of activities intended to:

INDIVIDUALIZED EDUCATION PROGRAM (continued)

- a. Integrate the student into the **regular general** education program, including **indications of** the nature of each activity and the time spent on the activity each day or week
- b. Support the transition of the student from the special education program into the **regular general** education program

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6178 - Career Technical Education)

(cf. 6181 - Alternative Schools/Programs of Choice)

5-15. For a student with low incidence disabilities, ~~specialized services, materials, and equipment for a student with low incidence disabilities,~~ specialized services, materials, and equipment consistent with the guidelines pursuant to Education Code 56136

Note: Education Code 56353, as added by AB 947 (Ch. 778, Statutes of 2019), authorizes, but does not require, districts to consider elements of the expanded core curriculum, as defined, when developing an IEP for a student who is blind, has low vision, or is visually impaired.

To assist a student who is blind, has low vision, or is visually impaired to achieve the student's maximum potential, the IEP team may consider instruction in the expanded core curriculum, including compensatory skills such as Braille, concept development, or other skills needed to access the core curriculum; orientation and mobility; social interaction skills; career technical education; assistive technology, including optical devices; independent living skills; recreation and leisure; self-determination; and sensory efficiency. When appropriate, such services may be offered before or after school. (Education Code 56353)

Development of the IEP

Within 30 days of a determination that a student needs special education and related services, the Superintendent or designee shall ensure that a meeting to develop an initial IEP is conducted. (**Education Code 56043**; 34 CFR 300.323)

Any IEP required as a result of an assessment of a student shall be developed within 60 days from the date of receipt of the parent/guardian's written consent for assessment, unless the parent/guardian agrees, in writing, to an extension. Days between the student's regular school sessions, terms, or vacation of more than five school days shall not be counted. In the case of school vacations, the 60-day time limit shall recommence on the date that the student's school days reconvene. (Education Code **56043**, 56344)

However, when the IEP is required as a result of an assessment of a student for whom a referral

INDIVIDUALIZED EDUCATION PROGRAM (continued)

has been made 30 days or less prior to the end of the preceding regular school year, the IEP shall be developed within 30 days after the commencement of the subsequent regular school year. (Education Code 56344)

In developing the IEP, the IEP team shall consider all of the following: (Education Code 56341.1, 56345; 20 USC 1414(d)(3)(A); 34 CFR 300.324)

1. The strengths of the student
2. The concerns of the parents/guardians for enhancing the education of their child
3. The results of the initial or most recent assessment of the student
4. The academic, developmental, and functional needs of the student
5. In the case of a student whose behavior impedes **his/her the student's** learning or that of others, the use of positive behavioral interventions and supports and other strategies to address that behavior
6. In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP
7. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and instruction in the use of Braille

However, such instruction need not be included in the IEP if the IEP team determines that instruction in Braille or the use of Braille is not appropriate for the student. This determination shall be based upon an assessment of the student's reading and writing skills, **needs, and appropriate reading and writing media, including an assessment of his/her** future needs for instruction in Braille or the use of Braille, ~~and other appropriate reading and writing media.~~

8. The communication needs of the student and, in the case of a student who is deaf or hard of hearing, the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode

The team shall also consider the related services and program options that provide the student with an equal opportunity for communication access, as described in Education Code 56345.

INDIVIDUALIZED EDUCATION PROGRAM (continued)

9. Whether the student requires assistive technology devices and services

If, in considering the special factors in items #1-9 above, the IEP team determines that the student needs a particular device or service, including an intervention, accommodation, or other program modification, in order to receive FAPE, the team shall include a statement to that effect in the student's IEP. (Education Code 56341.1)

Provision of Special Education and Related Services

Note: Effective January 1, 2012, AB 114 (Ch. 43, Statutes of 2011) repealed Education Code 56331 which required county mental health agencies to be responsible for providing mental health services (AB 3632 services) if required in a student's IEP. Thus, districts are solely responsible for ensuring that students with disabilities receive special education and related services to meet their needs. The CDE web site clarifies that districts may contract with county mental health agencies for the provision of some services and/or may employ their own professionals or contract with organizations or professionals in the community.

The district shall ensure that, as soon as possible following development of the IEP, special education services and related services are made available to the student in accordance with ~~his/her~~ **the** IEP. (Education Code 56344; 34 CFR 300.323)

The Superintendent or designee shall ensure that the student's IEP is accessible to each ~~regular~~ **general** education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation. The Superintendent or designee also shall ensure that such teachers and providers are informed of their specific responsibilities related to implementing the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with the IEP. (34 CFR 300.323)

Note: Education Code 56354, as added by AB 947, establishes requirements for orientation and mobility evaluations conducted for students who are blind, have low vision, or are visually impaired. Such services are used to teach individuals how to navigate around their home, school, and community. If the district chooses to prohibit orientation and mobility specialists from using their vehicles to transport students to and from orientation and mobility instruction, the district must provide transportation for that purpose.

If an orientation and mobility evaluation is determined to be needed for a student who is blind, has low vision, or is visually impaired, the evaluation shall be conducted by a person who is appropriately certified as an orientation and mobility specialist and shall occur in familiar and unfamiliar environments, in varying lighting conditions, and in the home, school, and community, as appropriate. The Superintendent or designee may require annual written parent/guardian consent to provide orientation and mobility services when such services are provided before or after school and when they are provided away from the school site. (Education Code 56354; 5 CCR 3051.3)

INDIVIDUALIZED EDUCATION PROGRAM (continued)

Note: Pursuant to Education Code 56041.1, an IEP team must consider whether a student with disabilities needs assistive technology devices or services, defined in 20 USC 1401 as any item, piece of equipment, or product system that is used to increase, maintain, or improve functional capabilities of a student with a disability. See the section on "Development of the IEP" above.

As added by AB 605 (Ch. 228, Statutes of 2019), Education Code 56040.3 requires a district to provide the use of school-purchased assistive technology devices in a student's home or other settings if the student's IEP team determines that the student needs access to the devices in order to receive FAPE, consistent with 34 CFR 300.105. It also requires the district to provide continued access to assistive technology devices, for two months or until alternative arrangements can be made, whichever comes first, to a student who transfers out of the district.

If a student's IEP requires the provision of assistive technology devices or services, the district shall provide such devices or services and shall, on a case-by-case basis, provide for the use of school-purchased devices in the student's home or other settings if the IEP team determines that the student needs access to those devices in order to receive FAPE. If a student who requires the use of an assistive technology device transfers to another local educational agency, the district shall provide the student with continued access to that device or a comparable device for two months from the date the student ceased to be enrolled in the district or until alternative arrangements can be made to provide access to the device, whichever occurs first. (Education Code 56040.3; 34 CFR 300.105)

Review and Revision of the IEP

Note: Education Code 56043 and 56380 **mandate** the district to maintain procedures to ensure that the IEP team reviews the IEP periodically, but at least annually, to determine whether the annual goals for the student are being achieved and, as appropriate, revises the IEP to address the conditions specified below.

The Superintendent or designee shall ensure that the IEP team reviews the IEP periodically, but at least annually, in order to: (Education Code 56043, 56341.1, 56380; 20 USC 1414(d)(4); 34 CFR 300.324)

1. Determine whether the annual goals for the student are being achieved
2. Revise the IEP, as appropriate, to address:
 - a. Any lack of expected progress toward the annual goals and in the general education curriculum, where appropriate
 - b. The results of any reassessment conducted pursuant to Education Code 56381
 - c. Information about the student provided to or by the parents/guardians regarding review of evaluation data pursuant to 34 CFR 300.305(a)(2) and Education Code 56381(b)

INDIVIDUALIZED EDUCATION PROGRAM (continued)

- d. The student's anticipated needs
 - e. Any other relevant matter
3. Consider the special factors listed in items #5-9 above under "Development of the IEP;" when reviewing the IEP of any student with a disability to whom one of those factors may apply

The IEP team shall also meet at any other time upon request by the student's parent/guardian or teacher to review or revise the IEP. (Education Code 56343)

When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, the district shall notify the parent/guardian of the need for a written request and the procedure for filing such a request. (Education Code 56043, 56343.5)

Note: Education Code 56195.8 **mandates** that the district's policy set forth procedures and timelines for the review of a classroom assignment of a student with a disability when so requested by a **regular general education** or special education teacher. Education Code 56195.8 does not state a specific deadline for the review. The following paragraph provides a timeline of 20 days for reviewing the request and 30 days for convening an IEP team meeting. **The district should revise this timeline to be consistent with district practice and the policies and regulations of the Special Education Local Plan Area (SELPA) in which the district participates and should specify the title of the individual responsible for the review, rather than "Superintendent or designee."**

A regular education or special education teacher may request a review of the classroom assignment of a student with a disability by submitting a written request to the Superintendent or designee. The Superintendent or designee shall consider the request within 20 days of receiving it, not counting days when school is not in session or, for year-round schools, days when the school is off track. If the review indicates a need for change in the student's placement, instruction, and/or related services, the Superintendent or designee shall convene an IEP team meeting, which shall be held within 30 days of the Superintendent or designee's review, not counting days when school is not in session or days when school is off track, unless the student's parent/guardian consents in writing to an extension of time.

If a participating agency other than the district fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative strategies to meet the transition service objectives set out for the student in the IEP. (Education Code 56345.1; 20 USC 1414(d); 34 CFR 300.324)

INDIVIDUALIZED EDUCATION PROGRAM (continued)

Note: Education Code 56157 specifies that when the district has placed a foster student in a nonpublic, nonsectarian school, the district must conduct an annual evaluation, as specified below. In addition, Education Code 56157 requires the nonpublic, nonsectarian school to report to the district regarding the educational progress made by the student.

If a student with a disability residing in a licensed children's institution or foster family home has been placed by the district in a nonpublic, nonsectarian school, the Superintendent or designee shall conduct an annual evaluation as part of the IEP process of whether the placement is the least restrictive environment that is appropriate to meet the student's needs. (Education Code 56157)

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
(cf. 6173.1 - Education for Foster Youth)

To the extent possible, the Superintendent or designee shall encourage the consolidation of reassessment meetings and other IEP team meetings for a student. (20 USC 1414(d)(3)(A); 34 CFR 300.324)

When a change is necessary to a student's IEP after the annual IEP team meeting for the school year has been held, the parent/guardian and the Superintendent or designee may agree not to convene an IEP team meeting for the purpose of making the change and instead may develop a written document to amend or modify the student's current IEP. The IEP team shall be informed of any such changes. Upon request, the Superintendent or designee shall provide the parent/guardian with a revised copy of the IEP with the incorporated amendments. (**Education Code 56380.1**; 20 USC 1414(d)(3)(D); 34 CFR 300.324)

Audio Recording of IEP Team Meetings

Note: Pursuant to Education Code 56341.1, parents/guardians and the district may audio record an IEP team meeting subject to certain requirements as specified in the following section. Audio recordings made by a district, SELPA, or county office of education are subject to the federal Family Educational Rights and Privacy Act (20 USC 1232g) and the confidentiality requirements of 34 CFR 300.610-300.626.

Parents/guardians and the Superintendent or designee shall have the right to audio record the proceedings of IEP team meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting. If the Superintendent or designee gives notice of intent to audio record a meeting and the parent/guardian objects or refuses to attend because the meeting would be audio recorded, the meeting shall not be audio recorded. Parents/guardians also have the right to: (Education Code 56341.1)

1. Inspect and review the audio recordings

INDIVIDUALIZED EDUCATION PROGRAM (continued)

2. Request that an audio recording be amended if they believe it contains information that is inaccurate, misleading, or in violation of the student's privacy rights or other rights
3. Challenge, in a hearing, information that the parents/guardians believe is inaccurate, misleading, or in violation of the student's privacy rights or other rights

Parent/Guardian Participation and Other Rights

The Superintendent or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting early enough to ensure that they will have the opportunity to attend and scheduling the meeting at a mutually agreed upon time and place. (Education Code 56341.5; 34 CFR 300.322)

The Superintendent or designee shall send parents/guardians notices of IEP team meetings that: (Education Code 56341.5; 34 CFR 300.322)

1. Indicate the purpose, time, and location of the meeting
2. Indicate who will be in attendance at the meeting
3. Inform them of:
 - a. Their right to bring to the meeting other individuals who have knowledge or special expertise about the student, pursuant to Education Code 56341(b)(6)
 - b. The provision of Education Code 56341(i) relating to the participation of the Infant and Toddlers with Disabilities Coordinator at the initial IEP team meeting, if the student was previously served under Early Education for Individuals with Exceptional Needs (Education Code 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004)

In addition, when the IEP team meeting is to consider the development, review, or revision of the IEP of a student with a disability who is 16 years of age or older, or younger than 16 if deemed appropriate by the IEP team, the Superintendent or designee's notice to the student's parents/guardians shall include the following: (Education Code 56341.5)

1. An indication that a purpose of the meeting will be the consideration of postsecondary goals and transition services for the student pursuant to Education Code 56345.1, 20 USC 1414(d)(1)(A)(i)(VIII), and 34 CFR 300.320(b)
2. An indication that the student is invited to the IEP team meeting

INDIVIDUALIZED EDUCATION PROGRAM (continued)

3. Identification of any other agency that will be invited to send a representative

(cf. 5145.6 - Parental Notifications)

At each IEP team meeting convened by the district, the district administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided pursuant to Education Code 56321. (Education Code 56500.1)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

The parent/guardian shall have the right and opportunity to examine all of **his/her child's the student's** school records upon request, before any IEP meeting, and in connection with any hearing or resolution session on matters affecting **his/her child the student**, including, but not limited to, initial formal assessment, procedural safeguards, and due process. Upon receipt of an oral or written request, the Superintendent or designee shall provide complete copies of the records within five business days. (Education Code 56043, 56504)

(cf. 5125 - Student Records)

The parent/guardian shall have the right to present information to the IEP team in person or through a representative and the right to participate in meetings that relate to eligibility for special education and related services, recommendations, and program planning. (Education Code 56341.1)

If neither parent/guardian can attend the meeting, the Superintendent or designee shall use other methods to ensure parent/guardian participation, including video conferences or individual or conference telephone calls. (Education Code 56341.5; 20 USC 1414(f); 34 CFR 300.322)

An IEP team meeting may be conducted without a parent/guardian in attendance if the Superintendent or designee is unable to convince the parent/guardian **that he/she should to** attend. In such a case, the Superintendent or designee shall maintain a record of the attempts to arrange a mutually agreed upon time and place for the meeting, including: (Education Code 56341.5; 34 CFR 300.322)

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

INDIVIDUALIZED EDUCATION PROGRAM (continued)

The Superintendent or designee shall take any action necessary to ensure that the parents/guardians understand the proceedings of the meeting, including arranging for an interpreter for parents/guardians with deafness or whose native language is not English. (Education Code 56341.5; 34 CFR 300.322)

The Superintendent or designee shall give the parents/guardians of a student with a disability a copy of ~~his/her child's~~ **the** IEP at no cost. (Education Code 56341.5; 34 CFR 300.322)

Parent/Guardian Consent for Provision of Special Education and Services

Before providing special education and related services to any student ~~pursuant to 20 USC 1414(a)(1)~~, the Superintendent or designee shall seek to obtain informed consent of the student's parent/guardian ~~pursuant to 20 USC 1414(a)(1)~~. **(Education Code 56346)**

~~The district shall not provide services by utilizing the due process hearing procedures pursuant to 20 USC 1415(f) if~~ **If the parent/guardian fails to respond or refuses to consent to the initiation of services, the district shall not use the due process hearing procedures pursuant to 20 USC 1415 to obtain agreement or a ruling that the services may be provided to the student. In such circumstances, the district shall not be required to convene an IEP team or develop an IEP for the student. (Education Code 56346)**

If the parent/guardian **consents in writing to the receipt of special education and related services for the student but** does not consent to all of the components of the IEP, then those components to which the parent/guardian has consented shall be implemented so as not to delay providing instruction and services to the student. ~~(Education Code 56346)~~ If the Superintendent or designee determines that a part of a proposed IEP to which the parent/guardian does not consent is necessary in order to provide the student with FAPE, a due process hearing shall be initiated in accordance with 20 USC 1415(f). While the due process hearing is pending, the student shall remain in the current placement unless the parent/guardian and the Superintendent or designee agree otherwise. (Education Code 56346)

Note: 34 CFR 300.300 authorizes a parent/guardian to revoke, at any time and in writing, ~~his/her~~ consent for the continued provision of special education and related services to ~~his/her child~~ **the student**. Once this revocation has been received, the district need not convene an IEP team meeting or develop an IEP, but rather must promptly provide "prior written notice" and, within a reasonable period of time, discontinue all services to the ~~child~~ **student**. For details regarding the contents of the prior written notice, see AR 6159.1 - Procedural Safeguards and Complaints for Special Education.

In addition, 34 CFR 300.300 and Education Code 56346 specify that a district may not override the parent/guardian's revocation by filing for a due process hearing or requesting mediation in order to require that services be provided. In such a situation, the district shall be deemed to be in compliance with the requirement to make free appropriate public education (FAPE) available to the student and is under no obligation to convene an IEP team meeting or to develop an IEP for further provision of special education and related services to the student.

INDIVIDUALIZED EDUCATION PROGRAM (continued)

If at any time subsequent to the initial provision of services, the student's parent/guardian, in writing, revokes consent for the continued provision of special education services, the Superintendent or designee shall provide prior written notice within a reasonable time before ceasing to provide services to the student. The Superintendent or designee shall not request a due process hearing or pursue mediation in order to require an agreement or ruling that services be provided to the student. (Education Code 56346; 34 CFR 300.300, 300.503)

Note: The following paragraph is **optional** and should be modified to reflect district practice.

Prior to the discontinuation of services, the Superintendent or designee may offer to meet with the parents/guardians to discuss concerns for the student's education. However, this meeting shall be voluntary on the part of the parent/guardian and shall not delay the implementation of the parent/guardian's request for discontinuation of services. ~~In addition, the Superintendent or designee shall send a letter to the parent/guardian confirming the parent/guardian's decision to discontinue all services.~~

Note: Pursuant to 34 CFR 300.9, when a parent/guardian revokes ~~his/her~~ consent for provision of special education services, the district is not required to amend the student's records to remove any reference to the student's prior receipt of special education services. In some circumstances, a student who is no longer receiving special education services may be eligible for accommodation under Section 504 of the Rehabilitation Act of 1973; see BP/AR 6164.6 - Identification and Education under Section 504. However, because the law is unclear, districts with questions should consult legal counsel, as appropriate.

When the district ceases to provide special education services in response to the parent/guardian's revocation of consent, the student shall be classified as a general education student.

Transfer Students

Note: Education Code 56325 details the requirements for students transferring from districts within and outside of California, as specified below. Districts should be careful to comply with the time requirements, though in Marshall v. Monrovia Unified School District, the Ninth Circuit Court of Appeals ruled in favor of defendant school district on the question of whether the district denied FAPE to a student with a disability by not developing a valid IEP within 30 days of the student's transfer into the district. The court reasoned that the delay in developing the IEP was minimal and that the student did not suffer any deprivation of educational benefit.

To facilitate the transition of a student with a disability who is transferring into the district, the Superintendent or designee shall take reasonable steps to promptly obtain the student's records, including ~~his/her~~ **the** IEP and the supporting documents related to the provision of special education services. (Education Code 56325; 34 CFR 300.323)

If the student transfers into the district from another school district within the same **Special**

INDIVIDUALIZED EDUCATION PROGRAM (continued)

Education Local Plan Area (SELPA) during the school year, the district shall continue to provide services comparable to those described in the student's existing IEP, unless **his/her the student's** parent/guardian and the district agree to develop, adopt, and implement a new IEP that is consistent with state and federal law. (Education Code 56325; 34 CFR 300.323)

If the student transfers into the district from a school district outside of the district's SELPA during the school year, the district shall provide the student with FAPE, including services comparable to those described in the previous district's IEP **in consultation with the student's parent/guardian, for a period not to exceed 30 days. Within 30 days, By the end of that period, the district** ~~the Superintendent or designee~~ shall **either**, ~~in consultation with the student's parents/guardians,~~ adopt the previous district's IEP or shall develop, adopt, and implement a new IEP that is consistent with state and federal law. (Education Code 56325; 34 CFR 300.323)

If the student transfers into the district from an out-of-state district during the school year, the district shall provide the student with FAPE, including services comparable to the out-of-state district's IEP, in consultation with the parent/guardian, until such time as the Superintendent or designee conducts an assessment, if it determines that such an assessment is necessary, and develops, adopts, and implements a new IEP, if appropriate. (Education Code 56325; 34 CFR 300.323)

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CSBA Sample Board Policy

Instruction

BP 6159.1(a)

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Note: The following **mandated** policy ~~and mandated administrative regulation~~ reflects the federal Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), implementing federal regulations (34 CFR 300.1-300.818, ~~as amended by 73 Fed. Reg. 231~~), and conforming state legislation. Note that in cases where state law provides greater protections to students, state law supersedes federal law.

Education Code 56195.8 **and 20 USC 1415** **mandates** all entities providing special education to adopt policy on procedural safeguards, and Education Code 56500.1 requires entities providing special education to establish and maintain all procedural safeguards granted by federal law. For California law related to due process rights and due process hearing rights and procedures, see Education Code 56501-56509 and 5 CCR 3082. For federal due process procedure requirements, see 34 CFR 300.500-300.520.

This policy and accompanying administrative regulation should be revised for consistency with the policy and regulations of the **Special Education Local Plan Area (SELPA)** in which the district participates.

The Governing Board ~~desires to protect the rights of students with disabilities in accordance with the procedural safeguards set forth in state and federal law.~~ **recognizes its obligation to provide a free appropriate public education (FAPE) to students with disabilities and to uphold the rights of parents/guardians to be involved in educational decisions regarding their child.** Parents/guardians of students with disabilities shall receive written notice of their rights **under the federal Individuals with Disabilities Education Act.** ~~in accordance with law, Board policy, and administrative regulation.~~

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 5145.6 - Parental Notifications)

(cf. 6159 - Individualized Education Program)

*(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education **Students**)*

(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

Whenever there is a dispute between the district and the parent/guardian of a student with disabilities regarding the identification, assessment, or educational placement of the student or the provision of FAPE to the student, the Superintendent or designee shall encourage the early, informal resolution of the dispute at the school level to the extent possible. The district or parent/guardian may also request mediation and/or a due process hearing in accordance with law, Board policy, and administrative regulation.

Note: Education Code 56195.8 authorizes the ~~policy to include provisions~~ **Governing Board to adopt policy** for ~~involving district~~ **the involvement** of Board members in any due process hearing procedure activities. **However, a best practice is to designate the Superintendent or designee to serve as the district representative at the hearing.** The following **optional** paragraph ~~designates the Superintendent or designee as the district representative at the hearing.~~ **may be revised to reflect district practice.**

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION
(continued)

The Superintendent or designee shall represent the district in any due process hearing conducted with regard to district students and shall inform the Board about the result of the hearing.

Note: A compliance complaint, which can be made by anyone, is an allegation of a violation of state or federal law. A complainant may also file such complaints directly with the California Department of Education. These compliance complaints are different from the due process complaint detailed in the accompanying administrative regulation, which is a legal document that must be filed in order to initiate a due process hearing. **5 CCR 3200-3205, as added by Register 2020, No. 21, require complaints alleging a violation of federal or state law or regulation related to the provision of FAPE to students with disabilities to be submitted to the California Department of Education rather than being addressed through the district's uniform complaint procedures as described in BP/AR 1312.3 - Uniform Complaint Procedures. For further information regarding state compliance complaints, see the accompanying administrative regulation.**

The Superintendent or designee shall address a complaint concerning compliance with state or federal law regarding special education in accordance with the district's uniform complaint procedures. Any complaint alleging the district's noncompliance with federal or state laws or regulations related to the provision of a free appropriate public education to students with disabilities shall be filed in accordance with 5 CCR 3200-3205.

(cf. 1312.3 - Uniform Complaint Procedures)

Legal Reference: (see next page)

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION
(continued)

Legal Reference:

EDUCATION CODE

56000 Education for individuals with disabilities

56001 Provision of the special education programs

56020-56035 Definitions

56195.7 Written agreements

56195.8 Adoption of policies for programs and services

56300-56385 Identification and referral, assessment

56440-56447.1 Programs for individuals between the ages of three and five years

56500-56509 Procedural safeguards, including due process rights

56600-56606 Evaluation, audits and information

CODE OF REGULATIONS, TITLE 5

3000-3100 Regulations governing special education, **especially:**

3080-3089 Procedural safeguards

3200-3205 Special education compliance complaints

~~4600-4670 Uniform complaint procedures~~

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

UNITED STATES CODE, TITLE 42

11434 Homeless assistance

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 Inspection, review and procedures for amending education records

104.36 Procedural safeguards

300.1-300.818 Assistance to states for the education of students with disabilities, especially:

300.150-300.153 State compliance complaints

300.500-300.520 Procedural safeguards and due process for parents and students

COURT DECISIONS

Winkelman v. Parma City School District, (2007) 550 U.S. 516

Management Resources:

FEDERAL REGISTER

Final Regulations, December 1, 2008, Vol. 73, No. 231, pages 73006-73029

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

Office of Administrative Hearings, Special Education Division:

<https://www.dgs.ca.gov/OAH/Case-Types/Special-Education>

U.S. Department of Education, Office of Special Education Programs:

<http://www.ed.gov/about/offices/list/osers/osep>

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Instruction

AR 6159.1(a)

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Note: The following **mandated** administrative regulation reflects the federal Individuals with Disabilities Education Act (**IDEA**) (20 USC 1400-1482), implementing federal regulations (34 CFR 300.1-300.818, ~~as amended by 73 Fed. Reg. 231~~), and conforming state legislation. Note that in cases where state law provides greater protections to students, state law supersedes federal law.

Both federal and state law give parents/guardians **of students with disabilities** the right to due process and require the district to provide procedural safeguards, as specified below. Education Code 56501 extends these rights to the student only if **he/she the student** is an emancipated minor or a ward or dependent of the court with no available parent/guardian or surrogate parent. See AR 6159.3 - Appointment of Surrogate Parent for Special Education Students. As part of these rights, districts must provide two different notices, the prior written notice and the procedural safeguards notice, to parents/guardians at specified times detailed below.

Prior Written Notice

Note: Pursuant to 20 USC 1415(b)(1), districts are **mandated** to adopt procedures **relative to the prior written notice as specified in 20 USC 1415(e)(1) and listed below, that include prior written notice to parents/guardians of students with disabilities under the circumstances described below.**

The Superintendent or designee shall send to the parents/guardians of any student with disabilities a prior written notice **within a reasonable time:** (Education Code 56346, 56500.4, 56500.5; 20 USC 1415(e); 34 CFR 300.102, 300.300, 300.503; ~~Education Code 56500.4, 56500.5~~)

1. Before the district initially refers the student for assessment
2. **Within a reasonable time bB**efore the district proposes to initiate or change the student's identification, assessment, educational placement, or the provision of a free appropriate public education (FAPE) to the student
3. **Within a reasonable time bB**efore the district refuses to initiate or change the student's identification, assessment, or educational placement or the provision of FAPE to the student
4. **Within a reasonable time bB**efore the student graduates from high school with a regular diploma thus resulting in a change in placement

Note: ~~As amended by 73 Fed. Reg. 231~~, 34 CFR 300.300 states that a parent/guardian may revoke consent for the continued provision of special education and related services **to his/her child** at any time. Upon receipt of this written revocation, 34 CFR 300.300 requires the district to provide prior written notice and, within a reasonable period of time, discontinue all services to the student. See AR 6159 - Individualized Education Program.

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION
(continued)

5. Upon receipt of the parent/guardian's written revocation of consent for the continued provision of special education and related services to **his/her child the student**

This **prior written** notice shall include: (**Education Code 56500.4**; 20 USC 1415(**e**); 34 CFR 300.503; **Education Code 56500.4**)

1. A description of the action proposed or refused by the district
2. An explanation as to why the district proposes or refuses to take the action
3. A description of each assessment procedure, **test, assessment,** record, or report the district used as a basis for the proposed or refused action
4. A statement that the parents/guardians of the student have protection under procedural safeguards and, if this notice is not an initial referral for assessment, the means by which a copy of the description of procedural safeguards can be obtained
5. Sources for parents/guardians to obtain assistance in understanding these provisions
6. A description of any other options that the individualized education program (IEP) team considered and why those options were rejected

(cf. 6159 - Individualized Education Program)

7. A description of any other factors relevant to the district's proposal or refusal

(cf. 5145.6 - Parental Notifications)

Procedural Safeguards Notice

Note: Education Code 56301, 20 USC 1415(d)(1), 34 CFR 300.504, and Education Code 56501 specify that the procedural safeguards notice must be given to parents/guardians once per school year and upon the occurrence of any of the events specified below. A sample procedural safeguards notice is available on the California Department of Education's (CDE) web site.

A procedural safeguards notice shall be made available to parents/guardians of students with disabilities once each school year and: (**Education Code 56301**; 20 USC 1415(**d**)(**1**); 34 CFR 300.504; **Education Code 56301**)

1. Upon initial referral or parent/guardian request for assessment

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION
(continued)

Note: Pursuant to 34 CFR 300.504, the procedural safeguards notice must be provided upon receipt of the first state complaint filed against the district in a school year pursuant to 34 CFR 300.151-300.153. For complaint procedures addressing alleged violation of federal or state law or regulation related to the provision of a free appropriate public education (FAPE), see the section "State Compliance Complaints" below.

2. Upon receipt of the first state compliance complaint in a school year, **filed in accordance with the section "State Compliance Complaints" below**

(cf. 1312.3 - Uniform Complaint Procedures)

3. Upon receipt of the first due process hearing request in a school year

4. In accordance with the discipline procedures pursuant to 34 CFR 300.530(h), when **a decision is made to remove removal of** a student because of a violation of a code of conduct **constituting constitutes** a change of placement

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

5. Upon request by a parent/guardian

~~Note: 34 CFR 300.504 requires the procedural safeguards notice to include a full explanation of the safeguards available to parents/guardians under the laws listed below, including 34 CFR 300.300 regarding parent/guardian consent. 73 Fed. Reg. 231 amended 34 CFR 300.300 to authorize a parent/guardian to revoke consent to his/her child's continued receipt of special education and related services; thus, the procedural safeguards notice must include a full explanation of that right to revocation.~~

Note: 34 CFR 300.504 lists the required content of the procedural safeguards notice. A sample procedural safeguards notice is available on the California Department of Education's (CDE) web site.

The procedural safeguards notice shall include a full explanation of all of the procedural safeguards available under 34 CFR 300.148, 300.151-300.153, 300.300, 300.502-300.503, 300.505-300.518, 300.520, 300.530-300.536, and 300.610-300.625 relating to: **(Education Code 56301; 20 USC 1415(d)(2); 34 CFR 300.504; Education Code 56301)**

1. Independent educational evaluation

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

2. Prior written notice

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION
(continued)

3. Parental consent, including a parent/guardian's right to revoke consent, in writing, to ~~his/her child's~~ **the student's** continued receipt of special education and related services

4. Access to educational records

(cf. 5125 - Student Records)

5. Opportunity to present complaints and resolve complaints through the due process complaint and state compliance complaint procedures, including the time period in which to file a complaint, the opportunity for the district to resolve the complaint, and the difference between a due process complaint and the state compliance complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures

6. The availability of mediation

7. The student's placement during the pendency of any due process complaint

8. Procedures for students who are subject to placement in an interim alternative educational setting

9. Requirements for unilateral placement by parents/guardians of students in private schools at public expense

10. Hearings on due process complaints, including requirements for disclosure of assessment results and recommendations

11. State-level appeals

12. Civil actions, including the time period in which to file those actions

13. ~~Attorney's fees~~ **Availability of attorneys' fees pursuant to 34 CFR 300.517**

~~Note: In addition to the requirements of federal law listed in items #1-13 above, Education Code 56321 requires that the procedural safeguards notice contain the additional information specified below. Education Code 56321 also requires that the notice be attached to any assessment plan which is developed whenever an assessment is to be conducted for the development or revision of the IEP.~~

~~As added by AB 2555 (Ch. 245, Statutes of 2008), Education Code 56321.6 requires that the procedural safeguards notice also include information regarding the state special schools for students who are deaf or blind, as specified below.~~

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)

This notice shall also include the rights and procedures contained in Education Code 56500-56509, including: (Education Code 56321, 56321.5, 56321.6)

1. Information on the procedures for requesting an informal meeting, prehearing mediation conference, mediation conference, or due process hearing;
2. The timelines for completing each process;
3. Whether the process is optional;
4. The type of representative who may be invited to participate;
5. The right of the parent/guardian and/or the district to electronically record the proceedings of IEP meetings in accordance with Education Code 56341.1; and
6. Information regarding the state special schools for students who are deaf, hard of hearing, blind, visually impaired, or deaf-blind; (Education Code 56321, 56321.5, 56321.6)

A copy of this notice shall be attached to the student's assessment plan and referred to at each IEP meeting. At each IEP meeting, the Superintendent or designee shall inform the parent/guardian of the federal and state procedural safeguards that were provided in the notice. (Education Code 56321, 56321.5, 56500.1)

Format of Parent/Guardian Notices

Note: 20 USC 1415(b) mandates that districts adopt procedures to ensure that the parent/guardian notice is in the native language of the parent/guardian, unless it is clearly not feasible to do so. 34 CFR 300.29 defines "native language" as the language normally used by the individual and, for a child, the language regularly used in the home environment. Pursuant to 34 CFR 300.503 and 300.504, the notice must be in an "understandable language" as specified below. Districts that subscribe to CSBA's GAMUT Policy Plus may use the program's web-based translator to translate policy documents uploaded into the district's GAMUT web site.

The parents/guardians of a student with a disability shall be provided written notice of their rights in a language easily understood by the general public and in their native language or other mode of communication used by them, unless to do so is clearly not feasible. (Education Code 56341, 56506; 34 CFR 300.503, 300.504; Education Code 56341, 56506)

If the native language or other mode of communication of the parent/guardian is not a written language, the district shall take steps to ensure that: (34 CFR 300.503)

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION
(continued)

1. ~~The notice is translated orally or by other means to the parent/guardian in his/her the parent/guardian's native language or other mode of communication, and that~~
2. ~~The parent/guardian understands the contents of the notice. (34 CFR 300.503)~~
3. ~~There is written evidence that items #1 and #2 have been satisfied.~~

The district may place a copy of the procedural safeguards notice on the district's web site. (20 USC 1415(d))

Note: The following **optional** paragraph is for use by districts that wish to grant parents/guardians the option to receive notices electronically pursuant to 34 CFR 300.505.

A parent/guardian of a student with disabilities may elect to receive the prior written notice or procedural safeguards notice by an electronic mail communication. (34 CFR 300.505)

Filing Due Process Complaints

Note: In California, due process hearings required by federal law are held only at the state level. Related rights and procedures are set forth in Education Code 56501-56506 and 5 CCR 3080-3089. Note that in cases where state law provides greater protection, state law supersedes federal law. ~~Education Code 56505 and 20 USC 1415(f)(3)(C) and Education Code 56505, effective October 9, 2006, specify that a due process complaint must be filed within two years of the date that the parent/guardian or district knew or should have known about the situation that forms the basis of the complaint. Both federal law (34 CFR 300.507 and 300.511) and state law (Education Code 56505) provide exceptions to that filing timeline and allow parents/guardians to file a complaint past the two year deadline if the district has made specific misrepresentations or withheld information.~~

When a parent/guardian has revoked consent for the continued provision of special education services to ~~his/her child the student~~, 34 CFR 300.300, as amended by 73 Fed. Reg. 231, specifies that a district may not use the due process hearing procedures to obtain an agreement or a ruling to require that services be provided. In the Analysis of Comments and Changes, 73 Fed. Reg. 231, page 73016, the U.S. Department of Education clarifies that this revocation of consent to discontinue services is different from a discontinuation of services based on the determination that the student is no longer a child with a disability. If a district believes that a student is no longer a child with a disability, then 34 CFR 300.305 requires the district to evaluate the child before making such a determination. If the parent/guardian disagrees with the eligibility determination, then he/she may challenge the decision using the due process procedures.

20 USC 1415(b) **mandates** that the district adopt procedures regarding a party's right to initiate a due process hearing concerning the issues specified in items #1-4 below.

A parent/guardian and/or the district may initiate due process hearing procedures whenever: (Education Code 56501; 20 USC 1415(b); Education Code 56501)

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION
(continued)

1. There is a proposal to initiate or change the student's identification, assessment, or educational placement or the provision of FAPE to the student.
2. There is a refusal to initiate or change the student's identification, assessment, or educational placement or the provision of FAPE to the student.
3. The parent/guardian refuses to consent to an assessment of ~~his/her child~~ **the student**.
4. There is a disagreement between a parent/guardian and the district regarding the availability of a program appropriate for the student, including the question of financial responsibility, as specified in 34 CFR 300.148.

Note: Pursuant to 20 USC 1415(b) and 34 CFR 300.508, the district is **mandated** to adopt procedures (1) requiring either party (the district or the parent/guardian) or their attorney to provide a due process complaint notice to the other party and (2) requiring that the party may not have a due process hearing until that complaint notice has been filed. ~~The~~ CDE has developed model forms to assist parties in filing a complaint and due process complaint notice.

Prior to having a due process hearing, the party requesting the hearing, or the party's attorney, shall provide the opposing party a due process complaint, which shall remain confidential, specifying: (Education Code 56502; 20 USC 1415(b); 34 CFR 300.508; ~~Education Code 56502~~)

1. The student's name
2. The student's address or, in the case of a student identified as homeless pursuant to 42 USC 11434, available contact information for that student

(cf. 6173 - Education for Homeless Children)

3. The name of the school the student attends
4. A description of the nature of the student's problem relating to the proposed or refused initiation or change, including facts relating to the problem
5. A proposed resolution to the problem to the extent known and available to the complaining party at the time

Note: Although Education Code 56502 states that all requests for a due process hearing must be filed with the Superintendent of Public Instruction, according to CDE's web site, due process hearing requests should be filed with the Special Education Division of the Office of Administrative Hearings.

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)

Parties filing a due process complaint shall file their request with the **state Office of Administrative Hearings, Special Education Division**. ~~Superintendent of Public Instruction or designated contracted agency. (Education Code 56502)~~

Note: 20 USC 1415 mandates that the district's procedures include an opportunity to file a complaint about an alleged violation that occurred not more than two years before the parent/guardian or district knew or should have known about the alleged violation, unless an exception specified in law applies.

The request shall be filed within two years from the date the party initiating the request knew or had reason to know of the facts underlying the basis for the request. This timeline shall not apply if the district misrepresented that it had solved the problem or withheld required information from the parent/guardian. (Education Code 56505; 20 USC 1415; 34 CFR 300.507, 300.511)

District's Response to Due Process Complaints

~~Note: 20 USC 1415(e)(1), 34 CFR 300.508, and Education Code 56502 require the district to provide the following notice upon receipt of the due process complaint.~~

If the district has sent prior written notice to the parent/guardian regarding the subject matter of the parent/guardian's due process complaint, the district shall, within 10 days of receipt of the complaint, send a response specifically addressing the issues in the complaint. (20 USC 1415~~(e)(1)~~; 34 CFR 300.508)

If the district has not sent a prior written notice to the parent/guardian regarding the subject matter contained in the parent/guardian's due process complaint, the district shall send a response to the parent/guardian within 10 days of receipt of the complaint containing: (20 USC 1415~~(e)(1)~~; 34 CFR 300.508):

1. An explanation of why the district proposed or refused to take the action raised in the complaint
2. A description of other options that the IEP team considered and the reasons that those options were rejected
3. A description of each ~~evaluation~~ **assessment** procedure, assessment, record, or report the district used as the basis for the proposed or refused action
4. A description of the factors that are relevant to the district's proposal or refusal

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)

Upon the filing of a due process complaint by either party or upon request of the parent/guardian, the district shall inform the parent/guardian of any free or low-cost legal and other relevant services available in the area. (34 CFR 300.507)

Informal Process/Pre-Hearing Mediation Conference

Note: **20 USC 1415 mandates that the district's due process procedures include an opportunity for mediation.** ~~As an alternative to a due process hearing,~~ Education Code 56500.3 ~~provides that the parties may voluntarily participate in a mediation process conducted by a person under contract with the CDE~~ **establishes a state-level mediation process.** In addition, Education Code 56502 authorizes an informal meeting process conducted at the local level, as described in the following paragraph.

Prior to or upon initiating a due process hearing, the Superintendent or designee and a parent/guardian may, if the party initiating the hearing so chooses, agree to meet informally to resolve any issue(s) relating to the identification, assessment, education and placement, or provision of FAPE for a student with disabilities. ~~The Superintendent or designee shall have the authority to resolve the issue(s).~~ ~~In addition, either party may file a request with the Superintendent of Public Instruction for a mediation conference to be conducted by a person under contract with the California Department of Education.~~ (Education Code 56502)

In addition, either party may file a request with the ~~Superintendent of Public Instruction~~ **state Office of Administrative Hearings** for a mediation conference ~~to be conducted by a person under contract with the California Department of Education.~~ **(Education Code 56500.3)**

If resolution is reached that resolves the due process issue(s), the parties shall enter into a legally binding agreement that satisfies the requirements of Education Code 56500.3. (Education Code 56500.3)

Attorneys may attend or otherwise participate only in those mediation conferences that are scheduled after the filing of a request for due process hearing. (Education Code 56500.3, 56501)

State Compliance Complaints

Note: **5 CCR 3200-3205, as added by Register 2020, No. 21, require complaints alleging violation of federal or state law or regulation related to the provision of FAPE to students with disabilities to be submitted to CDE rather than being addressed through the district's uniform complaint procedures as described in BP/AR 1312.3 - Uniform Complaint Procedures. State compliance complaints differ from the due process complaints described above and are investigated and resolved by CDE.**

Pursuant to 34 CFR 300.152, if a written complaint is the subject of both a state compliance complaint and a due process complaint, or contains multiple issues which include one or more issues that are a

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION
(continued)

part of a due process hearing, CDE must set aside any part of the state compliance complaint that is being addressed in the due process hearing until the conclusion of the hearing.

Any individual, including a person's duly authorized representative or an interested third party, public agency, or organization may file with the California Department of Education (CDE) a written and signed statement alleging that, within the previous year, any of the following occurred: (5 CCR 3200, 3201)

1. The district violated Part B of the Individuals with Disabilities Education Act (20 USC 1411-1419) and its implementing regulations (34 CFR 300.1-300.818).
2. The district violated Part 30 of the Education Code (Education Code 56000-56865) and 5 CCR 3200-3205.
3. The district violated the terms of a settlement agreement related to the provision of FAPE, excluding any allegation related to an attorney fees provision in a settlement agreement.
4. The district failed or refused to implement a due process hearing order to which the district is subject.
5. Physical safety concerns interfered with the provision of FAPE.

The complaint shall include: (5 CCR 3202; 34 CFR 300.153)

1. A statement that the district has violated or failed to comply with any provision set forth in 5 CCR 3201
2. The facts on which the statement is based
3. The signature and contact information for the complainant
4. If alleging violations with respect to a specific student, the student's name and address (or other available contact information for a homeless student), the name of the school that the student is attending, a description of the nature of the student's problem and facts related to the problem, and a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed

The complainant shall forward a copy of the complaint to the Superintendent or designee at the same time the complaint is filed with CDE. (5 CCR 3202)

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION
(continued)

Note: Pursuant to 5 CCR 3203 and 34 CFR 300.152, CDE must complete its investigation of the state compliance complaint within 60 calendar days. This time limit may be extended only if (1) exceptional circumstances exist with respect to the particular complaint or (2) the complainant and the district agree to extend the time to engage in mediation. Within 30 days of the issuance of the investigation report, either the district or the complainant may request reconsideration of the decision. Within 60 days of receiving the request for reconsideration, CDE must respond in writing to the parties by either denying the request for reconsideration or modifying the investigative report.

Within 30 days of the date of CDE's investigation report, the district or complainant may request reconsideration of the decision in accordance with 5 CCR 3204. Pending CDE's response, any corrective actions set forth in the report shall remain in effect and enforceable, unless stayed by a court. (5 CCR 3204)

(11/06 3/09) 7/20

CSBA Sample Board Policy

Instruction

BP 6159.2(a)

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION

Note: Education Code 56195.8 mandates any entity providing special education districts to adopt policies for the special education programs and services they operate, including nonpublic, nonsectarian services provided a policy related to its authority to enter into a contract with a nonpublic, nonsectarian school or agency for the provision of education and/or special services to students with disabilities when no appropriate public education program is available to meet the students' their special education needs. The nonpublic, nonsectarian school or agency (NPS/A) must be certified as meeting state standards pursuant to Education Code 56366 and 56366.1.

The following policy and accompanying regulation should be revised to comply with the policies and regulations of the Special Education Local Plan Area in which the district operates.

The Governing Board recognizes its responsibility to provide all district students, including students with disabilities, a free appropriate public education to students with disabilities in accordance with law. When the district is unable to provide direct special education and/or related services to students with disabilities, the Board may enter into a contract with a nonpublic, nonsectarian school or agency (NPS/A) to meet the students' student needs consistent with the comprehensive local plan of the Special Education Local Plan Area.

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

In selecting nonpublic, nonsectarian schools or agencies with which the district may contract for the placement of any district student with disabilities, the Superintendent or designee shall follow the procedures specified in law and accompanying administrative regulation.

Note: Pursuant to Education Code 56366 and 56366.1, a district contracting with an NPS/A must verify that the NPS/A meets certification requirements. 5 CCR 3067 allows the district to request, in writing, that the California Department of Education review the certification status of an NPS/A.

Beginning in the 2020-21 school year, Education Code 56366.1, as amended by AB 1172 (Ch. 454, Statutes of 2019), also requires districts to verify that the NPS/A provides staff training in the use of evidence-based practices and interventions specific to the unique behavioral needs of the NPS/A's student population.

Prior to entering into a contract to place any student in a nonpublic, nonsectarian school or agency an NPS/A, the Superintendent or designee shall verify that the school or agency is certified to provide special education and related services to individuals with disabilities and

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION (continued)

complies with staff training requirements in accordance with Education Code 56366 **and 56366.1**. In addition, the Superintendent or designee shall monitor, on an ongoing basis, the certification of any ~~nonpublic, nonsectarian school~~ **NPS/A** with which the district has a contract to ensure that the ~~school or agency's~~ certification has not expired.

Note: ~~Education Code 56195.8 mandates that the policy adopted by the entity providing special education include the following paragraph. Education Code 56342.1, as amended by SB 121 (Ch. 571, Statutes of 2012), prohibits a student's referral to, or placement in, a nonpublic, nonsectarian school unless the student's individualized education program team specifies that the placement is appropriate.~~

No district student shall be placed in ~~a nonpublic, nonsectarian school or agency~~ **an NPS/A** unless the student's individualized education program (IEP) team has determined that an appropriate public education alternative does not exist and that the ~~nonpublic, nonsectarian school or agency~~ placement is appropriate for the student. ~~In accordance with law, any student with disabilities placed in a nonpublic, nonsectarian school or agency shall have all the rights and protections to which students with disabilities are generally entitled, including, but not limited to, the procedural safeguards, due process rights, and periodic review of his/her IEP.~~ (Education Code ~~56195.8, 56342.1~~)

(cf. 6159 - Individualized Education Program)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

Note: Pursuant to Education Code 56365, students enrolled in an NPS/A are deemed to be enrolled in public schools for state apportionment purposes. Districts then pay to the NPS/A the full amount of the school tuition or, as amended by AB 1172, the agency fees for participating students.

The district shall pay to the NPS/A the full amount of the tuition or fees, as applicable, for students with disabilities who are enrolled in programs or receiving services provided by the NPS/A. (Education Code 56365)

In accordance with law, any student with disabilities placed in ~~a nonpublic, nonsectarian school or agency~~ **an NPS/A** shall have all the rights and protections to which students with disabilities are generally entitled, including, but not limited to, ~~the~~ procedural safeguards, due process rights, and periodic review of ~~his/her~~ **the student's IEP.**

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

During the period when any student with disabilities is placed in ~~a nonpublic, nonsectarian school or agency~~ **an NPS/A**, the student's IEP team shall retain responsibility for monitoring the student's progress towards meeting the goals identified in ~~his/her~~ **the** IEP.

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

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION (continued)

The Superintendent or designee shall notify the Board prior to approving an out-of-state placement for any district student.

~~In accordance with Education Code 56366.2, †~~The Superintendent or designee may apply to the Superintendent of Public Instruction to waive any of the requirements of Education Code 56365, 56366, ~~56366.3,~~ and 56366.6. **(Education Code 56366.2)**

(cf. 1431 - Waivers)

Legal Reference: (see next page)

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE

56034-56035 *Definitions of nonpublic, nonsectarian school and agency*
56042 *Placement not to be recommended by attorney with conflict of interest*
56101 *Waivers*
56163 *Certification*
56168 *Responsibility for education of student in hospital or health facility school*
56195.8 *Adoption of policies*
56342.1 *Individualized education program; placement*
56360-56369 *Implementation of special education*
56711 *Computation of state aid*
56740-56743 *Apportionments and reports*
56760 *Annual budget plan; service proportions*
56775.5 *Reimbursement of assessment and identification costs*
56836.20-56836.21 *Special education funding; SELPA contracts with nonpublic nonsectarian schools*

FAMILY CODE

7911-7912 *Interstate compact on placement of children*

GOVERNMENT CODE

7570-7587 *Interagency responsibilities for providing services to disabled children; especially:*
7572.55 *Seriously emotionally disturbed child; out-of-state placement*

WELFARE AND INSTITUTIONS CODE

362.2 *Out-of-home placement for IEP*
727.1 *Out-of-state placement of wards of court*

CODE OF REGULATIONS, TITLE 5

3001 *Definitions*
3051-3051.24 *Special education; standards for related services and staff qualifications*
3060-3070 *Nonpublic, nonsectarian school and agency services*

UNITED STATES CODE, TITLE 20

1400-1487 *Individuals with Disabilities Education Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

300.129-300.148 *Children with disabilities in private schools*

COURT DECISIONS

Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

California Department of Education: <http://www.cde.ca.gov>
U.S. Department of Education, Office of Special Education and Rehabilitative Services:
<http://www.ed.gov/about/offices/list/osers>

CSBA Sample Administrative Regulation

Instruction

AR 6159.2(a)

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION

Note: The following administrative regulation is optional and may be revised to reflect district practice and the procedures of the Special Education Local Plan Area in which the district participates. It contains procedures for implementing policy mandated for entities that contract with nonpublic, nonsectarian schools or agencies for the provision of special education services to students with disabilities when no appropriate public education program is available to meet those students' special education needs.

Master Contract

Note: Education Code 56366 and 56366.3 details the provisions that must be included in a master contract with nonpublic, nonsectarian schools or agencies (NPS/As) for the purpose of special education services.

Every master contract with between the district and a nonpublic, nonsectarian school or agency (NPS/A) shall be made on forms provided by the California Department of Education and shall include an individual services agreement negotiated for each student. Each master contract shall specify the general administrative and financial agreements for providing the special education and designated instruction and services, including The master contract shall be for a term not to exceed one year and shall be renegotiated prior to June 30. Provisions of the contract shall include, but not be limited to: (Education Code 56366; 5 CCR 3062)

1. Student-teacher ratios, as well as
2. Transportation if specified in a student's individualized education program (IEP). The administrative provisions of the contract shall include

(cf. 3541.2 - Transportation for Students with Disabilities)

The contract shall not include special education transportation provided through the use of services or equipment owned, leased, or contracted by the district for students enrolled in the NPS/A unless provided directly or subcontracted by that NPS/A.

3. Procedures for recordkeeping and documentation, and
4. The maintenance of school records by the district to ensure that appropriate high school graduation credit is received by any participating student.

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

(cf. 6146.1 - High School Graduation Requirements)

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION (continued)

- 5. An individual services agreement for each student, which will be negotiated for the length of time for which NPS/A special education and designated instruction and services are specified in the student's IEP**
- 6. A description of the process to be utilized by the district to oversee and evaluate placements in nonpublic, nonsectarian schools. This description shall include the NPS/A, including a method for evaluating whether each student is making appropriate educational progress.**
- 7. Procedures and responsibilities for attendance and unexcused absences**
- 8. General provisions related to modifications and amendments to the contract, waivers, disputes, contractor's status, conflicts of interest, termination, inspection and audits, compliance with applicable state and federal laws and regulations, and indemnification and insurance requirements**
- 9. Payment schedules, including, but not limited to, payment amounts, payment demand, right to withhold, and audit exceptions**

The contract may allow for partial or full-time attendance at the ~~nonpublic, nonsectarian school~~ **NPS/A**. (Education Code 56366)

~~(cf. 3541.2 - Transportation for Students with Disabilities)~~
~~(cf. 3580 - District Records)~~
~~(cf. 5125 - Student Records)~~
~~(cf. 6146.1 - High School Graduation Requirements)~~

~~Note: The nonpublic school or agency must be certified as meeting state standards pursuant to Education Code 56366. Contracts may be terminated for cause with 20 days' notice; however, the availability of a public education program initiated during the period of the contract cannot give cause for termination unless the parent/guardian agrees to transfer the student to the program.~~

~~The master contract shall include a description of the process to be utilized by the district to oversee and evaluate placements in nonpublic, nonsectarian schools. This description shall include a method for evaluating whether each student is making appropriate educational progress. (Education Code 56366)~~

With mutual agreement of the district and ~~a nonpublic, nonsectarian school or agency~~ **NPS/A**, changes may be made to the administrative and financial agreements in the master contract at any time, provided the change does not alter a student's educational instruction, services, or placement as outlined in ~~his/her~~ **the student's** individual services agreement. (Education Code 56366)

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION (continued)

The master contract or individual services agreement may be terminated for cause if either party gives 20 days' notice. However, the availability of a public education program initiated during the period of the contract shall not give cause for termination unless the parent/guardian agrees to transfer the student to the program. (Education Code 56366)

Placement and Services

Note: In addition to the master contract with a nonpublic, nonsectarian school or agency, Education Code 56366 requires that an individual services agreement as specified in the following section be in place for any student with a disability to be served by any such nonpublic school or agency. Education Code 56342.1, as amended by SB 121 (Ch. 571, Statutes of 2012), prohibits a student's referral to, or placement in, a nonpublic, nonsectarian school unless the student's individualized education program team specifies that the placement is appropriate.

For each any student to be placed in an NPS/A, tThe Superintendent or designee shall develop an individual services agreement for each student to be placed in a nonpublic, nonsectarian school or agency based on the student's IEP. Each individual services agreement shall specify the length of time authorized in the student's IEP for the nonpublic, nonsectarian school NPS/A services, not to exceed one year. Changes in a student's educational instruction, services, or placement shall be made only on the basis of revisions to the student's IEP. (Education Code 56366)

(cf. 6159 - Individualized Education Program)

The IEP team of a student placed in a nonpublic, nonsectarian school or agency shall annually review the student's IEP. The student's IEP and individual services agreement shall specify the review schedules. (5 CCR 3069)

At least once each year, the district shall: (Education Code 56366)

Note: Pursuant to Education Code 56366, each student placed in an NPS/A will be administered the California Assessment of Student Performance and Progress by NPS/A staff who have attended the regular testing training sessions provided by the district or another local educational agency. Student assessment results are reported in accordance with the state's alternative accountability system (Dashboard Alternative School Status). See BP 0500 - Accountability.

1. Evaluate the educational progress of each student placed in an NPS/A, including a review of state assessment results
2. During the annual meeting held to review the student's IEP pursuant to Education Code 56343, consider whether the student's needs continue to be best met at the NPS/A and whether changes to the student's IEP are necessary, including whether the student may be transitioned to a public school setting

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION (continued)

Note: The following paragraph is for use by elementary school districts.

Prior to the annual review of a student's IEP, the Superintendent or designee shall notify any high school district to which the student may transfer of the student's enrollment in a ~~nonpublic, nonsectarian school or agency~~ **an NPS/A**. (5 CCR 3069)

When a special education student meets the district requirements for completion of **the** prescribed course of study as designated in the student's IEP, the district shall award the student a diploma of graduation. (5 CCR 3070)

(cf. 6146.4 - Differential Graduation and Competency Standards for Individuals with Exceptional Needs)

Out-of-State Placements

Note: Government Code 7572.55 and Welfare and Institutions Code 362.2 and 727.1 address the out-of-state placement of children who are seriously emotionally disturbed and/or wards of the court. Such placements may be made only after in-state alternatives have been considered and found not to meet the child's needs.

Before contracting with ~~a nonpublic, nonsectarian school or agency~~ **an NPS/A** outside California, the Superintendent or designee shall document the district's efforts to **use public schools and/or to** find an appropriate program offered by ~~a nonpublic, nonsectarian school or agency~~ **an NPS/A** within California. (Education Code 56365)

Within 15 days of any decision for an out-of-state placement, the student's IEP team shall submit to the Superintendent of Public Instruction a report with information about the services provided by the out-of-state program, the ~~related~~ costs **of the special education and related services provided**, and the district's efforts to locate an appropriate public school or ~~nonpublic, nonsectarian school or agency~~ **NPS/A** within California. (Education Code 56365)

If the district decides to place a student with ~~a nonpublic, nonsectarian school or agency~~ **an NPS/A** outside the state, the district shall indicate the anticipated date of the student's return to a placement within California and shall document efforts during the previous year to return the student to California. (Education Code 56365)

On-Site Visits

Note: Beginning with the 2020-21 school year, Education Code 56366.1, as amended by AB 1172 (Ch. 454, Statutes of 2019), requires a district that enters into a master contract with an NPS/A to conduct on-site visits to the NPS/A as described in the following section. Findings from the monitoring visit must be reported to CDE using criteria published by CDE.

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION (continued)

The Superintendent or designee shall conduct an on-site visit to an NPS/A before the placement of a student at the school or agency, if the district does not have any other students currently enrolled at the NPS/A. (Education Code 56366.1)

At least once per year, the Superintendent or designee shall conduct an on-site monitoring visit to each NPS/A at which the district has a student attending and with which it maintains a master contract. The monitoring visit shall include, but is not limited to: (Education Code 56366.1)

- 1. A review of services provided to the student through the individual services agreement**
- 2. A review of progress the student is making toward the goals set forth in the student's IEP**
- 3. A review of progress the student is making toward the goals set forth in the student's behavioral intervention plan, if applicable**
- 4. An observation of the student during instruction**
- 5. A walkthrough of the facility**

The district shall report the findings resulting from the monitoring visit to CDE within 60 calendar days of the on-site visit. (Education Code 56366.1)

**RIVER DELTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 799**

Resolution Adopting the 2019-20 Gann Appropriations Limit

WHEREAS, in November of 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIII-B to the California Constitution; and,

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called "Gann Limits," for public agencies, including school districts; and,

WHEREAS, the River Delta Unified School District must establish a revised Gann Limit for the 2019-20 fiscal year and a projected Gann Limit for the 2019-20 fiscal year in accordance with the provisions of Article XIII-B and applicable statutory law;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the River Delta Unified School District does provide public notice that the attached calculations and documentation of the Gann Limits are made in accord with applicable constitutional and statutory law;

BE IT FURTHER RESOLVED that this Board of Trustees of the River Delta Unified School District does hereby declare that the appropriations in the Budget for the 2019-20 and 2020-21 fiscal years do not exceed the limitations imposed by Proposition 4;

BE IT ALSO RESOLVED that the Superintendent, or his/her designee, will provide copies of this resolution along with the appropriate attachments to interested citizens of the River Delta Unified School District.

PASSED AND ADOPTED the 8th day of September, 2020 by the Board of Trustees of the River Delta Unified School District of Sacramento County, California, by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

IN WITNESS WHEREOF, I, Marilyn Riley, Clerk of the Board of Trustees of the River Delta Unified School District of Sacramento County, California, certify that the foregoing is a full, true, and correct copy of Resolution No. 799 adopted by the said Board at a Regular Business meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.

Marilyn Riley, Clerk
Board of Trustees
River Delta Unified School District

September 8, 2020
(Date)

	2019-20 Calculations			2020-21 Calculations		
	Extracted Data	Adjustments*	Entered Data/Totals	Extracted Data	Adjustments*	Entered Data/Totals
A. PRIOR YEAR DATA (2018-19 Actual Appropriations Limit and Gann ADA are from district's prior year Gann data reported to the CDE)	2018-19 Actual			2019-20 Actual		
1. FINAL PRIOR YEAR APPROPRIATIONS LIMIT (Preload/Line D11, PY column)	13,197,384.97		13,197,384.97			13,761,676.78
2. PRIOR YEAR GANN ADA (Preload/Line B3, PY column)	1,855.65		1,855.65			1,863.26
ADJUSTMENTS TO PRIOR YEAR LIMIT	Adjustments to 2018-19			Adjustments to 2019-20		
3. District Lapses, Reorganizations and Other Transfers						
4. Temporary Voter Approved Increases						
5. Less: Lapses of Voter Approved Increases						
6. TOTAL ADJUSTMENTS TO PRIOR YEAR LIMIT (Lines A3 plus A4 minus A5)			0.00			0.00
7. ADJUSTMENTS TO PRIOR YEAR ADA (Only for district lapses, reorganizations and other transfers, and only if adjustments to the appropriations limit are entered in Line A3 above)						
B. CURRENT YEAR GANN ADA (2019-20 data should tie to Principal Apportionment Software Attendance reports and include ADA for charter schools reporting with the district)	2019-20 P2 Report			2020-21 P2 Estimate		
1. Total K-12 ADA (Form A, Line A6)	1,863.26		1,863.26	1,863.26		1,863.26
2. Total Charter Schools ADA (Form A, Line C9)	0.00		0.00	0.00		0.00
3. TOTAL CURRENT YEAR P2 ADA (Line B1 plus B2)			1,863.26			1,863.26
C. CURRENT YEAR LOCAL PROCEEDS OF TAXES/STATE AID RECEIVED	2019-20 Actual			2020-21 Budget		
TAXES AND SUBVENTIONS (Funds 01, 09, and 62)						
1. Homeowners' Exemption (Object 8021)	76,017.72		76,017.72	75,978.00		75,978.00
2. Timber Yield Tax (Object 8022)	0.39		0.39	0.00		0.00
3. Other Subventions/In-Lieu Taxes (Object 8029)	0.00		0.00	0.00		0.00
4. Secured Roll Taxes (Object 8041)	10,558,372.41		10,558,372.41	10,646,558.00		10,646,558.00
5. Unsecured Roll Taxes (Object 8042)	757,707.55		757,707.55	770,124.00		770,124.00
6. Prior Years' Taxes (Object 8043)	(208,877.60)		(208,877.60)	(9,993.00)		(9,993.00)
7. Supplemental Taxes (Object 8044)	97,057.66		97,057.66	174,283.00		174,283.00
8. Ed. Rev. Augmentation Fund (ERAF) (Object 8045)	394,350.43		394,350.43	286,867.00		286,867.00
9. Penalties and Int. from Delinquent Taxes (Object 8048)	0.00		0.00	0.00		0.00
10. Other In-Lieu Taxes (Object 8082)	4,769.10		4,769.10	0.00		0.00
11. Comm. Redevelopment Funds (objects 8047 & 8625)	317,360.21		317,360.21	676,205.00		676,205.00
12. Parcel Taxes (Object 8621)	0.00		0.00	0.00		0.00
13. Other Non-Ad Valorem Taxes (Object 8622) (Taxes only)	0.00		0.00	0.00		0.00
14. Penalties and Int. from Delinquent Non-LCFF Taxes (Object 8629) (Only those for the above taxes)	0.00		0.00	0.00		0.00
15. Transfers to Charter Schools in Lieu of Property Taxes (Object 8096)						
16. TOTAL TAXES AND SUBVENTIONS (Lines C1 through C15)	11,996,757.87	0.00	11,996,757.87	12,620,022.00	0.00	12,620,022.00
OTHER LOCAL REVENUES (Funds 01, 09, and 62)						
17. To General Fund from Bond Interest and Redemption Fund (Excess debt service taxes) (Object 8914)	0.00		0.00	0.00		0.00
18. TOTAL LOCAL PROCEEDS OF TAXES (Lines C16 plus C17)	11,996,757.87	0.00	11,996,757.87	12,620,022.00	0.00	12,620,022.00

	2019-20 Calculations			2020-21 Calculations		
	Extracted Data	Adjustments*	Entered Data/Totals	Extracted Data	Adjustments*	Entered Data/Totals
EXCLUDED APPROPRIATIONS						
19. Medicare (Enter federally mandated amounts only from objs. 3301 & 3302; do not include negotiated amounts)			302,001.71			322,936.00
OTHER EXCLUSIONS						
20. Americans with Disabilities Act						
21. Unreimbursed Court Mandated Desegregation Costs						
22. Other Unfunded Court-ordered or Federal Mandates						
23. TOTAL EXCLUSIONS (Lines C19 through C22)			302,001.71			322,936.00
STATE AID RECEIVED (Funds 01, 09, and 62)						
24. LCFF - CY (objects 8011 and 8012)	9,717,294.00		9,717,294.00	7,483,490.00		7,483,490.00
25. LCFF/Revenue Limit State Aid - Prior Years (Object 8019)	23,693.00		23,693.00	0.00		0.00
26. TOTAL STATE AID RECEIVED (Lines C24 plus C25)	9,740,987.00	0.00	9,740,987.00	7,483,490.00	0.00	7,483,490.00
DATA FOR INTEREST CALCULATION						
27. Total Revenues (Funds 01, 09 & 62; objects 8000-8799)	24,677,400.36		24,677,400.36	22,905,507.34		22,905,507.34
28. Total Interest and Return on Investments (Funds 01, 09, and 62; objects 8660 and 8662)	104,732.75		104,732.75	113,330.00		113,330.00
D. APPROPRIATIONS LIMIT CALCULATIONS						
PRELIMINARY APPROPRIATIONS LIMIT			2019-20 Actual			2020-21 Budget
1. Revised Prior Year Program Limit (Lines A1 plus A6)			13,197,384.97			13,761,676.78
2. Inflation Adjustment			1.0385			1.0373
3. Program Population Adjustment (Lines B3 divided by [A2 plus A7]) (Round to four decimal places)			1.0041			1.0000
4. PRELIMINARY APPROPRIATIONS LIMIT (Lines D1 times D2 times D3)			13,761,676.78			14,274,987.32
APPROPRIATIONS SUBJECT TO THE LIMIT						
5. Local Revenues Excluding Interest (Line C18)			11,996,757.87			12,620,022.00
6. Preliminary State Aid Calculation						
a. Minimum State Aid in Local Limit (Greater of \$120 times Line B3 or \$2,400; but not greater than Line C26 or less than zero)			223,591.20			223,591.20
b. Maximum State Aid in Local Limit (Lesser of Line C26 or Lines D4 minus D5 plus C23; but not less than zero)			2,066,920.62			1,977,901.32
c. Preliminary State Aid in Local Limit (Greater of Lines D6a or D6b)			2,066,920.62			1,977,901.32
7. Local Revenues in Proceeds of Taxes						
a. Interest Counting in Local Limit (Line C28 divided by [Lines C27 minus C28] times [Lines D5 plus D6c])			59,941.71			72,585.55
b. Total Local Proceeds of Taxes (Lines D5 plus D7a)			12,056,699.58			12,692,607.55
8. State Aid in Proceeds of Taxes (Greater of Line D6a, or Lines D4 minus D7b plus C23; but not greater than Line C26 or less than zero)			2,006,978.91			1,905,315.77
9. Total Appropriations Subject to the Limit						
a. Local Revenues (Line D7b)			12,056,699.58			
b. State Subventions (Line D8)			2,006,978.91			
c. Less: Excluded Appropriations (Line C23)			302,001.71			
d. TOTAL APPROPRIATIONS SUBJECT TO THE LIMIT (Lines D9a plus D9b minus D9c)			13,761,676.78			

UNAUDITED ACTUAL FINANCIAL REPORT:

To the County Superintendent of Schools:

2019-20 UNAUDITED ACTUAL FINANCIAL REPORT. This report was prepared in accordance with Education Code Section 41010 and is hereby approved and filed by the governing board of the school district pursuant to Education Code Section 42100.

Signed: _____
Clerk/Secretary of the Governing Board
(Original signature required)

Date of Meeting: Sep 08, 2020

To the Superintendent of Public Instruction:

2019-20 UNAUDITED ACTUAL FINANCIAL REPORT. This report has been verified for accuracy by the County Superintendent of Schools pursuant to Education Code Section 42100.

Signed: _____
County Superintendent/Designee
(Original signature required)

Date: _____

For additional information on the unaudited actual reports, please contact:

For County Office of Education:

Debbie Wilkins
Name
Director, District Fiscal Services
Title
(916) 228-2294
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For School District:

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Chief Business Officer
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Unaudited Actuals
 2019-20 Unaudited Actuals
 Technical Review Checks

River Delta Joint Unified

Sacramento County

Following is a chart of the various types of technical review checks and related requirements:

- F - Fatal (Data must be corrected; an explanation is not allowed)
- W/WC - Warning/Warning with Calculation (If data are not correct, correct the data; if data are correct an explanation is required)
- O - Informational (If data are not correct, correct the data; if data are correct an explanation is optional, but encouraged)

IMPORT CHECKS

CHECKRESOURCE - (W) - The following codes for RESOURCE are not valid. Data should be corrected or narrative must be provided explaining why the exception (s) should be considered appropriate. EXCEPTION

ACCOUNT			RESOURCE	VALUE
FD	RS	PY - GO - FN - OB		
01-3220-0-0000-0000-9790			3220	-112,093.73
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.				
01-3220-0-0000-0000-9110			3220	-29,956.40
01-3220-0-0000-0000-9500			3220	82,137.33
01-3220-0-0000-0000-979Z			3220	-112,093.73
01-3220-0-0000-8200-4300			3220	6,419.21
01-3220-0-1110-1000-4300			3220	100,074.04
01-3220-0-1110-1000-4400			3220	5,600.48
01-7420-0-0000-0000-9790			7420	-6,305.19
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.				
01-7420-0-0000-3900-2200			7420	897.20
01-7420-0-0000-3900-2900			7420	28.00
01-7420-0-0000-3900-3302			7420	70.81
01-7420-0-0000-3900-3502			7420	0.45
01-7420-0-0000-3900-3602			7420	14.41
01-7420-0-0000-8110-2200			7420	978.00
01-7420-0-0000-8110-2400			7420	436.72
01-7420-0-0000-8110-3302			7420	108.23
01-7420-0-0000-8110-3502			7420	0.70
01-7420-0-0000-8110-3602			7420	22.03
01-7420-0-1110-1000-1100			7420	2,562.50
01-7420-0-1110-1000-3101			7420	438.22
01-7420-0-1110-1000-3301			7420	37.15
01-7420-0-1110-1000-3501			7420	1.27
01-7420-0-1110-1000-3601			7420	39.92
01-7420-0-1110-2490-2200			7420	7.75

01-7420-0-1110-2490-3302	7420	0.59
01-7420-0-1110-2490-3602	7420	0.12
01-7420-0-1110-2700-2400	7420	87.92
01-7420-0-1110-2700-3302	7420	6.72
01-7420-0-1110-2700-3502	7420	0.04
01-7420-0-1110-2700-3602	7420	1.37
01-7420-0-3550-2700-2400	7420	22.38
01-7420-0-3550-2700-3302	7420	1.71
01-7420-0-3550-2700-3502	7420	0.01
01-7420-0-3550-2700-3602	7420	0.35
01-7420-0-5001-3600-2200	7420	2.50
01-7420-0-5001-3600-2300	7420	65.44
01-7420-0-5001-3600-3302	7420	5.21
01-7420-0-5001-3600-3502	7420	0.03
01-7420-0-5001-3600-3602	7420	1.06
01-7420-0-0000-0000-9110	7420	-6,305.19
01-7420-0-0000-0000-979Z	7420	-6,305.19
01-7420-0-0000-3600-2200	7420	208.50
01-7420-0-0000-3600-2400	7420	218.36
01-7420-0-0000-3600-3302	7420	32.65
01-7420-0-0000-3600-3502	7420	0.21
01-7420-0-0000-3600-3602	7420	6.66

CHK-FUNDxRESOURCE - (W) - The following combinations for FUND and RESOURCE are invalid. Data should be corrected or narrative must be provided explaining why the exception(s) should be considered appropriate. EXCEPTION

ACCOUNT FD - RS - PY - GO - FN - OB	FUND	RESOURCE	VALUE
01-3220-0-0000-0000-9110	01	3220	-29,956.40
01-3220-0-0000-0000-9500	01	3220	82,137.33
01-3220-0-0000-0000-9790	01	3220	-112,093.73
01-3220-0-0000-0000-979Z	01	3220	-112,093.73
01-3220-0-0000-8200-4300	01	3220	6,419.21
01-3220-0-1110-1000-4300	01	3220	100,074.04
01-3220-0-1110-1000-4400	01	3220	5,600.48

Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.

01-7420-0-0000-0000-9110	01	7420	-6,305.19
01-7420-0-0000-0000-9790	01	7420	-6,305.19
01-7420-0-0000-0000-979Z	01	7420	-6,305.19
01-7420-0-0000-3600-2200	01	7420	208.50
01-7420-0-0000-3600-2400	01	7420	218.36
01-7420-0-0000-3600-3302	01	7420	32.65
01-7420-0-0000-3600-3502	01	7420	0.21
01-7420-0-0000-3600-3602	01	7420	6.66
01-7420-0-0000-3900-2200	01	7420	897.20
01-7420-0-0000-3900-2900	01	7420	28.00
01-7420-0-0000-3900-3302	01	7420	70.81
01-7420-0-0000-3900-3502	01	7420	0.45
01-7420-0-0000-3900-3602	01	7420	14.41
01-7420-0-0000-8110-2200	01	7420	978.00
01-7420-0-0000-8110-2400	01	7420	436.72
01-7420-0-0000-8110-3302	01	7420	108.23
01-7420-0-0000-8110-3502	01	7420	0.70
01-7420-0-0000-8110-3602	01	7420	22.03

01-7420-0-1110-1000-1100	01	7420	2,562.50
01-7420-0-1110-1000-3101	01	7420	438.22
01-7420-0-1110-1000-3301	01	7420	37.15
01-7420-0-1110-1000-3501	01	7420	1.27
01-7420-0-1110-1000-3601	01	7420	39.92
01-7420-0-1110-2490-2200	01	7420	7.75
01-7420-0-1110-2490-3302	01	7420	0.59
01-7420-0-1110-2490-3602	01	7420	0.12
01-7420-0-1110-2700-2400	01	7420	87.92
01-7420-0-1110-2700-3302	01	7420	6.72
01-7420-0-1110-2700-3502	01	7420	0.04
01-7420-0-1110-2700-3602	01	7420	1.37
01-7420-0-3550-2700-2400	01	7420	22.38
01-7420-0-3550-2700-3302	01	7420	1.71
01-7420-0-3550-2700-3502	01	7420	0.01
01-7420-0-3550-2700-3602	01	7420	0.35
01-7420-0-5001-3600-2200	01	7420	2.50
01-7420-0-5001-3600-2300	01	7420	65.44
01-7420-0-5001-3600-3302	01	7420	5.21
01-7420-0-5001-3600-3502	01	7420	0.03
01-7420-0-5001-3600-3602	01	7420	1.06

Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.

CHK-RESOURCExOBJECTA - (W) - The following combinations for RESOURCE and OBJECT (objects 8000 through 9999, except for 9791, 9793, and 9795) are invalid. Data should be corrected or narrative must be provided explaining why the exception (s) should be considered appropriate.

EXCEPTION

ACCOUNT				RESOURCE	OBJECT	VALUE
FD	RS	PY	GO - FN - OB			
				3220	9110	-29,956.40
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.						
				3220	9500	82,137.33
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.						
				3220	9790	-112,093.73
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.						
				7010	9740	2,226.31
Explanation: This is Ending Fund Balance from FY 18-19/Beginning Fund Balance for FY 19-20 and was available for the program to use in FY 19-20.						
				7420	9110	-6,305.19
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.						

01-7420-0-0000-0000-9790 7420 9790 -6,305.19
 Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been
 added to the SACS validation table as of yet.

**CHK-RESOURCExOBJECTB - (O) - The following combinations for RESOURCE and OBJECT
 (objects 9791, 9793, and 9795) are invalid: EXCEPTION**

ACCOUNT				RESOURCE	OBJECT	VALUE
FD	RS	PY	GO	FN	OB	
12	6105	0	0000	0000	9791	5,996.10
Explanation: This is Ending Fund Balance from FY 18-19/Beginning Fund Balance for FY 19-20 and was available for the program to use in FY 19-20.						

01	7010	0	0000	0000	9791	2,226.31
Explanation: This is Ending Fund Balance from FY 18-19/Beginning Fund Balance for FY 19-20 and was available for the program to use in FY 19-20.						

GENERAL LEDGER CHECKS

**EFB-POSITIVE - (W) - Ending balance (Object 979Z) is negative for the
following resources. Please explain the cause of the negative balances and
your plan to resolve them. EXCEPTION**

FUND	RESOURCE	NEG. EFB
01	3220	-112,093.73
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.		

01	7420	-6,305.19
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.		

Total of negative resource balances for Fund 01 -118,398.92

**OBJ-POSITIVE - (W) - The following objects have a negative balance by resource,
by fund: EXCEPTION**

FUND	RESOURCE	OBJECT	VALUE
01	3220	9790	-112,093.73
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.			

01	7420	9790	-6,305.19
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.			

13	5310	8699	-2,454.03
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Explanation: This is an end of year adjustment to bring the book balance reflect the actual balance.

SUPPLEMENTAL CHECKS

EXPORT CHECKS

Checks Completed.

Unaudited Actuals
 2020-21 Budget
 Technical Review Checks

River Delta Joint Unified

Sacramento County

Following is a chart of the various types of technical review checks and related requirements:

- F - Fatal (Data must be corrected; an explanation is not allowed)
- W/WC - Warning/Warning with Calculation (If data are not correct, correct the data; if data are correct an explanation is required)
- O - Informational (If data are not correct, correct the data; if data are correct an explanation is optional, but encouraged)

IMPORT CHECKS

CHECKRESOURCE - (W) - The following codes for RESOURCE are not valid. Data should be corrected or narrative must be provided explaining why the exception (s) should be considered appropriate. EXCEPTION

ACCOUNT						RESOURCE	VALUE
FD	RS	PY	GO	FN	OB		
01	3220	0	0000	0000	9791	3220	-112,093.73
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.							
01	7420	0	0000	0000	9791	7420	-6,305.19
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.							
01	3220	0	0000	0000	979Z	3220	-112,093.73
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.							
01	3220	0	0000	0000	9790	3220	-112,093.73
01	7420	0	0000	0000	979Z	7420	-6,305.19
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.							
01	7420	0	0000	0000	9790	7420	-6,305.19

CHK-FUNDxRESOURCE - (W) - The following combinations for FUND and RESOURCE are invalid. Data should be corrected or narrative must be provided explaining why the exception(s) should be considered appropriate. EXCEPTION

ACCOUNT						FUND	RESOURCE	VALUE
FD	RS	PY	GO	FN	OB			
01	3220	0	0000	0000	9790	01	3220	-112,093.73
01	3220	0	0000	0000	9791	01	3220	-112,093.73

01-3220-0-0000-0000-979Z 01 3220 -112,093.73
 Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.

01-7420-0-0000-0000-9790 01 7420 -6,305.19
 01-7420-0-0000-0000-9791 01 7420 -6,305.19
 01-7420-0-0000-0000-979Z 01 7420 -6,305.19
 Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.

CHK-RESOURCExOBJECTA - (W) - The following combinations for RESOURCE and OBJECT (objects 8000 through 9999, except for 9791, 9793, and 9795) are invalid. Data should be corrected or narrative must be provided explaining why the exception(s) should be considered appropriate. EXCEPTION

ACCOUNT							
FD - RS - PY - GO - FN - OB	RESOURCE	OBJECT	VALUE				
01-3010-0-0000-0000-9740	3010	9740	2,408.00				
Explanation: These are restricted fund balances that are available for the program to use in fiscal year 2020-21.							
01-3220-0-0000-0000-9790	3220	9790	-112,093.73				
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.							
01-3315-0-0000-0000-9740	3315	9740	4,349.00				
Explanation: These are restricted fund balances that are available for the program to use in fiscal year 2020-21.							
01-3327-0-0000-0000-9740	3327	9740	15,198.00				
Explanation: These are restricted fund balances that are available for the program to use in fiscal year 2020-21.							
01-6387-0-0000-0000-9740	6387	9740	50,812.00				
Explanation: These are restricted fund balances that are available for the program to use in fiscal year 2020-21.							
01-7010-0-0000-0000-9740	7010	9740	2,226.31				
Explanation: This is the Beginning Fund Balance and was available for the program to use in FY 19-20.							
01-7420-0-0000-0000-9790	7420	9790	-6,305.19				
Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.							

CHK-RESOURCExOBJECTB - (O) - The following combinations for RESOURCE and OBJECT (objects 9791, 9793, and 9795) are invalid: EXCEPTION

ACCOUNT					RESOURCE	OBJECT	VALUE
FD	RS	PY	GO	FN	OB		

01	7010	0	0000	0000	9791		2,226.31
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Explanation: This is the Beginning Fund Balance and was available for the program to use in FY 19-20.

GENERAL LEDGER CHECKS

EFB-POSITIVE - (W) - Ending balance (Object 979Z) is negative for the following resources. Please explain the cause of the negative balances and your plan to resolve them. EXCEPTION

FUND	RESOURCE	NEG. EFB
01	3220	-112,093.73

Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.

01	7388	-15,000.00
----	------	------------

Explanation: Resource 7388 was the only funding that was originally awarded at the beginning of the COVID-19 pandemic. The district initially planned on stretching the funding over two fiscal years, saving \$15,000 for fiscal year 2020-21. After the budget was adopted, the District was awarded Learning Loss Mitigation funds, so we were able to utilize all the resource 7388 funding in fiscal year 2019-20.

01	7420	-6,305.19
----	------	-----------

Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.

Total of negative resource balances for Fund 01 -133,398.92

OBJ-POSITIVE - (W) - The following objects have a negative balance by resource, by fund: EXCEPTION

FUND	RESOURCE	OBJECT	VALUE
01	3220	9790	-112,093.73

Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.

01	7388	9790	-15,000.00
----	------	------	------------

Explanation: Resource 7388 was the only funding that was originally awarded at the beginning of the COVID-19 pandemic. The district initially planned on stretching the funding over two fiscal years, saving \$15,000 for fiscal year 2020-21. After the budget was adopted, the District was awarded Learning Loss Mitigation funds, so we were able to utilized all the resource 7388 funding in fiscal year 2019-20.

01 7420 9790 -6,305.19

Explanation: Learning Loss Mitigation Resources 3220 and 7420 have not been added to the SACS validation table as of yet.

SUPPLEMENTAL CHECKS

EXPORT CHECKS

Checks Completed.

Following is a summary of the critical data elements contained in your unaudited actual data. Since these data may have fiscal implications for your agency, please verify their accuracy before filing your unaudited actual financial reports.

Form	Description	Value
CEA	Percent of Current Cost of Education Expended for Classroom Compensation Must equal or exceed 60% for elementary, 55% for unified, and 50% for high school districts or future apportionments may be affected. (EC 41372)	59.65%
	CEA Deficiency Amount Applicable to districts not exempt from the requirement and not meeting the minimum classroom compensation percentage - see Form CEA for further details.	\$0.00
ESMOE	Every Student Succeeds Act (ESSA) Maintenance of Effort (MOE) Determination If MOE Not Met, the 2021-22 apportionment may be reduced by the lesser of the following two percentages: MOE Deficiency Percentage - Based on Total Expenditures MOE Deficiency Percentage - Based on Expenditures Per ADA	MOE Met
GANN	Adjustments to Appropriations Limit Per Government Code Section 7902.1 If this amount is not zero, it represents an increase to your Appropriations Limit. The Department of Finance must be notified of increases within 45 days of budget adoption.	\$0.00
	Adjusted Appropriations Limit	\$13,761,676.78
	Appropriations Subject to Limit These amounts represent the board approved Appropriations Limit and Appropriations Subject to Limit pursuant to Government Code Section 7906 and EC 42132.	\$13,761,676.78
ICR	Preliminary Proposed Indirect Cost Rate Fixed-with-carry-forward indirect cost rate for use in 2021-22, subject to CDE approval.	4.11%

Export Log
Period: Unaudited Actuals
Type of Export: Official

=====
EA: 34-67413-0000000 River Delta Joint Unified

Official Check for LEA: 34-67413-0000000 is good

Export of USER General Ledger started at 9/2/2020 7:15:40 PM

OFFICIAL Header for LEA: 34-67413-0000000 River Delta Joint Unified
VERSION 2020.2.0

Fiscal Year: 2019-20
Type of Data: Unaudited Actuals
Number of records exported in group 1: 1667

Fiscal Year: 2020-21
Type of Data: Budget
Number of records exported in group 2: 1154

Export USER General Ledger completed at 9/2/2020 7:15:41 PM

Export of Supplementals (USER ELEMENTs) started at 9/2/2020 7:15:41 PM
Fiscal Year: 2019-20
Type of Data: Unaudited Actuals
Number of records exported in group 3: 7344

Fiscal Year: 2020-21
Type of Data: Budget
Number of records exported in group 4: 1290

Export of Supplemental (USER ELEMENTs) completed at 9/2/2020 7:15:42 PM

Export of Explanations started at 9/2/2020 7:15:42 PM
Fiscal Year: 2019-20
Type of Data: Unaudited Actuals
Number of records exported in group 5: 17

Fiscal Year: 2020-21
Type of Data: Budget
Number of records exported in group 6: 18

Export of Explanations completed at 9/2/2020 7:15:42 PM

Export of TRC Log started at 9/2/2020 7:15:42 PM
Fiscal Year: 2019-20
Type of Data: Unaudited Actuals
Number of records exported in group 7: 93

Fiscal Year: 2020-21
Type of Data: Budget
Number of records exported in group 8: 59

Export of TRC Log completed at 9/2/2020 7:15:42 PM

OFFICIAL END for LEA: 34-67413-0000000 River Delta Joint Unified

Exported to file: C:\SACS2020ALL\Official\34674130000000A.DAT

End of Official Export Process

G = General Ledger Data; S = Supplemental Data

Form	Description	Data Supplied For:	
		2019-20 Unaudited Actuals	2020-21 Budget
01	General Fund/County School Service Fund	GS	GS
08	Student Activity Special Revenue Fund		
09	Charter Schools Special Revenue Fund		
10	Special Education Pass-Through Fund		
11	Adult Education Fund	G	G
12	Child Development Fund	G	G
13	Cafeteria Special Revenue Fund	G	G
14	Deferred Maintenance Fund		
15	Pupil Transportation Equipment Fund		
17	Special Reserve Fund for Other Than Capital Outlay Projects	G	G
18	School Bus Emissions Reduction Fund		
19	Foundation Special Revenue Fund		
20	Special Reserve Fund for Postemployment Benefits		
21	Building Fund	G	G
25	Capital Facilities Fund	G	G
30	State School Building Lease-Purchase Fund		
35	County School Facilities Fund	G	G
40	Special Reserve Fund for Capital Outlay Projects		
49	Capital Project Fund for Blended Component Units	G	G
51	Bond Interest and Redemption Fund	G	G
52	Debt Service Fund for Blended Component Units		
53	Tax Override Fund		
56	Debt Service Fund		
57	Foundation Permanent Fund		
61	Cafeteria Enterprise Fund		
62	Charter Schools Enterprise Fund		
63	Other Enterprise Fund		
66	Warehouse Revolving Fund		
67	Self-Insurance Fund		
71	Retiree Benefit Fund		
73	Foundation Private-Purpose Trust Fund		
76	Warrant/Pass-Through Fund		
95	Student Body Fund		
A	Average Daily Attendance	S	S
ASSET	Schedule of Capital Assets	S	
CA	Unaudited Actuals Certification	S	
CAT	Schedule for Categoricals	S	
CEA	Current Expense Formula/Minimum Classroom Comp. - Actuals	GS	
CHG	Change Order Form		
DEBT	Schedule of Long-Term Liabilities	S	
ESMOE	Every Student Succeeds Act Maintenance of Effort	GS	
GANN	Appropriations Limit Calculations	GS	GS
ICR	Indirect Cost Rate Worksheet	GS	
L	Lottery Report	GS	
PCRAF	Program Cost Report Schedule of Allocation Factors	GS	
PCR	Program Cost Report	GS	

G = General Ledger Data; S = Supplemental Data

Form	Description	Data Supplied For:	
		2019-20 Unaudited Actuals	2020-21 Budget
SEA	Special Education Revenue Allocations	S	S
SEAS	Special Education Revenue Allocations Setup (SELPA Selection)	S	S
SIAA	Summary of Interfund Activities - Actuals	G	

Substantiation of Need for Assigned and Unassigned Ending Fund Balances in Excess of Minimum Recommended Reserves

Education Code Section 42127(a)(2)(B) requires a statement of the reasons that substantiate the need for assigned and unassigned ending fund balances in excess of the minimum reserve standard for economic uncertainties..

Combined and Unassigned/Unappropriated Fund Balances (Resources 0000-1999, Objects 9780, 9789 and 9790)			
Form	Fund		
01	General Fund/County School Service Fund	Form 01	\$5,686,849.00
01	Non-Spendables	Form 01	(\$15,000.10)
17	Special Reserve Fund for Other Than Capital Outlay Projects	Form 17	\$40,291.64
Total Assigned and Unassigned Ending Fund Balances			\$5,712,140.54
District Standard Reserve Level including Board Authorized Reserve		Form 01CS Line 10B-4	5%
Less District Minimum Recommended Reserve for Economic Uncertainties		Form 01CS Line 10B-7	\$1,222,073.16
Remaining Balance to Substantiate Need			\$4,490,067.38
Substantiation of Need for Fund Balances in Excess of Minimum Recommended Reserve for Economic Uncertainties			Amount
Fund	Descriptions		
01	Projected Unrestricted One-time funds		\$445,928.00
01	Minimum Wage Adjustment		\$200,000.00
01	Deficit Spending 20-21		\$975,556.00
01	Deficit Spending 21-22		\$481,635.00
17	Unappropriated funds in fund 17- for non capitalized expenses		\$40,291.64
Total of Substantiated Needs			\$2,143,410.64
Remaining Unsubstantiated Balance			\$2,346,656.74

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals			2020-21 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
A. REVENUES									
1) LCFF Sources		8010-8099	19,689,412.35	0.00	19,689,412.35	18,040,622.00	0.00	18,040,622.00	-8.4%
2) Federal Revenue		8100-8299	163,404.14	885,112.78	1,048,516.92	0.00	881,656.00	881,656.00	-15.9%
3) Other State Revenue		8300-8599	483,502.84	1,855,963.85	2,339,466.69	371,641.00	1,993,506.00	2,365,147.00	1.1%
4) Other Local Revenue		8600-8799	549,922.83	1,050,081.57	1,600,004.40	482,010.00	1,136,072.34	1,618,082.34	1.1%
5) TOTAL, REVENUES			20,886,242.16	3,791,158.20	24,677,400.36	18,894,273.00	4,011,234.34	22,905,507.34	-7.2%
3. EXPENDITURES									
1) Certificated Salaries		1000-1999	7,832,729.93	1,800,837.94	9,633,567.87	7,841,367.00	1,888,151.00	9,729,518.00	1.0%
2) Classified Salaries		2000-2999	2,605,402.98	1,421,703.75	4,027,106.73	2,675,355.00	1,355,463.00	4,030,818.00	0.1%
3) Employee Benefits		3000-3999	3,426,783.02	2,147,436.94	5,574,219.96	3,457,399.00	2,503,965.00	5,961,364.00	6.9%
4) Books and Supplies		4000-4999	702,337.64	546,273.95	1,248,611.59	618,912.00	403,711.38	1,022,623.38	-18.1%
5) Services and Other Operating Expenditures		5000-5999	2,313,655.29	1,225,031.29	3,538,686.58	2,256,158.00	1,078,945.00	3,335,103.00	-5.8%
6) Capital Outlay		6000-6999	84,874.41	276,562.39	361,436.80	10,000.00	0.00	10,000.00	-97.2%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299 7400-7499	63,796.00	0.00	63,796.00	70,000.00	0.00	70,000.00	9.7%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	(73,527.13)	67,564.73	(5,962.40)	(62,830.00)	49,321.00	(13,509.00)	126.6%
9) TOTAL, EXPENDITURES			16,956,052.14	7,485,410.99	24,441,463.13	16,866,361.00	7,279,556.38	24,145,917.38	-1.2%
2. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			3,930,190.02	(3,694,252.79)	235,937.23	2,027,912.00	(3,268,322.04)	(1,240,410.04)	-625.7%
3. OTHER FINANCING SOURCES/USES									
1) Interfund Transfers									
a) Transfers In		8900-8929	31,630.00	0.00	31,630.00	0.00	0.00	0.00	-100.0%
b) Transfers Out		7600-7629	302,750.17	0.00	302,750.17	300,576.00	0.00	300,576.00	-0.7%
2) Other Sources/Uses									
a) Sources		8930-8979	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
3) Contributions		8980-8999	(3,656,562.07)	3,656,562.07	0.00	(3,387,008.00)	3,387,008.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			(3,927,682.24)	3,656,562.07	(271,120.17)	(3,687,584.00)	3,387,008.00	(300,576.00)	10.9%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals			2020-21 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)									
			2,507.78	(37,690.72)	(35,182.94)	(1,659,672.00)	118,685.96	(1,540,986.04)	4279.9%
F. FUND BALANCE, RESERVES									
1) Beginning Fund Balance									
a) As of July 1 - Unaudited		9791	5,684,341.22	955,689.17	6,640,030.39	5,686,849.00	917,998.45	6,604,847.45	-0.5%
b) Audit Adjustments		9793	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			5,684,341.22	955,689.17	6,640,030.39	5,686,849.00	917,998.45	6,604,847.45	-0.5%
d) Other Restatements		9795	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			5,684,341.22	955,689.17	6,640,030.39	5,686,849.00	917,998.45	6,604,847.45	-0.5%
2) Ending Balance, June 30 (E + F1e)									
			5,686,849.00	917,998.45	6,604,847.45	4,027,177.00	1,036,684.41	5,063,861.41	-23.3%
Components of Ending Fund Balance									
a) Nonspendable									
Revolving Cash		9711	15,000.10	0.00	15,000.10	15,000.00	0.00	15,000.00	0.0%
Stores		9712	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Prepaid Items		9713	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Others		9719	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
b) Restricted									
		9740	0.00	1,036,397.37	1,036,397.37	0.00	1,170,083.33	1,170,083.33	12.9%
c) Committed									
Stabilization Arrangements		9750	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Other Commitments		9760	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
d) Assigned									
Other Assignments									
		9780	2,103,119.00	0.00	2,103,119.00	2,552,153.00	0.00	2,552,153.00	21.4%
Projected Unrestricted One-Time Funds	0000	9780	445,928.00		445,928.00				
Minimum Wage Adjustment	0000	9780	200,000.00		200,000.00				
Deficit Spending FY 2020-21	0000	9780	975,556.00		975,556.00				
Deficit Spending FY 2021-22	0000	9780	481,635.00		481,635.00				
Projected Unrestricted One-Time Funds	0000	9780				447,171.00		447,171.00	
Minimum Wage Adjustment	0000	9780				190,000.00		190,000.00	
Deficit Spending FY 2021-22	0000	9780				1,914,982.00		1,914,982.00	
e) Unassigned/Unappropriated									
Reserve for Economic Uncertainties		9789	1,222,073.16	0.00	1,222,073.16	1,207,295.87	0.00	1,207,295.87	-1.2%
Unassigned/Unappropriated Amount		9790	2,346,656.74	(118,398.92)	2,228,257.82	252,728.13	(133,398.92)	119,329.21	-94.6%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals			2020-21 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
G. ASSETS									
1) Cash									
a) in County Treasury		9110	5,343,482.64	595,700.37	5,939,183.01				
1) Fair Value Adjustment to Cash in County Treasury		9111	0.00	0.00	0.00				
b) in Banks		9120	64.12	0.00	64.12				
c) in Revolving Cash Account		9130	15,000.10	0.00	15,000.10				
d) with Fiscal Agent/Trustee		9135	0.00	0.00	0.00				
e) Collections Awaiting Deposit		9140	0.00	0.00	0.00				
2) Investments		9150	0.00	0.00	0.00				
3) Accounts Receivable		9200	1,475,649.55	689,959.80	2,165,609.35				
4) Due from Grantor Government		9290	0.00	0.00	0.00				
5) Due from Other Funds		9310	8,842.40	0.00	8,842.40				
6) Stores		9320	0.00	0.00	0.00				
7) Prepaid Expenditures		9330	0.00	0.00	0.00				
8) Other Current Assets		9340	0.00	0.00	0.00				
9) TOTAL, ASSETS			6,843,038.81	1,285,660.17	8,128,698.98				
I. DEFERRED OUTFLOWS OF RESOURCES									
1) Deferred Outflows of Resources		9490	0.00	0.00	0.00				
2) TOTAL, DEFERRED OUTFLOWS			0.00	0.00	0.00				
J. LIABILITIES									
1) Accounts Payable		9500	825,593.50	233,689.76	1,059,283.26				
2) Due to Grantor Governments		9590	0.00	0.00	0.00				
3) Due to Other Funds		9610	330,596.31	0.00	330,596.31				
4) Current Loans		9640	0.00	0.00	0.00				
5) Unearned Revenue		9650	0.00	133,971.96	133,971.96				
6) TOTAL, LIABILITIES			1,156,189.81	367,661.72	1,523,851.53				
K. DEFERRED INFLOWS OF RESOURCES									
1) Deferred Inflows of Resources		9690	0.00	0.00	0.00				
2) TOTAL, DEFERRED INFLOWS			0.00	0.00	0.00				
L. FUND EQUITY									
Ending Fund Balance, June 30 (must agree with line F2) (G9 + H2) - (I6 + J2)			5,686,849.00	917,998.45	6,604,847.45				

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals			2020-21 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
LCFF SOURCES									
Principal Apportionment State Aid - Current Year		8011	9,340,990.00	0.00	9,340,990.00	7,108,560.00	0.00	7,108,560.00	-23.9%
Education Protection Account State Aid - Current Year		8012	376,304.00	0.00	376,304.00	374,930.00	0.00	374,930.00	-0.4%
State Aid - Prior Years		8019	23,693.00	0.00	23,693.00	0.00	0.00	0.00	-100.0%
Tax Relief Subventions Homeowners' Exemptions		8021	76,017.72	0.00	76,017.72	75,978.00	0.00	75,978.00	-0.1%
Timber Yield Tax		8022	0.39	0.00	0.39	0.00	0.00	0.00	-100.0%
Other Subventions/In-Lieu Taxes		8029	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
County & District Taxes Secured Roll Taxes		8041	10,558,372.41	0.00	10,558,372.41	10,646,558.00	0.00	10,646,558.00	0.8%
Unsecured Roll Taxes		8042	757,707.55	0.00	757,707.55	770,124.00	0.00	770,124.00	1.6%
Prior Years' Taxes		8043	(208,877.60)	0.00	(208,877.60)	(9,993.00)	0.00	(9,993.00)	-95.2%
Supplemental Taxes		8044	97,057.66	0.00	97,057.66	174,283.00	0.00	174,283.00	79.6%
Education Revenue Augmentation Fund (ERAF)		8045	394,350.43	0.00	394,350.43	286,867.00	0.00	286,867.00	-27.3%
Community Redevelopment Funds (SB 617/699/1992)		8047	317,360.21	0.00	317,360.21	676,205.00	0.00	676,205.00	113.1%
Penalties and Interest from Delinquent Taxes		8048	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Miscellaneous Funds (EC 41604) Royalties and Bonuses		8081	484.07	0.00	484.07	0.00	0.00	0.00	-100.0%
Other In-Lieu Taxes		8082	4,769.10	0.00	4,769.10	0.00	0.00	0.00	-100.0%
Less: Non-LCFF (50%) Adjustment		8089	(2,626.59)	0.00	(2,626.59)	0.00	0.00	0.00	-100.0%
Subtotal, LCFF Sources			21,735,602.35	0.00	21,735,602.35	20,103,512.00	0.00	20,103,512.00	-7.5%
LCFF Transfers									
Unrestricted LCFF Transfers - Current Year	0000	8091	0.00		0.00	0.00		0.00	0.0%
All Other LCFF Transfers - Current Year	All Other	8091	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers to Charter Schools in Lieu of Property Taxes		8096	(2,046,190.00)	0.00	(2,046,190.00)	(2,062,890.00)	0.00	(2,062,890.00)	0.8%
Property Taxes Transfers		8097	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
LCFF/Revenue Limit Transfers - Prior Years		8099	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, LCFF SOURCES			19,689,412.35	0.00	19,689,412.35	18,040,622.00	0.00	18,040,622.00	-8.4%
FEDERAL REVENUE									
Maintenance and Operations		8110	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Special Education Entitlement		8181	0.00	356,219.00	356,219.00	0.00	356,219.00	356,219.00	0.0%
Special Education Discretionary Grants		8182	0.00	12,317.81	12,317.81	0.00	25,897.00	25,897.00	110.2%
Child Nutrition Programs		8220	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Donated Food Commodities		8221	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Forest Reserve Funds		8260	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Flood Control Funds		8270	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Wildlife Reserve Funds		8280	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
FEMA		8281	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Interagency Contracts Between LEAs		8285	0.00	14,216.15	14,216.15	0.00	0.00	0.00	-100.0%
Pass-Through Revenues from Federal Sources		8287	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Title I, Part A, Basic	3010	8290		399,036.82	399,036.82		399,348.00	399,348.00	0.1%
Title I, Part D, Local Delinquent Programs	3025	8290		0.00	0.00		0.00	0.00	0.0%
Title II, Part A, Supporting Effective Instruction	4035	8290		59,691.00	59,691.00		58,723.00	58,723.00	-1.6%
Title III, Part A, Immigrant Student Program	4201	8290		0.00	0.00		0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals			2020-21 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
Title III, Part A, English Learner Program	4203	8290		43,632.00	43,632.00		41,469.00	41,469.00	-5.0%
Public Charter Schools Grant Program (PCSGP)	4610	8290		0.00	0.00		0.00	0.00	0.0%
Other NCLB / Every Student Succeeds Act	3020, 3040, 3041, 3045, 3060, 3061, 3110, 3150, 3155, 3177, 3180, 3181, 3182, 3185, 4037, 4050, 4123, 4124, 4126, 4127, 4128, 5510, 5630	8290		0.00	0.00		0.00	0.00	0.0%
Career and Technical Education	3500-3599	8290		0.00	0.00		0.00	0.00	0.0%
All Other Federal Revenue	All Other	8290	163,404.14	0.00	163,404.14	0.00	0.00	0.00	-100.0%
TOTAL, FEDERAL REVENUE			163,404.14	885,112.78	1,048,516.92	0.00	881,656.00	881,656.00	-15.9%
OTHER STATE REVENUE									
Other State Apportionments									
ROC/P Entitlement Prior Years	6360	8319		0.00	0.00		0.00	0.00	0.0%
Special Education Master Plan Current Year	6500	8311		0.00	0.00		0.00	0.00	0.0%
Prior Years	6500	8319		0.00	0.00		0.00	0.00	0.0%
All Other State Apportionments - Current Year	All Other	8311	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other State Apportionments - Prior Years	All Other	8319	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Child Nutrition Programs		8520	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Mandated Costs Reimbursements		8550	79,631.00	0.00	79,631.00	80,218.00	0.00	80,218.00	0.7%
Lottery - Unrestricted and Instructional Materials		8560	306,875.84	102,674.02	409,549.86	288,923.00	105,176.00	394,099.00	-3.8%
Tax Relief Subventions Restricted Levies - Other									
Homeowners' Exemptions		8575	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Other Subventions/In-Lieu Taxes		8576	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Pass-Through Revenues from State Sources		8587	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
After School Education and Safety (ASES)	6010	8590		333,766.40	333,766.40		337,500.00	337,500.00	1.1%
Charter School Facility Grant	6030	8590		0.00	0.00		0.00	0.00	0.0%
Drug/Alcohol/Tobacco Funds	6650, 6690, 6695	8590		17,310.10	17,310.10		0.00	0.00	-100.0%
California Clean Energy Jobs Act	6230	8590		0.00	0.00		0.00	0.00	0.0%
Career Technical Education Incentive Grant Program	6387	8590		77,094.96	77,094.96		93,750.00	93,750.00	21.6%
American Indian Early Childhood Education	7210	8590		0.00	0.00		0.00	0.00	0.0%
Specialized Secondary	7370	8590		16,042.65	16,042.65		0.00	0.00	-100.0%
Quality Education Investment Act	7400	8590		0.00	0.00		0.00	0.00	0.0%
All Other State Revenue	All Other	8590	96,996.00	1,309,075.72	1,406,071.72	2,500.00	1,457,080.00	1,459,580.00	3.8%
TOTAL, OTHER STATE REVENUE			483,502.84	1,855,963.85	2,339,466.69	371,641.00	1,993,506.00	2,365,147.00	1.1%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals			2020-21 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
OTHER LOCAL REVENUE									
Other Local Revenue									
County and District Taxes									
Other Restricted Levies									
Secured Roll		8615	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Unsecured Roll		8616	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Prior Years' Taxes		8617	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Supplemental Taxes		8618	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Non-Ad Valorem Taxes									
Parcel Taxes		8621	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Other		8622	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Community Redevelopment Funds									
Not Subject to LCFF Deduction		8625	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Penalties and Interest from Delinquent Non-LCFF Taxes		8629	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Sales									
Sale of Equipment/Supplies		8631	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Sale of Publications		8632	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Food Service Sales		8634	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Sales		8639	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Leases and Rentals		8650	10,259.46	0.00	10,259.46	0.00	0.00	0.00	-100.0%
Interest		8660	104,732.75	0.00	104,732.75	113,330.00	0.00	113,330.00	8.2%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Fees and Contracts									
Adult Education Fees		8671	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Non-Resident Students		8672	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Transportation Fees From Individuals		8675	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Interagency Services		8677	49,735.86	8,885.00	58,620.86	53,000.00	8,885.00	61,885.00	5.6%
Mitigation/Developer Fees		8681	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Fees and Contracts		8689	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Other Local Revenue									
Plus: Misc Funds Non-LCFF (50%) Adjustment		8691	2,626.59	0.00	2,626.59	0.00	0.00	0.00	-100.0%
Pass-Through Revenues From Local Sources		8697	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Local Revenue		8699	362,568.17	535,073.57	897,641.74	295,680.00	622,055.34	917,735.34	2.2%
Tuition		8710	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers In		8781-8783	20,000.00	0.00	20,000.00	20,000.00	0.00	20,000.00	0.0%
Transfers of Apportionments									
Special Education SELPA Transfers									
From Districts or Charter Schools	6500	8791		0.00	0.00		0.00	0.00	0.0%
From County Offices	6500	8792		506,123.00	506,123.00		505,132.00	505,132.00	-0.2%
From JPAs	6500	8793		0.00	0.00		0.00	0.00	0.0%
ROC/P Transfers									
From Districts or Charter Schools	6360	8791		0.00	0.00		0.00	0.00	0.0%
From County Offices	6360	8792		0.00	0.00		0.00	0.00	0.0%
From JPAs	6360	8793		0.00	0.00		0.00	0.00	0.0%
Other Transfers of Apportionments									
From Districts or Charter Schools	All Other	8791	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
From County Offices	All Other	8792	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
From JPAs	All Other	8793	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			549,922.83	1,050,081.57	1,600,004.40	482,010.00	1,136,072.34	1,618,082.34	1.1%
TOTAL, REVENUES			20,886,242.16	3,791,158.20	24,677,400.36	18,894,273.00	4,011,234.34	22,905,507.34	-7.2%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals			2020-21 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
CERTIFICATED SALARIES									
Certificated Teachers' Salaries		1100	6,175,633.16	1,363,075.74	7,538,708.90	6,212,308.00	1,313,611.00	7,525,919.00	-0.2%
Certificated Pupil Support Salaries		1200	770,552.70	289,887.50	1,060,440.20	746,368.00	401,604.00	1,147,972.00	8.3%
Certificated Supervisors' and Administrators' Salaries		1300	886,519.07	144,637.20	1,031,156.27	881,851.00	167,686.00	1,049,537.00	1.8%
Other Certificated Salaries		1900	25.00	3,237.50	3,262.50	840.00	5,250.00	6,090.00	86.7%
TOTAL, CERTIFICATED SALARIES			7,832,729.93	1,800,837.94	9,633,567.87	7,841,367.00	1,888,151.00	9,729,518.00	1.0%
CLASSIFIED SALARIES									
Classified Instructional Salaries		2100	58,126.35	892,663.64	950,789.99	61,859.00	815,832.00	877,691.00	-7.7%
Classified Support Salaries		2200	1,211,608.13	259,623.20	1,471,231.33	1,222,622.00	280,471.00	1,503,093.00	2.2%
Classified Supervisors' and Administrators' Salaries		2300	235,552.26	42,483.86	278,036.12	186,774.00	43,500.00	230,274.00	-17.2%
Clerical, Technical and Office Salaries		2400	969,170.68	139,174.50	1,108,345.18	1,052,143.00	129,081.00	1,181,224.00	6.6%
Other Classified Salaries		2900	130,945.56	87,758.55	218,704.11	151,957.00	86,579.00	238,536.00	9.1%
TOTAL, CLASSIFIED SALARIES			2,605,402.98	1,421,703.75	4,027,106.73	2,675,355.00	1,355,463.00	4,030,818.00	0.1%
EMPLOYEE BENEFITS									
STRS		3101-3102	1,258,388.26	1,288,968.66	2,547,356.92	1,242,902.00	1,561,548.00	2,804,450.00	10.1%
PERS		3201-3202	515,072.85	290,658.67	805,731.52	528,859.00	336,909.00	865,768.00	7.5%
OASDI/Medicare/Alternative		3301-3302	317,160.14	148,274.37	465,434.51	334,363.00	156,941.00	491,304.00	5.6%
Health and Welfare Benefits		3401-3402	1,028,155.95	338,437.93	1,366,593.88	1,047,877.00	365,555.00	1,413,432.00	3.4%
Unemployment Insurance		3501-3502	8,143.48	1,779.60	9,923.08	7,655.00	1,764.00	9,419.00	-5.1%
Workers' Compensation		3601-3602	166,685.28	50,138.06	216,823.34	155,708.00	50,205.00	205,913.00	-5.0%
OPEB, Allocated		3701-3702	36,114.00	0.00	36,114.00	37,700.00	0.00	37,700.00	4.4%
OPEB, Active Employees		3751-3752	94,345.91	26,425.65	120,771.56	97,589.00	28,289.00	125,878.00	4.2%
Other Employee Benefits		3901-3902	2,717.15	2,754.00	5,471.15	4,746.00	2,754.00	7,500.00	37.1%
TOTAL, EMPLOYEE BENEFITS			3,426,783.02	2,147,436.94	5,574,219.96	3,457,399.00	2,503,965.00	5,961,364.00	6.9%
BOOKS AND SUPPLIES									
Approved Textbooks and Core Curricula Materials		4100	299,774.86	149,714.30	449,489.16	0.00	54,660.00	54,660.00	-87.8%
Books and Other Reference Materials		4200	19.79	2,033.38	2,053.17	500.00	6,080.00	6,580.00	220.5%
Materials and Supplies		4300	359,356.82	356,276.78	715,633.60	493,459.00	326,676.38	820,135.38	14.6%
Noncapitalized Equipment		4400	43,186.17	38,249.49	81,435.66	124,953.00	16,295.00	141,248.00	73.4%
Food		4700	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			702,337.64	546,273.95	1,248,611.59	618,912.00	403,711.38	1,022,623.38	-18.1%
SERVICES AND OTHER OPERATING EXPENDITURES									
Subagreements for Services		5100	133,661.22	852,813.27	986,474.49	137,672.00	599,000.00	736,672.00	-25.3%
Travel and Conferences		5200	57,524.34	21,945.86	79,470.20	43,839.00	31,717.00	75,556.00	-4.9%
Dues and Memberships		5300	56,640.00	300.00	56,940.00	35,035.00	300.00	35,335.00	-37.9%
Insurance		5400 - 5450	126,158.00	0.00	126,158.00	174,338.00	0.00	174,338.00	38.2%
Operations and Housekeeping Services		5500	875,129.96	0.00	875,129.96	831,419.00	0.00	831,419.00	-5.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	93,965.92	59,130.79	153,096.71	112,395.00	77,500.00	189,895.00	24.0%
Transfers of Direct Costs		5710	(29,943.85)	29,943.85	0.00	(55,160.00)	55,160.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	7,138.92	1,034.92	8,173.84	1,405.00	9,000.00	10,405.00	27.3%
Professional/Consulting Services and Operating Expenditures		5800	606,399.93	245,235.55	851,635.48	561,563.00	294,506.00	856,069.00	0.5%
Communications		5900	386,980.85	14,627.05	401,607.90	413,652.00	11,762.00	425,414.00	5.9%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			2,313,655.29	1,225,031.29	3,538,686.58	2,256,158.00	1,078,945.00	3,335,103.00	-5.8%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals			2020-21 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
CAPITAL OUTLAY									
Land		6100	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	3,500.00	13,500.00	17,000.00	0.00	0.00	0.00	-100.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment		6400	81,374.41	263,062.39	344,436.80	0.00	0.00	0.00	-100.0%
Equipment Replacement		6500	0.00	0.00	0.00	10,000.00	0.00	10,000.00	New
TOTAL, CAPITAL OUTLAY			84,874.41	276,562.39	361,436.80	10,000.00	0.00	10,000.00	-97.2%
OTHER OUTGO (excluding Transfers of Indirect Costs)									
Tuition									
Tuition for Instruction Under Interdistrict Attendance Agreements		7110	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
State Special Schools		7130	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Tuition, Excess Costs, and/or Deficit Payments Payments to Districts or Charter Schools		7141	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Payments to County Offices		7142	63,796.00	0.00	63,796.00	70,000.00	0.00	70,000.00	9.7%
Payments to JPAs		7143	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Pass-Through Revenues									
To Districts or Charter Schools		7211	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
To County Offices		7212	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
To JPAs		7213	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Special Education SELPA Transfers of Apportionments									
To Districts or Charter Schools	6500	7221		0.00	0.00		0.00	0.00	0.0%
To County Offices	6500	7222		0.00	0.00		0.00	0.00	0.0%
To JPAs	6500	7223		0.00	0.00		0.00	0.00	0.0%
ROC/P Transfers of Apportionments									
To Districts or Charter Schools	6360	7221		0.00	0.00		0.00	0.00	0.0%
To County Offices	6360	7222		0.00	0.00		0.00	0.00	0.0%
To JPAs	6360	7223		0.00	0.00		0.00	0.00	0.0%
Other Transfers of Apportionments	All Other	7221-7223	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers		7281-7283	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers Out to All Others		7299	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Debt Service									
Debt Service - Interest		7438	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			63,796.00	0.00	63,796.00	70,000.00	0.00	70,000.00	9.7%
OTHER OUTGO - TRANSFERS OF INDIRECT COSTS									
Transfers of Indirect Costs		7310	(67,564.73)	67,564.73	0.00	(49,321.00)	49,321.00	0.00	0.0%
Transfers of Indirect Costs - Interfund		7350	(5,962.40)	0.00	(5,962.40)	(13,509.00)	0.00	(13,509.00)	126.6%
TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS			(73,527.13)	67,564.73	(5,962.40)	(62,830.00)	49,321.00	(13,509.00)	126.6%
TOTAL, EXPENDITURES			16,956,052.14	7,485,410.99	24,441,463.13	16,866,361.00	7,279,556.38	24,145,917.38	-1.2%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals			2020-21 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
INTERFUND TRANSFERS									
INTERFUND TRANSFERS IN									
From: Special Reserve Fund		8912	31,630.00	0.00	31,630.00	0.00	0.00	0.00	-100.0%
From: Bond Interest and Redemption Fund		8914	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			31,630.00	0.00	31,630.00	0.00	0.00	0.00	-100.0%
INTERFUND TRANSFERS OUT									
To: Child Development Fund		7611	57,339.80	0.00	57,339.80	0.00	0.00	0.00	-100.0%
To: Special Reserve Fund		7612	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
To: Cafeteria Fund		7616	83,051.06	0.00	83,051.06	76,856.00	0.00	76,856.00	-7.5%
Other Authorized Interfund Transfers Out		7619	162,359.31	0.00	162,359.31	223,720.00	0.00	223,720.00	37.8%
(b) TOTAL, INTERFUND TRANSFERS OUT			302,750.17	0.00	302,750.17	300,576.00	0.00	300,576.00	-0.7%
OTHER SOURCES/USES									
SOURCES									
State Apportionments Emergency Apportionments		8931	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds									
Proceeds from Disposal of Capital Assets		8953	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Other Sources									
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Long-Term Debt Proceeds Proceeds from Certificates of Participation		8971	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Capital Leases		8972	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds		8973	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.00	0.00	0.00	0.00	0.0%
USES									
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.00	0.00	0.00	0.00	0.0%
CONTRIBUTIONS									
Contributions from Unrestricted Revenues		8980	(3,656,562.07)	3,656,562.07	0.00	(3,387,008.00)	3,387,008.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			(3,656,562.07)	3,656,562.07	0.00	(3,387,008.00)	3,387,008.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES									
(a - b + c - d + e)			(3,927,662.24)	3,656,562.07	(271,120.17)	(3,687,584.00)	3,387,008.00	(300,576.00)	10.9%

Resource	Description	2019-20 Unaudited Actuals	2020-21 Budget
3010	ESSA: Title I, Part A, Basic Grants Low-Income and Neglected	0.00	2,408.00
3315	Special Ed: IDEA Preschool Grants, Part B, Sec 619	0.00	4,349.00
3327	Special Ed: IDEA Mental Health Allocation Plan, Part B, Sec 611	0.00	15,198.00
5640	Medi-Cal Billing Option	24,789.66	24,489.66
6230	California Clean Energy Jobs Act	15,415.89	5,767.89
6300	Lottery: Instructional Materials	122,496.81	177,672.81
6387	Career Technical Education Incentive Grant Program	0.00	50,812.00
7010	Agricultural Career Technical Education Incentive	2,226.31	2,226.31
7311	Classified School Employee Professional Development Block Grant	17,738.00	17,738.00
7510	Low-Performing Students Block Grant	134,854.55	92,854.55
8150	Ongoing & Major Maintenance Account (RMA: Education Code Secti	571,399.43	601,583.43
9010	Other Restricted Local	147,476.72	174,983.68
Total, Restricted Balance		1,036,397.37	1,170,083.33

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
A. REVENUES					
1) LCFF Sources		8010-8099	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	87,625.88	77,696.00	-11.3%
4) Other Local Revenue		8600-8799	5,139.12	500.00	-90.3%
5) TOTAL, REVENUES			92,765.00	78,196.00	-15.7%
B. EXPENDITURES					
1) Certificated Salaries		1000-1999	22,517.04	19,500.00	-13.4%
2) Classified Salaries		2000-2999	22,648.70	24,015.00	6.0%
3) Employee Benefits		3000-3999	10,303.39	14,589.00	41.6%
4) Books and Supplies		4000-4999	19,096.10	3,938.00	-79.4%
5) Services and Other Operating Expenditures		5000-5999	25,811.81	13,539.00	-47.5%
6) Capital Outlay		6000-6999	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	5,962.40	2,615.00	-56.1%
9) TOTAL, EXPENDITURES			106,339.44	78,196.00	-26.5%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			(13,574.44)	0.00	-100.0%
D. OTHER FINANCING SOURCES/USES					
1) Interfund Transfers					
a) Transfers In		8900-8929	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.0%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(13,574.44)	0.00	-100.0%
F. FUND BALANCE, RESERVES					
1) Beginning Fund Balance					
a) As of July 1 - Unaudited		9791	58,320.65	44,746.21	-23.3%
b) Audit Adjustments		9793	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			58,320.65	44,746.21	-23.3%
d) Other Restatements		9795	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			58,320.65	44,746.21	-23.3%
2) Ending Balance, June 30 (E + F1e)					
Components of Ending Fund Balance					
a) Nonspendable					
Revolving Cash		9711	0.00	0.00	0.0%
Stores		9712	0.00	0.00	0.0%
Prepaid Items		9713	0.00	0.00	0.0%
All Others		9719	0.00	0.00	0.0%
b) Restricted					
		9740	44,746.21	44,746.21	0.0%
c) Committed					
Stabilization Arrangements		9750	0.00	0.00	0.0%
Other Commitments		9760	0.00	0.00	0.0%
d) Assigned					
Other Assignments		9780	0.00	0.00	0.0%
e) Unassigned/Unappropriated					
Reserve for Economic Uncertainties		9789	0.00	0.00	0.0%
Unassigned/Unappropriated Amount		9790	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
G. ASSETS					
1) Cash					
a) in County Treasury		9110	38,908.87		
1) Fair Value Adjustment to Cash in County Treasury		9111	0.00		
b) in Banks		9120	0.00		
c) in Revolving Cash Account		9130	0.00		
d) with Fiscal Agent/Trustee		9135	0.00		
e) Collections Awaiting Deposit		9140	0.00		
2) Investments		9150	0.00		
3) Accounts Receivable		9200	14,751.88		
4) Due from Grantor Government		9290	0.00		
5) Due from Other Funds		9310	0.00		
6) Stores		9320	0.00		
7) Prepaid Expenditures		9330	0.00		
8) Other Current Assets		9340	0.00		
9) TOTAL, ASSETS			53,660.75		
H. DEFERRED OUTFLOWS OF RESOURCES					
1) Deferred Outflows of Resources		9490	0.00		
2) TOTAL, DEFERRED OUTFLOWS			0.00		
I. LIABILITIES					
1) Accounts Payable		9500	2,952.14		
2) Due to Grantor Governments		9590	0.00		
3) Due to Other Funds		9610	5,962.40		
4) Current Loans		9640			
5) Unearned Revenue		9650	0.00		
6) TOTAL, LIABILITIES			8,914.54		
J. DEFERRED INFLOWS OF RESOURCES					
1) Deferred Inflows of Resources		9690	0.00		
2) TOTAL, DEFERRED INFLOWS			0.00		
K. FUND EQUITY					
Ending Fund Balance, June 30 (must agree with line F2) (G9 + H2) - (I6 + J2)			44,746.21		

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
LCFF SOURCES					
LCFF Transfers					
LCFF Transfers - Current Year		8091	0.00	0.00	0.0%
LCFF/Revenue Limit Transfers - Prior Years		8099	0.00	0.00	0.0%
TOTAL, LCFF SOURCES			0.00	0.00	0.0%
FEDERAL REVENUE					
Interagency Contracts Between LEAs		8285	0.00	0.00	0.0%
Pass-Through Revenues from Federal Sources		8287	0.00	0.00	0.0%
Career and Technical Education	3500-3599	8290	0.00	0.00	0.0%
All Other Federal Revenue	All Other	8290	0.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			0.00	0.00	0.0%
OTHER STATE REVENUE					
Other State Apportionments					
All Other State Apportionments - Current Year		8311	0.00	0.00	0.0%
All Other State Apportionments - Prior Years		8319	0.00	0.00	0.0%
Pass-Through Revenues from State Sources		8587	0.00	0.00	0.0%
Adult Education Program	6391	8590	86,327.88	75,882.00	-12.1%
All Other State Revenue	All Other	8590	1,298.00	1,814.00	39.8%
TOTAL, OTHER STATE REVENUE			87,625.88	77,696.00	-11.3%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
OTHER LOCAL REVENUE					
Other Local Revenue					
Sales					
Sale of Equipment/Supplies		8631	0.00	0.00	0.0%
Leases and Rentals		8650	0.00	0.00	0.0%
Interest		8660	825.00	500.00	-39.4%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.0%
Fees and Contracts					
Adult Education Fees		8671	0.00	0.00	0.0%
Interagency Services		8677	0.00	0.00	0.0%
Other Local Revenue					
All Other Local Revenue		8699	4,314.12	0.00	-100.0%
Tuition		8710	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			5,139.12	500.00	-90.3%
TOTAL, REVENUES			92,765.00	78,196.00	-15.7%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
CERTIFICATED SALARIES					
Certificated Teachers' Salaries		1100	1,175.00	0.00	-100.0%
Certificated Pupil Support Salaries		1200	0.00	0.00	0.0%
Certificated Supervisors' and Administrators' Salaries		1300	6,885.79	6,000.00	-12.9%
Other Certificated Salaries		1900	14,456.25	13,500.00	-6.6%
TOTAL, CERTIFICATED SALARIES			22,517.04	19,500.00	-13.4%
CLASSIFIED SALARIES					
Classified Instructional Salaries		2100	0.00	0.00	0.0%
Classified Support Salaries		2200	0.00	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	18,545.26	24,015.00	29.5%
Other Classified Salaries		2900	4,103.44	0.00	-100.0%
TOTAL, CLASSIFIED SALARIES			22,648.70	24,015.00	6.0%
EMPLOYEE BENEFITS					
STRS		3101-3102	3,160.22	4,963.00	57.0%
PERS		3201-3202	2,781.17	4,968.00	78.6%
OASDI/Medicare/Alternative		3301-3302	2,295.24	2,119.00	-7.7%
Health and Welfare Benefits		3401-3402	1,161.85	1,600.00	37.7%
Unemployment Insurance		3501-3502	23.17	22.00	-5.0%
Workers' Compensation		3601-3602	703.30	657.00	-6.6%
OPEB, Allocated		3701-3702	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	178.44	260.00	45.7%
Other Employee Benefits		3901-3902	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			10,303.39	14,589.00	41.6%
BOOKS AND SUPPLIES					
Approved Textbooks and Core Curricula Materials		4100	0.00	0.00	0.0%
Books and Other Reference Materials		4200	135.10	0.00	-100.0%
Materials and Supplies		4300	12,840.49	3,938.00	-69.3%
Noncapitalized Equipment		4400	6,120.51	0.00	-100.0%
TOTAL, BOOKS AND SUPPLIES			19,096.10	3,938.00	-79.4%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
SERVICES AND OTHER OPERATING EXPENDITURES					
Subagreements for Services		5100	2,755.92	2,839.00	3.0%
Travel and Conferences		5200	5,540.57	0.00	-100.0%
Dues and Memberships		5300	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	2,870.87	0.00	-100.0%
Transfers of Direct Costs		5710	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	13.20	0.00	-100.0%
Professional/Consulting Services and Operating Expenditures		5800	14,631.25	10,700.00	-26.9%
Communications		5900	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			25,811.81	13,539.00	-47.5%
CAPITAL OUTLAY					
Land		6100	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	0.00	0.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)					
Tuition					
Tuition, Excess Costs, and/or Deficit Payments Payments to Districts or Charter Schools		7141	0.00	0.00	0.0%
Payments to County Offices		7142	0.00	0.00	0.0%
Payments to JPAs		7143	0.00	0.00	0.0%
Other Transfers Out					
Transfers of Pass-Through Revenues To Districts or Charter Schools		7211	0.00	0.00	0.0%
To County Offices		7212	0.00	0.00	0.0%
To JPAs		7213	0.00	0.00	0.0%
Debt Service					
Debt Service - Interest		7438	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
OTHER OUTGO - TRANSFERS OF INDIRECT COSTS					
Transfers of Indirect Costs - Interfund		7350	5,962.40	2,615.00	-56.1%
TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS			5,962.40	2,615.00	-56.1%
TOTAL, EXPENDITURES			106,339.44	78,196.00	-26.5%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
INTERFUND TRANSFERS					
INTERFUND TRANSFERS IN					
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.0%
INTERFUND TRANSFERS OUT					
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.0%
OTHER SOURCES/USES					
SOURCES					
Other Sources					
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.0%
Long-Term Debt Proceeds					
Proceeds from Certificates of Participation		8971	0.00	0.00	0.0%
Proceeds from Capital Leases		8972	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.0%
USES					
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.0%
CONTRIBUTIONS					
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			0.00	0.00	0.0%

Resource	Description	2019-20 Unaudited Actuals	2020-21 Budget
6391	Adult Education Program	44,746.21	44,746.21
Total, Restricted Balance		44,746.21	44,746.21

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
A. REVENUES					
1) LCFF Sources		8010-8099	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	149,179.00	278,852.00	86.9%
4) Other Local Revenue		8600-8799	23,961.66	13,282.00	-44.6%
5) TOTAL, REVENUES			173,140.66	292,134.00	68.7%
B. EXPENDITURES					
1) Certificated Salaries		1000-1999	14,084.33	152,000.00	979.2%
2) Classified Salaries		2000-2999	153,237.15	28,000.00	-81.7%
3) Employee Benefits		3000-3999	67,140.58	88,311.00	31.5%
4) Books and Supplies		4000-4999	1,640.88	8,500.00	418.0%
5) Services and Other Operating Expenditures		5000-5999	373.62	4,429.00	1085.4%
6) Capital Outlay		6000-6999	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	10,894.00	New
9) TOTAL, EXPENDITURES			236,476.56	292,134.00	23.5%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			(63,335.90)	0.00	-100.0%
D. OTHER FINANCING SOURCES/USES					
1) Interfund Transfers					
a) Transfers In		8900-8929	57,339.80	0.00	-100.0%
b) Transfers Out		7600-7629	0.00	0.00	0.0%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			57,339.80	0.00	-100.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(5,996.10)	0.00	-100.0%
F. FUND BALANCE, RESERVES					
1) Beginning Fund Balance					
a) As of July 1 - Unaudited					
		9791	5,996.10	0.00	-100.0%
b) Audit Adjustments					
		9793	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)					
			5,996.10	0.00	-100.0%
d) Other Restatements					
		9795	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)					
			5,996.10	0.00	-100.0%
2) Ending Balance, June 30 (E + F1e)					
			0.00	0.00	0.0%
Components of Ending Fund Balance					
a) Nonspendable					
Revolving Cash					
		9711	0.00	0.00	0.0%
Stores					
		9712	0.00	0.00	0.0%
Prepaid Items					
		9713	0.00	0.00	0.0%
All Others					
		9719	0.00	0.00	0.0%
b) Restricted					
		9740	0.00	0.00	0.0%
c) Committed					
Stabilization Arrangements					
		9750	0.00	0.00	0.0%
Other Commitments					
		9760	0.00	0.00	0.0%
d) Assigned					
Other Assignments					
		9780	0.00	0.00	0.0%
e) Unassigned/Unappropriated					
Reserve for Economic Uncertainties					
		9789	0.00	0.00	0.0%
Unassigned/Unappropriated Amount					
		9790	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
G. ASSETS					
1) Cash					
a) in County Treasury		9110	8,668.97		
1) Fair Value Adjustment to Cash in County Treasury		9111	0.00		
b) in Banks		9120	0.00		
c) in Revolving Cash Account		9130	0.00		
d) with Fiscal Agent/Trustee		9135	0.00		
e) Collections Awaiting Deposit		9140	0.00		
2) Investments		9150	0.00		
3) Accounts Receivable		9200	159.00		
4) Due from Grantor Government		9290	0.00		
5) Due from Other Funds		9310	57,339.80		
6) Stores		9320	0.00		
7) Prepaid Expenditures		9330	0.00		
8) Other Current Assets		9340	0.00		
9) TOTAL, ASSETS			66,167.77		
H. DEFERRED OUTFLOWS OF RESOURCES					
1) Deferred Outflows of Resources		9490	0.00		
2) TOTAL, DEFERRED OUTFLOWS			0.00		
I. LIABILITIES					
1) Accounts Payable		9500	66,167.77		
2) Due to Grantor Governments		9590	0.00		
3) Due to Other Funds		9610	0.00		
4) Current Loans		9640			
5) Unearned Revenue		9650	0.00		
6) TOTAL, LIABILITIES			66,167.77		
J. DEFERRED INFLOWS OF RESOURCES					
1) Deferred Inflows of Resources		9690	0.00		
2) TOTAL, DEFERRED INFLOWS			0.00		
K. FUND EQUITY					
Ending Fund Balance, June 30 (must agree with line F2) (G9 + H2) - (I6 + J2)			0.00		

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
FEDERAL REVENUE					
Child Nutrition Programs		8220	0.00	0.00	0.0%
Interagency Contracts Between LEAs		8285	0.00	0.00	0.0%
Title I, Part A, Basic	3010	8290	0.00	0.00	0.0%
All Other Federal Revenue	All Other	8290	0.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			0.00	0.00	0.0%
OTHER STATE REVENUE					
Child Nutrition Programs		8520	0.00	0.00	0.0%
Child Development Apportionments		8530	0.00	0.00	0.0%
Pass-Through Revenues from State Sources		8587	0.00	0.00	0.0%
State Preschool	6105	8590	147,500.00	276,721.00	87.6%
All Other State Revenue	All Other	8590	1,679.00	2,131.00	26.9%
TOTAL, OTHER STATE REVENUE			149,179.00	278,852.00	86.9%
OTHER LOCAL REVENUE					
Other Local Revenue					
Sales					
Sale of Equipment/Supplies		8631	0.00	0.00	0.0%
Food Service Sales		8634	0.00	0.00	0.0%
Interest		8660	441.00	282.00	-36.1%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.0%
Fees and Contracts					
Child Development Parent Fees		8673	23,520.66	13,000.00	-44.7%
Interagency Services		8677	0.00	0.00	0.0%
All Other Fees and Contracts		8689	0.00	0.00	0.0%
Other Local Revenue					
All Other Local Revenue		8699	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			23,961.66	13,282.00	-44.6%
TOTAL, REVENUES			173,140.66	292,134.00	68.7%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
CERTIFICATED SALARIES					
Certificated Teachers' Salaries		1100	0.00	136,000.00	New
Certificated Pupil Support Salaries		1200	9,129.22	10,000.00	9.5%
Certificated Supervisors' and Administrators' Salaries		1300	4,955.11	6,000.00	21.1%
Other Certificated Salaries		1900	0.00	0.00	0.0%
TOTAL, CERTIFICATED SALARIES			14,084.33	152,000.00	979.2%
CLASSIFIED SALARIES					
Classified Instructional Salaries		2100	128,872.22	0.00	-100.0%
Classified Support Salaries		2200	3,716.02	4,000.00	7.6%
Classified Supervisors' and Administrators' Salaries		2300	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	20,648.91	24,000.00	16.2%
Other Classified Salaries		2900	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			153,237.15	28,000.00	-81.7%
EMPLOYEE BENEFITS					
STRS		3101-3102	4,087.45	4,720.00	15.5%
PERS		3201-3202	29,065.45	33,948.00	16.8%
OASDI/Medicare/Alternative		3301-3302	11,538.52	12,784.00	10.8%
Health and Welfare Benefits		3401-3402	18,148.00	32,380.00	78.4%
Unemployment Insurance		3501-3502	92.44	96.00	3.9%
Workers' Compensation		3601-3602	2,605.18	2,583.00	-0.9%
OPEB, Allocated		3701-3702	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	1,603.54	1,800.00	12.3%
Other Employee Benefits		3901-3902	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			67,140.58	88,311.00	31.5%
BOOKS AND SUPPLIES					
Approved Textbooks and Core Curricula Materials		4100	0.00	0.00	0.0%
Books and Other Reference Materials		4200	0.00	0.00	0.0%
Materials and Supplies		4300	1,640.88	8,500.00	418.0%
Noncapitalized Equipment		4400	0.00	0.00	0.0%
Food		4700	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			1,640.88	8,500.00	418.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
SERVICES AND OTHER OPERATING EXPENDITURES					
Subagreements for Services		5100	0.00	0.00	0.0%
Travel and Conferences		5200	113.92	3,000.00	2533.4%
Dues and Memberships		5300	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	0.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	10.20	0.00	-100.0%
Professional/Consulting Services and Operating Expenditures		5800	242.00	1,400.00	478.5%
Communications		5900	7.50	29.00	286.7%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			373.62	4,429.00	1085.4%
CAPITAL OUTLAY					
Land		6100	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	0.00	0.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)					
Other Transfers Out					
All Other Transfers Out to All Others		7299	0.00	0.00	0.0%
Debt Service					
Debt Service - Interest		7438	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			0.00	0.00	0.0%
OTHER OUTGO - TRANSFERS OF INDIRECT COSTS					
Transfers of Indirect Costs - Interfund		7350	0.00	10,894.00	New
TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS			0.00	10,894.00	New
TOTAL, EXPENDITURES			236,476.56	292,134.00	23.5%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
INTERFUND TRANSFERS					
INTERFUND TRANSFERS IN					
From: General Fund		8911	57,339.80	0.00	-100.0%
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			57,339.80	0.00	-100.0%
INTERFUND TRANSFERS OUT					
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.0%
OTHER SOURCES/USES					
SOURCES					
Other Sources					
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.0%
Long-Term Debt Proceeds					
Proceeds from Certificates of Participation		8971	0.00	0.00	0.0%
Proceeds from Capital Leases		8972	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.0%
USES					
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.0%
CONTRIBUTIONS					
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			57,339.80	0.00	-100.0%

Resource	Description	2019-20 Unaudited Actuals	2020-21 Budget
	Total, Restricted Balance	0.00	0.00

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
A. REVENUES					
1) LCFF Sources		8010-8099	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	677,146.03	825,464.00	21.9%
3) Other State Revenue		8300-8599	41,102.80	13,919.00	-66.1%
4) Other Local Revenue		8600-8799	67,035.58	89,511.00	33.5%
5) TOTAL, REVENUES			785,284.41	928,894.00	18.3%
B. EXPENDITURES					
1) Certificated Salaries		1000-1999	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	277,560.70	304,716.00	9.8%
3) Employee Benefits		3000-3999	124,305.49	141,363.00	13.7%
4) Books and Supplies		4000-4999	7,652.69	4,500.00	-41.2%
5) Services and Other Operating Expenditures		5000-5999	466,242.54	563,566.00	20.9%
6) Capital Outlay		6000-6999	15,079.36	0.00	-100.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.0%
9) TOTAL, EXPENDITURES			890,840.78	1,014,145.00	13.8%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			(105,556.37)	(85,251.00)	-19.2%
D. OTHER FINANCING SOURCES/USES					
1) Interfund Transfers					
a) Transfers In		8900-8929	83,051.06	76,856.00	-7.5%
b) Transfers Out		7600-7629	0.00	0.00	0.0%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			83,051.06	76,856.00	-7.5%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(22,505.31)	(8,395.00)	-62.7%
F. FUND BALANCE, RESERVES					
1) Beginning Fund Balance					
a) As of July 1 - Unaudited					
		9791	60,294.97	37,789.66	-37.3%
b) Audit Adjustments			0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			60,294.97	37,789.66	-37.3%
d) Other Restatements			0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			60,294.97	37,789.66	-37.3%
2) Ending Balance, June 30 (E + F1e)			37,789.66	29,394.66	-22.2%
Components of Ending Fund Balance					
a) Nonspendable					
Revolving Cash					
		9711	0.00	0.00	0.0%
Stores					
		9712	25,617.01	0.00	-100.0%
Prepaid Items					
		9713	0.00	0.00	0.0%
All Others					
		9719	0.00	0.00	0.0%
b) Restricted					
		9740	12,172.65	29,394.66	141.5%
c) Committed					
Stabilization Arrangements					
		9750	0.00	0.00	0.0%
Other Commitments					
		9760	0.00	0.00	0.0%
d) Assigned					
Other Assignments					
		9780	0.00	0.00	0.0%
e) Unassigned/Unappropriated					
Reserve for Economic Uncertainties					
		9789	0.00	0.00	0.0%
Unassigned/Unappropriated Amount					
		9790	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
G. ASSETS					
1) Cash					
a) in County Treasury		9110	(124,351.92)		
1) Fair Value Adjustment to Cash in County Treasury		9111	0.00		
b) in Banks		9120	4,190.26		
c) in Revolving Cash Account		9130	0.00		
d) with Fiscal Agent/Trustee		9135	0.00		
e) Collections Awaiting Deposit		9140	0.00		
2) Investments		9150	0.00		
3) Accounts Receivable		9200	112,791.49		
4) Due from Grantor Government		9290	0.00		
5) Due from Other Funds		9310	53,051.06		
6) Stores		9320	25,617.01		
7) Prepaid Expenditures		9330	0.00		
8) Other Current Assets		9340	0.00		
9) TOTAL, ASSETS			71,297.90		
H. DEFERRED OUTFLOWS OF RESOURCES					
1) Deferred Outflows of Resources		9490	0.00		
2) TOTAL, DEFERRED OUTFLOWS			0.00		
I. LIABILITIES					
1) Accounts Payable		9500	33,508.24		
2) Due to Grantor Governments		9590	0.00		
3) Due to Other Funds		9610	0.00		
4) Current Loans		9640			
5) Unearned Revenue		9650	0.00		
6) TOTAL, LIABILITIES			33,508.24		
J. DEFERRED INFLOWS OF RESOURCES					
1) Deferred Inflows of Resources		9690	0.00		
2) TOTAL, DEFERRED INFLOWS			0.00		
K. FUND EQUITY					
Ending Fund Balance, June 30 (must agree with line F2) (G9 + H2) - (I6 + J2)			37,789.66		

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
FEDERAL REVENUE					
Child Nutrition Programs		8220	626,950.85	785,464.00	25.3%
Donated Food Commodities		8221	35,115.82	40,000.00	13.9%
All Other Federal Revenue		8290	15,079.36	0.00	-100.0%
TOTAL, FEDERAL REVENUE			677,146.03	825,464.00	21.9%
OTHER STATE REVENUE					
Child Nutrition Programs		8520	41,102.80	13,919.00	-66.1%
All Other State Revenue		8590	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			41,102.80	13,919.00	-66.1%
OTHER LOCAL REVENUE					
Other Local Revenue					
Sales					
Sale of Equipment/Supplies		8631	0.00	0.00	0.0%
Food Service Sales		8634	69,440.52	89,511.00	28.9%
Leases and Rentals		8650	0.00	0.00	0.0%
Interest		8660	49.09	0.00	-100.0%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.0%
Fees and Contracts					
Interagency Services		8677	0.00	0.00	0.0%
Other Local Revenue					
All Other Local Revenue		8699	(2,454.03)	0.00	-100.0%
TOTAL, OTHER LOCAL REVENUE			67,035.58	89,511.00	33.5%
TOTAL, REVENUES			785,284.41	928,894.00	18.3%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
CERTIFICATED SALARIES					
Certificated Supervisors' and Administrators' Salaries		1300	0.00	0.00	0.0%
Other Certificated Salaries		1900	0.00	0.00	0.0%
TOTAL, CERTIFICATED SALARIES			0.00	0.00	0.0%
CLASSIFIED SALARIES					
Classified Support Salaries		2200	272,354.14	297,693.00	9.3%
Classified Supervisors' and Administrators' Salaries		2300	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	5,206.56	7,023.00	34.9%
Other Classified Salaries		2900	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			277,560.70	304,716.00	9.8%
EMPLOYEE BENEFITS					
STRS		3101-3102	0.00	0.00	0.0%
PERS		3201-3202	46,214.18	58,790.00	27.2%
OASDI/Medicare/Alternative		3301-3302	19,763.67	22,265.00	12.7%
Health and Welfare Benefits		3401-3402	51,497.31	53,034.00	3.0%
Unemployment Insurance		3501-3502	164.31	136.00	-17.2%
Workers' Compensation		3601-3602	4,293.04	4,453.00	3.7%
OPEB, Allocated		3701-3702	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	2,372.98	2,685.00	13.1%
Other Employee Benefits		3901-3902	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			124,305.49	141,363.00	13.7%
BOOKS AND SUPPLIES					
Books and Other Reference Materials		4200	0.00	0.00	0.0%
Materials and Supplies		4300	4,728.14	4,500.00	-4.8%
Noncapitalized Equipment		4400	2,924.55	0.00	-100.0%
Food		4700	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			7,652.69	4,500.00	-41.2%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
SERVICES AND OTHER OPERATING EXPENDITURES					
Subagreements for Services		5100	0.00	0.00	0.0%
Travel and Conferences		5200	112.52	125.00	11.1%
Dues and Memberships		5300	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	3,184.78	2,400.00	-24.6%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	1,134.02	5,000.00	340.9%
Transfers of Direct Costs		5710	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	(8,197.24)	(10,405.00)	26.9%
Professional/Consulting Services and Operating Expenditures		5800	470,008.46	566,446.00	20.5%
Communications		5900	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			466,242.54	563,566.00	20.9%
CAPITAL OUTLAY					
Buildings and Improvements of Buildings		6200	0.00	0.00	0.0%
Equipment		6400	15,079.36	0.00	-100.0%
Equipment Replacement		6500	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			15,079.36	0.00	-100.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)					
Debt Service					
Debt Service - Interest		7438	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			0.00	0.00	0.0%
OTHER OUTGO - TRANSFERS OF INDIRECT COSTS					
Transfers of Indirect Costs - Interfund		7350	0.00	0.00	0.0%
TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS			0.00	0.00	0.0%
TOTAL, EXPENDITURES			890,840.78	1,014,145.00	13.8%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
INTERFUND TRANSFERS					
INTERFUND TRANSFERS IN					
From: General Fund		8916	83,051.06	76,856.00	-7.5%
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			83,051.06	76,856.00	-7.5%
INTERFUND TRANSFERS OUT					
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.0%
OTHER SOURCES/USES					
SOURCES					
Other Sources					
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.0%
Long-Term Debt Proceeds					
Proceeds from Capital Leases		8972	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.0%
USES					
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.0%
CONTRIBUTIONS					
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			83,051.06	76,856.00	-7.5%

Resource	Description	2019-20 Unaudited Actuals	2020-21 Budget
5310	Child Nutrition: School Programs (e.g., School Lunch, School	0.00	25,617.01
5320	Child Nutrition: Child Care Food Program (CCFP) Claims-Cen	12,172.65	3,777.65
Total, Restricted Balance		12,172.65	29,394.66

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
A. REVENUES					
1) LCFF Sources		8010-8099	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	1,263.00	700.00	-44.6%
5) TOTAL, REVENUES			1,263.00	700.00	-44.6%
B. EXPENDITURES					
1) Certificated Salaries		1000-1999	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	0.00	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.0%
9) TOTAL, EXPENDITURES			0.00	0.00	0.0%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			1,263.00	700.00	-44.6%
D. OTHER FINANCING SOURCES/USES					
1) Interfund Transfers					
a) Transfers In		8900-8929	0.00	0.00	0.0%
b) Transfers Out		7600-7629	31,630.00	0.00	-100.0%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			(31,630.00)	0.00	-100.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(30,367.00)	700.00	-102.3%
F. FUND BALANCE, RESERVES					
1) Beginning Fund Balance					
a) As of July 1 - Unaudited		9791	70,658.64	40,291.64	-43.0%
b) Audit Adjustments		9793	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			70,658.64	40,291.64	-43.0%
d) Other Restatements		9795	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			70,658.64	40,291.64	-43.0%
2) Ending Balance, June 30 (E + F1e)			40,291.64	40,991.64	1.7%
Components of Ending Fund Balance					
a) Nonspendable					
Revolving Cash		9711	0.00	0.00	0.0%
Stores		9712	0.00	0.00	0.0%
Prepaid Items		9713	0.00	0.00	0.0%
All Others		9719	0.00	0.00	0.0%
b) Restricted		9740	0.00	0.00	0.0%
c) Committed					
Stabilization Arrangements		9750	0.00	0.00	0.0%
Other Commitments		9760	0.00	0.00	0.0%
d) Assigned					
Other Assignments		9780	40,291.64	40,991.64	1.7%
e) Unassigned/Unappropriated					
Reserve for Economic Uncertainties		9789	0.00	0.00	0.0%
Unassigned/Unappropriated Amount		9790	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
G. ASSETS					
1) Cash					
a) in County Treasury		9110	42,614.64		
1) Fair Value Adjustment to Cash in County Treasury		9111	0.00		
b) in Banks		9120	0.00		
c) in Revolving Cash Account		9130	0.00		
d) with Fiscal Agent/Trustee		9135	0.00		
e) Collections Awaiting Deposit		9140	0.00		
2) Investments		9150	0.00		
3) Accounts Receivable		9200	557.00		
4) Due from Grantor Government		9290	0.00		
5) Due from Other Funds		9310	0.00		
6) Stores		9320	0.00		
7) Prepaid Expenditures		9330	0.00		
8) Other Current Assets		9340	0.00		
9) TOTAL, ASSETS			43,171.64		
H. DEFERRED OUTFLOWS OF RESOURCES					
1) Deferred Outflows of Resources		9490	0.00		
2) TOTAL, DEFERRED OUTFLOWS			0.00		
I. LIABILITIES					
1) Accounts Payable		9500	0.00		
2) Due to Grantor Governments		9590	0.00		
3) Due to Other Funds		9610	2,880.00		
4) Current Loans		9640			
5) Unearned Revenue		9650	0.00		
6) TOTAL, LIABILITIES			2,880.00		
J. DEFERRED INFLOWS OF RESOURCES					
1) Deferred Inflows of Resources		9690	0.00		
2) TOTAL, DEFERRED INFLOWS			0.00		
K. FUND EQUITY					
Ending Fund Balance, June 30 (must agree with line F2) (G9 + H2) - (I6 + J2)			40,291.64		

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
OTHER LOCAL REVENUE					
Other Local Revenue					
Sales					
Sale of Equipment/Supplies		8631	0.00	0.00	0.0%
Interest		8660	1,263.00	700.00	-44.6%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			1,263.00	700.00	-44.6%
TOTAL, REVENUES			1,263.00	700.00	-44.6%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
INTERFUND TRANSFERS					
INTERFUND TRANSFERS IN					
From: General Fund/CSSF		8912	0.00	0.00	0.0%
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.0%
INTERFUND TRANSFERS OUT					
To: General Fund/CSSF		7612	31,630.00	0.00	-100.0%
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			31,630.00	0.00	-100.0%
OTHER SOURCES/USES					
SOURCES					
Other Sources					
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.0%
USES					
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.0%
CONTRIBUTIONS					
Contributions from Restricted Revenues		8990	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			(31,630.00)	0.00	-100.0%

Resource	Description	2019-20 Unaudited Actuals	2020-21 Budget
	Total, Restricted Balance	0.00	0.00

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
A. REVENUES					
1) LCFF Sources		8010-8099	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	31,908.20	36,356.00	13.9%
5) TOTAL, REVENUES			31,908.20	36,356.00	13.9%
B. EXPENDITURES					
1) Certificated Salaries		1000-1999	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	9,970.00	0.00	-100.0%
6) Capital Outlay		6000-6999	243,817.20	0.00	-100.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.0%
9) TOTAL, EXPENDITURES			253,787.20	0.00	-100.0%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			(221,879.00)	36,356.00	-116.4%
D. OTHER FINANCING SOURCES/USES					
1) Interfund Transfers					
a) Transfers In		8900-8929	9.00	0.00	-100.0%
b) Transfers Out		7600-7629	0.00	0.00	0.0%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			9.00	0.00	-100.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(221,870.00)	36,356.00	-116.4%
F. FUND BALANCE, RESERVES					
1) Beginning Fund Balance					
a) As of July 1 - Unaudited		9791	274,451.09	52,581.09	-80.8%
b) Audit Adjustments		9793	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			274,451.09	52,581.09	-80.8%
d) Other Restatements		9795	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			274,451.09	52,581.09	-80.8%
2) Ending Balance, June 30 (E + F1e)			52,581.09	88,937.09	69.1%
Components of Ending Fund Balance					
a) Nonspendable					
Revolving Cash		9711	0.00	0.00	0.0%
Stores		9712	0.00	0.00	0.0%
Prepaid Items		9713	0.00	0.00	0.0%
All Others		9719	0.00	0.00	0.0%
b) Restricted		9740	20,663.89	20,663.89	0.0%
c) Committed					
Stabilization Arrangements		9750	0.00	0.00	0.0%
Other Commitments		9760	0.00	0.00	0.0%
d) Assigned					
Other Assignments		9780	31,917.20	68,273.20	113.9%
e) Unassigned/Unappropriated					
Reserve for Economic Uncertainties		9789	0.00	0.00	0.0%
Unassigned/Unappropriated Amount		9790	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
G. ASSETS					
1) Cash					
a) in County Treasury		9110	52,007.09		
1) Fair Value Adjustment to Cash in County Treasury		9111	0.00		
b) in Banks		9120	0.00		
c) in Revolving Cash Account		9130	0.00		
d) with Fiscal Agent/Trustee		9135	0.00		
e) Collections Awaiting Deposit		9140	0.00		
2) Investments		9150	0.00		
3) Accounts Receivable		9200	574.00		
4) Due from Grantor Government		9290	0.00		
5) Due from Other Funds		9310	9.00		
6) Stores		9320	0.00		
7) Prepaid Expenditures		9330	0.00		
8) Other Current Assets		9340	0.00		
9) TOTAL, ASSETS			52,590.09		
H. DEFERRED OUTFLOWS OF RESOURCES					
1) Deferred Outflows of Resources		9490	0.00		
2) TOTAL, DEFERRED OUTFLOWS			0.00		
I. LIABILITIES					
1) Accounts Payable		9500	9.00		
2) Due to Grantor Governments		9590	0.00		
3) Due to Other Funds		9610	0.00		
4) Current Loans		9640	0.00		
5) Unearned Revenue		9650	0.00		
6) TOTAL, LIABILITIES			9.00		
J. DEFERRED INFLOWS OF RESOURCES					
1) Deferred Inflows of Resources		9690	0.00		
2) TOTAL, DEFERRED INFLOWS			0.00		
K. FUND EQUITY					
Ending Fund Balance, June 30 (must agree with line F2) (G9 + H2) - (I6 + J2)			52,581.09		

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
FEDERAL REVENUE					
FEMA		8281	0.00	0.00	0.0%
All Other Federal Revenue		8290	0.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			0.00	0.00	0.0%
OTHER STATE REVENUE					
Tax Relief Subventions Restricted Levies - Other					
Homeowners' Exemptions		8575	0.00	0.00	0.0%
Other Subventions/In-Lieu Taxes		8576	0.00	0.00	0.0%
All Other State Revenue		8590	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			0.00	0.00	0.0%
OTHER LOCAL REVENUE					
Other Local Revenue County and District Taxes					
Other Restricted Levies Secured Roll		8615	0.00	0.00	0.0%
Unsecured Roll		8616	0.00	0.00	0.0%
Prior Years' Taxes		8617	0.00	0.00	0.0%
Supplemental Taxes		8618	0.00	0.00	0.0%
Non-Ad Valorem Taxes Parcel Taxes		8621	0.00	0.00	0.0%
Other		8622	0.00	0.00	0.0%
Community Redevelopment Funds Not Subject to LCFF Deduction		8625	0.00	0.00	0.0%
Penalties and Interest from Delinquent Non-LCFF Taxes		8629	0.00	0.00	0.0%
Sales Sale of Equipment/Supplies		8631	0.00	0.00	0.0%
Leases and Rentals		8650	30,484.20	34,356.00	12.7%
Interest		8660	1,424.00	2,000.00	40.4%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.0%
Other Local Revenue					
All Other Local Revenue		8699	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			31,908.20	36,356.00	13.9%
TOTAL, REVENUES			31,908.20	36,356.00	13.9%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
CLASSIFIED SALARIES					
Classified Support Salaries		2200	0.00	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	0.00	0.00	0.0%
Other Classified Salaries		2900	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			0.00	0.00	0.0%
EMPLOYEE BENEFITS					
STRS		3101-3102	0.00	0.00	0.0%
PERS		3201-3202	0.00	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	0.00	0.00	0.0%
Health and Welfare Benefits		3401-3402	0.00	0.00	0.0%
Unemployment Insurance		3501-3502	0.00	0.00	0.0%
Workers' Compensation		3601-3602	0.00	0.00	0.0%
OPEB, Allocated		3701-3702	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			0.00	0.00	0.0%
BOOKS AND SUPPLIES					
Books and Other Reference Materials		4200	0.00	0.00	0.0%
Materials and Supplies		4300	0.00	0.00	0.0%
Noncapitalized Equipment		4400	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			0.00	0.00	0.0%
SERVICES AND OTHER OPERATING EXPENDITURES					
Subagreements for Services		5100	0.00	0.00	0.0%
Travel and Conferences		5200	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	0.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
Professional/Consulting Services and Operating Expenditures		5800	9,970.00	0.00	-100.0%
Communications		5900	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			9,970.00	0.00	-100.0%
CAPITAL OUTLAY					
Land		6100	243,817.20	0.00	-100.0%
Land Improvements		6170	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	0.00	0.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			243,817.20	0.00	-100.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)					
Other Transfers Out					
All Other Transfers Out to All Others		7299	0.00	0.00	0.0%
Debt Service					
Repayment of State School Building Fund Aid - Proceeds from Bonds		7435	0.00	0.00	0.0%
Debt Service - Interest		7438	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			0.00	0.00	0.0%
TOTAL, EXPENDITURES			253,787.20	0.00	-100.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
INTERFUND TRANSFERS					
INTERFUND TRANSFERS IN					
Other Authorized Interfund Transfers In		8919	9.00	0.00	-100.0%
(a) TOTAL, INTERFUND TRANSFERS IN			9.00	0.00	-100.0%
INTERFUND TRANSFERS OUT					
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
OTHER SOURCES/USES					
SOURCES					
Proceeds					
Proceeds from Sale of Bonds		8951	0.00	0.00	0.0%
Proceeds from Disposal of Capital Assets		8953	0.00	0.00	0.0%
Other Sources					
County School Bldg Aid		8961	0.00	0.00	0.0%
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.0%
Long-Term Debt Proceeds					
Proceeds from Certificates of Participation		8971	0.00	0.00	0.0%
Proceeds from Capital Leases		8972	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds		8973	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.0%
USES					
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.0%
CONTRIBUTIONS					
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			9.00	0.00	-100.0%

Resource	Description	2019-20 Unaudited Actuals	2020-21 Budget
9010	Other Restricted Local	20,663.89	20,663.89
Total, Restricted Balance		20,663.89	20,663.89

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
A. REVENUES					
1) LCFF Sources		8010-8099	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	236,119.74	74,651.00	-68.4%
5) TOTAL, REVENUES			236,119.74	74,651.00	-68.4%
B. EXPENDITURES					
1) Certificated Salaries		1000-1999	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	182,062.42	61,796.00	-66.1%
6) Capital Outlay		6000-6999	412,150.25	0.00	-100.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	201,074.76	201,075.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.0%
9) TOTAL, EXPENDITURES			795,287.43	262,871.00	-66.9%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			(559,167.69)	(188,220.00)	-66.3%
D. OTHER FINANCING SOURCES/USES					
1) Interfund Transfers					
a) Transfers In		8900-8929	162,350.31	223,720.00	37.8%
b) Transfers Out		7600-7629	0.00	0.00	0.0%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			162,350.31	223,720.00	37.8%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(396,817.38)	35,500.00	-108.9%
F. FUND BALANCE, RESERVES					
1) Beginning Fund Balance					
a) As of July 1 - Unaudited		9791	1,324,219.30	927,401.92	-30.0%
b) Audit Adjustments		9793	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			1,324,219.30	927,401.92	-30.0%
d) Other Restatements		9795	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			1,324,219.30	927,401.92	-30.0%
2) Ending Balance, June 30 (E + F1e)			927,401.92	962,901.92	3.8%
Components of Ending Fund Balance					
a) Nonspendable					
Revolving Cash		9711	0.00	0.00	0.0%
Stores		9712	0.00	0.00	0.0%
Prepaid Items		9713	0.00	0.00	0.0%
All Others		9719	0.00	0.00	0.0%
b) Restricted		9740	927,401.92	962,901.92	3.8%
c) Committed					
Stabilization Arrangements		9750	0.00	0.00	0.0%
Other Commitments		9760	0.00	0.00	0.0%
d) Assigned					
Other Assignments		9780	0.00	0.00	0.0%
e) Unassigned/Unappropriated					
Reserve for Economic Uncertainties		9789	0.00	0.00	0.0%
Unassigned/Unappropriated Amount		9790	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
G. ASSETS					
1) Cash					
a) in County Treasury		9110	1,033,153.86		
1) Fair Value Adjustment to Cash in County Treasury		9111	0.00		
b) in Banks		9120	0.00		
c) in Revolving Cash Account		9130	0.00		
d) with Fiscal Agent/Trustee		9135	0.00		
e) Collections Awaiting Deposit		9140	0.00		
2) Investments		9150	0.00		
3) Accounts Receivable		9200	10,143.00		
4) Due from Grantor Government		9290	0.00		
5) Due from Other Funds		9310	162,350.31		
6) Stores		9320	0.00		
7) Prepaid Expenditures		9330	0.00		
8) Other Current Assets		9340	0.00		
9) TOTAL, ASSETS			1,205,647.17		
H. DEFERRED OUTFLOWS OF RESOURCES					
1) Deferred Outflows of Resources		9490	0.00		
2) TOTAL, DEFERRED OUTFLOWS			0.00		
I. LIABILITIES					
1) Accounts Payable		9500	278,245.25		
2) Due to Grantor Governments		9590	0.00		
3) Due to Other Funds		9610	0.00		
4) Current Loans		9640	0.00		
5) Unearned Revenue		9650	0.00		
6) TOTAL, LIABILITIES			278,245.25		
J. DEFERRED INFLOWS OF RESOURCES					
1) Deferred Inflows of Resources		9690	0.00		
2) TOTAL, DEFERRED INFLOWS			0.00		
K. FUND EQUITY					
Ending Fund Balance, June 30 (must agree with line F2) (G9 + H2) - (I6 + J2)			927,401.92		

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
OTHER STATE REVENUE					
Tax Relief Subventions Restricted Levies - Other					
Homeowners' Exemptions		8575	0.00	0.00	0.0%
Other Subventions/In-Lieu Taxes		8576	0.00	0.00	0.0%
All Other State Revenue		8590	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			0.00	0.00	0.0%
OTHER LOCAL REVENUE					
Other Local Revenue County and District Taxes					
Other Restricted Levies Secured Roll					
		8615	0.00	0.00	0.0%
Unsecured Roll					
		8616	0.00	0.00	0.0%
Prior Years' Taxes					
		8617	0.00	0.00	0.0%
Supplemental Taxes					
		8618	0.00	0.00	0.0%
Non-Ad Valorem Taxes Parcel Taxes					
		8621	0.00	0.00	0.0%
Other					
		8622	0.00	0.00	0.0%
Community Redevelopment Funds Not Subject to LCFF Deduction					
		8625	35,772.82	10,000.00	-72.0%
Penalties and Interest from Delinquent Non-LCFF Taxes					
		8629	0.00	0.00	0.0%
Sales Sale of Equipment/Supplies					
		8631	0.00	0.00	0.0%
Interest					
		8660	21,981.00	11,651.00	-47.0%
Net Increase (Decrease) in the Fair Value of Investments					
		8662	0.00	0.00	0.0%
Fees and Contracts Mitigation/Developer Fees					
		8681	178,365.92	53,000.00	-70.3%
Other Local Revenue All Other Local Revenue					
		8699	0.00	0.00	0.0%
All Other Transfers In from All Others					
		8799	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			236,119.74	74,651.00	-68.4%
TOTAL, REVENUES			236,119.74	74,651.00	-68.4%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
CERTIFICATED SALARIES					
Other Certificated Salaries		1900	0.00	0.00	0.0%
TOTAL, CERTIFICATED SALARIES			0.00	0.00	0.0%
CLASSIFIED SALARIES					
Classified Support Salaries		2200	0.00	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	0.00	0.00	0.0%
Other Classified Salaries		2900	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			0.00	0.00	0.0%
EMPLOYEE BENEFITS					
STRS		3101-3102	0.00	0.00	0.0%
PERS		3201-3202	0.00	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	0.00	0.00	0.0%
Health and Welfare Benefits		3401-3402	0.00	0.00	0.0%
Unemployment Insurance		3501-3502	0.00	0.00	0.0%
Workers' Compensation		3601-3602	0.00	0.00	0.0%
OPEB, Allocated		3701-3702	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			0.00	0.00	0.0%
BOOKS AND SUPPLIES					
Approved Textbooks and Core Curricula Materials		4100	0.00	0.00	0.0%
Books and Other Reference Materials		4200	0.00	0.00	0.0%
Materials and Supplies		4300	0.00	0.00	0.0%
Noncapitalized Equipment		4400	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
SERVICES AND OTHER OPERATING EXPENDITURES					
Subagreements for Services		5100	0.00	0.00	0.0%
Travel and Conferences		5200	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	55,870.37	61,796.00	10.6%
Transfers of Direct Costs		5710	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	126,192.05	0.00	-100.0%
Communications		5900	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			182,062.42	61,796.00	-66.1%
CAPITAL OUTLAY					
Land		6100	0.00	0.00	0.0%
Land Improvements		6170	235,362.50	0.00	-100.0%
Buildings and Improvements of Buildings		6200	176,787.75	0.00	-100.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			412,150.25	0.00	-100.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)					
Other Transfers Out					
All Other Transfers Out to All Others		7299	0.00	0.00	0.0%
Debt Service					
Debt Service - Interest		7438	55,466.89	47,420.00	-14.5%
Other Debt Service - Principal		7439	145,607.87	153,655.00	5.5%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			201,074.76	201,075.00	0.0%
TOTAL, EXPENDITURES			795,287.43	262,871.00	-66.9%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
INTERFUND TRANSFERS					
INTERFUND TRANSFERS IN					
Other Authorized Interfund Transfers In		8919	162,350.31	223,720.00	37.8%
(a) TOTAL, INTERFUND TRANSFERS IN			162,350.31	223,720.00	37.8%
INTERFUND TRANSFERS OUT					
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.0%
OTHER SOURCES/USES					
SOURCES					
Proceeds					
Proceeds from Disposal of Capital Assets		8953	0.00	0.00	0.0%
Other Sources					
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.0%
Long-Term Debt Proceeds					
Proceeds from Certificates of Participation		8971	0.00	0.00	0.0%
Proceeds from Capital Leases		8972	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds		8973	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.0%
USES					
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.0%
CONTRIBUTIONS					
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			162,350.31	223,720.00	37.8%

Resource	Description	2019-20 Unaudited Actuals	2020-21 Budget
9010	Other Restricted Local	927,401.92	962,901.92
Total, Restricted Balance		927,401.92	962,901.92

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
A. REVENUES					
1) LCFF Sources		8010-8099	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	61.00	30.00	-50.8%
5) TOTAL, REVENUES			61.00	30.00	-50.8%
B. EXPENDITURES					
1) Certificated Salaries		1000-1999	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	0.00	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.0%
9) TOTAL, EXPENDITURES			0.00	0.00	0.0%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			61.00	30.00	-50.8%
D. OTHER FINANCING SOURCES/USES					
1) Interfund Transfers					
a) Transfers In		8900-8929	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.0%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			61.00	30.00	-50.8%
F. FUND BALANCE, RESERVES					
1) Beginning Fund Balance					
a) As of July 1 - Unaudited		9791	3,305.00	3,366.00	1.8%
b) Audit Adjustments		9793	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			3,305.00	3,366.00	1.8%
d) Other Restatements		9795	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			3,305.00	3,366.00	1.8%
2) Ending Balance, June 30 (E + F1e)			3,366.00	3,396.00	0.9%
Components of Ending Fund Balance					
a) Nonspendable					
Revolving Cash		9711	0.00	0.00	0.0%
Stores		9712	0.00	0.00	0.0%
Prepaid Items		9713	0.00	0.00	0.0%
All Others		9719	0.00	0.00	0.0%
b) Restricted					
		9740	3,366.00	3,396.00	0.9%
c) Committed					
Stabilization Arrangements		9750	0.00	0.00	0.0%
Other Commitments		9760	0.00	0.00	0.0%
d) Assigned					
Other Assignments		9780	0.00	0.00	0.0%
e) Unassigned/Unappropriated					
Reserve for Economic Uncertainties		9789	0.00	0.00	0.0%
Unassigned/Unappropriated Amount		9790	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
G. ASSETS					
1) Cash					
a) in County Treasury		9110	3,338.00		
1) Fair Value Adjustment to Cash in County Treasury		9111	0.00		
b) in Banks		9120	0.00		
c) in Revolving Cash Account		9130	0.00		
d) with Fiscal Agent/Trustee		9135	0.00		
e) Collections Awaiting Deposit		9140	0.00		
2) Investments		9150	0.00		
3) Accounts Receivable		9200	28.00		
4) Due from Grantor Government		9290	0.00		
5) Due from Other Funds		9310	0.00		
6) Stores		9320	0.00		
7) Prepaid Expenditures		9330	0.00		
8) Other Current Assets		9340	0.00		
9) TOTAL, ASSETS			3,366.00		
H. DEFERRED OUTFLOWS OF RESOURCES					
1) Deferred Outflows of Resources		9490	0.00		
2) TOTAL, DEFERRED OUTFLOWS			0.00		
I. LIABILITIES					
1) Accounts Payable		9500	0.00		
2) Due to Grantor Governments		9590	0.00		
3) Due to Other Funds		9610	0.00		
4) Current Loans		9640	0.00		
5) Unearned Revenue		9650	0.00		
6) TOTAL, LIABILITIES			0.00		
J. DEFERRED INFLOWS OF RESOURCES					
1) Deferred Inflows of Resources		9690	0.00		
2) TOTAL, DEFERRED INFLOWS			0.00		
K. FUND EQUITY					
Ending Fund Balance, June 30 (must agree with line F2) (G9 + H2) - (I6 + J2)			3,366.00		

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
FEDERAL REVENUE					
All Other Federal Revenue		8290	0.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			0.00	0.00	0.0%
OTHER STATE REVENUE					
School Facilities Apportionments		8545	0.00	0.00	0.0%
Pass-Through Revenues from State Sources		8587	0.00	0.00	0.0%
All Other State Revenue		8590	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			0.00	0.00	0.0%
OTHER LOCAL REVENUE					
Sales					
Sale of Equipment/Supplies		8631	0.00	0.00	0.0%
Leases and Rentals		8650	0.00	0.00	0.0%
Interest		8660	61.00	30.00	-50.8%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.0%
Other Local Revenue					
All Other Local Revenue		8699	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			61.00	30.00	-50.8%
TOTAL, REVENUES			61.00	30.00	-50.8%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
CLASSIFIED SALARIES					
Classified Support Salaries		2200	0.00	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	0.00	0.00	0.0%
Other Classified Salaries		2900	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			0.00	0.00	0.0%
EMPLOYEE BENEFITS					
STRS		3101-3102	0.00	0.00	0.0%
PERS		3201-3202	0.00	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	0.00	0.00	0.0%
Health and Welfare Benefits		3401-3402	0.00	0.00	0.0%
Unemployment Insurance		3501-3502	0.00	0.00	0.0%
Workers' Compensation		3601-3602	0.00	0.00	0.0%
OPEB, Allocated		3701-3702	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			0.00	0.00	0.0%
BOOKS AND SUPPLIES					
Books and Other Reference Materials		4200	0.00	0.00	0.0%
Materials and Supplies		4300	0.00	0.00	0.0%
Noncapitalized Equipment		4400	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
SERVICES AND OTHER OPERATING EXPENDITURES					
Subagreements for Services		5100	0.00	0.00	0.0%
Travel and Conferences		5200	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	0.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	0.00	0.00	0.0%
Communications		5900	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			0.00	0.00	0.0%
CAPITAL OUTLAY					
Land		6100	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	0.00	0.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	0.00	0.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)					
Other Transfers Out					
Transfers of Pass-Through Revenues To Districts or Charter Schools		7211	0.00	0.00	0.0%
To County Offices		7212	0.00	0.00	0.0%
To JPAs		7213	0.00	0.00	0.0%
All Other Transfers Out to All Others		7299	0.00	0.00	0.0%
Debt Service					
Debt Service - Interest		7438	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			0.00	0.00	0.0%
TOTAL, EXPENDITURES			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
INTERFUND TRANSFERS					
INTERFUND TRANSFERS IN					
To: State School Building Fund/ County School Facilities Fund From: All Other Funds		8913	0.00	0.00	0.0%
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.0%
INTERFUND TRANSFERS OUT					
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
OTHER SOURCES/USES					
SOURCES					
Proceeds					
Proceeds from Disposal of Capital Assets		8953	0.00	0.00	0.0%
Other Sources					
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.0%
Long-Term Debt Proceeds					
Proceeds from Certificates of Participation		8971	0.00	0.00	0.0%
Proceeds from Capital Leases		8972	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds		8973	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.0%
USES					
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.0%
CONTRIBUTIONS					
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			0.00	0.00	0.0%

Resource	Description	2019-20 Unaudited Actuals	2020-21 Budget
7710	State School Facilities Projects	3,366.00	3,396.00
Total, Restricted Balance		3,366.00	3,396.00

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
A. REVENUES					
1) LCFF Sources		8010-8099	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	118,571.24	120,002.00	1.2%
5) TOTAL, REVENUES			118,571.24	120,002.00	1.2%
B. EXPENDITURES					
1) Certificated Salaries		1000-1999	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	6,268.15	6,100.00	-2.7%
6) Capital Outlay		6000-6999	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.0%
9) TOTAL, EXPENDITURES			6,268.15	6,100.00	-2.7%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			112,303.09	113,902.00	1.4%
D. OTHER FINANCING SOURCES/USES					
1) Interfund Transfers					
a) Transfers In		8900-8929	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.0%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			112,303.09	113,902.00	1.4%
F. FUND BALANCE, RESERVES					
1) Beginning Fund Balance					
a) As of July 1 - Unaudited		9791	3,308.94	115,612.03	3393.9%
b) Audit Adjustments		9793	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			3,308.94	115,612.03	3393.9%
d) Other Restatements		9795	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			3,308.94	115,612.03	3393.9%
2) Ending Balance, June 30 (E + F1e)			115,612.03	229,514.03	98.5%
Components of Ending Fund Balance					
a) Nonspendable					
Revolving Cash		9711	0.00	0.00	0.0%
Stores		9712	0.00	0.00	0.0%
Prepaid Items		9713	0.00	0.00	0.0%
All Others		9719	0.00	0.00	0.0%
b) Restricted		9740	112,670.09	226,570.09	101.1%
c) Committed					
Stabilization Arrangements		9750	0.00	0.00	0.0%
Other Commitments		9760	0.00	0.00	0.0%
d) Assigned					
Other Assignments		9780	2,941.94	2,943.94	0.1%
e) Unassigned/Unappropriated					
Reserve for Economic Uncertainties		9789	0.00	0.00	0.0%
Unassigned/Unappropriated Amount		9790	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
G. ASSETS					
1) Cash					
a) in County Treasury		9110	57,446.89		
1) Fair Value Adjustment to Cash in County Treasury		9111	0.00		
b) in Banks		9120	0.00		
c) in Revolving Cash Account		9130	0.00		
d) with Fiscal Agent/Trustee		9135	0.00		
e) Collections Awaiting Deposit		9140	0.00		
2) Investments		9150	0.00		
3) Accounts Receivable		9200	319.00		
4) Due from Grantor Government		9290	0.00		
5) Due from Other Funds		9310	57,846.14		
6) Stores		9320	0.00		
7) Prepaid Expenditures		9330	0.00		
8) Other Current Assets		9340	0.00		
9) TOTAL, ASSETS			115,612.03		
H. DEFERRED OUTFLOWS OF RESOURCES					
1) Deferred Outflows of Resources		9490	0.00		
2) TOTAL, DEFERRED OUTFLOWS			0.00		
I. LIABILITIES					
1) Accounts Payable		9500	0.00		
2) Due to Grantor Governments		9590	0.00		
3) Due to Other Funds		9610	0.00		
4) Current Loans		9640	0.00		
5) Unearned Revenue		9650	0.00		
6) TOTAL, LIABILITIES			0.00		
J. DEFERRED INFLOWS OF RESOURCES					
1) Deferred Inflows of Resources		9690	0.00		
2) TOTAL, DEFERRED INFLOWS			0.00		
K. FUND EQUITY					
Ending Fund Balance, June 30 (must agree with line F2) (G9 + H2) - (I6 + J2)			115,612.03		

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
FEDERAL REVENUE					
All Other Federal Revenue		8290	0.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			0.00	0.00	0.0%
OTHER STATE REVENUE					
Tax Relief Subventions Restricted Levies - Other					
Homeowners' Exemptions		8575	0.00	0.00	0.0%
Other Subventions/In-Lieu Taxes		8576	0.00	0.00	0.0%
All Other State Revenue		8590	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			0.00	0.00	0.0%
OTHER LOCAL REVENUE					
Other Local Revenue County and District Taxes					
Other Restricted Levies Secured Roll					
Unsecured Roll		8615	0.00	0.00	0.0%
		8616	0.00	0.00	0.0%
Prior Years' Taxes		8617	0.00	0.00	0.0%
Supplemental Taxes		8618	0.00	0.00	0.0%
Non-Ad Valorem Taxes Parcel Taxes					
Other		8621	0.00	0.00	0.0%
		8622	118,109.24	0.00	-100.0%
Community Redevelopment Funds Not Subject to LCFF Deduction					
		8625	0.00	0.00	0.0%
Penalties and Interest from Delinquent Non-LCFF Taxes					
		8629	0.00	0.00	0.0%
Sales Sale of Equipment/Supplies					
		8631	0.00	0.00	0.0%
Leases and Rentals					
		8650	0.00	0.00	0.0%
Interest		8660	462.00	120,002.00	25874.5%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.0%
Other Local Revenue					
All Other Local Revenue		8699	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			118,571.24	120,002.00	1.2%
TOTAL, REVENUES			118,571.24	120,002.00	1.2%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
CLASSIFIED SALARIES					
Classified Support Salaries		2200	0.00	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	0.00	0.00	0.0%
Other Classified Salaries		2900	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			0.00	0.00	0.0%
EMPLOYEE BENEFITS					
STRS		3101-3102	0.00	0.00	0.0%
PERS		3201-3202	0.00	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	0.00	0.00	0.0%
Health and Welfare Benefits		3401-3402	0.00	0.00	0.0%
Unemployment Insurance		3501-3502	0.00	0.00	0.0%
Workers' Compensation		3601-3602	0.00	0.00	0.0%
OPEB, Allocated		3701-3702	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			0.00	0.00	0.0%
BOOKS AND SUPPLIES					
Books and Other Reference Materials		4200	0.00	0.00	0.0%
Materials and Supplies		4300	0.00	0.00	0.0%
Noncapitalized Equipment		4400	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			0.00	0.00	0.0%
SERVICES AND OTHER OPERATING EXPENDITURES					
Subagreements for Services		5100	0.00	0.00	0.0%
Travel and Conferences		5200	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	0.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
Professional/Consulting Services and Operating Expenditures		5800	6,268.15	6,100.00	-2.7%
Communications		5900	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			6,268.15	6,100.00	-2.7%
CAPITAL OUTLAY					
Land		6100	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	0.00	0.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	0.00	0.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)					
Other Transfers Out					
Transfers of Pass-Through Revenues To Districts or Charter Schools		7211	0.00	0.00	0.0%
To County Offices		7212	0.00	0.00	0.0%
To JPAs		7213	0.00	0.00	0.0%
All Other Transfers Out to All Others		7299	0.00	0.00	0.0%
Debt Service					
Repayment of State School Building Fund Aid - Proceeds from Bonds		7435	0.00	0.00	0.0%
Debt Service - Interest		7438	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			0.00	0.00	0.0%
TOTAL, EXPENDITURES			6,268.15	6,100.00	-2.7%

Unaudited Actuals
Capital Project Fund for Blended Component Units
Expenditures by Object

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
INTERFUND TRANSFERS					
INTERFUND TRANSFERS IN					
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.0%
INTERFUND TRANSFERS OUT					
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
OTHER SOURCES/USES					
SOURCES					
Proceeds					
Proceeds from Sale of Bonds		8951	0.00	0.00	0.0%
Other Sources					
County School Bldg Aid		8961	0.00	0.00	0.0%
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.0%
Long-Term Debt Proceeds					
Proceeds from Certificates of Participation		8971	0.00	0.00	0.0%
Proceeds from Capital Leases		8972	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds		8973	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.0%
USES					
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.0%
CONTRIBUTIONS					
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)					
			0.00	0.00	0.0%

<u>Resource</u>	<u>Description</u>	<u>2019-20 Unaudited Actuals</u>	<u>2020-21 Budget</u>
9010	Other Restricted Local	112,670.09	226,570.09
Total, Restricted Balance		<u>112,670.09</u>	<u>226,570.09</u>

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
A. REVENUES					
1) LCFF Sources		8010-8099	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	837.00	6,995.00	735.7%
4) Other Local Revenue		8600-8799	457,926.00	629,886.00	37.6%
5) TOTAL, REVENUES			458,763.00	636,881.00	38.8%
B. EXPENDITURES					
1) Certificated Salaries		1000-1999	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	0.00	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	1,782,018.00	1,130,020.00	-36.6%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.0%
9) TOTAL, EXPENDITURES			1,782,018.00	1,130,020.00	-36.6%
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			(1,323,255.00)	(493,139.00)	-62.7%
D. OTHER FINANCING SOURCES/USES					
1) Interfund Transfers					
a) Transfers In		8900-8929	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.0%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(1,323,255.00)	(493,139.00)	-62.7%
F. FUND BALANCE, RESERVES					
1) Beginning Fund Balance					
a) As of July 1 - Unaudited		9791	2,569,189.00	1,245,934.00	-51.5%
b) Audit Adjustments		9793	0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			2,569,189.00	1,245,934.00	-51.5%
d) Other Restatements		9795	0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			2,569,189.00	1,245,934.00	-51.5%
2) Ending Balance, June 30 (E + F1e)			1,245,934.00	752,795.00	-39.6%
Components of Ending Fund Balance					
a) Nonspendable					
Revolving Cash		9711	0.00	0.00	0.0%
Stores		9712	0.00	0.00	0.0%
Prepaid Items		9713	0.00	0.00	0.0%
All Others		9719	0.00	0.00	0.0%
b) Restricted					
		9740	0.00	0.00	0.0%
c) Committed					
Stabilization Arrangements		9750	0.00	0.00	0.0%
Other Commitments		9760	0.00	0.00	0.0%
d) Assigned					
Other Assignments		9780	1,245,934.00	752,795.00	-39.6%
e) Unassigned/Unappropriated					
Reserve for Economic Uncertainties		9789	0.00	0.00	0.0%
Unassigned/Unappropriated Amount		9790	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
G. ASSETS					
1) Cash					
a) in County Treasury		9110	1,235,643.00		
1) Fair Value Adjustment to Cash in County Treasury		9111	0.00		
b) in Banks		9120	0.00		
c) in Revolving Cash Account		9130	0.00		
d) with Fiscal Agent/Trustee		9135	0.00		
e) Collections Awaiting Deposit		9140	0.00		
2) Investments		9150	0.00		
3) Accounts Receivable		9200	10,938.00		
4) Due from Grantor Government		9290	0.00		
5) Due from Other Funds		9310	0.00		
6) Stores		9320	0.00		
7) Prepaid Expenditures		9330	0.00		
8) Other Current Assets		9340	0.00		
9) TOTAL, ASSETS			1,246,581.00		
H. DEFERRED OUTFLOWS OF RESOURCES					
1) Deferred Outflows of Resources		9490	0.00		
2) TOTAL, DEFERRED OUTFLOWS			0.00		
I. LIABILITIES					
1) Accounts Payable		9500	0.00		
2) Due to Grantor Governments		9590	0.00		
3) Due to Other Funds		9610	0.00		
4) Current Loans		9640	0.00		
5) Unearned Revenue		9650	647.00		
6) TOTAL, LIABILITIES			647.00		
J. DEFERRED INFLOWS OF RESOURCES					
1) Deferred Inflows of Resources		9690	0.00		
2) TOTAL, DEFERRED INFLOWS			0.00		
K. FUND EQUITY					
Ending Fund Balance, June 30 (must agree with line F2) (G9 + H2) - (I6 + J2)			1,245,934.00		

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
FEDERAL REVENUE					
All Other Federal Revenue		8290	0.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			0.00	0.00	0.0%
OTHER STATE REVENUE					
Tax Relief Subventions Voted Indebtedness Levies					
Homeowners' Exemptions		8571	837.00	6,995.00	735.7%
Other Subventions/In-Lieu Taxes		8572	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			837.00	6,995.00	735.7%
OTHER LOCAL REVENUE					
Other Local Revenue County and District Taxes Voted Indebtedness Levies Secured Roll		8611	1,991.00	629,886.00	31536.7%
Unsecured Roll		8612	418,216.00	0.00	-100.0%
Prior Years' Taxes		8613	(6,556.00)	0.00	-100.0%
Supplemental Taxes		8614	23,355.00	0.00	-100.0%
Penalties and Interest from Delinquent Non-LCFF Taxes		8629	103.00	0.00	-100.0%
Interest		8660	20,817.00	0.00	-100.0%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.0%
Other Local Revenue All Other Local Revenue		8699	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			457,926.00	629,886.00	37.6%
TOTAL, REVENUES			458,763.00	636,881.00	38.8%

Unaudited Actuals
Bond Interest and Redemption Fund
Expenditures by Object

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
OTHER OUTGO (excluding Transfers of Indirect Costs)					
Debt Service					
Bond Redemptions		7433	0.00	0.00	0.0%
Bond Interest and Other Service Charges		7434	0.00	6,000.00	New
Debt Service - Interest		7438	183,073.00	149,712.00	-18.2%
Other Debt Service - Principal		7439	1,598,945.00	974,308.00	-39.1%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			1,782,018.00	1,130,020.00	-36.6%
TOTAL, EXPENDITURES			1,782,018.00	1,130,020.00	-36.6%

Unaudited Actuals
Bond Interest and Redemption Fund
Expenditures by Object

Description	Resource Codes	Object Codes	2019-20 Unaudited Actuals	2020-21 Budget	Percent Difference
INTERFUND TRANSFERS					
INTERFUND TRANSFERS IN					
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.0%
INTERFUND TRANSFERS OUT					
To: General Fund		7614	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.0%
OTHER SOURCES/USES					
SOURCES					
Other Sources					
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.0%
USES					
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.0%
CONTRIBUTIONS					
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			0.00	0.00	0.0%

Resource	Description	2019-20 Unaudited Actuals	2020-21 Budget
	Total, Restricted Balance	0.00	0.00

Description	2019-20 Unaudited Actuals			2020-21 Budget		
	P-2 ADA	Annual ADA	Funded ADA	Estimated P-2 ADA	Estimated Annual ADA	Estimated Funded ADA
A. DISTRICT						
1. Total District Regular ADA Includes Opportunity Classes, Home & Hospital, Special Day Class, Continuation Education, Special Education NPS/LCI and Extended Year, and Community Day School (includes Necessary Small School ADA)	1,856.11	1,856.11	1,856.11	1,856.11	1,856.11	1,856.11
2. Total Basic Aid Choice/Court Ordered Voluntary Pupil Transfer Regular ADA Includes Opportunity Classes, Home & Hospital, Special Day Class, Continuation Education, Special Education NPS/LCI and Extended Year, and Community Day School (ADA not included in Line A1 above)						
3. Total Basic Aid Open Enrollment Regular ADA Includes Opportunity Classes, Home & Hospital, Special Day Class, Continuation Education, Special Education NPS/LCI and Extended Year, and Community Day School (ADA not included in Line A1 above)						
4. Total, District Regular ADA (Sum of Lines A1 through A3)	1,856.11	1,856.11	1,856.11	1,856.11	1,856.11	1,856.11
5. District Funded County Program ADA						
a. County Community Schools						
b. Special Education-Special Day Class	6.65	6.65	6.65	6.65	6.65	6.65
c. Special Education-NPS/LCI						
d. Special Education Extended Year	0.50	0.86	0.50	0.50	0.50	0.50
e. Other County Operated Programs: Opportunity Schools and Full Day Opportunity Classes, Specialized Secondary Schools						
f. County School Tuition Fund (Out of State Tuition) [EC 2000 and 46380]						
g. Total, District Funded County Program ADA (Sum of Lines A5a through A5f)	7.15	7.51	7.15	7.15	7.15	7.15
6. TOTAL DISTRICT ADA (Sum of Line A4 and Line A5g)	1,863.26	1,863.62	1,863.26	1,863.26	1,863.26	1,863.26
7. Adults in Correctional Facilities						
8. Charter School ADA (Enter Charter School ADA using Tab C. Charter School ADA)						

Unaudited Actuals
2019-20 Unaudited Actuals
Schedule of Capital Assets

34 67413 0000000
Form ASSET

River Delta Joint Unified
Sacramento County

	Unaudited Balance July 1	Audit Adjustments/ Restatements	Audited Balance July 1	Increases	Decreases	Ending Balance June 30
Governmental Activities:						
Capital assets not being depreciated:						
Land	447,832.00		447,832.00			447,832.00
Work in Progress	625.00		625.00	538,342.00	625.00	538,342.00
Total capital assets not being depreciated	448,457.00	0.00	448,457.00	538,342.00	625.00	986,174.00
Capital assets being depreciated:						
Land Improvements	7,484,909.05		7,484,909.05	244,442.00	0.00	7,729,351.05
Buildings	58,856,774.47		58,856,774.47	17,000.00		58,873,774.47
Equipment	3,851,643.06		3,851,643.06	359,516.00		4,211,159.06
Total capital assets being depreciated	70,193,326.58	0.00	70,193,326.58	620,958.00	0.00	70,814,284.58
Accumulated Depreciation for:						
Land Improvements	(4,610,492.00)		(4,610,492.00)	(368,305.00)		(4,978,797.00)
Buildings	(35,371,447.00)		(35,371,447.00)	(1,951,420.00)		(37,322,867.00)
Equipment	(2,719,335.00)		(2,719,335.00)	(274,342.00)		(2,993,677.00)
Total accumulated depreciation	(42,701,274.00)	0.00	(42,701,274.00)	(2,594,067.00)	0.00	(45,295,341.00)
Total capital assets being depreciated, net	27,492,052.58	0.00	27,492,052.58	(1,973,109.00)	0.00	25,518,943.58
Governmental activity capital assets, net	27,940,509.58	0.00	27,940,509.58	(1,434,767.00)	625.00	26,505,117.58
Business-Type Activities:						
Capital assets not being depreciated:						
Land			0.00			0.00
Work in Progress			0.00			0.00
Total capital assets not being depreciated			0.00	0.00	0.00	0.00
Capital assets being depreciated:						
Land Improvements			0.00			0.00
Buildings			0.00			0.00
Equipment			0.00			0.00
Total capital assets being depreciated	0.00	0.00	0.00	0.00	0.00	0.00
Accumulated Depreciation for:						
Land Improvements			0.00			0.00
Buildings			0.00			0.00
Equipment			0.00			0.00
Total accumulated depreciation	0.00	0.00	0.00	0.00	0.00	0.00
Total capital assets being depreciated, net	0.00	0.00	0.00	0.00	0.00	0.00
Business-type activity capital assets, net	0.00	0.00	0.00	0.00	0.00	0.00

FEDERAL PROGRAM NAME	IASA Title I Part A Bsc BR Low Inc/Negl	COVID Relief Fund: LLM	SPED Basoc PL94- 142	SPED Preschool ENT Non Resid	SPED Preschool Local ENT	SPED IDEA Mental Health	NCLB: Title II Part A
FEDERAL CATALOG NUMBER	84.01		84.027	84.173	84.027A	84.027A	84.318
RESOURCE CODE	3010	3220	3310	3315	3320	3327	4035
REVENUE OBJECT	8290	8290	8181	8182	8182	8182	8290
LOCAL DESCRIPTION (if any)							
AWARD							
1. Prior Year Carryover	137,574.11	0.00	0.00	0.00	1,287.85	3,488.11	0.00
2. a. Current Year Award	402,679.00		356,219.00	4,349.00	0.00	21,548.00	59,691.00
b. Transferability (ESSA)						279.96	
c. Other Adjustments					1.40		
d. Adj Curr Yr Award (sum lines 2a, 2b, & 2c)	402,679.00	0.00	356,219.00	4,349.00	1.40	21,827.96	59,691.00
3. Required Matching Funds/Other			266,139.88				41,180.70
4. Total Available Award (sum lines 1, 2d, & 3)	540,253.11	0.00	622,358.88	4,349.00	1,289.25	25,316.07	100,871.70
REVENUES							
5. Unearned Revenue Deferred from Prior Year		0.00					
6. Cash Received in Current Year	416,261.11		0.73		1,289.25	8,710.31	59,691.00
7. Contributed Matching Funds			266,139.88				41,180.70
8. Total Available (sum lines 5, 6, & 7)	416,261.11	0.00	266,140.61	0.00	1,289.25	8,710.31	100,871.70
EXPENDITURES							
9. Donor-Authorized Expenditures	399,036.82	112,093.73	622,358.88	2,598.21	1,289.25	5,308.07	100,871.70
10. Non Donor-Authorized Expenditures							
11. Total Expenditures (lines 9 & 10)	399,036.82	112,093.73	622,358.88	2,598.21	1,289.25	5,308.07	100,871.70
12. Amounts Included in Line 6 above for Prior Year Adjustments							
13. Calculation of Unearned Revenue or A/P, & AVR amounts (line 8 minus line 9 plus line 12)	17,224.29	(112,093.73)	(356,218.27)	(2,598.21)	0.00	3,402.24	0.00
a. Unearned Revenue	17,224.29						
b. Accounts Payable							
c. Accounts Receivable							
14. Unused Grant Award Calculation (line 4 minus line 9)	141,216.29	(112,093.73)	0.00	1,750.79	0.00	20,008.00	0.00
15. If Carryover is allowed, enter line 14 amount here	141,216.29		0.00	1,750.79	0.00	20,008.00	0.00
16. Reconciliation of Revenue (line 5 plus line 6 minus line 13a minus line 13b plus line 13c)	399,036.82	0.00	356,219.00	2,598.21	1,289.25	12,112.55	59,691.00

2019-20 Unaudited Actuals
FEDERAL GRANT AWARDS,
REVENUES, AND EXPENDITURES - ALL FUNDS
SCHEDULE FOR CATEGORICALS SUBJECT TO DEFERRAL OF UNEARNED REVENUES

FEDERAL PROGRAM NAME FEDERAL CATALOG NUMBER RESOURCE CODE REVENUE OBJECT LOCAL DESCRIPTION (if any)	ESSA Title IV Part A	NCLB: Title III					TOTAL
	84.424A	84.365					
	4128	4203					
	8285	8290					
AWARD							
1. Prior Year Carryover	17,950.53	0.00					160,300.60
2. a. Current Year Award		43,632.00					888,118.00
b. Transferability (ESSA)							279.96
c. Other Adjustments	2,500.00						2,501.40
d. Adj Curr Yr Award (sum lines 2a, 2b, & 2c)	2,500.00	43,632.00	0.00	0.00	0.00		890,899.36
3. Required Matching Funds/Other		19,804.01					327,124.59
4. Total Available Award (sum lines 1, 2d, & 3)	20,450.53	63,436.01	0.00	0.00	0.00		1,378,324.55
REVENUES							
5. Unearned Revenue Deferred from Prior Year							0.00
6. Cash Received in Current Year	20,450.53	41,469.00					547,871.93
7. Contributed Matching Funds		19,804.01					327,124.59
8. Total Available (sum lines 5, 6, & 7)	20,450.53	61,273.01	0.00	0.00	0.00		874,996.52
EXPENDITURES							
9. Donor-Authorized Expenditures	14,216.15	63,436.01					1,321,208.82
10. Non Donor-Authorized Expenditures							0.00
11. Total Expenditures (lines 9 & 10)	14,216.15	63,436.01	0.00	0.00	0.00		1,321,208.82
12. Amounts Included in Line 6 above for Prior Year Adjustments							0.00
13. Calculation of Unearned Revenue or A/P, & AVR amounts (line 8 minus line 9 plus line 12)	6,234.38	(2,163.00)	0.00	0.00	0.00		(446,212.30)
a. Unearned Revenue	6,234.38						23,458.67
b. Accounts Payable							0.00
c. Accounts Receivable		2,163.00					364,381.72
14. Unused Grant Award Calculation (line 4 minus line 9)	6,234.38	0.00	0.00	0.00	0.00		57,115.73
15. If Carryover is allowed, enter line 14 amount here	6,234.38						169,209.46
16. Reconciliation of Revenue (line 5 plus line 6 minus line 13a minus line 13b plus line 13c)	14,216.15	43,632.00	0.00	0.00	0.00		888,794.98

STATE PROGRAM NAME RESOURCE CODE REVENUE OBJECT LOCAL DESCRIPTION (if any)	ASES	CTEIG	TUPE	Ag Voc Incentive	Ag Voc Incentive	Ag Voc Incentive	Supp Prgrm - Specialized Secondary	TOTAL
AWARD								
1. Prior Year Carryover	0.00	0.00	51,682.94	0.00	0.00	2,226.31	34,381.96	88,291.21
2. a. Current Year Award	399,508.20	243,750.00	3,996.63	19,855.00				667,109.83
b. Other Adjustments			(1,973.00)					(1,973.00)
c. Adj Curr Yr Award (sum lines 2a & 2b)	399,508.20	243,750.00	2,023.63	19,855.00		0.00	0.00	665,136.83
3. Required Matching Funds/Other								0.00
4. Total Available Award (sum lines 1, 2c, & 3)	399,508.20	243,750.00	53,706.57	19,855.00		2,226.31	34,381.96	753,428.04
REVENUES								
5. Unearned Revenue Deferred from Prior Year	(12.75)		(701.13)					(713.88)
6. Cash Received in Current Year	359,557.38	148,500.00	11,970.64	17,190.00			25,631.96	562,849.98
7. Contributed Matching Funds								0.00
8. Total Available (sum lines 5, 6, & 7)	359,544.63	148,500.00	11,269.51	17,190.00		0.00	25,631.96	562,136.10
EXPENDITURES								
9. Donor-Authorized Expenditures	333,766.40	77,094.96	17,310.10	13,449.29			16,042.65	457,663.40
10. Non Donor-Authorized Expenditures								0.00
11. Total Expenditures (lines 9 & 10)	333,766.40	77,094.96	17,310.10	13,449.29		0.00	16,042.65	457,663.40
12. Amounts Included in Line 6 above for Prior Year Adjustments								0.00
13. Calculation of Unearned Revenue or A/P, & A/R amounts (line 8 minus line 9 plus line 12)	25,778.23	71,405.04	(6,040.59)	3,740.71		0.00	9,589.31	104,472.70
a. Unearned Revenue	25,778.23	71,405.04		3,740.71			9,589.31	110,513.29
b. Accounts Payable			6,040.59					0.00
c. Accounts Receivable								6,040.59
14. Unused Grant Award Calculation (line 4 minus line 9)	65,741.80	166,655.04	36,396.47	6,405.71		2,226.31	18,339.31	295,764.64
15. If Carryover is allowed, enter line 14 amount here	65,741.80	166,655.04	36,396.47	6,405.71		2,226.31	18,339.31	295,764.64
16. Reconciliation of Revenue (line 5 plus line 6 minus line 13a minus line 13b plus line 13c)	333,766.40	77,094.96	17,310.10	13,449.29		0.00	16,042.65	457,663.40

2019-20 Unaudited Actuals
 LOCAL GRANT AWARDS,
 REVENUES, AND EXPENDITURES - ALL FUNDS
 SCHEDULE FOR CATEGORICALS SUBJECT TO DEFERRAL OF UNEARNED REVENUES

LOCAL PROGRAM NAME	First 5	Migrant Ed	Migrant Ed	TOTAL
RESOURCE CODE	9328	9590	9590	
REVENUE OBJECT	8699	8699	8699	
LOCAL DESCRIPTION (if any)	Site 106	Site 106	Site 107	
AWARD				
1. Prior Year Carryover	0.00			0.00
2. a. Current Year Award	268,989.08	74,394.00	132,846.00	476,229.08
b. Other Adjustments				0.00
c. Adj Curr Yr Award (sum lines 2a & 2b)	268,989.08	74,394.00	132,846.00	476,229.08
3. Required Matching Funds/Other (sum lines 1, 2c, & 3)	268,989.08	74,394.00	132,846.00	476,229.08
REVENUES				
5. Unearned Revenue Deferred from Prior Year				0.00
6. Cash Received in Current Year	70,320.26	0.00	44,760.52	115,080.78
7. Contributed Matching Funds	1,973.83			1,973.83
8. Total Available (sum lines 5, 6, & 7)	72,294.09	0.00	44,760.52	117,054.61
EXPENDITURES				
9. Donor-Authorized Expenditures	222,356.32	33,083.42	54,607.88	310,047.62
10. Non Donor-Authorized Expenditures	1,973.83			1,973.83
11. Total Expenditures (lines 9 & 10)	224,330.15	33,083.42	54,607.88	312,021.45
12. Amounts Included in Line 6 above for Prior Year Adjustments				0.00
13. Calculation of Unearned Revenue or A/P, & A/R amounts (line 8 minus line 9 plus line 12)	(150,062.23)	(33,083.42)	(9,847.36)	(192,993.01)
a. Unearned Revenue				0.00
b. Accounts Payable	152,036.06	33,083.42	9,847.36	194,966.84
c. Accounts Receivable	46,632.76	41,310.58	78,238.12	166,181.46
14. Unused Grant Award Calculation (line 4 minus line 9)	0.00	0.00	0.00	0.00
15. If Carryover is allowed, enter line 14 amount here				
16. Reconciliation of Revenue (line 5 plus line 6 minus line 13a minus line 13b plus line 13c)	222,356.32	33,083.42	54,607.88	310,047.62

2019-20 Unaudited Actuals
FEDERAL AWARDS,
REVENUES, AND EXPENDITURES - ALL FUNDS
SCHEDULE FOR CATEGORICALS SUBJECT TO RESTRICTED ENDING BALANCES

River Delta Joint Unified
Sacramento County

FEDERAL PROGRAM NAME	Medi-Cal	TOTAL
FEDERAL CATALOG NUMBER	93.778	
RESOURCE CODE	5640	
REVENUE OBJECT	8290	
LOCAL DESCRIPTION (if any)		
AWARD		
1. Prior Year Restricted Ending Balance	14,559.03	14,559.03
2. a. Current Year Award	11,441.43	11,441.43
b. Other Adjustments		0.00
c. Adj Curr Yr Award (sum lines 2a & 2b)	11,441.43	11,441.43
3. Required Matching Funds/Other		0.00
4. Total Available Award (sum lines 1, 2c, & 3)	26,000.46	26,000.46
REVENUES		
5. Cash Received in Current Year	11,441.43	11,441.43
6. Amounts Included in Line 5 for Prior Year Adjustments		0.00
7. a. Accounts Receivable (line 2c minus lines 5 & 6)	0.00	0.00
b. Noncurrent Accounts Receivable		0.00
c. Current Accounts Receivable (line 7a minus line 7b)	0.00	0.00
8. Contributed Matching Funds		0.00
9. Total Available (sum lines 5, 7c, & 8)	11,441.43	11,441.43
EXPENDITURES		
10. Donor-Authorized Expenditures	1,210.80	1,210.80
11. Non Donor-Authorized Expenditures		0.00
12. Total Expenditures (line 10 plus line 11)	1,210.80	1,210.80
RESTRICTED ENDING BALANCE		
13. Current Year (line 4 minus line 10)	24,789.66	24,789.66

2019-20 Unaudited Actuals
STATE AWARDS,
REVENUES, AND EXPENDITURES - ALL FUNDS
SCHEDULE FOR CATEGORICALS SUBJECT TO RESTRICTED ENDING BALANCES

STATE PROGRAM NAME	Lottery	EPA	CA Clean Energy Jobs Act	Lottery	SP ED	SPED Mental Health	Classified Employee PD Block Grant
RESOURCE CODE	1100	1400	6230	6300	6500	6512	7311
REVENUE OBJECT	8560	8012	8590	8560	8792	8590	8590
LOCAL DESCRIPTION (if any)							
AWARD							
1. Prior Year Restricted Ending Balance	0.00	0.00	25,063.89	168,678.05	0.00	0.00	17,738.00
2. a. Current Year Award	306,875.84	376,304.00	0.00	102,674.02	487,754.00	100,201.00	
b. Other Adjustments		46,975.00			18,369.00		
c. Adj Curr Yr Award (sum lines 2a & 2b)	306,875.84	423,279.00	0.00	102,674.02	506,123.00	100,201.00	0.00
3. Required Matching Funds/Other					2,342,463.52	166,145.95	
4. Total Available Award (sum lines 1, 2c, & 3)	306,875.84	423,279.00	25,063.89	271,352.07	2,848,586.52	266,346.95	17,738.00
REVENUES							
5. Cash Received in Current Year	256,410.21	282,050.00	0.00	58,162.87	455,557.00	75,150.00	0.00
6. Amounts Included in Line 5 for Prior Year Adjustments							
7. a. Accounts Receivable (line 2c minus lines 5 & 6)	50,465.63	141,229.00	0.00	44,511.15	50,566.00	25,051.00	0.00
b. Noncurrent Accounts Receivable							
c. Current Accounts Receivable (line 7a minus line 7b)	50,465.63	141,229.00	0.00	44,511.15	50,566.00	25,051.00	0.00
8. Contributed Matching Funds							
9. Total Available (sum lines 5, 7c, & 8)	306,875.84	423,279.00	0.00	102,674.02	506,123.00	100,201.00	0.00
EXPENDITURES							
10. Donor-Authorized Expenditures	306,875.84	423,276.60	9,648.00	148,855.26	2,848,586.52	266,346.95	
11. Non Donor-Authorized Expenditures							
12. Total Expenditures (line 10 plus line 11)	306,875.84	423,276.60	9,648.00	148,855.26	2,848,586.52	266,346.95	0.00
RESTRICTED ENDING BALANCE							
13. Current Year (line 4 minus line 10)	0.00	2.40	15,415.89	122,496.81	0.00	0.00	17,738.00

REVENUES, AND EXPENDITURES - ALL FUNDS
SCHEDULE FOR CATEGORICALS SUBJECT TO RESTRICTED ENDING BALANCES

STATE PROGRAM NAME	Low Performing Student Block Grant	SB 117 COVID-19 Response Funds	State Learning Loss Mitigation Funds	Fund 11 Adult Ed Block Grant	Fund 12 - CSPP	TOTAL
RESOURCE CODE	7510	7388	7420	6391	6105	
REVENUE OBJECT	8590	8590	8590	8590	8590	
LOCAL DESCRIPTION (if any)						
AWARD						
1. Prior Year Restricted Ending Balance	76,931.57	0.00	0.00	58,320.65	5,996.10	352,728.26
2. a. Current Year Award	105,040.00	32,603.00		86,328.00	147,500.00	1,745,279.86
b. Other Adjustments				5,139.00	23,961.66	94,444.66
c. Adj Curr Yr Award (sum lines 2a & 2b)	105,040.00	32,603.00	0.00	91,467.00	171,461.66	1,839,724.52
3. Required Matching Funds/Other						
4. Total Available Award (sum lines 1, 2c, & 3)	181,971.57	32,603.00	0.00	149,787.65	234,797.56	4,758,402.05
REVENUES						
5. Cash Received in Current Year	105,040.00	32,603.00		77,084.12	234,905.66	1,576,962.86
6. Amounts Included in Line 5 for Prior Year Adjustments						0.00
7. a. Accounts Receivable (line 2c minus lines 5 & 6)	0.00	0.00	0.00	14,382.88	(63,444.00)	262,761.66
b. Noncurrent Accounts Receivable						0.00
c. Current Accounts Receivable (line 7a minus line 7b)	0.00	0.00	0.00	14,382.88	(63,444.00)	262,761.66
8. Contributed Matching Funds						57,339.80
9. Total Available (sum lines 5, 7c, & 8)	105,040.00	32,603.00	0.00	91,467.00	228,801.46	1,897,064.32
EXPENDITURES						
10. Donor-Authorized Expenditures	47,117.02	32,603.00	6,305.19	105,041.44	234,797.56	4,429,453.38
11. Non Donor-Authorized Expenditures						0.00
12. Total Expenditures (line 10 plus line 11)	47,117.02	32,603.00	6,305.19	105,041.44	234,797.56	4,429,453.38
RESTRICTED ENDING BALANCE						
13. Current Year (line 4 minus line 10)	134,854.55	0.00	(6,305.19)	44,746.21	0.00	328,948.67

REVENUES, AND EXPENDITURES - ALL FUNDS
SCHEDULE FOR CATEGORICALS SUBJECT TO RESTRICTED ENDING BALANCES

LOCAL PROGRAM NAME	Routine Repairs & Maintenance	Microsoft Voucher	Donations	Mental Health	Yolo-Solano Air QMD	TOTAL
RESOURCE CODE	8150	9010	9305	9841	9940	
REVENUE OBJECT	8980	8699	8699	8677	8699	
LOCAL DESCRIPTION (if any)						
AWARD						
1. Prior Year Restricted Ending Balance	535,073.71	20,940.91	94,477.70	0.00		650,492.32
2. a. Current Year Award	740,682.00	0.00	164,095.99	8,885.00	60,000.00	973,662.99
b. Other Adjustments	650.00					650.00
c. Adj Curr Yr Award (sum lines 2a & 2b)	741,332.00	0.00	164,095.99	8,885.00	60,000.00	974,312.99
3. Required Matching Funds/Other						0.00
4. Total Available Award (sum lines 1, 2c, & 3)	1,276,405.71	20,940.91	258,573.69	8,885.00	60,000.00	1,624,805.31
REVENUES						
5. Cash Received in Current Year	741,332.00	0.00	164,095.99	4,442.50	60,000.00	969,870.49
6. Amounts Included in Line 5 for Prior Year Adjustments						0.00
7. a. Accounts Receivable (line 2c minus lines 5 & 6)	0.00	0.00	0.00	4,442.50	0.00	4,442.50
b. Noncurrent Accounts Receivable						0.00
c. Current Accounts Receivable (line 7a minus line 7b)	0.00	0.00	0.00	4,442.50	0.00	4,442.50
8. Contributed Matching Funds						0.00
9. Total Available (sum lines 5, 7c, & 8)	741,332.00	0.00	164,095.99	8,885.00	60,000.00	974,312.99
EXPENDITURES						
10. Donor-Authorized Expenditures	705,006.28	20,940.91	111,096.97	8,885.00	60,000.00	905,929.16
11. Non Donor-Authorized Expenditures						0.00
12. Total Expenditures (line 10 plus line 11)	705,006.28	20,940.91	111,096.97	8,885.00	60,000.00	905,929.16
RESTRICTED ENDING BALANCE						
13. Current Year (line 4 minus line 10)	571,399.43	0.00	147,476.72	0.00	0.00	718,876.15

PART I - CURRENT EXPENSE FORMULA	Total Expense for Year (1)	EDP No.	Reductions (See Note 1) (2)	EDP No.	Current Expense of Education (Col 1 - Col 2) (3)	EDP No.	Reductions (Extracted) (See Note 2) (4a)	Reductions (Overrides)* (See Note 2) (4b)	EDP No.	Current Expense-Part II (Col 3 - Col 4) (5)	EDP No.		
1000 - Certificated Salaries	9,633,567.87	301	83,467.11	303	9,550,100.76	305	217,260.35	217,260.35	307	9,332,840.41	309		
2000 - Classified Salaries	4,027,106.73	311	353.72	313	4,026,753.01	315	908,760.95	1,221,907.43	317	2,804,845.58	319		
3000 - Employee Benefits	5,574,219.96	321	70,439.36	323	5,503,780.60	325	350,809.67	495,951.23	327	5,007,829.37	329		
4000 - Books, Supplies Equip Replace. (6500)	1,248,611.59	331	5,908.73	333	1,242,702.86	335	411,855.34	1,096,550.97	337	146,151.89	339		
5000 - Services. . . & 7300 - Indirect Costs	3,532,724.18	341	0.00	343	3,532,724.18	345	454,995.84	1,065,018.21	347	2,467,705.97	349		
TOTAL					23,856,061.41	365	TOTAL					19,759,373.22	369

Note 1 - In Column 2, report expenditures for the following programs: Nonagency (Goals 7100-7199), Community Services (Goal 8100), Food Services (Function 3700), Fringe Benefits for Retired Persons (Objects 3701-3702), and Facilities Acquisition & Construction (Function 8500).

Note 2 - In Column 4, report expenditures for: Transportation (Function 3600), Lottery Expenditures (Resource 1100), Special Education Students in Nonpublic Schools (Function 1180), and other federal or state categorical aid in which funds were granted for expenditures in a program not incurring any teacher salary expenditures or requiring disbursement of the funds without regard to the requirements of EC Section 41372.

* If an amount (even zero) is entered in any row of Column 4b or in Line 13b, the form uses only the values in Column 4b and Line 13b rather than the values in Column 4a and Line 13a.

PART II: MINIMUM CLASSROOM COMPENSATION (Instruction, Functions 1000-1999)		Object	EDP No.
1.	Teacher Salaries as Per EC 41011.	1100	375
2.	Salaries of Instructional Aides Per EC 41011.	2100	380
3.	STRS.	3101 & 3102	382
4.	PERS.	3201 & 3202	383
5.	OASDI - Regular, Medicare and Alternative.	3301 & 3302	384
6.	Health & Welfare Benefits (EC 41372) (Include Health, Dental, Vision, Pharmaceutical, and Annuity Plans).	3401 & 3402	385
7.	Unemployment Insurance.	3501 & 3502	390
8.	Workers' Compensation Insurance.	3601 & 3602	392
9.	OPEB, Active Employees (EC 41372).	3751 & 3752	393
10.	Other Benefits (EC 22310).	3901 & 3902	393
11.	SUBTOTAL Salaries and Benefits (Sum Lines 1 - 10).		395
12.	Less: Teacher and Instructional Aide Salaries and Benefits deducted in Column 2.		117,614.58
13a.	Less: Teacher and Instructional Aide Salaries and Benefits (other than Lottery) deducted in Column 4a (Extracted).		229,500.74
b.	Less: Teacher and Instructional Aide Salaries and Benefits (other than Lottery) deducted in Column 4b (Overrides)*.		0.00
14.	TOTAL SALARIES AND BENEFITS.		11,787,025.57
15.	Percent of Current Cost of Education Expended for Classroom Compensation (EDP 397 divided by EDP 369) Line 15 must equal or exceed 60% for elementary, 55% for unified and 50% for high school districts to avoid penalty under provisions of EC 41372.		59.65%
16.	District is exempt from EC 41372 because it meets the provisions of EC 41374. (If exempt, enter 'X')		

PART III: DEFICIENCY AMOUNT

A deficiency amount (Line 5) is only applicable to districts not meeting the minimum classroom compensation percentage required under EC 41372 and not exempt under the provisions of EC 41374.

1.	Minimum percentage required (60% elementary, 55% unified, 50% high)	55.00%
2.	Percentage spent by this district (Part II, Line 15)	59.65%
3.	Percentage below the minimum (Part III, Line 1 minus Line 2)	0.00%
4.	District's Current Expense of Education after reductions in columns 4a or 4b (Part I, EDP 369).	19,759,373.22
5.	Deficiency Amount (Part III, Line 3 times Line 4)	0.00

PART IV: Explanation for adjustments entered in Part I, Column 4b (required)

Reduced total for all resources without certificated salaries and those meeting the stated exceptions. The district had a textbook adoption that also contributed to the adjustment.

	Unaudited Balance July 1	Audit Adjustments/ Restatements	Audited Balance July 1	Increases	Decreases	Ending Balance June 30	Amounts Due Within One Year
Governmental Activities:							
General Obligation Bonds Payable	12,136,903.00	(1.00)	12,136,902.00		1,598,945.00	10,537,957.00	1,124,019.00
State School Building Loans Payable			0.00			0.00	
Certificates of Participation Payable			0.00			0.00	
Capital Leases Payable	1,003,627.00		1,003,627.00		145,608.00	858,019.00	153,655.00
Lease Revenue Bonds Payable			0.00			0.00	
Other General Long-Term Debt	5,179,457.00		5,179,457.00	593,670.00	39,292.00	5,733,835.00	39,292.00
Net Pension Liability	22,583,000.00		22,583,000.00	584,000.00		23,167,000.00	
Total/Net OPEB Liability	6,013,869.00		6,013,869.00	1,617,064.00		7,630,933.00	
Compensated Absences Payable	192,002.00	6,247.00	198,249.00	23,482.00		221,731.00	
Governmental activities long-term liabilities	47,108,858.00	6,246.00	47,115,104.00	2,818,216.00	1,783,845.00	48,149,475.00	1,316,966.00
Business-Type Activities:							
General Obligation Bonds Payable			0.00			0.00	
State School Building Loans Payable			0.00			0.00	
Certificates of Participation Payable			0.00			0.00	
Capital Leases Payable			0.00			0.00	
Lease Revenue Bonds Payable			0.00			0.00	
Other General Long-Term Debt			0.00			0.00	
Net Pension Liability			0.00			0.00	
Total/Net OPEB Liability			0.00			0.00	
Compensated Absences Payable			0.00			0.00	
Business-type activities long-term liabilities	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Section I - Expenditures	Funds 01, 09, and 62			2019-20 Expenditures
	Goals	Functions	Objects	
A. Total state, federal, and local expenditures (all resources)	All	All	1000-7999	24,744,213.30
B. Less all federal expenditures not allowed for MOE (Resources 3000-5999, except 3385)	All	All	1000-7999	1,325,821.86
C. Less state and local expenditures not allowed for MOE: (All resources, except federal as identified in Line B)				
1. Community Services	All	5000-5999	1000-7999	0.00
2. Capital Outlay	All except 7100-7199	All except 5000-5999	6000-6999	361,436.80
3. Debt Service	All	9100	5400-5450, 5800, 7430- 7439	13,915.01
4. Other Transfers Out	All	9200	7200-7299	0.00
5. Interfund Transfers Out	All	9300	7600-7629	302,750.17
6. All Other Financing Uses	All	9100	7699	0.00
		9200	7651	
7. Nonagency	7100-7199	All except 5000-5999, 9000-9999	1000-7999	123,523.31
8. Tuition (Revenue, in lieu of expenditures, to approximate costs of services for which tuition is received)	All	All	8710	0.00
9. Supplemental expenditures made as a result of a Presidentially declared disaster	Manually entered. Must not include expenditures in lines B, C1-C8, D1, or D2.			0.00
10. Total state and local expenditures not allowed for MOE calculation (Sum lines C1 through C9)				801,625.29
D. Plus additional MOE expenditures:				
1. Expenditures to cover deficits for food services (Funds 13 and 61) (If negative, then zero)	All	All	1000-7143, 7300-7439 minus 8000-8699	105,556.37
2. Expenditures to cover deficits for student body activities	Manually entered. Must not include expenditures in lines A or D1.			0.00
E. Total expenditures subject to MOE (Line A minus lines B and C10, plus lines D1 and D2)				22,722,322.52

Section II - Expenditures Per ADA		2019-20 Annual ADA/ Exps. Per ADA
A. Average Daily Attendance (Form A, Annual ADA column, sum of lines A6 and C9)		1,863.62
B. Expenditures per ADA (Line I.E divided by Line II.A)		12,192.57
Section III - MOE Calculation (For data collection only. Final determination will be done by CDE)		
	Total	Per ADA
A. Base expenditures (Preloaded expenditures from prior year official CDE MOE calculation). (Note: If the prior year MOE was not met, CDE has adjusted the prior year base to 90 percent of the preceding prior year amount rather than the actual prior year expenditure amount.)	22,681,303.08	12,223.69
1. Adjustment to base expenditure and expenditure per ADA amounts for LEAs failing prior year MOE calculation (From Section IV)	0.00	0.00
2. Total adjusted base expenditure amounts (Line A plus Line A.1)	22,681,303.08	12,223.69
B. Required effort (Line A.2 times 90%)	20,413,172.77	11,001.32
C. Current year expenditures (Line I.E and Line II.B)	22,722,322.52	12,192.57
D. MOE deficiency amount, if any (Line B minus Line C) (If negative, then zero)	0.00	0.00
E. MOE determination (If one or both of the amounts in line D are zero, the MOE requirement is met; if both amounts are positive, the MOE requirement is not met. If either column in Line A.2 or Line C equals zero, the MOE calculation is incomplete.)	MOE Met	
F. MOE deficiency percentage, if MOE not met; otherwise, zero (Line D divided by Line B) (Funding under ESSA covered programs in FY 2021-22 may be reduced by the lower of the two percentages)	0.00%	0.00%

SECTION IV - Detail of Adjustments to Base Expenditures (used in Section III, Line A.1)		
Description of Adjustments	Total Expenditures	Expenditures Per ADA
Total adjustments to base expenditures	0.00	0.00

	2019-20 Calculations			2020-21 Calculations		
	Extracted Data	Adjustments*	Entered Data/ Totals	Extracted Data	Adjustments*	Entered Data/ Totals
A. PRIOR YEAR DATA (2018-19 Actual Appropriations Limit and Gann ADA are from district's prior year Gann data reported to the CDE)	2018-19 Actual			2019-20 Actual		
1. FINAL PRIOR YEAR APPROPRIATIONS LIMIT (Preload/Line D11, PY column)	13,197,384.97		13,197,384.97			13,761,676.78
2. PRIOR YEAR GANN ADA (Preload/Line B3, PY column)	1,855.65		1,855.65			1,863.26
ADJUSTMENTS TO PRIOR YEAR LIMIT	Adjustments to 2018-19			Adjustments to 2019-20		
3. District Lapses, Reorganizations and Other Transfers						
4. Temporary Voter Approved Increases						
5. Less: Lapses of Voter Approved Increases						
6. TOTAL ADJUSTMENTS TO PRIOR YEAR LIMIT (Lines A3 plus A4 minus A5)			0.00			0.00
7. ADJUSTMENTS TO PRIOR YEAR ADA (Only for district lapses, reorganizations and other transfers, and only if adjustments to the appropriations limit are entered in Line A3 above)						
B. CURRENT YEAR GANN ADA (2019-20 data should tie to Principal Apportionment Software Attendance reports and include ADA for charter schools reporting with the district)	2019-20 P2 Report			2020-21 P2 Estimate		
1. Total K-12 ADA (Form A, Line A6)	1,863.26		1,863.26	1,863.26		1,863.26
2. Total Charter Schools ADA (Form A, Line C9)	0.00		0.00	0.00		0.00
3. TOTAL CURRENT YEAR P2 ADA (Line B1 plus B2)			1,863.26			1,863.26
C. CURRENT YEAR LOCAL PROCEEDS OF TAXES/STATE AID RECEIVED	2019-20 Actual			2020-21 Budget		
TAXES AND SUBVENTIONS (Funds 01, 09, and 62)						
1. Homeowners' Exemption (Object 8021)	76,017.72		76,017.72	75,978.00		75,978.00
2. Timber Yield Tax (Object 8022)	0.39		0.39	0.00		0.00
3. Other Subventions/In-Lieu Taxes (Object 8029)	0.00		0.00	0.00		0.00
4. Secured Roll Taxes (Object 8041)	10,558,372.41		10,558,372.41	10,646,558.00		10,646,558.00
5. Unsecured Roll Taxes (Object 8042)	757,707.55		757,707.55	770,124.00		770,124.00
6. Prior Years' Taxes (Object 8043)	(208,877.60)		(208,877.60)	(9,993.00)		(9,993.00)
7. Supplemental Taxes (Object 8044)	97,057.66		97,057.66	174,283.00		174,283.00
8. Ed. Rev. Augmentation Fund (ERAF) (Object 8045)	394,350.43		394,350.43	286,867.00		286,867.00
9. Penalties and Int. from Delinquent Taxes (Object 8048)	0.00		0.00	0.00		0.00
10. Other In-Lieu Taxes (Object 8082)	4,769.10		4,769.10	0.00		0.00
11. Comm. Redevelopment Funds (objects 8047 & 8625)	317,360.21		317,360.21	676,205.00		676,205.00
12. Parcel Taxes (Object 8621)	0.00		0.00	0.00		0.00
13. Other Non-Ad Valorem Taxes (Object 8622) (Taxes only)	0.00		0.00	0.00		0.00
14. Penalties and Int. from Delinquent Non-LCFF Taxes (Object 8629) (Only those for the above taxes)	0.00		0.00	0.00		0.00
15. Transfers to Charter Schools in Lieu of Property Taxes (Object 8096)						
16. TOTAL TAXES AND SUBVENTIONS (Lines C1 through C15)	11,996,757.87	0.00	11,996,757.87	12,620,022.00	0.00	12,620,022.00
OTHER LOCAL REVENUES (Funds 01, 09, and 62)						
17. To General Fund from Bond Interest and Redemption Fund (Excess debt service taxes) (Object 8914)	0.00		0.00	0.00		0.00
18. TOTAL LOCAL PROCEEDS OF TAXES (Lines C16 plus C17)	11,996,757.87	0.00	11,996,757.87	12,620,022.00	0.00	12,620,022.00

Part I - General Administrative Share of Plant Services Costs

California's indirect cost plan allows that the general administrative costs in the indirect cost pool may include that portion of plant services costs (maintenance and operations costs and facilities rents and leases costs) attributable to the general administrative offices. The calculation of the plant services costs attributed to general administration and included in the pool is standardized and automated using the percentage of salaries and benefits relating to general administration as proxy for the percentage of square footage occupied by general administration.

A. Salaries and Benefits - Other General Administration and Centralized Data Processing

- 1. Salaries and benefits paid through payroll (Funds 01, 09, and 62, objects 1000-3999 except 3701-3702)
(Functions 7200-7700, goals 0000 and 9000) 616,282.18
- 2. Contracted general administrative positions not paid through payroll
 - a. Enter the costs, if any, of general administrative positions performing services ON SITE but paid through a contract, rather than through payroll, in functions 7200-7700, goals 0000 and 9000, Object 5800. _____
 - b. If an amount is entered on Line A2a, provide the title, duties, and approximate FTE of each general administrative position paid through a contract. Retain supporting documentation in case of audit.

B. Salaries and Benefits - All Other Activities

- 1. Salaries and benefits paid through payroll (Funds 01, 09, and 62, objects 1000-3999 except 3701-3702)
(Functions 1000-6999, 7100-7180, & 8100-8400; Functions 7200-7700, all goals except 0000 & 9000) 18,582,498.38

C. Percentage of Plant Services Costs Attributable to General Administration

(Line A1 plus Line A2a, divided by Line B1; zero if negative) (See Part III, Lines A5 and A6) 3.32%

Part II - Adjustments for Employment Separation Costs

When an employee separates from service, the local educational agency (LEA) may incur costs associated with the separation in addition to the employee's regular salary and benefits for the final pay period. These additional costs can be categorized as "normal" or "abnormal or mass" separation costs.

Normal separation costs include items such as pay for accumulated unused leave or routine severance pay authorized by governing board policy. Normal separation costs are not allowable as direct costs to federal programs, but are allowable as indirect costs. State programs may have similar restrictions. Where federal or state program guidelines required that the LEA charge an employee's normal separation costs to an unrestricted resource rather than to the restricted program in which the employee worked, the LEA may identify and enter these costs on Line A for inclusion in the indirect cost pool.

Abnormal or mass separation costs are those costs resulting from actions taken by an LEA to influence employees to terminate their employment earlier than they normally would have. Abnormal or mass separation costs include retirement incentives such as a Golden Handshake or severance packages negotiated to effect termination. Abnormal or mass separation costs may not be charged to federal programs as either direct costs or indirect costs. Where an LEA paid abnormal or mass separation costs on behalf of positions in general administrative functions included in the indirect cost pool, the LEA must identify and enter these costs on Line B for exclusion from the pool.

A. Normal Separation Costs (optional)

Enter any normal separation costs paid on behalf of employees of restricted state or federal programs that were charged to an unrestricted resource (0000-1999) in funds 01, 09, and 62 with functions 1000-6999 or 8100-8400 rather than to the restricted program. These costs will be moved in Part III from base costs to the indirect cost pool. _____
Retain supporting documentation.

B. Abnormal or Mass Separation Costs (required)

Enter any abnormal or mass separation costs paid on behalf of general administrative positions charged to unrestricted resources (0000-1999) in funds 01, 09, and 62 with functions 7200-7700. These costs will be moved in Part III from the indirect cost pool to base costs. If none, enter zero. 0.00

Part III - Indirect Cost Rate Calculation (Funds 01, 09, and 62, unless indicated otherwise)

A. Indirect Costs

1. Other General Administration, less portion charged to restricted resources or specific goals (Functions 7200-7600, objects 1000-5999, minus Line B9)	976,289.98
2. Centralized Data Processing, less portion charged to restricted resources or specific goals (Function 7700, objects 1000-5999, minus Line B10)	9,408.08
3. External Financial Audit - Single Audit (Function 7190, resources 0000-1999, goals 0000 and 9000, objects 5000-5999)	43,800.00
4. Staff Relations and Negotiations (Function 7120, resources 0000-1999, goals 0000 and 9000, objects 1000-5999)	1,789.48
5. Plant Maintenance and Operations (portion relating to general administrative offices only) (Functions 8100-8400, objects 1000-5999 except 5100, times Part I, Line C)	86,028.05
6. Facilities Rents and Leases (portion relating to general administrative offices only) (Function 8700, resources 0000-1999, objects 1000-5999 except 5100, times Part I, Line C)	0.00
7. Adjustment for Employment Separation Costs	
a. Plus: Normal Separation Costs (Part II, Line A)	0.00
b. Less: Abnormal or Mass Separation Costs (Part II, Line B)	0.00
8. Total Indirect Costs (Lines A1 through A7a, minus Line A7b)	1,117,315.59
9. Carry-Forward Adjustment (Part IV, Line F)	(167,596.83)
10. Total Adjusted Indirect Costs (Line A8 plus Line A9)	949,718.76

B. Base Costs

1. Instruction (Functions 1000-1999, objects 1000-5999 except 5100)	13,394,271.98
2. Instruction-Related Services (Functions 2000-2999, objects 1000-5999 except 5100)	2,458,100.05
3. Pupil Services (Functions 3000-3999, objects 1000-5999 except 4700 and 5100)	2,914,339.43
4. Ancillary Services (Functions 4000-4999, objects 1000-5999 except 5100)	165,766.63
5. Community Services (Functions 5000-5999, objects 1000-5999 except 5100)	0.00
6. Enterprise (Function 6000, objects 1000-5999 except 4700 and 5100)	0.00
7. Board and Superintendent (Functions 7100-7180, objects 1000-5999, minus Part III, Line A4)	455,129.44
8. External Financial Audit - Single Audit and Other (Functions 7190-7191, objects 5000-5999, minus Part III, Line A3)	0.00
9. Other General Administration (portion charged to restricted resources or specific goals only) (Functions 7200-7600, resources 2000-9999, objects 1000-5999; Functions 7200-7600, resources 0000-1999, all goals except 0000 and 9000, objects 1000-5999)	11,701.79
10. Centralized Data Processing (portion charged to restricted resources or specific goals only) (Function 7700, resources 2000-9999, objects 1000-5999; Function 7700, resources 0000-1999, all goals except 0000 and 9000, objects 1000-5999)	0.00
11. Plant Maintenance and Operations (all except portion relating to general administrative offices) (Functions 8100-8400, objects 1000-5999 except 5100, minus Part III, Line A5)	2,505,178.32
12. Facilities Rents and Leases (all except portion relating to general administrative offices) (Function 8700, objects 1000-5999 except 5100, minus Part III, Line A6)	0.00
13. Adjustment for Employment Separation Costs	
a. Less: Normal Separation Costs (Part II, Line A)	0.00
b. Plus: Abnormal or Mass Separation Costs (Part II, Line B)	0.00
14. Student Activity (Fund 08, functions 4000-5999, objects 1000-5999 except 5100)	0.00
15. Adult Education (Fund 11, functions 1000-6999, 8100-8400, and 8700, objects 1000-5999 except 5100)	97,621.12
16. Child Development (Fund 12, functions 1000-6999, 8100-8400 & 8700, objects 1000-5999 except 4700 & 5100)	236,476.56
17. Cafeteria (Funds 13 & 61, functions 1000-6999, 8100-8400 & 8700, objects 1000-5999 except 4700 & 5100)	875,761.42
18. Foundation (Funds 19 & 57, functions 1000-6999, 8100-8400 & 8700, objects 1000-5999 except 4700 & 5100)	0.00
19. Total Base Costs (Lines B1 through B12 and Lines B13b through B18, minus Line B13a)	23,114,346.74

**C. Straight Indirect Cost Percentage Before Carry-Forward Adjustment
(For information only - not for use when claiming/recovering indirect costs)**

(Line A8 divided by Line B19) 4.83%

D. Preliminary Proposed Indirect Cost Rate

(For final approved fixed-with-carry-forward rate for use in 2021-22 see www.cde.ca.gov/fg/ac/ic)
(Line A10 divided by Line B19) 4.11%

Part IV - Carry-forward Adjustment

The carry-forward adjustment is an after-the-fact adjustment for the difference between indirect costs recoverable using the indirect cost rate approved for use in a given year, and the actual indirect costs incurred in that year. The carry-forward adjustment eliminates the need for LEAs to file amended federal reports when their actual indirect costs vary from the estimated indirect costs on which the approved rate was based.

Where the ratio of indirect costs incurred in the current year is less than the estimated ratio of indirect costs on which the approved rate for use in the current year was based, the carry-forward adjustment is limited by using either the approved rate times current year base costs, or the highest rate actually used to recover costs from any program times current year base costs, if the highest rate used was less than the approved rate. Rates used to recover costs from programs are displayed in Exhibit A.

A. Indirect costs incurred in the current year (Part III, Line A8)	<u>1,117,315.59</u>
B. Carry-forward adjustment from prior year(s)	
1. Carry-forward adjustment from the second prior year	<u>145,865.64</u>
2. Carry-forward adjustment amount deferred from prior year(s), if any	<u>0.00</u>
C. Carry-forward adjustment for under- or over-recovery in the current year	
1. Under-recovery: Part III, Line A8, plus carry-forward adjustment from prior years, minus (approved indirect cost rate (6.19%) times Part III, Line B19); zero if negative	<u>0.00</u>
2. Over-recovery: Part III, Line A8, plus carry-forward adjustment from prior years, minus the lesser of (approved indirect cost rate (6.19%) times Part III, Line B19) or (the highest rate used to recover costs from any program (6.19%) times Part III, Line B19); zero if positive	<u>(167,596.83)</u>
D. Preliminary carry-forward adjustment (Line C1 or C2)	<u>(167,596.83)</u>
E. Optional allocation of negative carry-forward adjustment over more than one year	
Where a negative carry-forward adjustment causes the proposed approved rate to fall below zero or would reduce the rate at which the LEA could recover indirect costs to such an extent that it would cause the LEA significant fiscal harm, the LEA may request that the carry-forward adjustment be allocated over more than one year. Where allocation of a negative carry-forward adjustment over more than one year does not resolve a negative rate, the CDE will work with the LEA on a case-by-case basis to establish an approved rate.	
Option 1. Preliminary proposed approved rate (Part III, Line D) if entire negative carry-forward adjustment is applied to the current year calculation:	<u>4.11%</u>
Option 2. Preliminary proposed approved rate (Part III, Line D) if one-half of negative carry-forward adjustment (\$-83,798.42) is applied to the current year calculation and the remainder (\$-83,798.41) is deferred to one or more future years:	<u>4.47%</u>
Option 3. Preliminary proposed approved rate (Part III, Line D) if one-third of negative carry-forward adjustment (\$-55,865.61) is applied to the current year calculation and the remainder (\$-111,731.22) is deferred to one or more future years:	<u>4.59%</u>
LEA request for Option 1, Option 2, or Option 3	<u>1</u>
F. Carry-forward adjustment used in Part III, Line A9 (Line D minus amount deferred if Option 2 or Option 3 is selected)	<u>(167,596.83)</u>

Approved indirect cost rate: 6.19%
Highest rate used in any program: 6.19%

Fund	Resource	Eligible Expenditures (Objects 1000-5999 except Object 5100)	Indirect Costs Charged (Objects 7310 and 7350)	Rate Used
01	3010	375,776.27	23,260.55	6.19%
01	3315	2,446.76	151.45	6.19%
01	3327	8,202.57	507.74	6.19%
01	6010	317,872.77	15,893.63	5.00%
01	6387	58,094.73	3,596.06	6.19%
01	7370	15,107.50	935.15	6.19%
01	7388	30,702.51	1,900.49	6.19%
01	7510	44,370.49	2,746.53	6.19%
01	9010	463,653.60	18,573.13	4.01%
11	6391	96,323.12	5,962.40	6.19%

Unaudited Actuals
2019-20 Unaudited Actuals
LOTTERY REPORT
Revenues, Expenditures and
Ending Balances - All Funds

Description	Object Codes	Lottery: Unrestricted (Resource 1100)	Transferred to Other Resources for Expenditure	Lottery: Instructional Materials (Resource 6300)*	Totals
A. AMOUNT AVAILABLE FOR THIS FISCAL YEAR					
1. Adjusted Beginning Fund Balance	9791-9795	0.00		168,678.05	168,678.05
2. State Lottery Revenue	8560	306,875.84		102,674.02	409,549.86
3. Other Local Revenue	8600-8799	0.00		0.00	0.00
4. Transfers from Funds of Lapsed/Reorganized Districts	8965	0.00		0.00	0.00
5. Contributions from Unrestricted Resources (Total must be zero)	8980	0.00			0.00
6. Total Available (Sum Lines A1 through A5)		306,875.84	0.00	271,352.07	578,227.91
B. EXPENDITURES AND OTHER FINANCING USES					
1. Certificated Salaries	1000-1999	46,670.31			46,670.31
2. Classified Salaries	2000-2999	70,286.86			70,286.86
3. Employee Benefits	3000-3999	14,105.46			14,105.46
4. Books and Supplies	4000-4999	62,743.34		148,855.26	211,598.60
5. a. Services and Other Operating Expenditures (Resource 1100)	5000-5999	113,069.87			113,069.87
b. Services and Other Operating Expenditures (Resource 6300)	5000-5999, except 5100, 5710, 5800				
c. Duplicating Costs for Instructional Materials (Resource 6300)	5100, 5710, 5800				
6. Capital Outlay	6000-6999	0.00			0.00
7. Tuition	7100-7199	0.00			0.00
8. Interagency Transfers Out					
a. To Other Districts, County Offices, and Charter Schools	7211,7212,7221, 7222,7281,7282	0.00			0.00
b. To JPAs and All Others	7213,7223, 7283,7299	0.00			0.00
9. Transfers of Indirect Costs	7300-7399				
10. Debt Service	7400-7499	0.00			0.00
11. All Other Financing Uses	7630-7699	0.00			0.00
12. Total Expenditures and Other Financing Uses (Sum Lines B1 through B11)		306,875.84	0.00	148,855.26	455,731.10
C. ENDING BALANCE					
(Must equal Line A6 minus Line B12)	979Z	0.00	0.00	122,496.81	122,496.81
D. COMMENTS:					

Data from this report will be used to prepare a report to the Legislature as required by Control Section 24.60 of the Budget Act.

*Pursuant to Government Code Section 8880.4(a)(2)(B) and the definition in Education Code Section 60010(h), Resource 6300 funds are to be used for the purchase of instructional materials only. Any amounts in the shaded cells of this column should be reviewed for appropriateness.

	----- Teacher Full-Time Equivalents -----				----- Classroom Units -----			Pupils Transported
	Instructional Supervision and Administration (Functions 2100-2200)	Library, Media, Technology and Other Instructional Resources (Functions 2420-2495)	School Administration (Function 2700)	Pupil Support Services (Functions 3100-3199 & 3900)	Plant Maintenance and Operations (Functions 8100-8400)	Facilities Rents and Leases (Function 8700)	Pupil Transportation (Function 3600)	
	FTE Factor(s)	FTE Factor(s)	FTE Factor(s)	FTE Factor(s)	CU Factor(s)	CU Factor(s)	PT Factor(s)	
A. Amount of Undistributed Expenditures, Funds 01, 09, and 62, Goals 0000 and 9000 (will be allocated based on factors input)	150,040.45	261,726.60	942,342.55	1,261,330.15	2,799,395.99	0.00	872,324.75	
B. Enter Allocation Factor(s) by Goal:								
(Note: Allocation factors are only needed for a column if there are undistributed expenditures in line A.)								
Instructional Goals Description								
0001 Pre-Kindergarten								
1110 Regular Education, K-12	90.32	90.32	90.32	90.32	377.44		611.22	
3100 Alternative Schools	1.00	1.00	1.00	1.00	1.00			
3200 Continuation Schools	1.00	1.00	1.00	1.00	1.00			
3300 Independent Study Centers								
3400 Opportunity Schools								
3550 Community Day Schools								
3700 Specialized Secondary Programs								
3800 Career Technical Education								
4110 Regular Education, Adult								
4610 Adult Independent Study Centers								
4620 Adult Correctional Education								
4630 Adult Career Technical Education								
4760 Bilingual								
4850 Migrant Education								
5000-5999 Special Education (allocated to 5001)	15.33	15.33	15.33	15.33	9.75		39.89	
6000 ROC/P								
Other Goals Description								
7110 Nonagency - Educational	1.18	1.18	1.18	1.18	2.00			
7150 Nonagency - Other								
8100 Community Services								
8500 Child Care and Development Services								
Other Funds Description								
-- Adult Education (Fund 11)								
-- Child Development (Fund 12)								
-- Cafeteria (Funds 13 & 61)								
C. Total Allocation Factors	109.83	109.83	109.83	109.83	392.19	0.00	651.11	

Goal	Program/Activity	Direct Costs				Central Admin Costs (col. 3 x Seh. CAC line E) Column 4	Other Costs (Schedule OC) Column 5	Total Costs by Program (col. 3 + 4 + 5) Column 6
		Direct Charged (Schedule DCC) Column 1	Allocated (Schedule AC) Column 2	Subtotal (col. 1 + 2) Column 3				
Instructional Goals								
0001	Pre-Kindergarten	205,057.92	0.00	205,057.92	13,320.92		218,378.84	
1110	Regular Education, K-12	11,687,892.01	5,663,832.54	17,351,724.55	1,127,198.09		18,478,922.64	
3100	Alternative Schools	162,174.98	30,951.40	193,126.38	12,545.82		205,672.20	
3200	Continuation Schools	139,833.26	30,951.40	170,784.66	11,094.47		181,879.13	
3300	Independent Study Centers	0.00	0.00	0.00	0.00		0.00	
3400	Opportunity Schools	0.00	0.00	0.00	0.00		0.00	
3550	Community Day Schools	115,243.39	30,951.40	146,194.79	9,497.07		155,691.86	
3700	Specialized Secondary Programs	3,025.00	0.00	3,025.00	196.51		3,221.51	
3800	Career Technical Education	0.00	0.00	0.00	0.00		0.00	
4110	Regular Education, Adult	0.00	0.00	0.00	0.00		0.00	
4610	Adult Independent Study Centers	0.00	0.00	0.00	0.00		0.00	
4620	Adult Correctional Education	0.00	0.00	0.00	0.00		0.00	
4630	Adult Career Technical Education	0.00	0.00	0.00	0.00		0.00	
4760	Bilingual	0.00	0.00	0.00	0.00		0.00	
4850	Migrant Education	0.00	0.00	0.00	0.00		0.00	
5000-5999	Special Education	4,065,269.40	488,098.12	4,553,367.52	295,794.64		4,849,162.16	
6000	Regional Occupational Ctr/Prg (ROC/P)	0.00	0.00	0.00	0.00		0.00	
Other Goals								
7110	Nonagency - Educational	123,523.31	42,375.68	165,898.99	10,777.09		176,676.08	
7150	Nonagency - Other	0.00	0.00	0.00	0.00		0.00	
8100	Community Services	0.00	0.00	0.00	0.00		0.00	
8500	Child Care and Development Services	0.00	0.00	0.00	0.00		0.00	
Other Costs								
----	Food Services					4,515.61	4,515.61	
----	Enterprise					0.00	0.00	
----	Facilities Acquisition & Construction					17,000.00	17,000.00	
----	Other Outgo					380,461.18	380,461.18	
Other Funds								
----	Adult Education, Child Development, Cafeteria, Foundation ([Column 3 + CAC, line C5] times CAC, line E)		0.00	0.00	78,594.54		78,594.54	
----	Indirect Cost Transfers to Other Funds (Net of Funds 01, 09, 62, Function 7210, Object 7350)				(5,962.40)		(5,962.40)	
----	Total General Fund and Charter Schools Funds Expenditures	16,502,019.27	6,287,160.54	22,789,179.81	1,553,056.75	401,976.79	24,744,213.35	

Unaudited Actuals
2019-20
General Fund and Charter Schools Funds
Program Cost Report
Schedule of Direct Charged Costs (DCC)

Goal	Type of Program	Instruction (Functions 1000-1999)	Instructional Supervision and Administration (Functions 2100-2200)	Library, Media, Technology and Other Instructional Resources (Functions 2420-2495)	School Administration (Function 2700)	Pupil Support Services (Functions 3110-3160 and 3900)	Pupil Transportation (Function 3600)	Ancillary Services (Functions 4000-4999)	Community Services (Functions 5000-5999)	General Administration (Functions 7000-7999, except 7210)*	Plant Maintenance and Operations (Functions 8100-8400)	Facilities Rents and Leases (Function 8700)	Total
Instructional Goals													
0001	Pre-Kindergarten	18,790.34	0.00	18,141.23	36.88	163,232.22	0.00	0.00	0.00		4,857.25	0.00	205,057.92
1110	Regular Education, K-12	10,721,473.07	122,548.08	39,210.09	628,159.39	9,217.00	0.00	165,766.63			1,517.75	0.00	11,687,892.01
3100	Alternative Schools	119,374.75	0.00	0.00	42,800.23	0.00	0.00	0.00			0.00	0.00	162,174.98
3200	Continuation Schools	119,954.74	0.00	0.00	19,878.52	0.00	0.00	0.00			0.00	0.00	139,833.26
3300	Independent Study Centers	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00	0.00
3400	Opportunity Schools	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00	0.00
3550	Community Day Schools	104,087.17	0.00	0.00	11,156.22	0.00	0.00	0.00			0.00	0.00	115,243.39
3700	Specialized Secondary Programs	3,025.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00	3,025.00
3800	Career Technical Education	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00	0.00
4110	Regular Education, Adult	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00	0.00
4610	Adult Independent Study Centers	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00	0.00
4620	Adult Correctional Education	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00	0.00
4630	Adult Career Technical Education	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00	0.00
4760	Bilingual	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00	0.00
4850	Migrant Education	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00	0.00
5000-5999	Special Education	3,175,923.26	144,693.60	0.00	773,662.21	465,623.98	201,662.35	0.00			0.00	0.00	4,065,269.40
6000	ROC/P	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00	0.00
Other Goals													
7110	Nonagency - Educational	123,523.31	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	123,523.31
7150	Nonagency - Other	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8100	Community Services	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8500	Child Care and Development Services	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Direct Charged Costs		14,386,151.64	267,241.68	57,351.32	779,397.45	638,073.20	201,662.35	165,766.63	0.00	0.00	6,375.00	0.00	16,502,019.27

* Functions 7100-7199 for goals 8100 and 8500

Goal	Type of Program	Allocated Support Costs (Based on factors input on Form PCRAF)			Total
		Full-Time Equivalents	Classroom Units	Pupils Transported	
Instructional Goals					
0001	Pre-Kindergarten	0.00	0.00	0.00	0.00
1110	Regular Education, K-12	2,150,837.83	2,694,112.60	818,882.11	5,663,832.54
3100	Alternative Schools	23,813.54	7,137.86	0.00	30,951.40
3200	Continuation Schools	23,813.54	7,137.86	0.00	30,951.40
3300	Independent Study Centers	0.00	0.00	0.00	0.00
3400	Opportunity Schools	0.00	0.00	0.00	0.00
3550	Community Day Schools	23,813.54	7,137.86	0.00	30,951.40
3700	Specialized Secondary Programs	0.00	0.00	0.00	0.00
3800	Career Technical Education	0.00	0.00	0.00	0.00
4110	Regular Education, Adult	0.00	0.00	0.00	0.00
4610	Adult Independent Study Centers	0.00	0.00	0.00	0.00
4620	Adult Correctional Education	0.00	0.00	0.00	0.00
4630	Adult Career Technical Education	0.00	0.00	0.00	0.00
4760	Bilingual	0.00	0.00	0.00	0.00
4850	Migrant Education	0.00	0.00	0.00	0.00
5000-5999	Special Education (allocated to 5001)	365,061.38	69,594.10	53,442.64	488,098.12
6000	ROC/P	0.00	0.00	0.00	0.00
Other Goals					
7110	Nonagency - Educational	28,099.97	14,275.71	0.00	42,375.68
7150	Nonagency - Other	0.00	0.00	0.00	0.00
8100	Community Services	0.00	0.00	0.00	0.00
8500	Child Care and Development Svcs.	0.00	0.00	0.00	0.00
Other Funds					
--	Adult Education (Fund 11)		0.00		0.00
--	Child Development (Fund 12)	0.00	0.00	0.00	0.00
--	Cafeteria (Funds 13 and 61)		0.00		0.00
Total Allocated Support Costs		2,615,439.80	2,799,395.99	872,324.75	6,287,160.54

A. Central Administration Costs in General Fund and Charter Schools Funds		
1	Board and Superintendent (Funds 01, 09, and 62, Functions 7100-7180, Goals 0000-6999 and 9000, Objects 1000-7999)	485,582.08
2	External Financial Audits (Funds 01, 09, and 62, Functions 7190-7191, Goals 0000-6999 and 9000, Objects 1000-7999)	43,800.00
3	Other General Administration (Funds 01, 09, and 62, Functions 7200-7600 except 7210, Goal 0000, Objects 1000-7999)	987,991.77
4	Centralized Data Processing (Funds 01, 09, and 62, Function 7700, Goal 0000, Objects 1000-7999)	41,645.30
5	Total Central Administration Costs in General Fund and Charter Schools Funds	1,559,019.15
B. Direct Charged and Allocated Costs in General Fund and Charter Schools Funds		
1	Total Direct Charged Costs (from Form PCR, Column 1, Total)	16,502,019.27
2	Total Allocated Costs (from Form PCR, Column 2, Total)	6,287,160.54
3	Total Direct Charged and Allocated Costs in General Fund and Charter Schools Funds	22,789,179.81
C. Direct Charged Costs in Other Funds		
1	Adult Education (Fund 11, Objects 1000-5999, except 5100)	97,621.12
2	Child Development (Fund 12, Objects 1000-5999, except 5100)	236,476.56
3	Cafeteria (Funds 13 & 61, Objects 1000-5999, except 5100)	875,761.42
4	Foundation (Funds 19 & 57, Objects 1000-5999, except 5100)	0.00
5	Total Direct Charged Costs in Other Funds	1,209,859.10
D. Total Direct Charged and Allocated Costs (B3 + C5)		23,999,038.91
E. Ratio of Central Administration Costs to Direct Charged and Allocated Costs (A5/D)		6.50%

Unaudited Actuals
2019-20
General Fund and Charter Schools Funds
Program Cost Report
Schedule of Other Costs (OC)

Type of Activity	Food Services (Function 3700)	Enterprise (Function 6000)	Facilities Acquisition & Construction (Function 8500)	Other Outgo (Functions 9000-9999)	Total
Food Services (Objects 1000-5999, 6400, and 6500)	4,515.61				4,515.61
Enterprise (Objects 1000-5999, 6400, and 6500)		0.00			0.00
Facilities Acquisition & Construction (Objects 1000-6500)			17,000.00		17,000.00
Other Outgo (Objects 1000-7999)				380,461.18	380,461.18
Total Other Costs	4,515.61	0.00	17,000.00	380,461.18	401,976.79

Unaudited Actuals
2019-20 Unaudited Actuals
SUMMARY OF INTERFUND ACTIVITIES
FOR ALL FUNDS

Description	Direct Costs - Interfund		Indirect Costs - Interfund		Interfund Transfers In 8900-8929	Interfund Transfers Out 7600-7629	Due From Other Funds 9310	Due To Other Funds 9610
	Transfers In 5750	Transfers Out 5750	Transfers In 7350	Transfers Out 7350				
01 GENERAL FUND								
Expenditure Detail	8,173.84	0.00	0.00	(5,962.40)				
Other Sources/Uses Detail					31,630.00	302,750.17		
Fund Reconciliation							8,842.40	330,596.31
08 STUDENT ACTIVITY SPECIAL REVENUE FUND								
Expenditure Detail	0.00	0.00	0.00	0.00				
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
09 CHARTER SCHOOLS SPECIAL REVENUE FUND								
Expenditure Detail	0.00	0.00	0.00	0.00				
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
10 SPECIAL EDUCATION PASS-THROUGH FUND								
Expenditure Detail								
Other Sources/Uses Detail								
Fund Reconciliation							0.00	0.00
11 ADULT EDUCATION FUND								
Expenditure Detail	13.20	0.00	5,962.40	0.00				
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	5,962.40
12 CHILD DEVELOPMENT FUND								
Expenditure Detail	10.20	0.00	0.00	0.00				
Other Sources/Uses Detail					57,339.80	0.00		
Fund Reconciliation							57,339.80	0.00
13 CAFETERIA SPECIAL REVENUE FUND								
Expenditure Detail	0.00	(8,197.24)	0.00	0.00				
Other Sources/Uses Detail					83,051.06	0.00		
Fund Reconciliation							53,051.06	0.00
14 DEFERRED MAINTENANCE FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
15 PUPIL TRANSPORTATION EQUIPMENT FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
17 SPECIAL RESERVE FUND FOR OTHER THAN CAPITAL OUTLAY								
Expenditure Detail								
Other Sources/Uses Detail					0.00	31,630.00		
Fund Reconciliation							0.00	2,880.00
18 SCHOOL BUS EMISSIONS REDUCTION FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
19 FOUNDATION SPECIAL REVENUE FUND								
Expenditure Detail	0.00	0.00	0.00	0.00				
Other Sources/Uses Detail								
Fund Reconciliation							0.00	0.00
20 SPECIAL RESERVE FUND FOR POSTEMPLOYMENT BENEFITS								
Expenditure Detail								
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
21 BUILDING FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					9.00	0.00		
Fund Reconciliation							9.00	0.00
25 CAPITAL FACILITIES FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					162,350.31	0.00		
Fund Reconciliation							162,350.31	0.00
30 STATE SCHOOL BUILDING LEASE/PURCHASE FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
35 COUNTY SCHOOL FACILITIES FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
40 SPECIAL RESERVE FUND FOR CAPITAL OUTLAY PROJECTS								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
49 CAP PROJ FUND FOR BLENDED COMPONENT UNITS								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							57,846.14	0.00
51 BOND INTEREST AND REDEMPTION FUND								
Expenditure Detail								
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
52 DEBT SVC FUND FOR BLENDED COMPONENT UNITS								
Expenditure Detail								
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
53 TAX OVERRIDE FUND								
Expenditure Detail								
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
56 DEBT SERVICE FUND								
Expenditure Detail								
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
57 FOUNDATION PERMANENT FUND								
Expenditure Detail	0.00	0.00	0.00	0.00				
Other Sources/Uses Detail								
Fund Reconciliation							0.00	0.00

Unaudited Actuals
 2019-20 Unaudited Actuals
 SUMMARY OF INTERFUND ACTIVITIES
 FOR ALL FUNDS

Description	Direct Costs - Interfund		Indirect Costs - Interfund		Interfund Transfers In 8900-8929	Interfund Transfers Out 7600-7629	Due From Other Funds 9310	Due To Other Funds 9610
	Transfers In 5750	Transfers Out 5750	Transfers In 7350	Transfers Out 7350				
61 CAFETERIA ENTERPRISE FUND								
Expenditure Detail	0.00	0.00	0.00	0.00				
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
62 CHARTER SCHOOLS ENTERPRISE FUND								
Expenditure Detail	0.00	0.00	0.00	0.00				
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
63 OTHER ENTERPRISE FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
66 WAREHOUSE REVOLVING FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
67 SELF-INSURANCE FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation							0.00	0.00
71 RETIREE BENEFIT FUND								
Expenditure Detail								
Other Sources/Uses Detail					0.00			
Fund Reconciliation							0.00	0.00
73 FOUNDATION PRIVATE-PURPOSE TRUST FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00			
Fund Reconciliation							0.00	0.00
76 WARRANT/PASS-THROUGH FUND								
Expenditure Detail								
Other Sources/Uses Detail								
Fund Reconciliation							0.00	0.00
95 STUDENT BODY FUND								
Expenditure Detail								
Other Sources/Uses Detail								
Fund Reconciliation							0.00	0.00
TOTALS	8,197.24	(8,197.24)	5,962.40	(5,962.40)	334,380.17	334,380.17	339,438.71	339,438.71

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 2020

Attachments: X

From: Nicole Latimer, Chief Educational Services Officer

Item Number: 15__

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

SUBJECT:

Request to hold a Public Hearing on the Sufficiency of Textbooks and Instructional Materials and to approve Resolution #800 on the Sufficiency of Textbooks and Instructional Materials as per Education Code Section 60119 and 5 CCR 9531 for 2020-2021 school year.

BACKGROUND:

In order to be eligible to receive instructional materials funds, the governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects (Math, English Language Arts, Science, History-Social Science, Science Lab Equipment) that are aligned to the academic content standards and consistent with the content and cycles of the curriculum frameworks adopted by the State Board.

STATUS:

Every school in the River Delta Unified School District has been sent a "sufficiency of instructional materials" survey as part of the District's compliance procedures. All of the District's schools have noticed the District Office that there are sufficient instructional materials for every student as outlined in Education Code 60119 and 5 CCR 9531.

The resolution must be passed by roll call vote.

PRESENTER: Nicole Latimer, Chief Educational Services Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

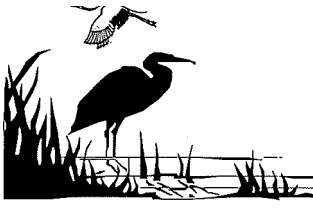
COST AND FUNDING SOURCES:

There is no cost to the District unless sufficiency is not reached.

RECOMMENDATION:

That the Board holds a Public Hearing on the Sufficiency of Textbooks and Instructional Materials and that they approve Resolution #800 on the Sufficiency of Textbooks and Instructional Materials as per Education Code Section 60119 and 5 CCR 9531 for the 2020-2021 school year.

Time allocated: 3 minutes



RIVER DELTA UNIFIED SCHOOL DISTRICT

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

NOTICE OF PUBLIC HEARING and Regular Board Meeting September 8, 2020 at 6:30 p.m. at the Meeting to be held remotely via Zoom Webinar

<https://us02web.zoom.us/j/85462169131?pwd=VW1JSHA3RzVvM2lGRTNaalpXdGO2OT09>

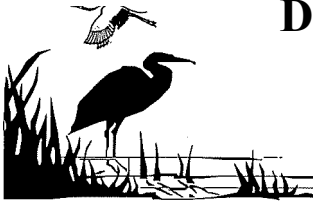
California Education Code 60119 requires that school districts, in order to receive instructional materials from any State source, in each fiscal year shall hold a public hearing regarding the sufficiency of instructional materials in the District. The Board, *following public input*, shall adopt a resolution regarding textbook sufficiency and execute a certification of compliance in accordance with California Education Code 60119 (and to comply with provisions of the *Williams Settlement*).

A Public Hearing on the sufficiency of instructional materials in the River Delta Unified School District is scheduled for hearing **after 6:30 p.m. on September 8, 2020**, during the regularly scheduled Board Meeting via Zoom Webinar (meeting link above). Interested members of the public are invited to address the Board on the issue. For further information or questions, please call Nicole Latimer at (707) 374-1725.

REQUESTED TO BE POSTED: Regular Meeting Agenda/Notice was posted in the bulletin board in front of the District Office, District administrative offices, school sites, and the community libraries were provided notice or caused to be provided notice via fax, e-mail and/or hand delivery.

Creating Excellence To Ensure That All Students Learn

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



DISTRITO ESCOLAR UNIFICADO RIVER DELTA

445 Montezuma Street

Rio Vista, California 94571-1651

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

<http://riverdelta.org>

AVISO DE AUDIENCIA PÚBLICA

y Reunión Ordinaria de la Junta

Septiembre 8, 2020

a las 6:30 p.m.

**La reunión se llevará a cabo de forma remota
a través del seminario web de Zoom**

<https://us02web.zoom.us/j/85462169131?pwd=VW1JSHA3RzVvM2lGRTNaalpXdGO2OT09>

El Código de Educación de California 60119 requiere que los distritos escolares, para recibir materiales de instrucción de cualquier fuente estatal, en cada año fiscal, celebren una audiencia pública sobre la suficiencia de los materiales de instrucción en el Distrito. La Junta, *siguiendo la opinión pública*, adoptará una resolución con respecto a la suficiencia de libros de texto y ejecutará una certificación de cumplimiento de acuerdo con el Código de Educación de California 60119. (y para cumplir con las disposiciones del *Acuerdo Williams*).

Está programada una audiencia pública sobre la suficiencia de los materiales educativos en el Distrito Escolar Unificado de River Delta. **después de las 6:30 p.m. el 8 de septiembre de 2020**, durante la reunión de la Junta programada regularmente a través del seminario web de Zoom (enlace de la reunión arriba). Se invita a los miembros del público interesados a dirigirse a la Junta sobre el tema. Para más información o preguntas, llame a Nicole Latimer al (707) 374-1725.

SOLICITADO PARA SER PUBLICADO: La agenda / aviso de la reunión regular se publicó en el tablero de anuncios frente a la oficina del distrito, las oficinas administrativas del distrito, los sitios escolares y las bibliotecas comunitarias recibieron un aviso o se les envió un aviso por fax, correo electrónico y / o entrega en mano.

Creating Excellence To Ensure That All Students Learn

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

**RIVER DELTA UNIFIED SCHOOL DISTRICT
RESOLUTION #800**

**Resolution on Sufficiency of Textbooks and/or
Instructional Materials
For 2020-2021**

Whereas, the Board of Trustees of the River Delta Unified School District, in order to comply with the requirements of Education Code 60119, held a public hearing on September 8, 2020, at 6:30 o'clock in the evening (which is on or before the eighth week of school -- between the first day that students attend school and the end of the eighth week from that day- 8/12/2020 - 10/7/2020) and which did not take place during or immediately following school hours, and;

Whereas, the Board provided at least 10 days notice of the public hearing by posting it in at least three public places within the district stating the time, place, and purpose of the hearing, and;

Whereas, the Board encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

Whereas, information provided at the public hearing detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the River Delta Unified School District, and;

Whereas, the definition of "sufficient textbooks or instructional materials" means that each student, including English learners, has a textbook or instructional materials, or both, to use in class and to take home, and;

Whereas between the 2008-09 through the 2020-2021 fiscal years, the definition of "sufficient textbooks or instructional materials" also means that all students who are enrolled in the same course within the River Delta Unified School District, have standards-aligned textbooks or instructional materials from the same adoption cycle, and;

Whereas, sufficient textbooks and instructional materials were provided to each student, including English learners, which are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks in the following subjects:

Mathematics

Science

History-Social Science

English/Language Arts, including the English language development component of an adopted program

Whereas, sufficient textbooks or instructional materials were provided to each student enrolled in foreign language or health classes, and;

Whereas, laboratory science equipment was available for Science Laboratory classes offered in grades 9-12, inclusive;

NOW, THEREFORE, BE IT RESOLVED, that for the 2020-2021 school year, the River Delta Unified School District, has provided each student with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

PASSED AND ADOPTED the 8th day of September, 2020 by the Board of Trustees of the River Delta Unified School District of Sacramento County, California, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

IN WITNESS WHEREOF, I, Marilyn Riley, Clerk of the Board of Trustees of the River Delta Unified School District of Sacramento County, California, certify that the foregoing is a full, true, and correct copy of Resolution No. 800 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.

Marilyn Riley, Clerk
Board of Trustees
River Delta Unified School District

September 8, 2020
(Date)

BOARD OF TRUSTEES RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 2020

Attachments: X

From: Katherine Wright, Superintendent

Item Number: 16

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

SUBJECT:

Request to accept and approve the Timeline and Procedures related to the filling of Board of Trustee's Vacancies.

BACKGROUND:

The District has received a resignation letter from Trustee Alicia Fernandez (effective August 26, 2020) for Trustee Area V (Clarksburg Trustee Area). Additionally, there were no candidates who filed papers with the Voters Registration & Elections Offices interested in running on the November 3, 2020 ballot for Trustee Areas VI & VII (Rio Vista Areas).

STATUS:

Following the resignation of Trustee Fernandez, Trustee Area V and the August 12, 2020 application deadline for the November 2020 election ballot for the Board of Trustees for Trustee Areas VI & VII (Rio Vista Trustee Areas), it is necessary for the Board to appoint replacements to fulfill these required duties for the remainder of the 2020-2022 term (Clarksburg, Trustee Area V) and the term 2020-2024 Trustee Areas VI & VII (Rio Vista Trustee Areas). Registered voters residing in Trustee Areas V, VI & VII are invited to apply for an appointment to the Board of Trustees of the River Delta Unified School District. Appointees will serve, beginning with being seated at the regularly scheduled Board meeting on December 15, 2020 held at approximately 6:30 p.m. until the next regularly scheduled Board election in November 2022 for Trustee Area V and November 2024 for Trustee Areas VI & VII.

Applications will be available for picked up at the District Office (445 Montezuma Street) in Rio Vista, and Delta High School (52810 Netherlands Avenue) in Clarksburg or downloaded from the District's web page: <http://riverdelta.org> under Board of Trustees/Elections. Send a Letter of Intent, Resume, Candidate Information Sheet and answers to the Presentation Questions to: Chairperson, Board of Trustees, c/o Superintendent's Office, River Delta Unified School District, 445 Montezuma Street, Rio Vista, CA 94571-1651.

The deadline for the receipt of candidate applications is **Tuesday, October 6, 2020 at Noon**. Applicants **must be present** at the **October 13, 2020** meeting of the Board of Trustees, to be held at **6:30 p.m.** location to be determined. The meeting will be held remotely via Zoom Webinar if Stay-at-home orders are still in place or at Bates Elementary School in Courtland, California for the Public Hearing of their applications and Board interview.

Action item: 15. Cont.

If you have any questions regarding the boundaries of Trustee Areas VI, VII, V or the application procedure, please contact Jennifer Gaston, Executive Assistant to the Board of Trustees, at 707-374-1711.

PRESENTER:

Katherine Wright, Superintendent

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approves the Timeline and Procedures related to filling of Board of Trustee's Vacancies and for the Call for Applications to provisionally fill the vacancies in areas V, VI & VII.

Time allocated: 10 minutes



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street

Rio Vista, California 94571-1651

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

<http://riverdelta.org>

**CALL FOR
APPLICATION FOR
PROVISIONAL APPOINTMENT
TO
BOARD OF TRUSTEES
TRUSTEE AREAS V, VI & VII**

Deadline: October 6, 2020

Bates School
Clarksburg Middle

Isleton School
Riverview Middle

Creating Excellence To Ensure That All Students Learn
Walnut Grove School
D. H. White Elementary
River Delta High/Elementary School
Delta Elementary Charter School

Delta High School
Rio Vista High School
River Delta Community Day School

Wind River School
Mokelumne High School



RIVER DELTA UNIFIED SCHOOL DISTRICT

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

CALL FOR APPLICATIONS AND NOTICE OF VACANCIES FOR AREAS V, VI & VII ON THE BOARD OF TRUSTEES

Following the resignation of Trustee Fernandez, Trustee Area V and the August 12, 2020 application deadline for the November 2020 election ballot for the Board of Trustees for Trustee Areas VI & VII (Rio Vista Trustee Areas), it is necessary for the Board to appoint replacements to fulfill these required duties for the remainder of the 2020-2022 term (Clarksburg, Trustee Area V) and the term 2020-2024 Trustee Areas VI & VII (Rio Vista Trustee Areas). Registered voters residing in Trustee Areas V, VI & VII are invited to apply for an appointment to the Board of Trustees of the River Delta Unified School District. Appointees will serve, beginning with being seated at the regularly scheduled Board meeting on December 15, 2020 held at approximately 6:30 p.m. until the next regularly scheduled Board election in November 2022 for Trustee Area V and November 2024 for Trustee Areas VI & VII.

Application Procedures:

Applications may be picked up at the District Office (445 Montezuma Street) in Rio Vista, and Delta High School (52810 Netherlands Avenue) in Clarksburg or be downloaded from the District's web page: <http://riverdelta.org> under Board of Trustees/Elections.

Applications (consisting of a Letter of Intent, Resume, Candidate Information Sheet, and answers to the *Presentation Questions*) are to be sent to:

Chairperson
Board of Trustees
c/o Superintendent's Office
River Delta Unified School District
445 Montezuma Street
Rio Vista, Ca 94571-1651

The deadline for the receipt of candidate applications is October 6, 2020 at Noon.

Applicants **must be present** at the **October 13, 2020** meeting of the Board of Trustees, to be held at **6:30 p.m.** location to be determined. The meeting will be held remotely via Zoom Webinar if Stay-at-home orders are still in place or at Bates Elementary School in Courtland, California for the Public Hearing of their applications and Board interview.

If you have any questions regarding the boundaries of Trustee Areas V, VI or VII, or the application procedure, please contact Jennifer Gaston, Executive Assistant, at 707-374-1711.

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RIVER DELTA UNIFIED SCHOOL DISTRICT

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

Date: September 8, 2020
To: Board of Trustees
and Prospective Applicants

From: Katherine Wright, Superintendent

Re: Timeline and Procedures related to filling Board of Trustees Vacancy

Following the resignation of Trustee Fernandez (Trustee Area V) and the August 12, 2020 application deadline for the November 2020 election ballot for the Board of Trustees for Trustee Areas VI & VII (Rio Vista Trustee Areas), it is necessary for the Board to appoint replacements to fulfill these required duties for the remainder of the 2020-2022 term (Clarksburg, Trustee Area V) and the term 2020-2024 Trustee Areas VI & VII (Rio Vista Trustee Areas). Registered voters residing in Trustee Areas V, VI & VII are invited to apply for an appointment to the Board of Trustees of the River Delta Unified School District. Appointees will serve, beginning with being seated at the regularly scheduled Board meeting on December 15, 2020 held at approximately 6:30 p.m. until the next regularly scheduled Board election in November 2022 for Trustee Area V and November 2024 for Trustee Areas VI & VII.

Applications will be available for picked up at the District Office (445 Montezuma Street) in Rio Vista, and Delta High School (52810 Netherlands Avenue) in Clarksburg or downloaded from the District's web page: <http://riverdelta.org> under Board of Trustees/Elections. Send a Letter of Intent, Resume, Candidate Information Sheet and answers to the Presentation Questions to: Chairperson, Board of Trustees, c/o Superintendent's Office, River Delta Unified School District, 445 Montezuma Street, Rio Vista, CA 94571-1651.

The deadline for the receipt of candidate applications is **Tuesday, October 6, 2020 at Noon**. Applicants **must be present** at the **October 13, 2020** meeting of the Board of Trustees, to be held at **6:30 p.m.** location to be determined. The meeting will be held remotely via Zoom Webinar if Stay-at-home orders are still in place or at Bates Elementary School in Courtland, California for the Public Hearing of their applications and Board interview.

If you have any questions regarding the boundaries of Trustee Areas VI, VII, V or the application procedure, please contact Jennifer Gaston, Executive Assistant to the Board of Trustees, at 707-374-1711.

1. The following is the timeline for the process to select appointees to fill the Areas V, VI & VII Vacancies:

September 4, 2020 Notices sent to all school sites and to the community libraries.

Tuesday,
October 6, 2020, Noon Completed applications for the provisional appointment due to be submitted to the Board Chairperson at 445 Montezuma Street, Rio Vista, CA 94571-1651. (A complete application shall consist of the Letter of Intent, Resume, Candidate Information Sheet, answered Presentation Questions, and any additional information that the applicant deems pertinent.)

Creating Excellence To Ensure That All Students Learn

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

Notice of Vacancy, cont.

October 13, 2020

Regular meeting of the Board of Trustees during which the applications received will be considered to be held at the Bates Elementary School in Courtland, California or remotely via Zoom Webinar if Stay-at-home orders are still in place.

II. The following is the procedure for selecting an appointee to fill the Trustee Areas V, VI & VII vacancies.

A. Preliminary

1. All application packets will be available to the public at the District Office in Rio Vista and in the Delta High School's office in Clarksburg. The application packet consists of the Notice of Vacancy, this letter of "Timeline and Procedures", Candidate Information Sheet and the Presentation Questions.
2. In order to structure the oral presentation by the candidate at the Board Meeting and to permit evaluation of his/her views, each candidate has been given a set of questions to answer (Presentation Questions) prior to their presentation to the Board on **October 13, 2020**. The answers to the Presentation Questions included in the application packet are to be turned in at the time of submission of application by **Noon on October 6, 2020**.

B. Application Procedures

1. All applicants will be acknowledged (in writing or by phone) and will be reminded that they must be available for presentation to the Board of Trustees in public session on **October 13, 2020 at 6:30 p.m.** at Bates Elementary School in Courtland, California or by a Zoom Webinar if applicable.
2. Copies of all applications (including Letter of Intent, Resume, Candidate Information Sheet, Answers to Presentation Questions, and any additional information provided by the applicant) will be made available to each Board Member prior to the Board Meeting.

C. Pre-Presentation

1. All candidates are to report to the Bates Elementary School Auditorium in Courtland at 6:00 p.m. (one-half hour prior to the Open Session of the Board Meeting). If the meeting is held remotely, login to the webinar meeting by 6:30pm.
2. Candidates will pick by lottery his/her order of presentation from a bowl containing ballots numbered individually and corresponding to the total number of candidates.

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Notice of Vacancy, cont.

D. Presentation

1. Each candidate will be allowed a minimum of 10 minutes and a maximum of 20 minutes to address the Board.
2. The Board president will close each presentation at the end of the maximum time whether the candidate has finished or not.
3. The Presentation Questions (attached in the application packet) **must** be answered as a part of the candidate's written application. In addition, candidates are **expected to present the answers** to these questions **verbally** in their presentations to the Board on **October 13, 2020** and, thereafter, if necessary. All Board Members will have copies of the candidates' written documentation and their answers to these Presentation Questions. Candidates are advised that their oral presentations including their oral answers to the Presentation Questions will be **uninterrupted**. The Board president will **not** read each Presentation Question to each candidate making a presentation.

E. Voting

1. A score board will be set up in full view of the public with a matrix system consisting of the names of the Board Members on one axis and the names of the candidates on the other.
2. On a normal roll-call, with the President voting last, each member is entitled to one vote for one candidate.
3. Upon conclusion of the first round, a candidate receiving four or more votes will be declared the winner. At that time, the President will entertain a motion for vote by acclamation to make the appointment.
4. If the first round does not result in a winner (four votes), a second round will commence. Candidates receiving no votes will be eliminated in the second round.
5. Upon conclusion of the second round, a candidate receiving four or more votes will be declared the winner. At that time, the President will entertain a motion for vote by acclamation to make the appointment.
6. The voting will continue in a like manner as #4 and #5 above, until a winner arises; or unless it is clear that an impasse resulted from a tie vote.

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River Delta High/Elementary School		River Delta Community Day School	Delta Elementary Charter School	

Notice of Vacancy, cont.

F. Tie-Breaker

1. The Board shall determine the time for continuing with the appointment procedure, which could resume immediately on **October 13, 2020**, but will resume no later than the next day, **October 14, 2020** (time to be determined).
2. Upon resumption of the process, each candidate with a tied Board vote will pick by lottery the order of interview. The remaining candidate(s) will wait for their interviews outside the room, as before.
3. Each candidate will be given 5 minutes for an opening statement prior to the interview questions from the Board. An in-depth interview will be made by the Board, with each Board Member given a turn in roll-call order. No fixed time limit will be set, but it is expected that the questioning period will not extend beyond 30 minutes.
4. Upon conclusion of the interview of all candidates, the voting procedure will resume as in "E".
5. In case of another impasse, the Board shall consider other courses of action, including but not limited to the calling of a special election or another call for applications.

G. Post-Appointment

1. After the appointment is made **October 13 but not later than October 14, 2020** by the Board which is prior to the date of the next election (November 2020), the district will follow the procedures outlined by the Sacramento County Superintendent of Schools in publishing a Notice of Appointment of Board of Trustee Member for Trustee Areas V, VI & VII (containing the language in the below paragraph (2)), and in seating the new appointees at the **December 15, 2020** meeting of the Board of Trustees.
2. Unless a petition calling for a special election, containing enough signatures, is filed in the Office of County Superintendent of Schools within 30 days (December 13, 2020) of the appointment (made on **October 13, 2020**), this appointment shall become an effective appointment (**effective October 13, 2020 and seated December 15, 2020**).

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 2020

Attachments: X

From: Ken Gaston, Director of MOT

Item Number: 17

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

SUBJECT:

Request to approve Change Order No. 1 and grant permission to file the Notice of Completion of the installation of two (2) modular classrooms at D.H. White Elementary School by Kerex Engineering

BACKGROUND:

Installation of two (2) modular classrooms are complete. This Notice of Completion and recording at the County Recorder's Office sets in motion 35 day hold period before final retention can be released.

STATUS:

PRESENTER:

Ken Gaston, Director of MOT

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

No cost for filing Notice of Completion

RECOMMENDATION:

That the Board approves the Change Order as submitted and grants permission to file the Notice of Completion for the installation of two (2) modular classrooms at D.H. White Elementary School.

Time allocated: 5 minutes

**River Delta Unified School District
Site Improvements for New Modular Classrooms
at D.H. White Elementary**

Change Order No. 1

Date: August 26, 2020

Pursuant to the Contract Documents, you are hereby authorized to make the following changes to the project. Execution of this change order represents full and final costs of all direct, indirect, and delay costs for the scope of services identified herein unless otherwise noted.

Original contract sum:	\$	290,000.00
Previous change orders:	\$	-
Original contract amount plus/minus previous change orders:	\$	290,000.00
Total amount of this change order:	\$	(1,708.07)
Adjusted contract amount including this change order will be:	\$	288,291.93
The contract time will be adjusted by the following number of days:		0 days

Owner:

River Delta Unified School District
445 Montezuma Street
Rio Vista, CA 94571
Katherine Wright, Superintendent

By: _____ Date _____

Architect

Wilson Architecture, Inc.
609 15th Street
Modesto, CA 95301
Norman Wilson, Architect

By:  Date 8.26.20

Contractor:

Kerex Engineering, Inc.
PO Box 23831
Pleasant Hill, CA 94523
Patrick Madden, President

By:  Date _____

Project Manager:

RGM Kramer, Inc.
3230 Monument Way
Concord, CA 94518
Eric Scheuermann, Construction Manager

By: Eric Scheuermann Date 8/26/20

Description	Amount
COR #1R Change in Fire Alarm Panel	\$ 3,884.21
COR #2 Relocation of IDF Panel	\$ 2,841.29
COR #3 Troubleshooting of Fire Alarm Panel Existing Troubles	\$ 1,088.13
COR #4 Additional Survey Work	\$ 2,446.20
COR #5 Additional Grading Around Building	\$ 2,505.28
COR #6 Not Used	\$ -
COR #7 Reroute Storm Drain	\$ 1,131.25
COR #8 Remove and Replace Wood Form Stakes with Steel Stakes	\$ 2,734.33
COR #9 Additional 100 SF of Concrete Sidewalk	\$ 1,661.24
Credit for Contract Allowance	\$ (20,000.00)
Total This Change Order	\$ (1,708.07)

Eric Scheuermann

From: Patrick Madden <patrick@kerexengineering.com>
Sent: Monday, August 17, 2020 1:09 PM
To: Eric Scheuermann
Subject: Fwd: FW: COR #1 Extra Work Request- DH White ES
Attachments: scan0247.pdf

FYI- Response on COR#1

----- Forwarded message -----

From: <josh@4belectric.com>
Date: Sun, Aug 16, 2020 at 9:09 AM
Subject: FW: COR #1 Extra Work Request- DH White ES
To: Patrick Madden <patrick@kerexengineering.com>
Cc: <hector@kerexengineering.com>

See attached and response from kalifornia fire alarm

1. Material Handling – is not allowable line item per Contract – Basis for Establishing Costs **REMOVED**
2. Programing – show credit for programming that would have been contract work if Johnson Controls was not involved. **WE STILL HAD TO BE ON SITE FOR THE TIME JOHNSON WAS PROGRAMMING. IN MY OPINION, A NEGATIVE CHANGE ORDER FOR ORIGINAL PROGRAMMING TIME IS NOT REASONABLE CONSIDERING WE HAD TO BE THERE STILL DIRECTING THE JOHNSON CONTROLS TECHNICIAN. ALSO, JOHNSON INVOICED FOR MORE THAN WAS QUOTED FOR THE PROGRAMMING, WHICH I HAVE REVISED ON THE CHANGE ORDER. ATTACHED IS DOCUMENTATION FOR ORIGINAL QUOTE AND ACTUAL INVOICED LABOR FOR PROGRAMMING. WE ARE STILL ON-THE-HOOK WITH JOHNSON FOR ALL THE MATERIAL.**
3. Engineering/CAD – what is the reason for this charge? **REMOVED**
4. Project Management – is not allowable line item per Contract – Basis for Establishing Costs. **REMOVED**
5. Provide backup cost for material credit – example B300-6 Detector Base \$7.80 credit, new cost \$98.82? **THIS IS CASE IN POINT OF WHY SIMPLEX/JOHNSON IS OUTRAGEOUS. THE COST OF THE SIMPLEX DEVICES. THEY CHARGE \$98.82/BASE AND \$76.11/DETECTOR. MY COSTS ARE SHOWN BELOW. IF THAT DOESN'T CONVINCEN ANYONE THAT THEY SHOULD MOVE AWAY FROM SIMPLEX, I DON'T KNOW WHAT ELSE WILL.**

The fire alarm panel at DH White is failing and likely needs to be replaced. Simplex/Johnson said as much and is going to be proposing as such. When you look at the story here, and the fact that their original quote for the portables was just short of \$40k, I think it would be wise for the school/district to look at other options rather than replace with another Simplex panel. I can only imagine what their quote for a panel replacement would be. I am willing to bet we could do an entire system replacement for around the same or possibly less than what they may propose, and then they would be free of Simplex tyranny and have multiple options for service, parts etc.



8.16.20

Change Order Request

Job: DH white elementary school relocatable portables
Prime contractor: Kerex Engineering
Reference: RFI #7

Kalifornia Fire alarm expense: \$ 3471.03

Material: \$ 2189.23

Labor: \$ 1281.80

4B electric 5% mark up on Kalifornia Fire alarm: \$ 173.55

Total: 3644.58

See attached pages for backup.



P.O. Box 1305
Oakley, CA 94561

Invoice

Date	Invoice #
7/17/2020	241

Customer
Kerex Engineering 3478 Buskirk Ave #1000 Pleasant Hill, CA 94523

Terms	Project
Due on receipt	DH white

Item	Description	Rate	Amount
Electrical & Lighting	CCO for Fire alarm modifications	3,644.58	3,644.58

Balance Due	\$3,644.58
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Johnson Controls Fire Protection

4650 Beloit Dr
 Sacramento, CA 95838
 Tel: 916-283-0300
 Fax: 916.920.2777
 License number: 986047
www.jci.com

PROPOSAL AND SERVICE AGREEMENT

Johnson Controls Contract # N/A	Salesperson: Shawn M Dorrough - 202924	Date: 6/11/20
Customer: ACE# TBD Kalifornia Fire & Signal 803 College St Woodland, CA 95695	Job Location: TBD Rio Vista, CA POC: Riley Gish - 530.417.2451	Customer P.O. #
Invoice To (if different from Customer):		

Johnson Controls Fire Protection LP ("Company"), for and in consideration of the prices herein named, proposes to furnish the work, and/or materials hereinafter described, subject to the terms and conditions of this Agreement.

SCOPE OF WORK:

Description	Qty	Rate	Extended Price
Materials			
4098-9792 – 4 Wire Base	10	\$98.82	\$2543.30
4098-9714 – Photoelectric Sensor	4	\$76.11	\$791.08
4098-9734 – High Temp Heat Detector	6	\$54.49	\$678.18
4090-9002 – Relay IAM Module	1	\$206.41	\$206.41
Labor			
Programming Labor	4 Hours	\$240.00	\$960.00
Estimated Minimum Total			\$2,786.00

FIRE ALARM SCOPE OF WORK:

This is a proposal to supply the parts listed above, and to provide 4 hours of technical labor to program panel once devices are installed.

CLARIFICATIONS:

*Any field device that needs replacement due to incompatibility will be considered additional work outside of scope. Additional charges may apply.

INCLUDES:

- * Programming of building fire alarm panel
- * Test of devices to ensure compatibility between existing devices and new panel kit
- * Standard one year warranty on provided equipment - see terms and conditions
- * Standard freight and handling
- * Sales tax
- * Work to be performed during normal business hours (M-F 0700 - 1600)

EXCLUDES:

TERMS AND CONDITIONS

- * Prepare fire alarm drawings and material submittals for submittal to local fire department
- * Permits and Permit fees
- * Any change not specifically noted in above Scope
- * Changes by AHJ which differ from approved design
- * Pre-test of existing wiring and/or troubleshooting of faulty existing wiring
- * Access panels for JCI supplied equipment
- * Patching, Painting
- * Prevailing wage
- * Fire Watch
- * Any additional provisions for smoke evacuation testing
- * Work outside of TI space
- * Any common area corridor work
- * Safeoff and demo of existing devices, wire, and conduit

NOTES:

- * JCI is a Non-Union Contractor and cannot be held liable for delays, work stoppages and back charges due to this fact.
- * This quote is based upon the approval of the authority having jurisdiction (AHJ). Any additions or changes required by the AHJ will be in addition to our quote.
- * Work performed outside of this scope will be at standard published T&M rates.
- * Owner to provide autocad files for design purposes. Should autocad files not be available, additional costs will apply.
- * This scope and accompanying terms/conditions will become an integral part of our contract and this quote is valid for 30 days.
- * JCI billing will be based on Schedule of Values and progress billing

Payment	NET 10 <input type="checkbox"/>	NET 30 <input type="checkbox"/>	C.O.D. <input type="checkbox"/>	DEPOSIT: \$
Time and Material <input type="checkbox"/>	Price Not to Exceed \$	Fixed Price of \$2786.00		BALANCE DUE: \$

CUSTOMER ACCEPTANCE

In accepting this Agreement, Customer agrees to the terms and conditions contained herein including those on the following page(s) of this Agreement and any attachments or riders attached hereto that contain additional terms and conditions. It is understood that these terms and conditions shall prevail over any variation in terms and conditions on any purchase order or other document that the Customer may issue. Any changes in the system requested by the Customer after the execution of this Agreement shall be paid for by the Customer and such changes shall be authorized in writing. **ATTENTION IS DIRECTED TO THE LIMITATION OF LIABILITY, WARRANTY, INDEMNITY AND OTHER CONDITIONS CONTAINED IN THIS AGREEMENT. This offer shall be void if not accepted in writing within thirty (30) days from the date first set forth above.**

JOHNSON CONTROLS FIRE PROTECTION LP

Customer

By: _____
 Name:
 Title:

By: _____
 Name: Shawn Dorrough
 Title: Electronic Service Sales

1. Payment. Work performed on a time and material basis shall be at the then-prevailing Company rate for material, labor, and related items, in effect at the time supplied under this Agreement. Further, in the event that this Agreement is executed on a "price not to exceed" basis, the price to Customer shall be lesser of: 1) the limit price quoted, or 2) the actual cumulative billing based on the aforementioned prevailing rate. Unless otherwise agreed in writing between the parties, Customer shall pay Company within thirty (30) days of the date of this Agreement. Customer agrees to pay all taxes, permits, and other charges, including but not limited to state and local sales and excise taxes, however designated, levied or based on the service charges pursuant to this Agreement. Company shall have the right, at Company's sole discretion, to stop performing any Services if Customer fails to make any payment when due, until the account is current. The

Customer's failure to make payment when due is a material breach of this Agreement.

2. Pricing. The pricing set forth in this Agreement is based on the number of devices to be installed and services to be performed as set forth in the Scope of Work. If the actual number of devices installed or services to be performed is greater than that set forth in the Scope of Work, the price will be increased accordingly. Company may increase prices upon notice to the Customer or annually to reflect increases in material and labor costs. Customer agrees to pay all taxes, permits, and other charges, including but not limited to federal, state and local sales and excise taxes, installation or alarm permits, false alarm assessments, or any charges imposed by any government body, however designated, levied or based on the service charges pursuant to this Agreement.

3. Alarm Monitoring Services. Any reference to alarm monitoring services in this Agreement is included for pricing

purposes only. Alarm monitoring services are performed pursuant to the terms and conditions of Company's standard alarm monitoring services agreement.

4. Code Compliance. Company does not undertake an obligation to inspect for compliance with laws or regulations unless specifically stated in the Scope of Work. Customer acknowledges that the Authority Having Jurisdiction (e.g. Fire Marshal) may establish additional requirements for compliance with local codes. Any additional services or equipment required will be provided at an additional cost to Customer.

5. Limitation of Liability; Limitations of Remedy. It is understood and agreed by the Customer that Company is not an insurer and that insurance coverage, if any, shall be obtained by the Customer and that amounts payable to company hereunder are based upon the value of the services and the scope of liability set forth in this Agreement and are unrelated to the value of the

TERMS AND CONDITIONS

Customer's property and the property of others located on the premises. Customer agrees to look exclusively to the Customer's insurer to recover for injuries or damage in the event of any loss or injury and that Customer releases and waives all right of recovery against Company arising by way of subrogation. Company makes no warranty or Warranty, including any implied warranty of merchantability or fitness for a particular purpose that equipment or services supplied by Company will detect or avert occurrences or the consequences therefrom that the equipment or service was designed to detect or avert. It is impractical and extremely difficult to fix the actual damages, if any, which may proximately result from failure on the part of Company to perform any of its obligations under this Agreement. Accordingly, Customer agrees that, Company shall be exempt from liability for any loss, damage or injury arising directly or indirectly from occurrences, or the consequences therefrom, which the equipment or service was designed to detect or avert. Should Company be found liable for any loss, damage or injury arising from a failure of the equipment or service in any respect, Company's liability shall be limited to an amount equal to the Agreement price (as increased by the price for any additional work) or where the time and material payment term is selected, Customer's time and material payments to Company. Where this Agreement covers multiple sites, liability shall be limited to the amount of the payments allocable to the site where the incident occurred. Such sum shall be complete and exclusive. If Customer desires Company to assume greater liability, the parties shall amend this Agreement by attaching a rider setting forth the amount of additional liability and the additional amount payable by the Customer for the assumption by Company of such greater liability, provided however that such rider shall in no way be interpreted to hold Company as an insurer. IN NO EVENT SHALL COMPANY BE LIABLE FOR ANY DAMAGE, LOSS, INJURY, OR ANY OTHER CLAIM ARISING FROM ANY SERVICING, ALTERATIONS, MODIFICATIONS, CHANGES, OR MOVEMENTS OF THE COVERED SYSTEM(S) OR ANY OF ITS COMPONENT PARTS BY THE CUSTOMER OR ANY THIRD PARTY. COMPANY SHALL NOT BE LIABLE FOR INDIRECT, INCIDENTAL OR CONSEQUENTIAL DAMAGES OF ANY KIND, INCLUDING BUT NOT LIMITED TO DAMAGES ARISING FROM THE USE, LOSS OF THE USE, PERFORMANCE, OR FAILURE OF THE COVERED SYSTEM(S) TO PERFORM. The limitations of liability set forth in this Agreement shall inure to the benefit of all parents, subsidiaries and affiliates of Company, whether direct or indirect, Company's employees, agents, officers and directors.

6. Reciprocal Waiver of Claims (SAFETY Act). Certain of Johnson Controls Fire Protection's systems and services have received Certification and/or Designation as Qualified Anti-Terrorism Technologies ("QATT") under the Support Anti-Terrorism by Fostering Effective Technologies Act of 2002, 6 U.S.C. §§ 441-444 (the "SAFETY Act"). As required under 6 C.F.R. 25.5 (e), to the maximum extent permitted by law, Johnson Controls Fire Protection and Customer hereby agree to waive their right to make any claims against the other for any losses, including business interruption losses, sustained by either party or their respective employees, resulting from an activity resulting from an "Act of Terrorism" as defined in 6 C.F.R. 25.2, when QATT have been deployed in defense against, response to, or recovery from such Act of Terrorism.

7. General Provisions. Customer has selected the service level desired after considering and balancing various levels of protection afforded, and their related costs. Customer acknowledges and agrees that by this Agreement, Company, unless specifically stated, does not undertake any obligation to maintain or render Customer's system or equipment as Year 2000 compliant, which shall mean, capable of correctly handling the processing of calendar dates before or after December 31, 1999. All work to be performed by Company will be performed during normal working hours of normal working days (8:00 a.m. - 5:00 p.m., Monday through Friday, excluding Company holidays), as defined by Company, unless additional times are specifically described in this Agreement. All work performed unscheduled unless otherwise specified in this

Agreement. Appointments scheduled for four-hour window. Additional charges may apply for special scheduling requests, e.g. working around equipment shutdowns, after hours work.

Company will perform the services described in the Scope of Work section ("Services") for one or more system(s) or equipment as described in the Scope of Work section or the listed attachments ("Covered System(s)").

The Customer shall promptly notify Company of any malfunction in the Covered System(s) which comes to Customer's attention. This Agreement assumes the Covered System(s) are in operational and maintainable condition as of the Agreement date. If, upon initial inspection, Company determines that repairs are recommended, repair charges will be submitted for approval prior to any work. Should such repair work be declined Company shall be relieved from any and all liability arising therefrom. UNLESS OTHERWISE SPECIFIED IN THIS AGREEMENT, ANY INSPECTION (AND, IF SPECIFIED, TESTING) PROVIDED UNDER THIS AGREEMENT DOES NOT INCLUDE ANY MAINTENANCE, REPAIRS, ALTERATIONS, REPLACEMENT OF PARTS, OR ANY FIELD ADJUSTMENTS WHATSOEVER, NOR DOES IT INCLUDE THE CORRECTION OF ANY DEFICIENCIES IDENTIFIED BY COMPANY TO CUSTOMER. COMPANY SHALL NOT BE RESPONSIBLE FOR EQUIPMENT FAILURE OCCURRING WHILE COMPANY IS IN THE PROCESS OF FOLLOWING ITS INSPECTION TECHNIQUES, WHERE THE FAILURE ALSO RESULTS FROM THE AGE OR OBSOLESCENCE OF THE ITEM OR DUE TO NORMAL WEAR AND TEAR. THIS AGREEMENT DOES NOT COVER SYSTEMS, EQUIPMENT, COMPONENTS OR PARTS THAT ARE BELOW GRADE, BEHIND WALLS OR OTHER OBSTRUCTIONS OR EXTERIOR TO THE BUILDING, ELECTRICAL WIRING, AND PIPING.

8. Customer Responsibilities. Customer shall promptly notify Company of any malfunction in the Covered System(s) which comes to Customer's attention. This Agreement assumes any existing system(s) are in operational and maintainable condition as of the Agreement date. If, upon initial inspection, Company determines that repairs are recommended, repair charges will be submitted for approval by Customer's on-site representative prior to work. Should such repair work be declined, Company shall be relieved from any and all liability arising therefrom.

Customer further agrees to:

- Provide Company clear access to Covered System(s) to be serviced including, if applicable, lift trucks or other equipment needed to reach inaccessible equipment;
- Supply suitable electrical service, heat, heat tracing adequate water supply, and required system schematics and/or drawings;
- Notify all required persons, including but not limited to authorities having jurisdiction, employees, and monitoring services, of scheduled testing and/or repair of systems;
- Provide a safe work environment;
- In the event of an emergency or Covered System(s) failure, take reasonable precautions to protect against personal injury, death, and/or property damage and continue such measures until the Covered System(s) are operational; and
- Comply with all laws, codes, and regulations pertaining to the equipment and/or services provided under this agreement.

9. Repair Services (if Selected by Customer). Where Customer expressly includes repair, replacement, and emergency response services in the Scope of Work, such services apply only to the components or equipment of the Covered System(s). Customer agrees to promptly request repair services in the event the System becomes inoperable or otherwise requires repair. The Agreement price does not include repairs to the Covered System(s) recommended by Company during the initial inspection, for which Company may submit independent pricing to customer and as to which Company will not proceed until Customer authorizes such work and approves the pricing. Repair or replacement of non-maintainable parts of the Covered System(s) including, but not limited to, unit cabinets, insulating material, electrical wiring, structural supports, and all other non-moving parts, is not included under this Agreement.

10. System Equipment. The purchase of equipment or peripheral devices, (including but not limited to smoke

detectors, passive infrared detectors, card readers, sprinkler system components, extinguishers and hoses) from Company shall be subject to the terms and conditions of this Agreement. If, in Company's sole judgment, any peripheral device or other system equipment, which is attached to the Covered System(s), whether provided by Company or a third party, interferes with the proper operation of the Covered System(s), Customer shall remove or replace such device or equipment promptly upon notice from Company. Failure of Customer to remove or replace the device shall constitute a material breach of this Agreement. If Customer adds any third party device or equipment to the Covered System(s), Company shall not be responsible for any damage to or failure of the Covered System(s) caused in whole or in part by such device or equipment.

11. Reports. Where inspection and/or test services are selected, such inspection and/or test shall be completed on Company's then current Report form, which shall be given to Customer, and, where applicable, Company may submit a copy thereof to the local authority having jurisdiction. The Report and recommendations by Company are only advisory in nature and are intended to assist Customer in reducing the risk of loss to property by indicating obvious defects or impairments noted to the system and equipment inspected and/or tested. They are not intended to imply that no other defects or hazards exist or that all aspects of the Covered System(s), equipment, and components are operational at the time of inspection. Final responsibility for the condition and operation of the Covered System(s), equipment and components lies with Customer.

12. Confined Space. If access to confined space by Company is required for the performance of Services, Services shall be scheduled and performed in accordance with Company's then-current hourly rate.

13. Hazardous Materials. Customer represents that, except to the extent that Company has been given written notice of the following hazards prior to the execution of this Agreement, to the best of Customer's knowledge there is no:

- "Permit confined space," as defined by OSHA,
- Risk of infectious disease,
- Need for air monitoring, respiratory protection, or other medical risk,
- Asbestos, asbestos-containing material, formaldehyde or other potentially toxic or otherwise hazardous material contained in or on the surface of the floors, walls, ceilings, insulation or other structural components of the area of any building where work is required to be performed under this Agreement.

All of the above are hereinafter referred to as "Hazardous Conditions".

Company shall have the right to rely on the representations listed above. If hazardous conditions are encountered by Company during the course of Company's work, the discovery of such materials shall constitute an event beyond Company's control and Company shall have no obligation to further perform in the area where the hazardous conditions exist until the area has been made safe by Customer as certified in writing by an independent testing agency, and Customer shall pay disruption expenses and re-mobilization expenses as determined by Company.

This Agreement does not provide for the cost of capture, containment or disposal of any hazardous waste materials, or hazardous materials, encountered in any of the Covered System(s) and/or during performance of the Services. Said materials shall at all times remain the responsibility and property of Customer. Company shall not be responsible for the testing, removal or disposal of such hazardous materials.

14. Limited Warranty. COMPANY WARRANTS THAT ITS WORKMANSHIP AND MATERIAL FURNISHED UNDER THIS AGREEMENT WILL BE FREE FROM DEFECTS FOR A PERIOD OF NINETY (90) DAYS FROM THE DATE OF FURNISHING. Where Company provides product or equipment of others, Company will warrant the product or equipment only to the extent warranted by such third party. EXCEPT AS EXPRESSLY SET FORTH HEREIN, COMPANY DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE WITH RESPECT TO THE SERVICES PERFORMED OR THE PRODUCTS, SYSTEMS

TERMS AND CONDITIONS

OR EQUIPMENT, IF ANY, SUPPORTED HEREUNDER. COMPANY MAKES NO WARRANTY OR REPRESENTATION, AND UNDERTAKES NO OBLIGATION TO ENSURE BY THE SERVICES PERFORMED UNDER THIS AGREEMENT, THAT COMPANY'S PRODUCTS OR THE SYSTEMS OR EQUIPMENT OF THE CUSTOMER WILL CORRECTLY HANDLE THE PROCESSING OF CALENDAR DATES BEFORE OR AFTER DECEMBER 31, 1999.

15. Indemnity. Customer agrees to indemnify, hold harmless and defend Company against any and all losses, damages, costs, including expert fees and costs, and expenses including reasonable defense costs, arising from any and all third party claims for personal injury, death, property damage or economic loss, including specifically any damages resulting from the exposure of workers to Hazardous Conditions whether or not Customer pre-notifies Company of the existence of said hazardous conditions, arising in any way from any act or omission of Customer or Company relating in any way to this Agreement, including but not limited to the Services under this Agreement, whether such claims are based upon contract, warranty, tort (including but not limited to active or passive negligence), strict liability or otherwise. Company reserves the right to select outside counsel to represent it in any such action.

16. Insurance. Customer shall name Company, its officers, employees, agents, subcontractors, suppliers, and representatives as additional insureds on Customer's general liability and auto liability policies.

17. Availability and Cost of Steel, Plastics & Other Commodities. Company shall not be responsible for failure to provide services, deliver products, or otherwise perform work required by this Agreement due to lack of available steel products or products made from plastics or other commodities. (i) In the event Company is unable, after reasonable commercial efforts, to acquire and provide steel products, or products made from plastics or other commodities, if required to perform work required by this Agreement, Customer hereby agrees that Company may terminate the Agreement, or the relevant portion of the Agreement, at no additional cost and without penalty. Customer agrees to pay Company in full for all work performed up to the time of any such termination. (ii) If Company is able to obtain the steel products or products made from plastics or other commodities, but the price of any of the products has risen by more than 10% from the date of the bid, proposal or date Company executed this Agreement, whichever occurred first, then Company may pass through that increase through a reasonable price increase to reflect increased cost of materials.

18. Exclusions. This Agreement expressly excludes, without limitation, testing inspection and repair of duct detectors, beam detectors, and UV/IR equipment; provision of fire watches; clearing of ice blockage; draining of improperly pitched piping;

batteries; recharging of chemical suppression systems; reloading of, upgrading, and maintaining computer software; making repairs or replacements necessitated by reason of negligence or misuse of components or equipment or changes to Customer's premises, vandalism, corrosion (including but not limited to micro-bacterially induced corrosion ("MIC")), power failure, current fluctuation, failure due to non-Company installation, lightning, electrical storm, or other severe weather, water, accident, fire, acts of God or any other cause external to the Covered System(s). This Agreement does not cover and specifically excludes system upgrades and the replacement of obsolete systems, equipment, components or parts. All such services may be provided by Company at Company's sole discretion at an additional charge. If Emergency Services are expressly included in the scope of work section, the Agreement price does not include travel expenses.

19. Force Majeure. Company shall not be responsible for delays or failure to render services due to causes beyond its control, including but not limited to material shortages, work stoppages, fires, civil disobedience or unrest, severe weather, fire or any other cause beyond the control of Company.

20. Termination. Company may terminate this Agreement immediately at its sole discretion upon the occurrence of any Event of Default as hereinafter defined. Company may also terminate this Agreement at its sole discretion upon notice to Customer if Company's performance of its obligations under this Agreement becomes impracticable due to obsolescence of equipment at Customer's premises or unavailability of parts.

21. No Option to Solicit. Customer shall not, directly or indirectly, on its own behalf or on behalf of any other person, business, corporation or entity, solicit or employ any Company employee, or induce any Company employee to leave his or her employment with Company, for a period of two years after the termination of this Agreement.

22. Default. An Event of Default shall be 1) failure of the Customer to pay any amount within ten (10) days after the amount is due and payable, 2) abuse of the System or the Equipment, 3) dissolution, termination, discontinuance, insolvency or business failure of Customer. Upon the occurrence of an Event of Default, Company may pursue one or more of the following remedies, 1) discontinue furnishing Services, 2) by written notice to Customer declare the balance of unpaid amounts due and to become due under the this Agreement to be immediately due and payable, provided that all past due amounts shall bear interest at the rate of 1 1/2% per month (18% per year) or the highest amount permitted by law, 3) receive immediate possession of any equipment for which Customer has not paid. 4) proceed at law or equity to enforce performance by Customer or recover damages for breach of this Agreement, and 5) recover all costs and expenses, including without limitation reasonable attorneys' fees, in connection with enforcing or attempting to enforce this

Agreement.

23. One-Year Limitation on Actions; Choice of Law. It is agreed that no suit, or cause of action or other proceeding shall be brought against either party more than one (1) year after the accrual of the cause of action or one (1) year after the claim arises, whichever is shorter, whether known or unknown when the claim arises or whether based on tort, contract, or any other legal theory. The laws of Massachusetts shall govern the validity, enforceability, and interpretation of this Agreement.

24. Assignment. Customer may not assign this Agreement without Company's prior written consent. Company may assign this Agreement to an affiliate without obtaining Customer's consent.

25. Entire Agreement. The parties intend this Agreement, together with any attachments or Riders (collectively the "Agreement") to be the final, complete and exclusive expression of their Agreement and the terms and conditions thereof. This Agreement supersedes all prior representations, understandings or agreements between the parties, written or oral, and shall constitute the sole terms and conditions of sale for all equipment and services. No waiver, change, or modification of any terms or conditions of this Agreement shall be binding on Company unless made in writing and signed by an Authorized Representative of Company.

26. Severability. If any provision of this Agreement is held by any court or other competent authority to be void or unenforceable in whole or in part, this Agreement will continue to be valid as to the other provisions and the remainder of the affected provision.

27. Legal Fees. Company shall be entitled to recover from the Customer all reasonable legal fees incurred in connection with Company enforcing the terms and conditions of this Agreement.

28. License Information (Security System Customers): AL Alabama Electronic Security Board of Licensure 7956 Vaughn Road, Pmb 392, Montgomery, Alabama 36116 (334) 264-9388; AR Regulated by: Arkansas Board of Private Investigators And Private Security Agencies, #1 State Police Plaza Drive, Little Rock 72209 (501)618-8600; CA Alarm company operators are licensed and regulated by the Bureau of Security and Investigative Services, Department of Consumer Affairs, Sacramento, Ca, 95814. Upon completion of the installation of the alarm system, the alarm company shall thoroughly instruct the purchaser in the proper use of the alarm system. Failure by the licensee, without legal excuse, to substantially commence work within 20 days from the approximate date specified in the agreement when the work will begin is a violation of the Alarm Company Act: NY Licensed by N.Y.S. Department of the State: TX Texas Commission on Private Security, 5805 N. Lamar Blvd., Austin, 78752-4422, 512-424-7710. License numbers available at your local Johnson Controls Fire Protection office.



D-U-N-S 09-4738007
FED. ID 58-2608861

District # 455
4650 Beloit Dr
SACRAMENTO, CA 95838-2426
916-283-0300
Billing Questions, Contact =

Bill To: 412-69222475
River Delta Unified School Dis
445 Montezuma St
RIO VISTA CA 94571-1699

Johnson Controls Fire Protection LP

INVOICE NO.
86946084

INVOICE DATE
07-30-20

PO NUMBER

SERVICE REQUEST #
47767984

SERVICE REQ. CREATED
07-15-20

NATIONAL ACCOUNT NUMBER
8700

PAYMENT TERMS
Due upon receipt

Ship To: 455-00751896
D H White Elementary
500 Elm Way
RIO VISTA CA 94571-1304

Service Requested By:

Requestors Phone Number:

OK TO PAY
 PARTIAL PAYMENT
 ORDER RETURNED FOR CREDIT
 W/ANSEL P.O.
DATE _____

Description of work
Service Call
Tech arrived onsite, Programmed new devices per sub-contractor on site.
Service is complete
Thank you for your business!

Labor	\$1,020.00
Material	
Other	\$140.00
Invoice Amount	\$1,160.00
Taxes	\$0.00
Total Invoice Amount	\$1,160.00
Payment Received	\$0.00

Total Amount Due **\$1,160.00**



REMITTANCE COPY

PLEASE TEAR OFF AND RETURN THIS PORTION WITH YOUR PAYMENT - WRITE INVOICE NO. ON YOUR CHECK.

TOTAL AMOUNT DUE
\$1,160.00

BILL TO River Delta Unified Schoo
412-69222475
SHIP TO D H White Elementary
455-00751896

INVOICE NUMBER 86946084
INVOICE DATE 07-30-20
CUSTOMER P.O.

REMIT TO Johnson Controls Fire Protection LP
Dept. CH 10320
Palatine IL 60055-0320

4000116000786946084



Billing Questions:

District # 455
4650 Beloit Dr
SACRAMENTO, CA 95838-2426
916-283-0300

Johnson Controls Fire Protection LP

INVOICE NO.
86946084

DATE OF INVOICE
07-30-20

INVOICE SERVICE DETAIL

SERVICE REQ #	TASK #	DATE OF SERVICE	ITEMIZATION OF CHARGES	PRODUCT ID	UOM	AMOUNT
47767984	74328931	28-JUL-20	ALARM AND DETECTION REGULAR LABOR	SFTW TSPW RG	4 HR	\$1,020.00
47767984	74328931	29-JUL-20	TRUCK CHARGE	TRUCK CHARGE	1 EA	\$140.00

**Kalifornia Fire Alarm and Signal Inc.
Change Order Request**

DATE: June 15, 2020	ESTIMATOR: Jeremy Hagstrom
CUSTOMER C.O. #: January 1, 1900	REFERENCE: Bid drawing mistake
PROJECT #: 20-008P	
PROJECT NAME: DH White	
DESCRIPTION: DSA approved Bid drawings show the new FA equipment as Notifier devices. Project was bid with Notifier equipment. In reality, the existing FA system is a Simplex 4010. Change Order approval is needed to purchase the Simplex equipment and sub-contract Simplex to program the new devices in the existing FACP.	

SUMMARY PAGE

ITEMIZED COSTS:		COST
EQUIPMENT TOTAL (FROMPAGE 2)		\$1,825.99
SUB-TOTAL EQUIPMENT		\$1,825.99
OVERHEAD	10.00%	\$182.60
PROFIT	5.00%	\$9.13
MATERIAL TAXES	8.500%	
TOTAL TAXES		\$171.51
TOTAL EQUIPMENT		\$2,189.23

ITEMIZED LABOR:	LABOR RATE	LABOR HOURS	LABOR COST
MATERIAL HANDLING	\$49.04	0.00	\$0.00
CONSTRUCTION LABOR (FROM PAGE 2)	\$72.60	0.00	\$0.00
FOREMAN	\$83.99	0.00	\$0.00
SUPERINTENDENT	\$88.74	0.00	\$0.00
PROGRAMMING (Subcontracted)	\$255.00	4.00	\$1,020.00
JOHNSON CONTROLS TRUCK CHARGE	\$140.00	1.00	\$140.00
PROJECT MANAGEMENT	\$120.00	0.00	\$0.00
SUB-TOTAL LABOR		5.00	\$1,160.00
OVERHEAD	10.00%		\$116.00
PROFIT	5.00%		\$5.80
TOTAL LABOR			\$1,281.80
TOTAL SALES PRICE			\$3,471.03

KFS REQUIRES A REVISED PURCHASE ORDER AND/OR CONTRACT MODIFICATION PRIOR TO PROCEEDING WITH THIS PROPOSED CHANGE ORDER QUOTATION.

LABOR & MATERIAL DETAIL SHEET

DEVICES	QTY	HOURS	TOTAL	COST	EXT. COST
4098-9792 (Detector Base)	10		0.00	\$ 98.82	\$988.20
4098-9714 (Smoke Detector)	4		0.00	\$ 76.11	\$304.44
4098-9734 (Heat Detector)	6		0.00	\$ 54.49	\$326.94
4090-9002 (Relay Module)	1		0.00	\$ 206.41	\$206.41
			0.00		\$0.00
EQUIPMENT TOTAL:		HOURS	0.00	COST	\$1,825.99

CHANGE ORDER # CO 2 PRICING FORM

DATE: June 17, 2020	ESTIMATOR: Jeremy Hagstrom
CUSTOMER C.O. #: January 2, 1900	REFERENCE: Deduct for equipment not provided
PROJECT #: 20-008P	
PROJECT NAME: DH White	
DESCRIPTION: Deduct for Notifier equipment that is no longer being provided due to bid doc discrepancy	

SUMMARY PAGE

ITEMIZED COSTS:	COST
WIRE TOTAL (FROM PAGE 2)	\$0.00
EQUIPMENT TOTAL (FROM PAGE 2)	-\$517.95
RENTAL EQUIPMENT	\$0.00
TOOLS & MISC SAFETY EQUIPMENT	\$0.00
SHIPPING & HANDLING	\$0.00
SCHEDULE IMPACT / LOSS TIME	\$0.00
LICENSE / PERMIT FEE	\$0.00
BOND FEES	\$0.00
PARKING / ACCOMMODATION / TRAVEL EXPENSES	\$0.00
BLUE PRINT / REPRODUCTION EXPENSES	\$0.00
CLEAN UP EXPENSES	\$0.00
SUB-CONTRACT LABOR/SERVICES	\$0.00
TOTAL	-\$517.95

ITEMIZED LABOR:	LABOR RATE	LABOR HOURS	LABOR COST
MATERIAL HANDLING	\$49.04	0.00	\$0.00
CONSTRUCTION LABOR (FROM PAGE 2)	\$72.60	0.00	\$0.00
FOREMAN	\$83.99	0.00	\$0.00
SUPERINTENDENT	\$88.74	0.00	\$0.00
PROGRAMMING	\$110.47	0.00	\$0.00
ENGINEERING / CAD	\$97.48	0.00	\$0.00
PROJECT MANAGEMENT	\$116.97	0.00	\$0.00
TOTAL LABOR		0.00	\$0.00

TAXES:	RATE	
MATERIAL TAXES	8.500%	-\$44.03
TOTAL TAXES		-\$44.03

TOTAL SALES PRICE	-\$561.98
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REQUEST FOR INFORMATION # 7

DH White Elementary School

Contract No.:

Date: 6/16/2020

To: Eric Scheuerman

cc: Norm Wilson

From: Patrick Madden

Subject: Fire Alarm

Please provide the following information or clarification:

Please see attached RFI from our electrical subcontractor.

Response required by / /

Date: 6/16/20

To: Kerex

From: Norman Wilson

Subject: Response to RFI No

please verify components needed & prepare a new submittal w/ simplex compatible devices (with cut sheet & CFM listing sheets (current). prepare cost credit/charges for deleting all specified devices & including the proposed changed devices
(P)



REQUEST FOR INFORMATION # 7_

DH White Elementary School

Contract No.:

Date: 6/16/2020

To: Eric Scheuerman

cc: Norm Wilson

From: Patrick Madden

Subject: Fire Alarm

Please provide the following information or clarification:

Please see attached RFI from our electrical subcontractor.

Response required by \ \

Date:

To:

From:

Subject: Response to RFI No

TRANSMITTAL OF CONTRACTOR'S Request for Information

TO: Kerex Engineering

FROM: 4B Electric
Josh Burmann
PO Box 1305
Oakley, Ca 94561

Date: 6.15.2020

4B Electric RFI # 2.0
 NEW Additional Information Requested
Previous RFI No. 1
Project: DH white elementary school
Project No: 202329 B4
Specification Section No: _____

Subject: Fire Alarm	
References: A-0.1	
Response Required By : ASAP	Response affects critical Path activity? Yes <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Description:
See Next page for complete fire alarm RFI.

BY: Josh Burmann
4B Electric

Please Return 1 approved copy. Thank you





REQUEST FOR INFORMATION

To: (Address)	josh@4belectric.com	Date:	April 27, 2020
		RFI #	1
		Regarding:	Fire Alarm System
		Job Name:	DH White E.S.
Attn:	Josh Norman	Job #:	20-008P

The following impacts are expected

- Cost
- Project Timeline/Delay

Requested Information/Clarification:

All project bid documents show Notifier by Honeywell Fire Alarm equipment. This is what we bid to based upon the provided information. Fire Alarm equipment part #'s shown in table on sheet FA-1 dated Jan 2020 are the only reference to FA equipment type manufacturer in all bid documents. In this table, Notifier part #'s are listed for FA initiating devices. Project manual makes no mention of new equipment model #'s, just to add a new voice EVAC panel. Existing FA system is actually a Simplex 4010, which is proprietary, with parts and programming ONLY available from Johnson Controls (owner of Simplex FA Technologies). Request direction on how to proceed to complete our scope. KFS proposal clearly states the inclusion of Notifier equipment, as we were directed by the bid documents.

Response

Name

Company/Agency Name



Change Order Request

6.24.2020

Job: DH white elementary school relocatable portables
Prime contractor: Kerex Engineering
Reference: RFI #8

4B electric expense: 4 Hours @ \$125 Hour = \$500

4B Electric material: \$45

Pro 1 communications expense for relocating IDF panel: \$2020

4B electric 5% mark up on Pro 1: \$101

Total: \$2666

See attached pages for backup.



P.O. Box 1305
Oakley, CA 94561

Invoice

Date	Invoice #
6/22/2020	229

Customer
River Delta school district Prime contractor: Kerex Engineering 3478 Buskirk Ave #1000 Pleasant Hill, CA 94523

Terms	Project
Progress Payment	DH white elementary

Item	Description	Rate	Amount
Electrical & Lighting	CCO for adding mudrings in 6 locations in both portables. These portables were supposed to have data locations.	545.00	545.00
Sub contractor	1 - Journeyman electrician 4 Hours @ \$125 hr. 12 cut in Mud rings \$45	2,020.00	2,020.00
Markup	Pro1 communications Invoice # 4B06220 5% Mark up on Invoice #4B06220	101.00	101.00

Balance Due	\$2,666.00
--------------------	-------------------

Pro 1 Communications Inc.

PO BOX 647
Knightsen, CA 94548
925-625-7366

Invoice

Date	Invoice #
6/22/2020	4B062220

Bill To
4B Electric 3890 Holmes Rd. Oakley, CA 94561 Attn: Josh Burmann

Ship To
DH White School 500 Elm Way RIO VISTA CA

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	Net 30					
Quantity	Item Code	Description			Price Each	Amount
1	Lump Sum Contract	Re-pulled and Re-terminated (16) Locations in two portables due to cabinet relocating Sales Tax			2,020.00 8.25%	2,020.00 0.00
<i>16 HRS @ \$95 HR = \$1520 New Cat6 Cable = \$500 3 Boxes</i>						
					Total	\$2,020.00



platt.com

REMIT TO:
P.O. Box 418759
Boston, MA 02241-8759



INVOICE # 0L19560
INVOICE DATE 6/16/20
050 Concord
(925) 682-8150 mgr50@platt.com

DATE ORDERED	DATE SHIPPED	SHIPPED VIA	BILL OF LADING	CUSTOMER PO#
6/15/20	6/15/20	Pickup		RIO VISTA

SOLD TO

4B Electric
3890 Holmes Road
Brentwood, CA 94561

SHIP TO

Customer Pickup

ORDERED BY: JOSHUA BURMANN

PAGE 1

CUSTOMER ACCT.#	JOB NAME	JOB#	SALES	PLATT SALESPERSON						
967779			248	Kertianis, Jason						
QTY	SHIPPED	BACK ORD	EDP #/DESCRIPTION	UNIT PRICE	UNIT	DISC %	TOTAL	TAX	TERM	
20	20	0	CDY MPLS DRYWALL BRKT 1/2 0163030	170.1530	C		34.03	Y	.0	
Full phone support 7 days/week 4AM - 12AM PST, 9AM - 1AM MST Every single day Pay Online / Invoices & Statements 24/7 www.platt.com										
SUB TOTAL							34.03			
OTHER										
CHARGES										
SALES TAX							\$	2.98		
INVOICE TOTAL							\$	37.01		

Credit sales subject to these terms: 30 Days net, which means each invoice should be paid within 30 days of its date or a credit sale charge will be computed by Periodic Rate at the maximum rate amount per month allowable by law applied to amounts of balances which are not paid within 30 days of the original invoice date. All orders are subject to approval of Credit Department. No credit will be given for goods returned without our permission and a restocking charge may be made. Invoice number must accompany return goods. All claims for shortage must be reported immediately upon receipt of shipment; otherwise will be deemed waived. THERE ARE NO WARRANTIES EXPRESSED OR IMPLIED INCLUDING BUT NOT LIMITED TO THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS OR A PARTICULAR PURPOSE OTHERWISE EXPRESSLY SPECIFIED HEREIN. Platt Electric Supply holds obligation with respect to defective goods to repair or exchange at its option, any such goods. The shall be the sole and exclusive remedy for any such defects whether in contract, tort, warranty or otherwise. In no event shall Platt Electric Supply be liable for any direct or consequential damage in connection with or arising out of the sale of goods hereunder. Special Order Material Not Subject to Return. Return Claims for Breakage, Shortage or Damage Must Be Filed With Carrier. Platt Electric Supply's Standard Terms and Conditions apply / available at <http://www.platt.com/termsandconditions.html>

MAIL REMIT TANCE I.D.
P.O. BOX 418759 • BOSTON, MA 02241-8759
(508) 641-6121



REVISIONS TO ORIGINAL DRAWINGS: 8

DH White Elementary School

Contract No.:

Date: 6/16/2020

To: Eric Scheuerman

cc: Norm Wilson

From: Patrick Madden

Subject: IDF Panel Location ✓

Please provide the following information or clarification:

Please see attached RFI from our electrical subcontractor.

Response required by _____

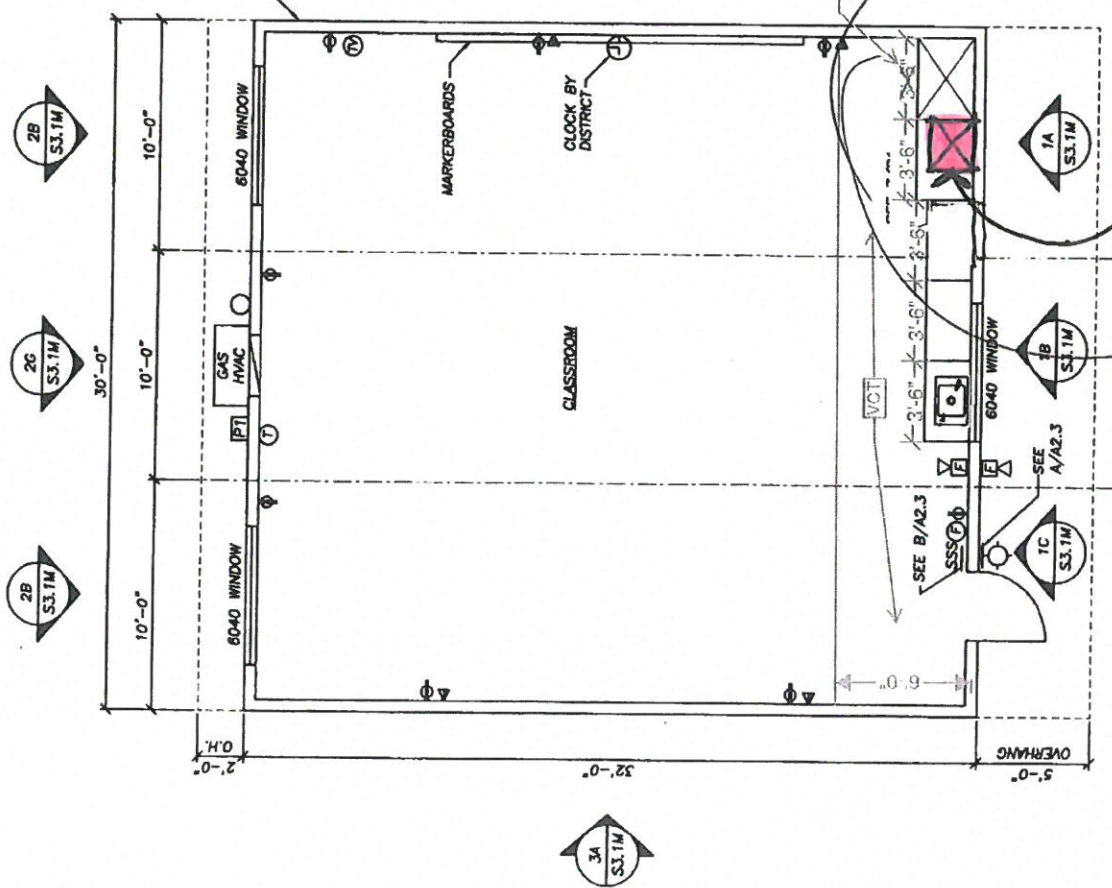
Date: 6/16/20

To: Kerex

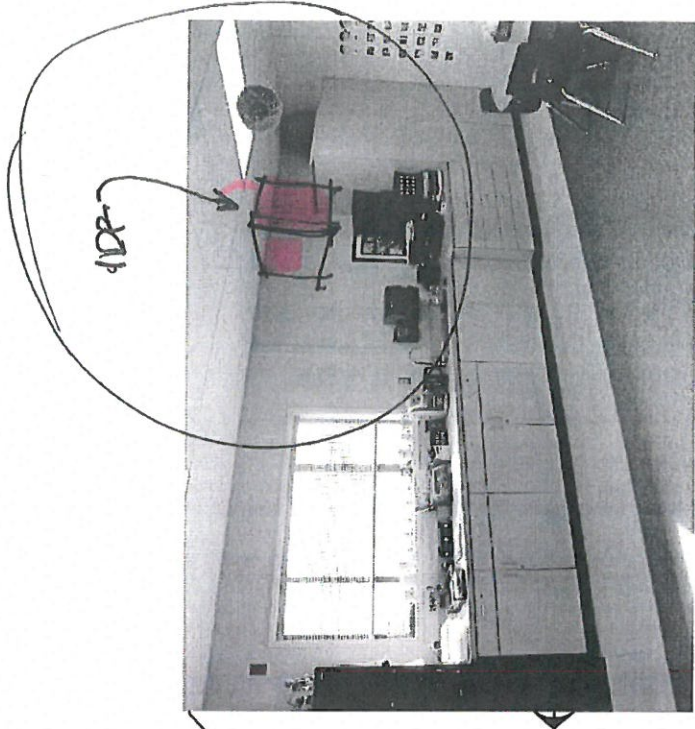
From: Norman Wilson

Subject: Response to RFI No 8

DISTRICT HAS DECIDED TO LOCATE NEW IDF ABOVE CABINETRY ADJACENT TO TRAY CABINET (SEE ATTACHED)
IF IDF CASE FANS ARE @ TOP OF UNIT/CABINET
INSTALL 1/2" BELOW SUSP. CLG., IF FANS ARE @
BOTTOM OF IDF CABINET, INSTALL TOP @ CLG. LINE



FLOOR PLAN
 SEE ELECTRICAL NOTES AND SPECS SHEET_A4



Configure similar to existing classroom cabinets. See above photo.

Change to 4'-0"

2B
S3.1M

2C
S3.1M

2B
S3.1M

3A
S3.1M

1A
S3.1M

1B
S3.1M

TC
S3.1M

1D



REQUEST FOR INFORMATION # 8

DH White Elementary School

Contract No.:

Date: 6/16/2020

To: Eric Scheuerman

cc: Norm Wilson

From: Patrick Madden

Subject: IDF Panel Location

Please provide the following information or clarification:

Please see attached RFI from our electrical subcontractor.

Response required by / /

Date:

To:

From:

Subject: Response to RFI No

TRANSMITTAL OF CONTRACTOR'S Request for Information

TO: Kerex Engineering

FROM: 4B Electric
Josh Burmann
PO Box 1305
Oakley, Ca 94561

Date: 6.16.2020

4B Electric RFI # 3.0
 NEW Additional Information Requested
Previous RFI No. 2
Project: DH white elementary school
Project No: 202329 B4
Specification Section No: _____

Subject: IDF Cabinet loaction	
References: E sheets	
Response Required By : ASAP	Response affects critical Path activity? Yes <u>X</u> NO _____

Description:

The District does not like the loaction of the IDF Cabinet in the portable. Please advice of loaction where the IDF panel can be mounted.

BY: Josh Burmann
4B Electric

Please Return 1 approved copy. Thank you





P.O. Box 1305
Oakley, CA 94561

Invoice

Date	Invoice #
7/17/2020	242

Customer
Kerex Engineering 3478 Buskirk Ave #1000 Pleasant Hill, CA 94523

Terms	Project
Due on receipt	DH white

Item	Description	Rate	Amount
Electrical & Lighting	Fire alarm Troubleshooting (requested by ken goodwin/eric shumerman) Fire alarm sub cost \$980 5% markup: \$49	1,029.00	1,029.00

Balance Due	\$1,029.00
--------------------	------------

Fa troubleshooting DH white

2 messages

josh burmann <josh@4belectric.com>
To: Jeremy Hagstrom <jhagstrom@kaliforniafire.com>, Riley Gish <rgish@kaliforniafire.com>

Mon, Jul 27, 2020 at 2:21 PM

Please send over your backing for FA trouble shooting
Did you get any tags signed or any backing you may have.

thank you
Josh Burmann
4B Electric Inc.
925-308-3922
Josh@4Belectric.com
CSLB # 1045524



Jeremy Hagstrom <jhagstrom@kaliforniafire.com>
To: josh burmann <josh@4belectric.com>
Cc: Riley Gish <rgish@kaliforniafire.com>

Tue, Jul 28, 2020 at 11:54 AM

Josh,
We logged 8 hours of troubleshooting the existing issues on the fire alarm panel.

2 hours on 6/24/20
4 hours on 6/30/20
2 hours on 7/8/20

I have no signed tags as no one was on site. I sent daily reports at the end of each day to keep track of hours and work that was accomplished. Please let me know if this works

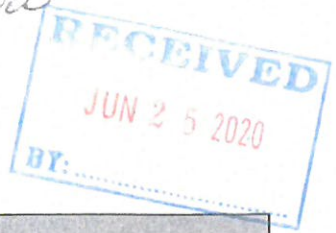
Thanks

Sent from my iPhone

On Jul 27, 2020, at 2:22 PM, josh burmann <josh@4belectric.com> wrote:

[Quoted text hidden]

SENT TO MARLIN / ERIC
TO REVIEW



REQUEST FOR INFORMATION # 9

Relocated Modular Buildings for DH White Elementary School

Contract No.:

Date: 6-25-2020

To: Norm Wilson

cc: Eric Scheuermann

From: Patrick Madden

Subject: Fire Alarm Faults

Please provide the following information or clarification:

Please see attached question from our Electrical Subcontractor

Response required by ___/___/___

Date: 6/25/20

To: Kerex

From: Norman Wilks

Subject: Response to RFI No ___

Yes proceed on T&M basis & have for
confirm Hours & material used

TRANSMITTAL OF CONTRACTOR'S Request for Information

TO: Kerex Engineering

FROM: 4B Electric
Josh Burmann
PO Box 1305
Oakley, Ca 94561

Date: 6.25.2020

4B Electric RFI # 2.0
 NEW Additional Information Requested
Previous RFI No. 1
Project: DH white elementary school
Project No: 202329 B4
Specification Section No: _____

Subject: Faults on Existing Fire alarm panel	
References: A-0.1	
Response Required By : ASAP	Response affects critical Path activity? Yes <u>X</u> NO _____

Description:

There are 160 faults on existing panel when fire alarm sub came on site. They were present before any new work was tied in. They have isolated the loop to 25 devices for rooms 14-17 (estimated). They believe it could be the underground cable because it's not underground rated. Please confirm if we can fix on T & M.

BY: Josh Burmann
4B Electric

Please Return 1 approved copy. Thank you



PROJECT: Site Improvements for New Modular Classrooms
 at DH White Elementary
 To: RIVER DELTA UNIFIED SCHOOL DISTRICT

INVOICE



EXTRA WORK TAG

DATE: 6-AUG-20

COMPLETION DATE

PM#

PO#

COR#: 4

PAGE No.:

WORKED PERFORMED BY:
 DESCRIPTION OF WORK

KEREX ENGINEERING INC.
 ADDITIONAL WORK-SURVEY/LAYOUT/ELEVATION WORK FOR FOUNDATION PER RFI# 1

No.	Description	Hours		Hourly	Extended
		Actual	Pay	Rate	Amount
1	Foreman Truck	8	hrs		\$26.00 \$208.00
COST OF EQUIPMENT - A					\$208.00
B-MATERIALS					
No.	Description	Unit No.	Unit	Unit Cost	Amount
					\$0.00
COST OF MATERIALS & WORK-B					\$0.00
C-SUBCONTRACTORS					
No.	Description	Unit No.	Unit	Unit Cost	Amount
	Delta Surveys	1	ls	\$1,435.00	\$1,435.00
COST OF SUBCONTRACTOR & WORK-C					\$1,435.00

P.R.	D-Labor	Hours	Rate	Ext. Amount
1	Foreman	O.T.		
		REG.	8 \$72.50	\$580.00

SUBTOTAL	\$580.00
15% MARKUP	\$84.10
SUBTOTAL	\$664.10

TOTAL COST OF LABOR - D \$664.10

TOTAL COST OF-A & B & C \$1,745.95

SUBTOTAL	\$2,410.05
Bond 1.5%	\$36.15
TOTAL	\$2,446.20

TOTAL COST & 15% MARK- UP A (Equipment)	\$239.20
TOTAL COST & 15 % MARK- UP B (Material)	\$0.00
TOTAL COST & 5% MARK- UP C (Subcontractor)	\$1,506.75
TOTAL COST A & B & C (Incl. Markup)	\$1,745.95

DELTA SURVEYS

1374 East Turner Road
 Lodi, CA 95240
 (209)333-1022 office
 (209)333-7824 fax

Invoice

Date: 7-15-2020

Bill To:

Patrick Madden kerex engineering

Ship To:

--

PO Number	Terms	PROJECT
	NET 30	DH White ES-Rio Vista

Date	Description	Hours	Rate	Amount
4/1/2020	1. Set Up Perform Topo Survey of Existing Grades	6.00	205.00	1,230.00
	2. Send RFI to Kerex Engineering with Design Questions			
	3. Issues with Elevations, ADA Grades and proximity of building to Fence			
-	TRAVEL TIME	2.00	102.50	205.00
-	-			
-	-			
			Total	1,435.00



RECEIVED
APR 02 2020
BY:.....

REQUEST FOR INFORMATION **1**

Relocated Modular Buildings for DH White Elementary School

Contract No.:

Date: 4-1-2020

To: Norm Wilson

cc: Eric Scheuermann

From: Patrick Madden

Subject: Survey/Layout of Portable Building Foundations

Please provide the following information or clarification:

Please see attached sketch provided from our surveyor Delta Surveys Inc, can you address his questions/comments as shown.

Response required by / /

Date: 4/3/20

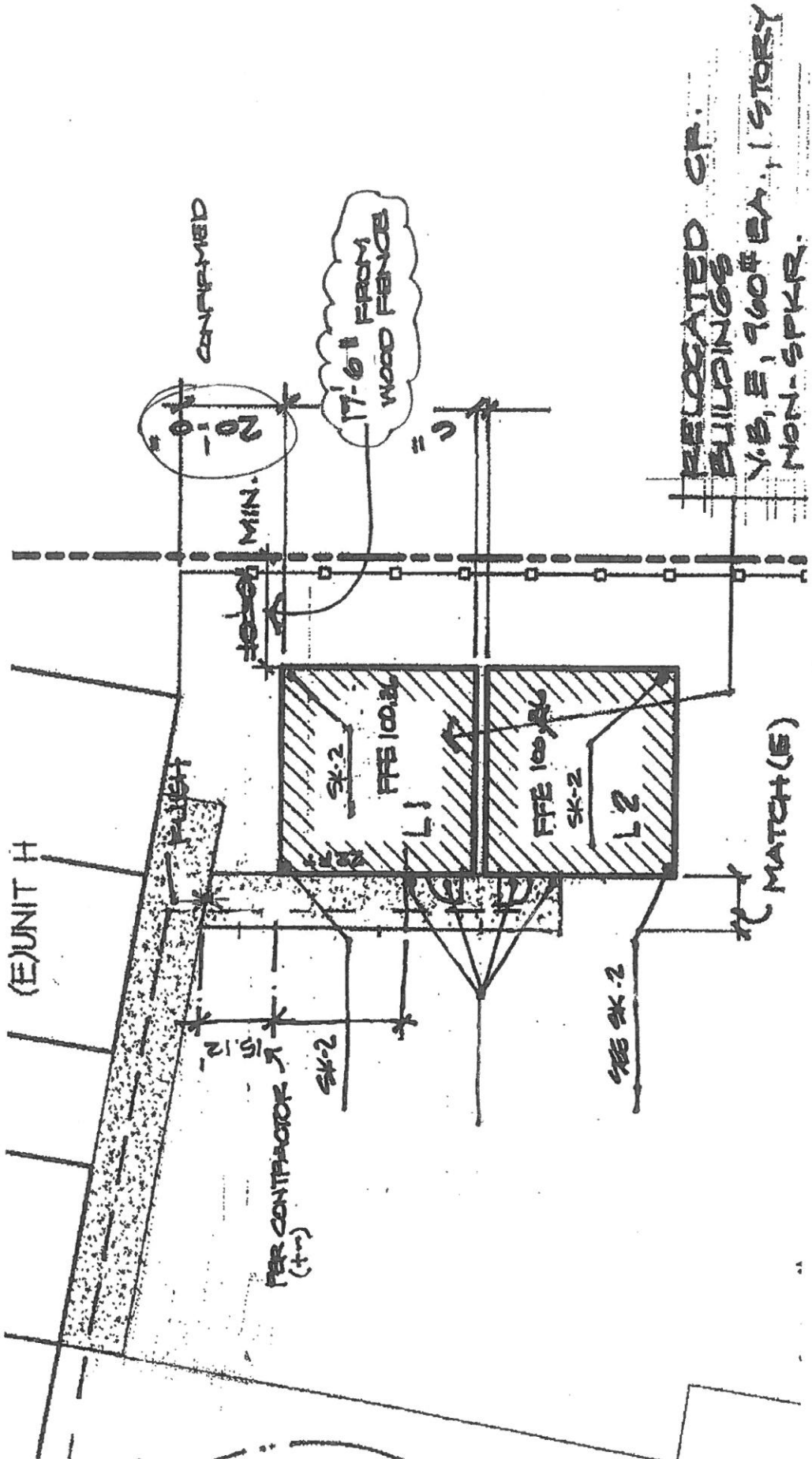
To: CONTRACTOR

From: NORMAN WILSON

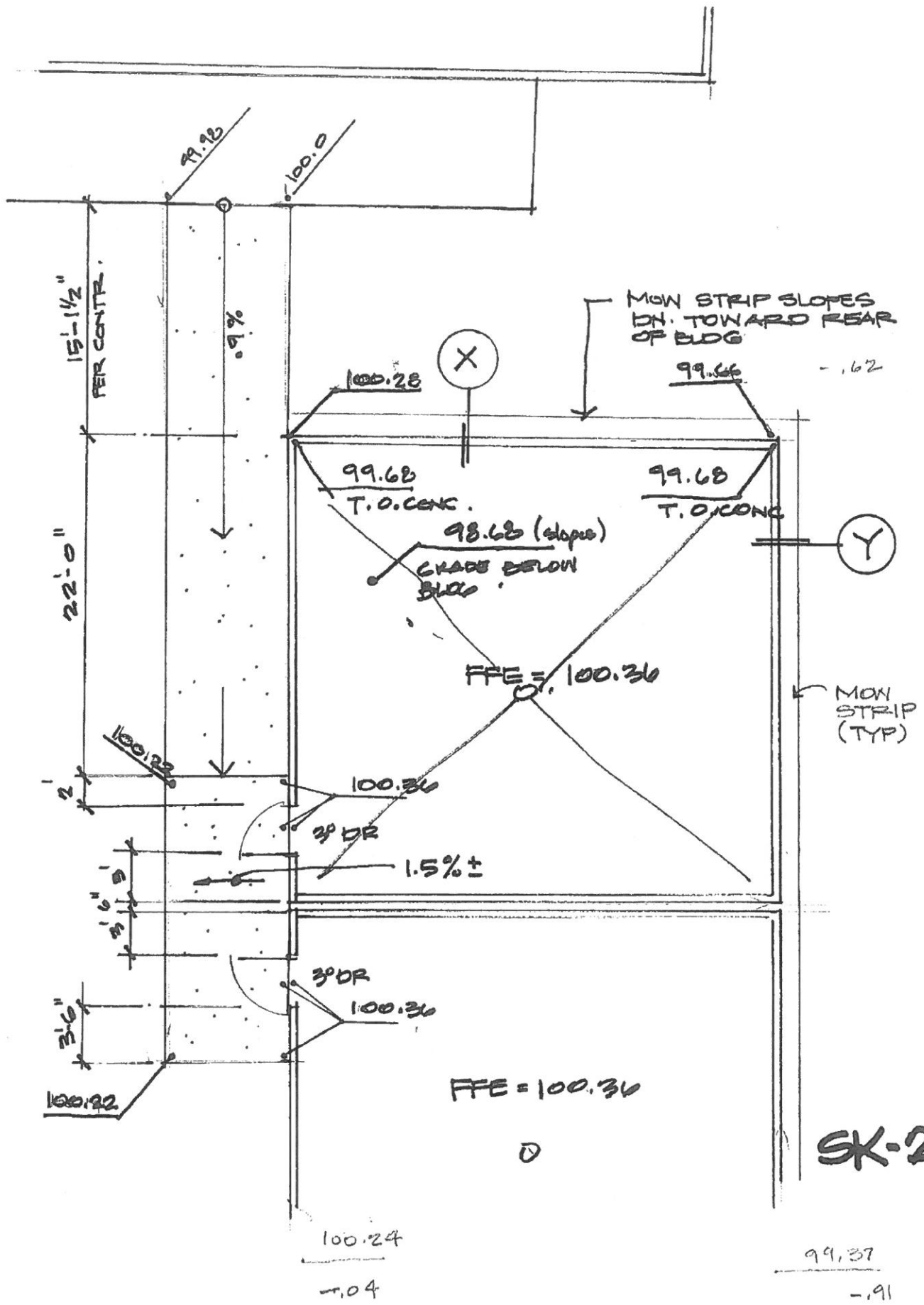
SEE SK-1, SK-2, SK-3

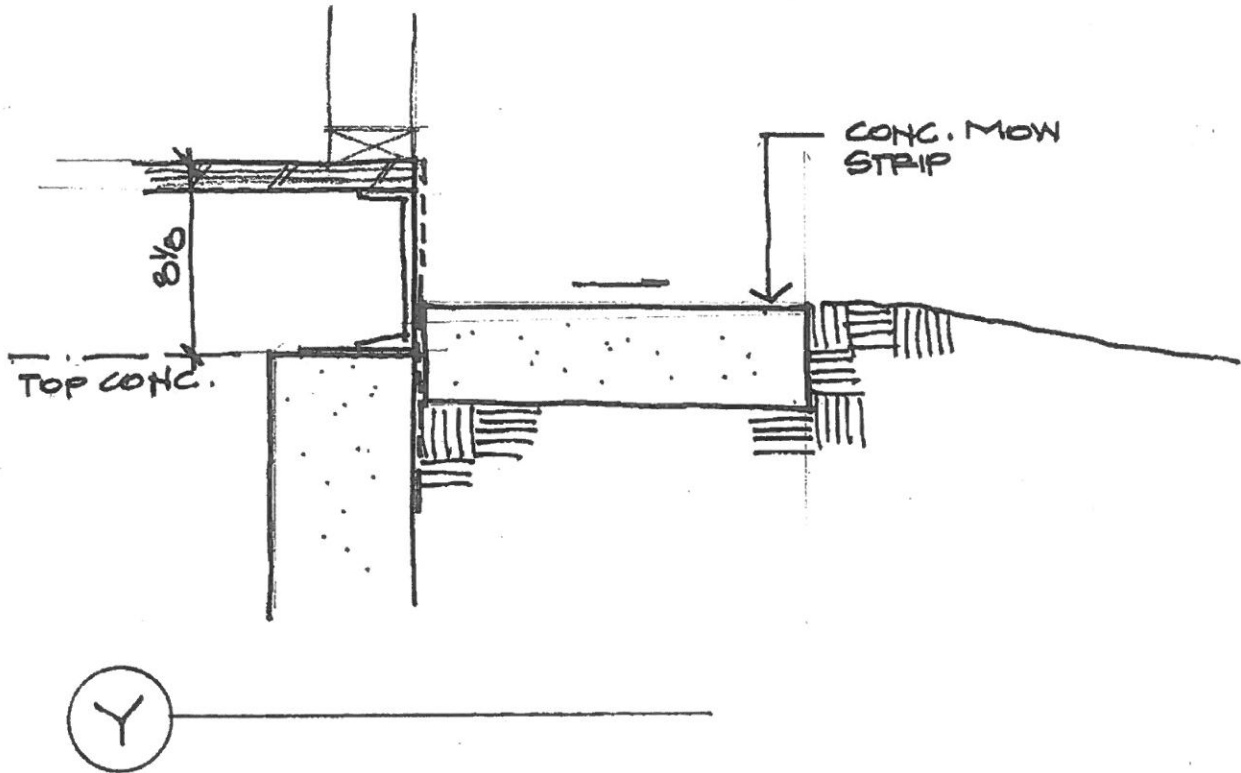
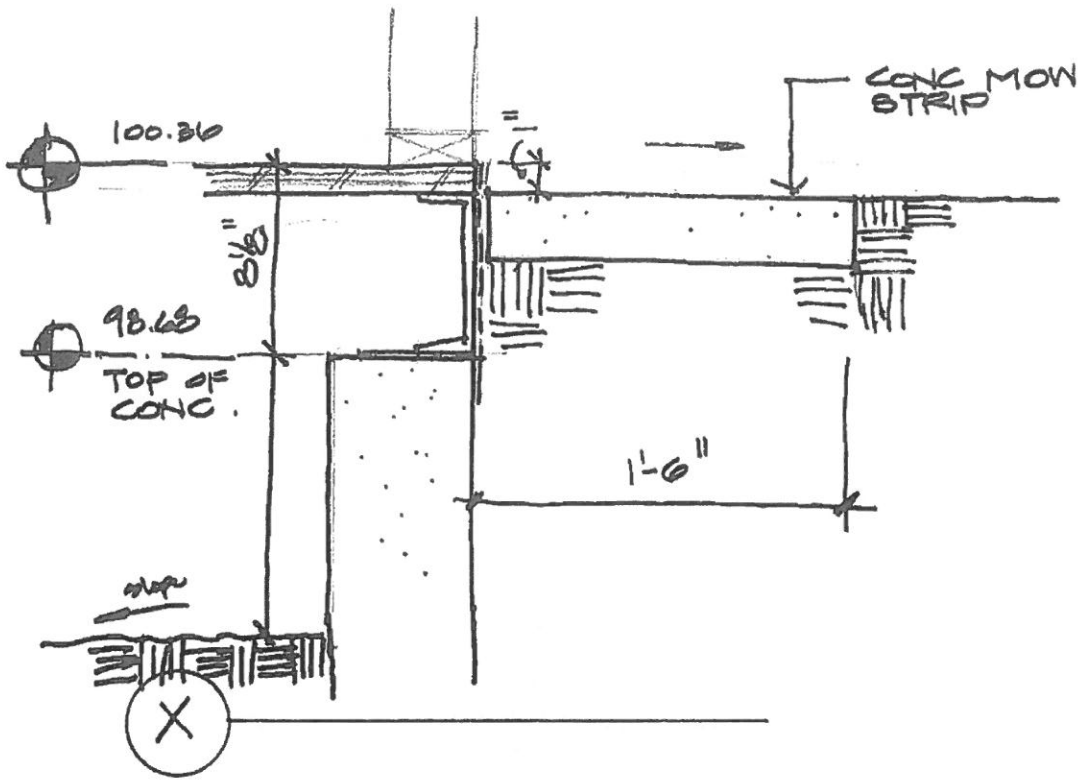
Subject: Response to RFI No 1

1. SEE ATTACHED SK-1 (17'-6" FROM WOOD FENCE), PARALLEL TO WOOD FENCE
2. 20'-0" SHOWN BTWN. NEW BUDG + FACE OF (E) BUDG. IS CORRECT... THIS IS NOT A FIRE TRUCK ACCESS.
3. FFE = 100.28' BASED ON SKETCH PROVIDED. SURVEYOR CONFIRM.
4. YES, SEE ATTACHED < 1% SLOPE TO POINT SHOWN @ 2'-0" SHORT OF 1ST DOOR.
5. YES, SEE DETAILS



SK-1





SK-3



REQUEST FOR INFORMATION # 1_

Relocated Modular Buildings for DH White Elementary School

Contract No.:

Date: 4-1-2020

To: Norm Wilson

cc: Eric Scheuermann

From: Patrick Madden

Subject: Survey/Layout of Portable Building Foundations

Please provide the following information or clarification:

Please see attached sketch provided from our surveyor Delta Surveys Inc, can you address his questions/comments as shown.

Response required by / /

Date:

To:

From:

Subject: Response to RFI No

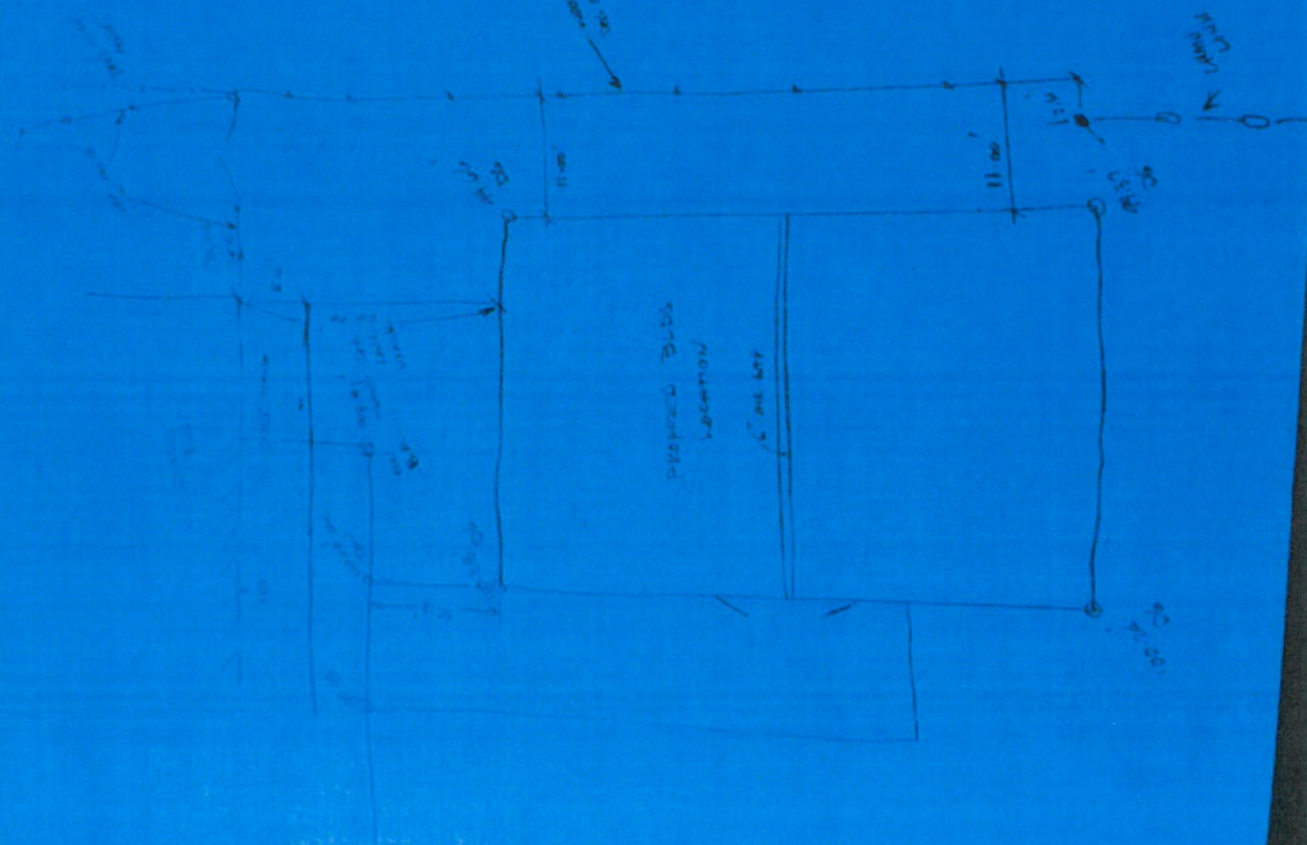
1. WOULD THIS BEING TO BE
 IN ORDER TO BE BUILT WITH
 THE PROPOSED TO BE BUILT
 WITH THE PROPOSED TO BE BUILT
 WITH THE PROPOSED TO BE BUILT

2. THE NEW DRIVEWAY FROM EXISTING
 DRIVEWAY TO NEW BUILDING
 DOES NOT APPEAR TO HAVE 5% SLOPE
 WHICH VIOLATES THE NEW TRUCK ACCESS?

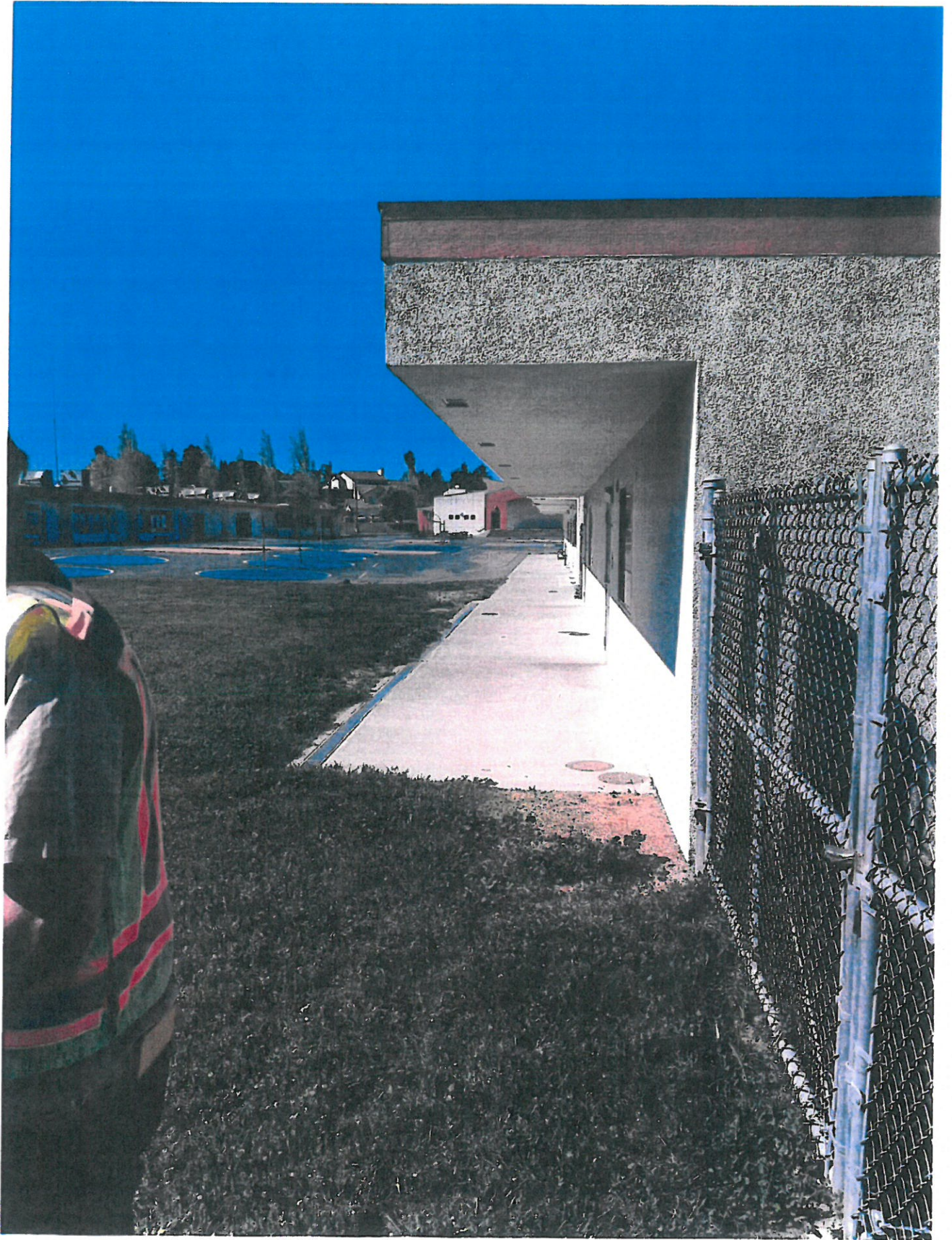
3. FROM THE EXISTING SUMP AT THE CORNERS
 OF NEW PROPOSED BUILDING, WOULD THE
 EXISTING FINISHED FLOOR ELEVATION?

4. THE FINISHED FLOOR ELEVATION IS ESTABLISHED
 AND WOULD BE A SLOPE WHICH FROM EXISTING
 CONCRETE WOULD TO THE NEW CORNERS OF NEW
 BUILDING WITH LESS THAN 5% SLOPE?
 OR WILL THE CONCRETE HAVE HAVE A SLOPE
 OF LESS THAN 2% TO THE NEW DOORS?

5. IT APPEARS THAT THE CONCRETE FOUNDATION
 IS ABOVE THE TOP OF THE FOOTINGS THEREBY
 INCLUDING THE NEW BUILDING SIPS?



EXISTING DRIVEWAY





REQUEST FOR INFORMATION # 11

Relocated Modular Buildings for DH White Elementary School

Contract No.:

Date: 6-26-2020

To: Norm Wilson

cc: Eric Scheuermann

From: Patrick Madden

Subject: Site Grading

Please provide the following information or clarification:

The drawings are not clear what is required in terms of final grading around the building, in particular on the back and sides of the building. Please clarify how we should proceed?

Response required by ___/___/___

Date: 6/26/20

To: KEREX

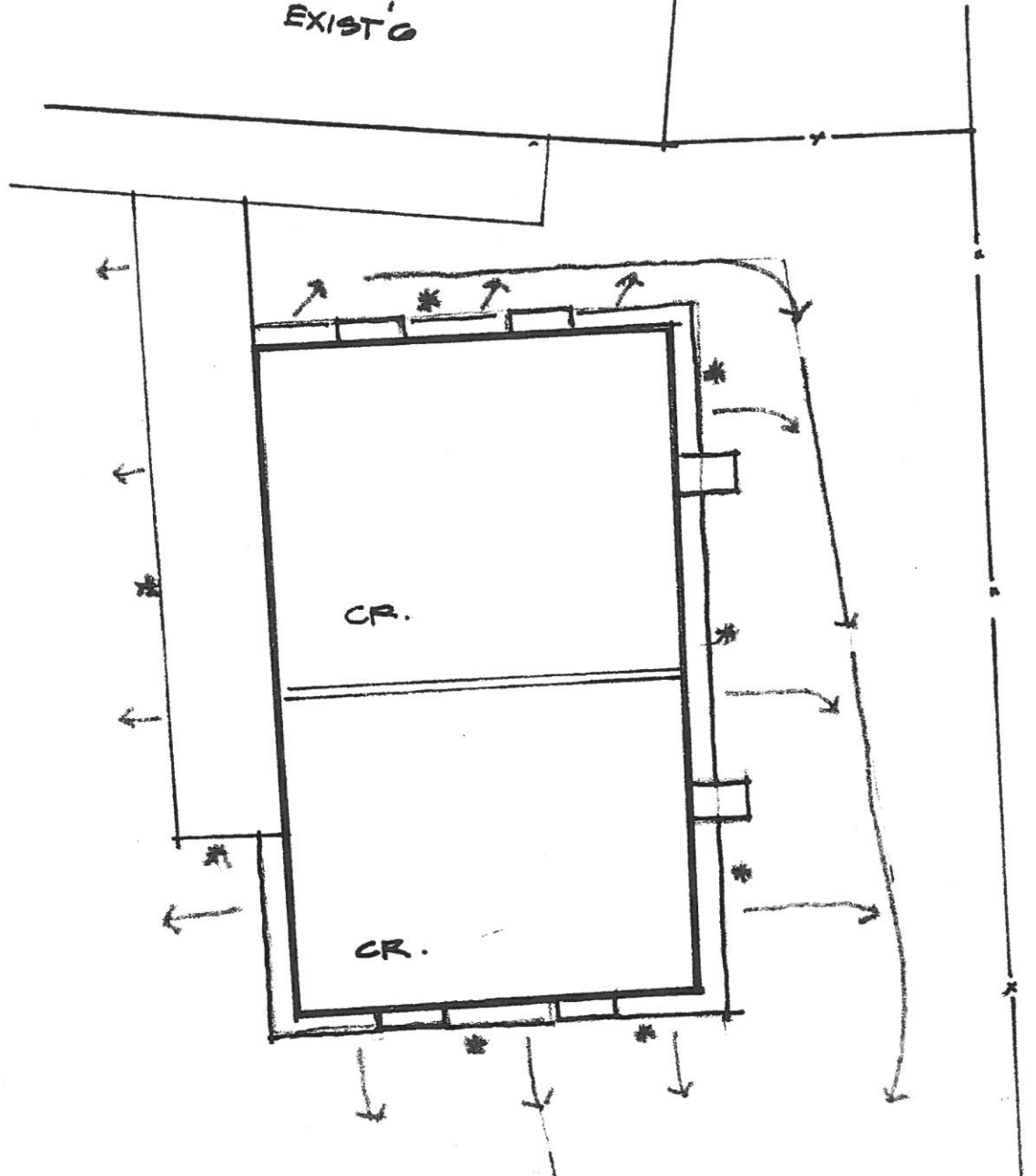
From: NORMAN WILSON

Subject: Response to RFI No. (11)

SEE ATTACHED CLARIFICATION

D.H. WHITE
FINAL GRADING
RFI #11

EXIST'G



* FILL TO \pm 2" BELOW TOP OF CONC. MOW STRIP OR FLUSH W/ TO OF SIDEWALK

→ GRADE (FINISH) TO SLOPE AWAY FROM MOW STRIP.

→ CREATE SLIGHT FLOW LINE DOWN AWAY AS SHOWN.

PROJECT: Site Improvements for New Modular Classrooms
 at DH White Elementary
 TO: RIVER DELTA UNIFIED SCHOOL DISTRICT



DATE: 6-AUG-20

COMPLETION DATE

PM#

PO#

COR#: 7

PAGE NO.:

WORKED PERFORMED BY:
 DESCRIPTION OF WORK

KEREX ENGINEERING INC.
 SURVEY & REROUTE STORM DRAIN LINES DUE TO ELEVATION CONCERN, POT HOLE UTILITIES TO CONFIRM NEW ALIGNMENT (RFI#4)

No.	Description	Hours		Hourly	Extended
		Actual	Pay	Rate	Amount
1	Foreman Truck	4	hrs	\$26.00	\$104.00
1	Crew Truck	4	hrs	\$26.00	\$104.00
					\$0.00
COST OF EQUIPMENT - A					\$208.00
B-MATERIALS					
No.	Description	Unit No.	Unit	Unit Cost	Amount
					\$0.00
					\$0.00
COST OF MATERIALS & WORK-B					\$0.00
C-SUBCONTRACTORS					
No.	Description	Unit No.	Unit	Unit Cost	Amount
					\$0.00
COST OF SUBCONTRACTOR & WORK-C					\$0.00

D-LABOR				
P.R.	D-Labor	Hours	Rate	Ext. Amount
1	Foreman	O.T.		
		REG.	4	\$72.50
				\$290.00
2	Laborers	O.T.		\$0.00
		REG.	4	\$59.31
				\$474.48

SUBTOTAL	\$764.48
15% MARKUP	\$110.85
SUBTOTAL	\$875.33

TOTAL COST OF LABOR - D \$875.33

TOTAL COST OF-A & B & C \$239.20

SUBTOTAL	\$1,114.53
Bond 1.5%	\$16.72
TOTAL	\$1,131.25

TOTAL COST & 15% MARK- UP A (Equipment)	\$239.20
TOTAL COST & 15 % MARK- UP B (Material)	\$0.00
TOTAL COST & 5% MARK- UP C (Subcontractor)	\$0.00
TOTAL COST A & B & C (Incl. Markup)	\$239.20



REQUEST FOR INFORMATION #

Relocated Modular Buildings for DH White Elementary School

Contract No.:

Date: 4-16-2020

To: Norm Wilson

cc: Eric Scheuermann

From: Patrick Madden

Subject: Storm Drainage System under Buildings

Please provide the following information or clarification:

Please see attached pictures and marked up sketches, we surveyed the invert elevation of the outfall pipe in the existing DI (shown in the pictures attached) at El.98.39. This pipe alignment drains to the open area behind the existing buldings(see attached).

We need guidance on how deep to excavate the area under the buildings to allow for adequate drainage. The footing details attached allow for a range 5" to 18" depth.

Please advise.

Response required by ___ \ ___ \ ___

Date: 4.17.20

To: Patrick Madden

From: N. Wilson

Subject: Response to RFI No 4 see attached.

Response to RFI #4

1. Based on the information supplied that the invert of the pipe @ the (e) DI is 98.39 it appears this will work fine.
2. FFE at 100.36, less the floor system, 12"min below floor framing....would give you about ½% slope to the invert....?
3. Since these underfloor drains are really just for dampness removal and rarely have any actual drainage it will be fine.....that said we don't want the DI to fill and back up water to the modulares....the concrete walk from the (e) modulares to the new is very flat so we could raise the FF say 4" to get more fall ($100.36 + .33 = 100.69$).....what do you think? How does it affect you?



REQUEST FOR INFORMATION # 4

Relocated Modular Buildings for DH White Elementary School

Contract No.:

Date: 4-16-2020

To: Norm Wilson

cc: Eric Scheuermann

From: Patrick Madden

Subject: Storm Drainage System under Buildings

Please provide the following information or clarification:

Please see attached pictures and marked up sketches, we surveyed the invert elevation of the outfall pipe in the existing DI (shown in the pictures attached) at El.98.39. This pipe alignment drains to the open area behind the existing buildings(see attached).

We need guidance on how deep to excavate the area under the buildings to allow for adequate drainage. The footing details attached allow for a range 5" to 18" depth.

Please advise.

Response required by

Date:

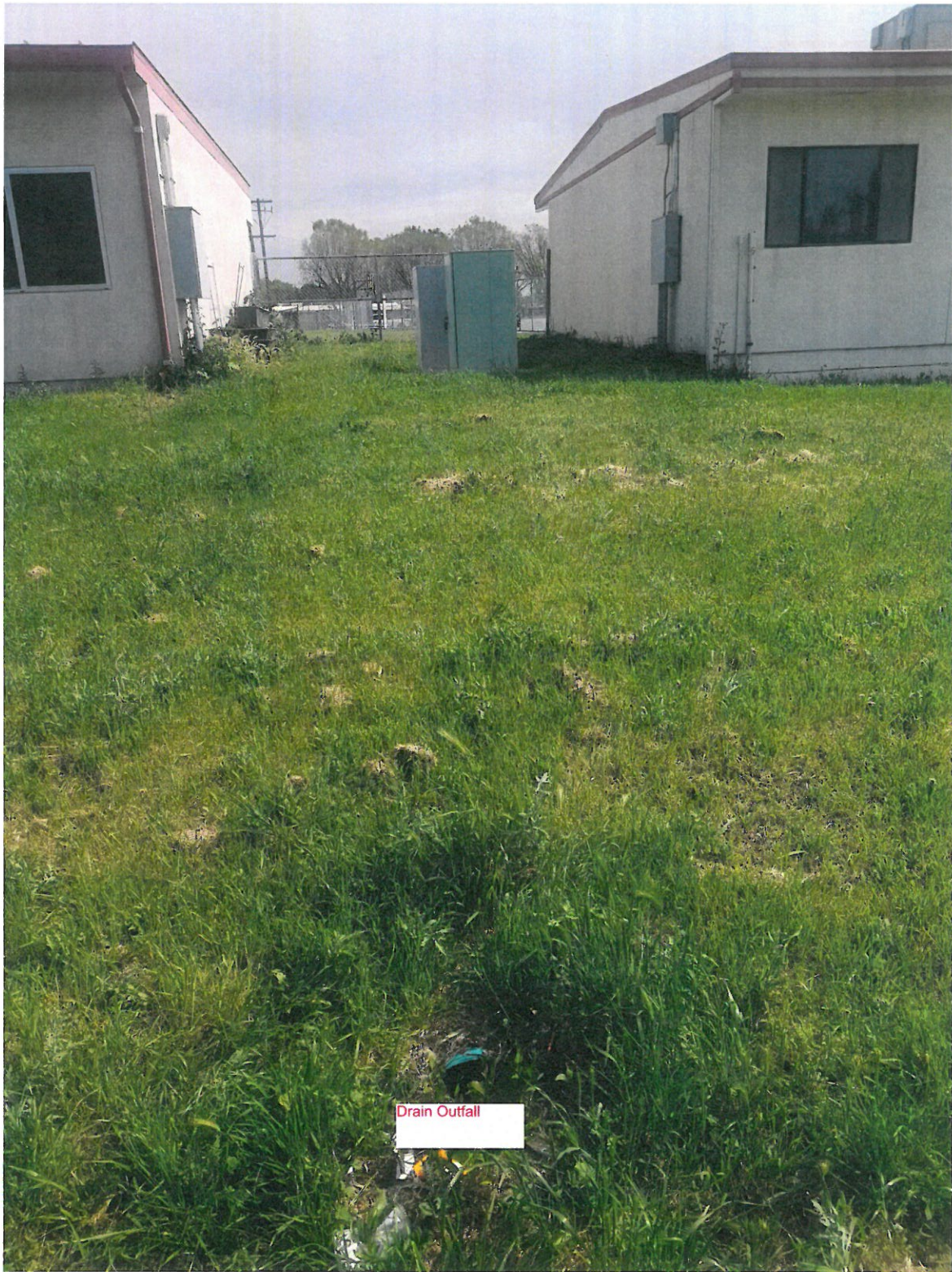
To:

From:

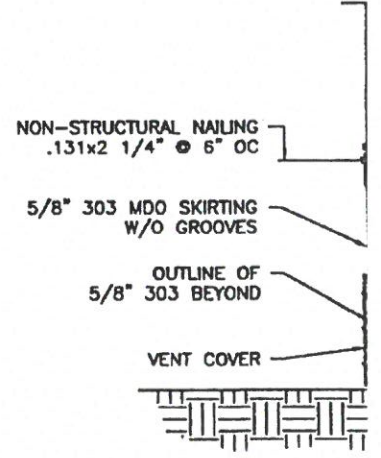
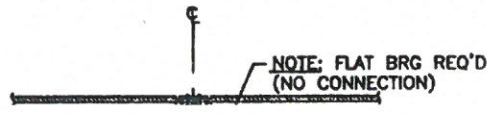
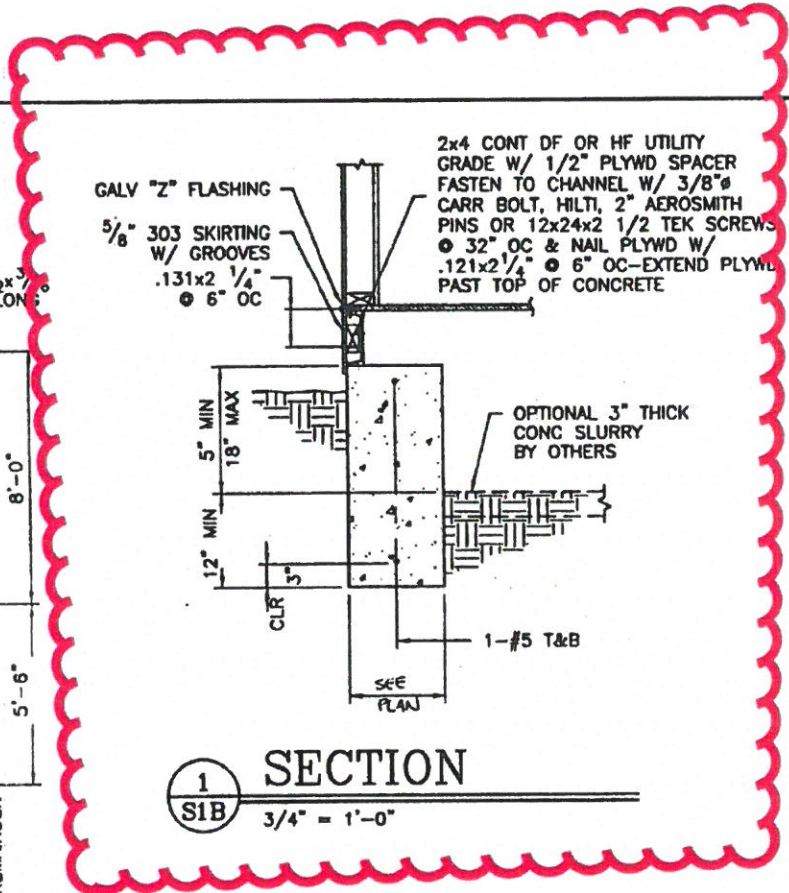
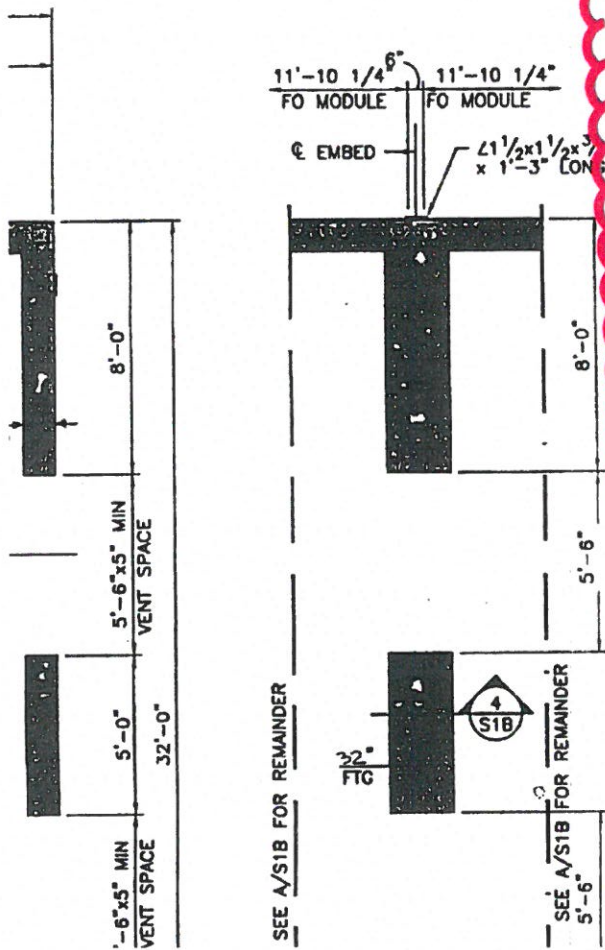
Subject: Response to RFI No



Invert Elevation of
Pipe-98.39

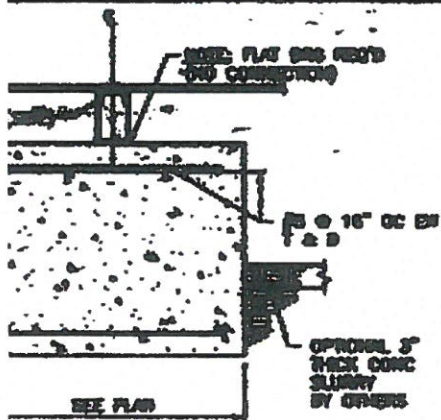


Drain Outfall

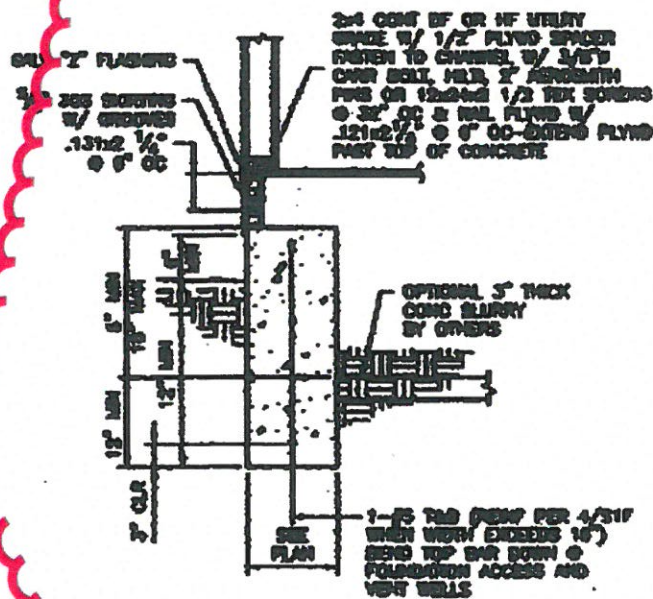
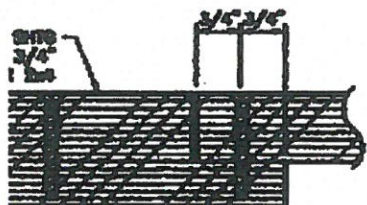


2 FOUNDATION
 S1B 1 1/2" = 1'-0"

PLUG: PIECE OF FLOOR SHTG



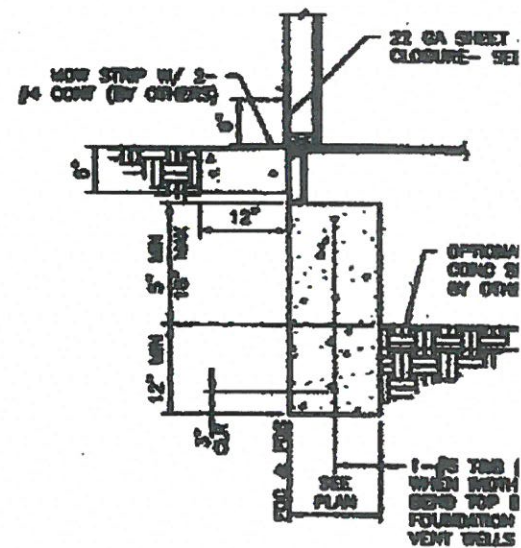
ION



ABOVE GRADE SECTION

1A SIF

3/4" = 1'-0"



BELOW GRADE SECTION

1A SIF

3/4" = 1'-0"

PROJECT: Site Improvements for New Modular Classrooms
 at DH White Elementary
 To: RIVER DELTA UNIFIED SCHOOL DISTRICT

INVOICE



EXTRA WORK TAG

DATE: 6-AUG-20

COR#: 8

PAGE No.: _____

COMPLETION DATE

PM#

PO#

WORKED PERFORMED BY:

KEREX ENGINEERING INC.

DESCRIPTION OF WORK

REMOVAL AND REPLACE FORMWORK STAKES WITH STEEL STAKES PER INSPECTORS REQUEST. RESET ALL FORMS.

No.	Description	Hours		Hourly Rate	Extended Amount
		Actual	Pay		
1	Foreman Truck	8	hrs		\$26.00
1	Crew Truck	8	hrs		\$26.00
					\$0.00
COST OF EQUIPMENT - A					\$416.00
B-MATERIALS					
No.	Description	Unit No.	Unit	Unit Cost	Amount
	Steel Stakes & Sleeves	1.00	ls	\$404.23	\$404.23
					\$0.00
COST OF MATERIALS & WORK-B					\$404.23
C-SUBCONTRACTORS					
No.	Description	Unit No.	Unit	Unit Cost	Amount
					\$0.00
COST OF SUBCONTRACTOR & WORK-C					\$0.00

P.R.	D-Labor	Hours	Rate	Ext. Amount
1	Foreman	O.T.		
		REG. 8	\$72.50	\$580.00
2	Laborers	O.T.		\$0.00
		REG. 8	\$59.31	\$948.96

SUBTOTAL	\$1,528.96
15% MARKUP	\$221.70
SUBTOTAL	\$1,750.66

TOTAL COST OF LABOR - D	\$1,750.66
-------------------------	------------

TOTAL COST OF-A & B & C	\$943.26
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SUBTOTAL	\$2,693.92
Bond 1.5%	\$40.41
TOTAL	\$2,734.33

TOTAL COST & 15% MARK- UP A (Equipment)	\$478.40
TOTAL COST & 15 % MARK- UP B (Material)	\$464.86
TOTAL COST & 5% MARK- UP C (Subcontractor)	\$0.00
TOTAL COST A & B & C (Incl. Markup)	\$943.26

BUILD-TEK INC.
 CONCRETE & FRAMING SUPPLIES
 55 Howe Road
 Martinez, CA 94553 (925) 937-6422

ORDER	
DATE	
INITIALS	

ESTIMATE

DATE	QUOTE #
8/6/2020	11742

Name/ Address

Kerex Engineering Inc
 P. O. Box 23831
 Pleasant Hill, CA 94523

Job Address

STAKES

VISIT OUR WEBSITE AT www.BUILD-TEK.NET

REP	NAME	PHONE NUMBER	BID/QUOTE	INITIALS
	PAT		Quote	BK

QTY	DESCRIPTION	PRICE	TOTAL
100	24" Steel Stake	2.65	265.00T
100	1/2" Cardboard Slip Dowels 48"	1.05	105.00T
	Contra Costa County Sales Tax	9.25%	34.23

Prices are good for 30 days! This quote is for estimation purposes and is not a guarantee of complete costs for your job based on the blueprints provided. Please compare and review the list above to your actual job and let us know if we have omitted any items that you need pricing on.

TOTAL \$404.23



Patrick Madden <patrick@kerexengineering.com>

Wood Stakes for Foundation Formwork

Patrick Madden <patrick@kerexengineering.com>
To: Eric Scheuermann <EricS@rgmkramer.com>
Cc: "Wilson Architecture, Inc." <arcnorm@pacbell.net>

Sun, May 3, 2020 at 6:29 PM

Eric,

Please see attached message from our inspector this evening stating no wood stakes for our forms. Clearly we would have to basically undo all our work to fix this and incur a significant cost. Before we do anything can you confirm that what we are being told to do is correct, the notes on the drawings say that Douglas Fir framing is acceptable. See attached.

Regards
Patrick
Kerex Engineering

2 attachments



SmartSelect_20200503-182348_Messages.jpg
660K



Resized_20200503_182158.jpeg
1085K

PROJECT: Site Improvements for New Modular Classrooms
 at DH White Elementary
 TO: RIVER DELTA UNIFIED SCHOOL DISTRICT

INVOICE

KEREX ENGINEERING

EXTRA WORK TAG

DATE: 6-AUG-20

COMPLETION DATE

PM#
PO#

COR#: 9

PAGE No.:

WORKED PERFORMED BY:
DESCRIPTION OF WORK

KEREX ENGINEERING INC.
 ADDITIONAL 100SF OF CONCRETE SIDEWALK WORK DUE TO BUILDING LOCATION CHANGE-RFI# 1

No.	Description	Hours		Hourly	Extended
		Actual	Pay	Rate	Amount
1	Foreman Truck	4	hrs		\$26.00 \$104.00
1	Crew Truck	4	hrs		\$26.00 \$104.00
					\$0.00
COST OF EQUIPMENT - A					\$208.00
B-MATERIALS					
No.	Description	Unit No.	Unit	Unit Cost	Amount
1	Concrete	2.00	yds	\$190.00	\$380.00
1	Forms	1.00	ls	\$50.00	\$50.00
COST OF MATERIALS & WORK-B					\$430.00
C-SUBCONTRACTORS					
No.	Description	Unit No.	Unit	Unit Cost	Amount
					\$0.00
COST OF SUBCONTRACTOR & WORK-C					\$0.00

D-LABOR				
P.R.	D-Labor	Hours	Rate	Ext. Amount
1	Foreman	O.T.		
		REG.	4	\$72.50 \$290.00
1	Laborers	O.T.		\$0.00
		REG.	4	\$59.31 \$237.24
1	Finisher	O.T.		
		REG.	4	\$65.35 \$261.40

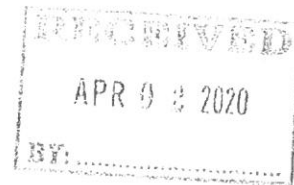
SUBTOTAL	\$788.64
15% MARKUP	\$114.35
SUBTOTAL	\$902.99

TOTAL COST OF LABOR - D \$902.99

TOTAL COST OF-A & B & C \$733.70

SUBTOTAL	\$1,636.69
Bond 1.5%	\$24.55
TOTAL	\$1,661.24

TOTAL COST & 15% MARK- UP A (Equipment)	\$239.20
TOTAL COST & 15% MARK- UP B (Material)	\$494.50
TOTAL COST & 5% MARK- UP C (Subcontractor)	\$0.00
TOTAL COST A & B & C (Incl. Markup)	\$733.70



RESPONSE FOR INTERVIEW/MEETING 1

Relocated Modular Buildings for DH White Elementary School

Contract No.:

Date: 4-1-2020

To: Norm Wilson

cc: Eric Scheuermann

From: Patrick Madden

Subject: Survey/Layout of Portable Building Foundations

Please provide the following information or clarification:

Please see attached sketch provided from our surveyor Delta Surveys Inc, can you address his questions/comments as shown.

Response required by \ . \

Date: 4/3/20

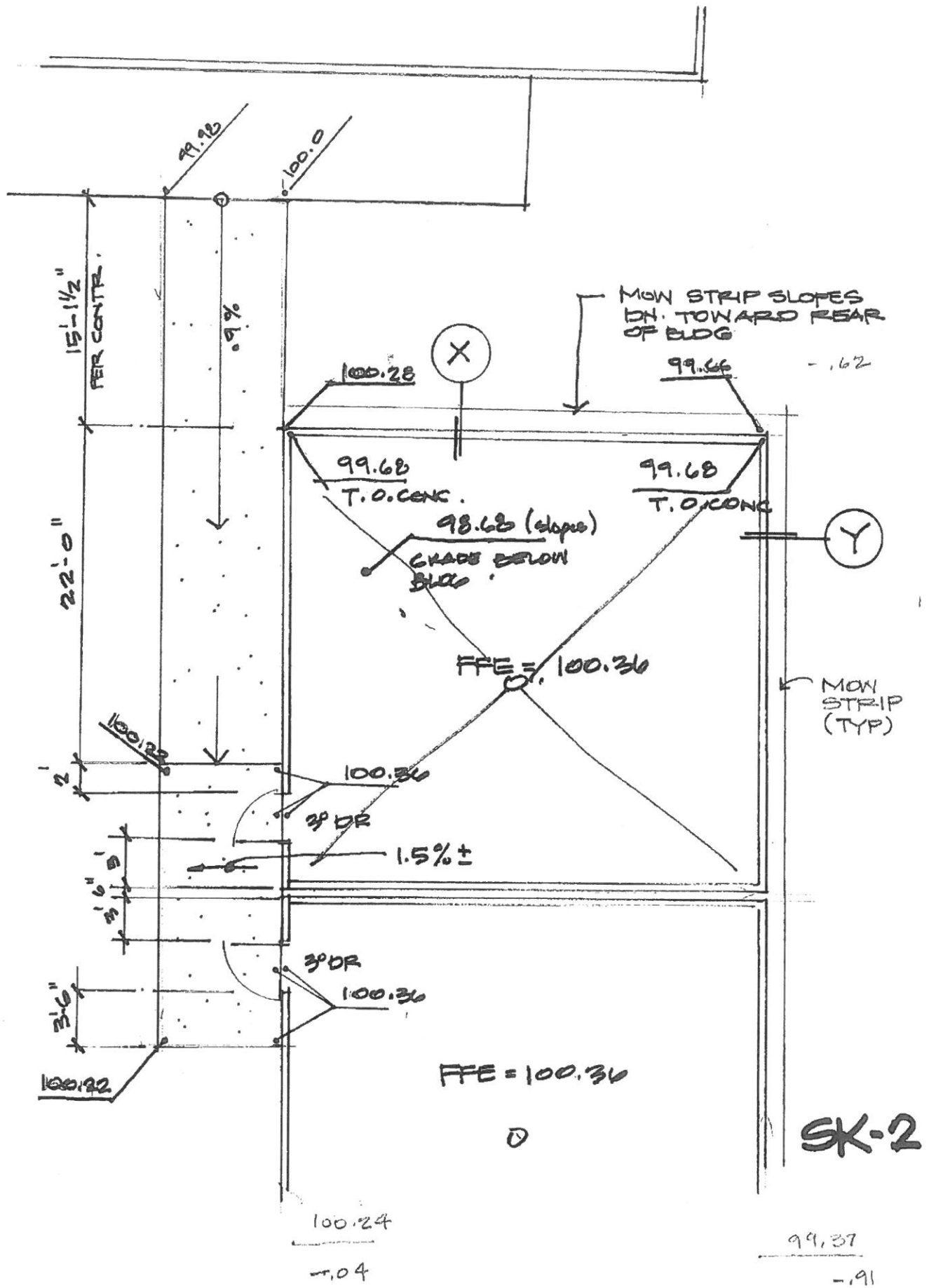
To: CONTRACTOR

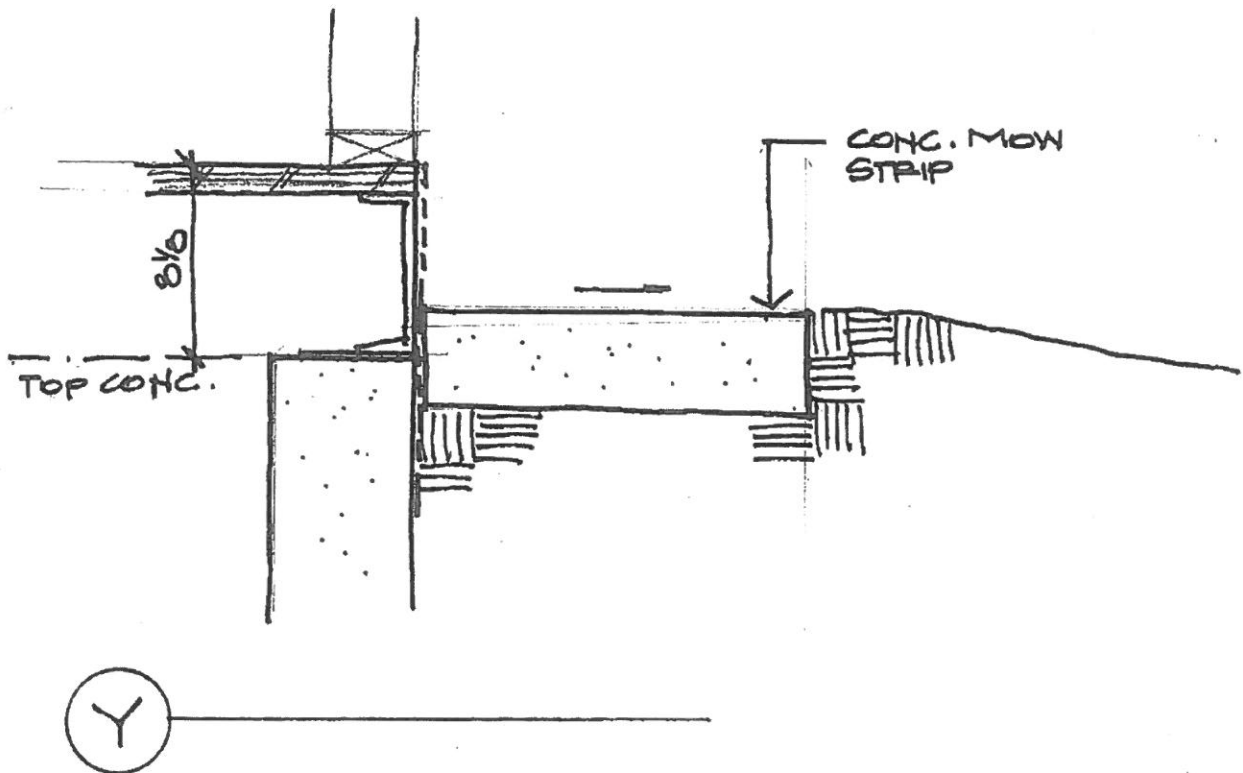
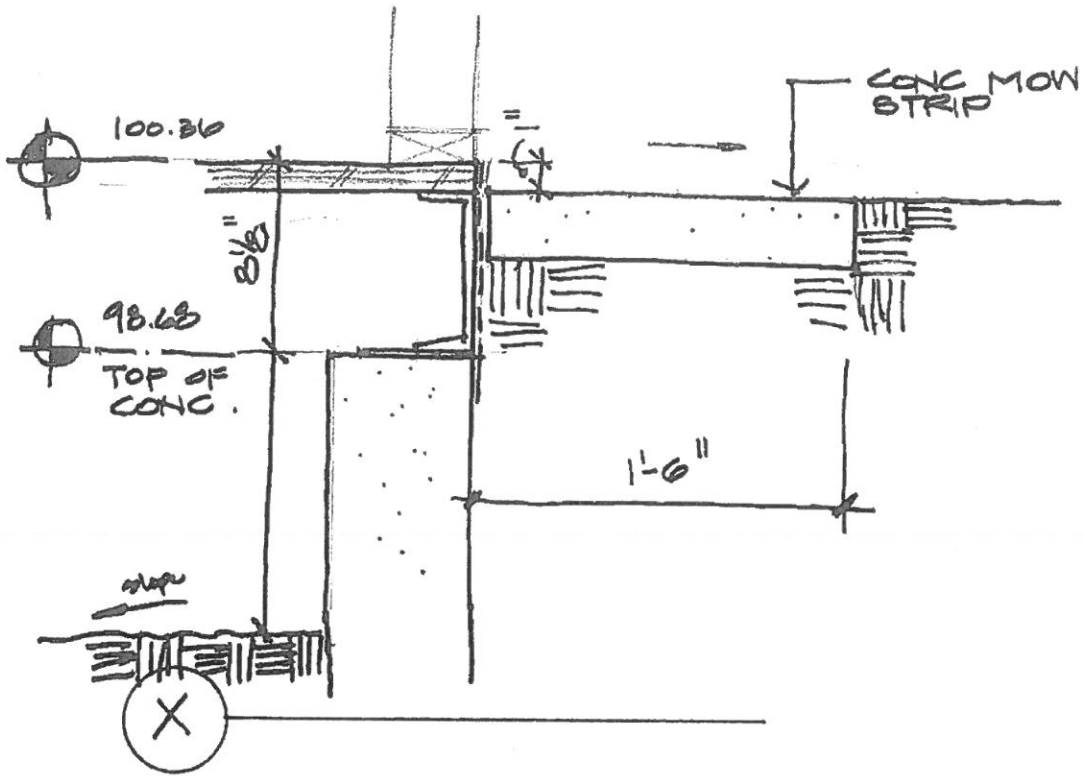
From: NORMAN WILSON

SEE SK-1, SK-2, SK-3

Subject: Response to RFI No 1

1. SEE ATTACHED SK-1 (17'-6" FROM WOOD FENCE), PARALLEL TO WOOD FENCE
2. 20'-0" SHOWN BTWN. NEW BUDG + FACE OF (E) BUDG. IS CORRECT... THIS IS NOT A FIRE TRUCK ACCESS.
3. FFE = 100.28' BASED ON SKETCH PROVIDED. SURVEYOR CONFIRM.
4. YES, SEE ATTACHED < 1% SLOPE TO POINT SHOWN @ 2'-0" SHORT OF 1ST DOOR.
5. YES, SEE DETAILS





SK-3



REQUEST FOR INFORMATION # 1

Relocated Modular Buildings for DH White Elementary School

Contract No.:

Date: 4-1-2020

To: Norm Wilson

cc: Eric Scheuermann

From: Patrick Madden

Subject: Survey/Layout of Portable Building Foundations

Please provide the following information or clarification:

Please see attached sketch provided from our surveyor Delta Surveys Inc, can you address his questions/comments as shown.

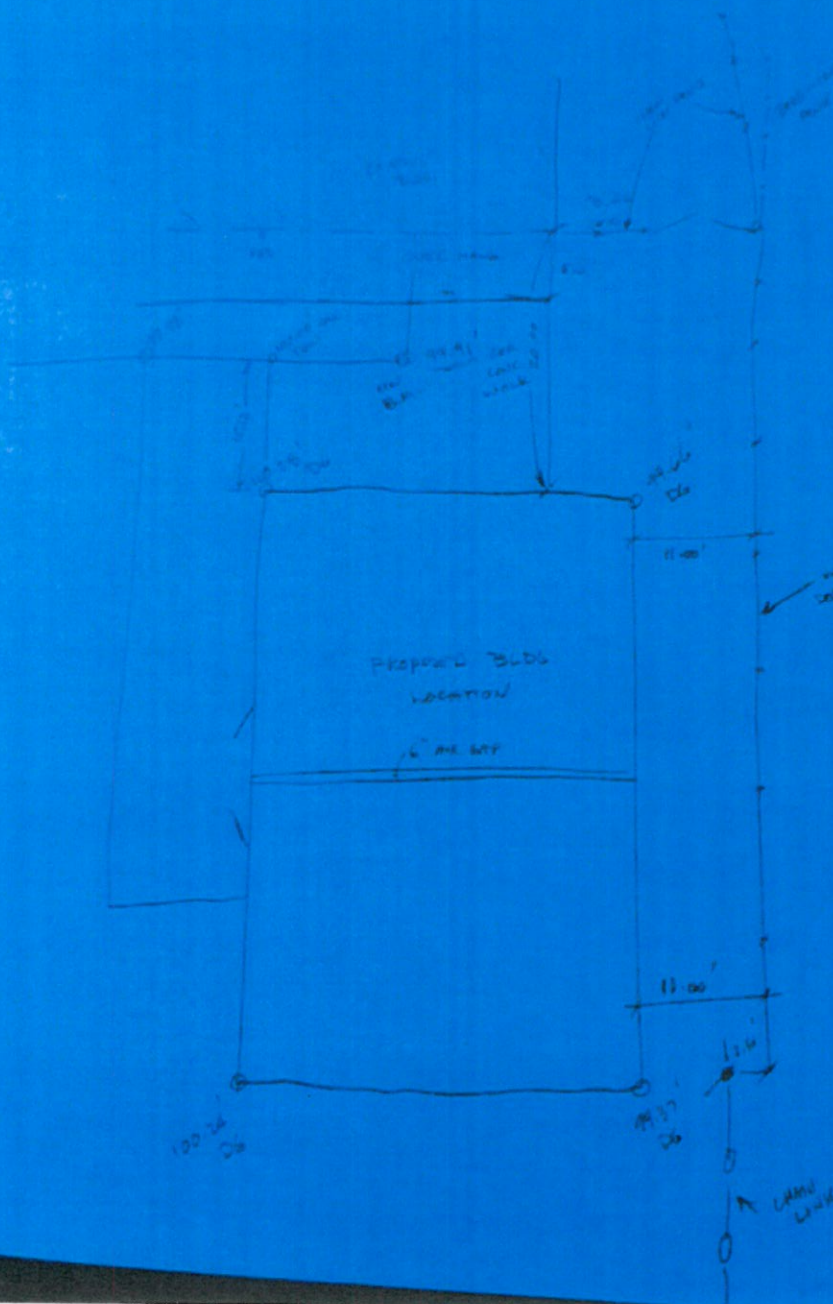
Response required by / /

Date:

To:

From:

Subject: Response to RFI No



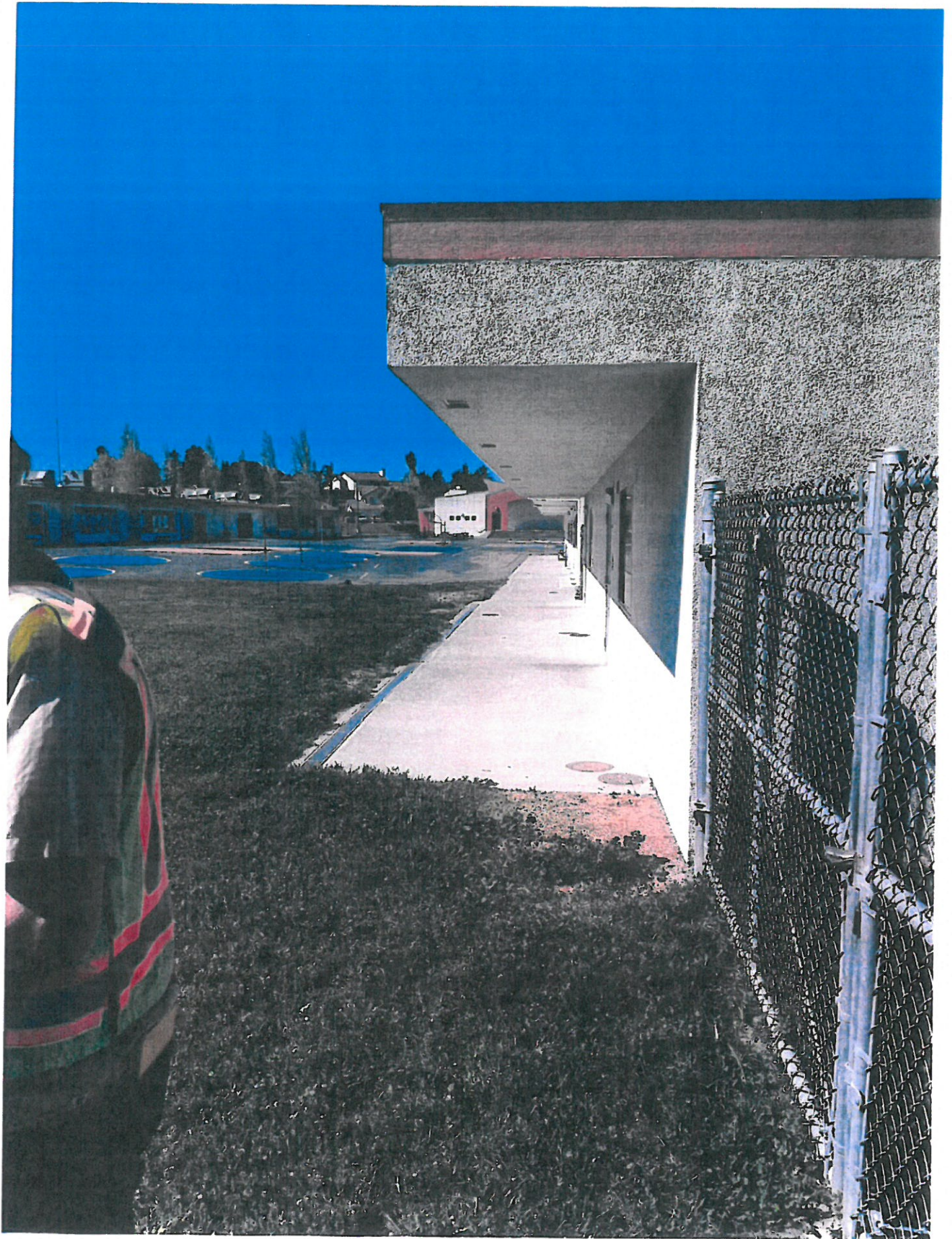
1. WOODEN FENCE APPEARS TO BE THE CURRENT LAND BOUNDARY. FENCE APPEARS TO BE OFFER FROM PROPERTY LINE? WHICH FENCE LINE IS IT?

2. THE 20' MIN. DISTANCE FROM EXISTING BUILDING TO NEW BUILDING LOCATION DOES NOT APPEAR TO HAVE 5.0' OVER WALK INCLUDED FOR THE TRUCK ACCESS?

3. FROM THE ELEVATIONS SHOWN AT THE CORNERS OF NEW PROPOSED BUILDING, INCLUDING WOODEN FENCE EXISTING CONCRETE WALK, WHAT WILL THE FINISHED FLOOR ELEVATION BE?

4. SINCE FINISHED FLOOR ELEVATION IS ESTABLISHED WILL THERE BE A SMALL INCURSE FROM EXISTING CONCRETE WALK TO THE FIRST CORNER OF NEW BUILDING WITH LESS THAN 5% SLOPE? OR WILL THE CONCRETE WALK HAVE A SLOPE OF LESS THAN 2% TO THE NEW DOORS?

5. IT APPEARS THAT THE CONCRETE WALK STEP IS ABOVE THE TOP OF THE FOOTINGS THEREBY INCLUDING THE NEW BUILDING SIPS?



Recording Requested By:

Owner - School District

When Recorded Mail To:

Name River Delta Unified School District

Street Address 445 Montezuma Street

City & State Rio Vista, CA 94571

SPACE ABOVE THIS LINE FOR RECORDERS USE

NOTICE OF COMPLETION

(CA Civil Code §§ 8180-8190, 8100-8118, 9200-9208)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is an owner of an interest of estate in the hereinafter described real property, the nature of which interest or estate is:
Fee Simple Title (e.g. fee, leasehold, joint tenancy, etc.)
2. The full name and address of the undersigned owner or reputed owner and of all co-owners or reputed co-owners are:
Name River Delta Unified School District Street and No. 445 Montezuma Street City Rio Vista State CA
River Delta Unified School District, 445 Montezuma Street, Rio Vista, CA 94571
3. The name and address of the direct contractor for the work of improvement as a whole is:
Kerex Engineering, Inc., P.O. Box 23831, Pleasant Hill, CA 94523
4. This notice is given for (check one):
 Completion of the work of improvement as a whole.
 Completion of a contract for a particular portion of the work of improvement (per CA Civ. Code § 8186).
5. If this notice is given only of completion of a contract for a particular portion of the work of improvement (as provided in CA Civ. Code § 8186), the name and address of the direct contractor under that contract is:
N/A
6. The name and address of the construction lender, if any, is:
N.A
7. On the 8th day of September, 2020, there was completed upon the herein described property a work of improvement as a whole (or a particular portion of the work of improvement as provided in CA Civ. Code § 8186) a general description of the work provided:
Site Improvements for New Modular Classrooms
8. The real property herein referred to is situated in the City of Rio Vista, County of Solano State of California, and is described as follows:
D.H. White Elementary School (APN# 0178-080-370)
9. The street address of said property is:
500 Elm Way, Rio Vista, CA 94571
10. If this Notice of Completion is signed by the owner's successor in interest, the name and address of the successor's transferor is:
N/A

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

By: _____

Signature of Owner of Owner's Authorized Agent
Katherine Wright, Superintendent

Print Name

VERIFICATION

I, Katherine Wright, state: I am the Authorized Signer ("Owner", "President", "Authorized Agent", "Partner", etc.) of the Owner identified in the foregoing Notice of Completion. I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 8, 2020 (date), at Rio Vista (city), California.

Signature of Owner or Owner's Authorized Agent

PROOF OF SERVICE DECLARATION

I, _____, declare that I served copies of the above **NOTICE OF COMPLETION**, (check appropriate box):

- a. By personally delivering copies to _____ (name(s) and title(s) of person served) at _____ (address), on _____ (date), at _____ m. (time)
- b. By Registered or Certified Mail, Express Mail or Overnight Delivery by an express service carrier, addressed to each of the parties at the address shown above on _____ (date).
- c. By leaving the notice and mailing a copy in the manner provided in § 415.20 of the California Code of Civil Procedure for service of Summons and Complaint in a Civil Action.

I declare under penalty of perjury that the foregoing is true and correct.

Signed at _____ (city), California, on _____ (date).

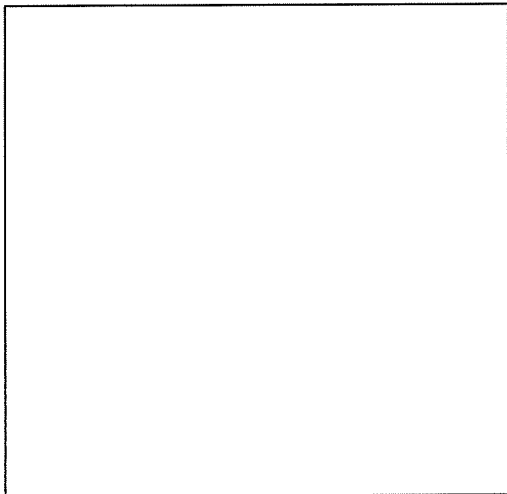
(Signature of Person Making Service)

**STATE OF CALIFORNIA
COUNTY OF _____**

On _____ (date), before me, _____, Notary Public (name and title of officer) personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PURJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.



Signature

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: September 8, 2020

Attachments: X

From: Katherine Wright, Superintendent

Item Number: 18.

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

SUBJECT:

Request the Board to hold a Public Hearing on the River Delta Unified School District's DRAFT 2020-2021 Learning Continuity and Attendance Plan

BACKGROUND:

The Learning Continuity and Attendance Plan memorializes the planning process already underway for the 2020–21 school year and includes descriptions of the following: addressing gaps in learning; conducting meaningful stakeholder engagement; maintaining transparency; addressing the needs of unduplicated pupils, students with unique needs, and students experiencing homelessness; providing access to necessary devices and connectivity for distance learning; providing resources and supports to address student and staff mental health and social emotional well-being; and continuing to provide school meals for students.

STATUS:

The LEA governing board/body shall adopt the Learning Continuity and Attendance Plan by September 30, 2020 in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing for receiving public comment described below.

Prior to its adoption, the Learning Continuity Plan shall be presented at a public hearing of the governing board/body of the LEA for review and comment by members of the public. The agenda for the public hearing shall be posted at least 72 hours before the Public Hearing and shall include the location where the Learning Continuity and Attendance Plan will be available for public inspection.

Additionally, the governing board must provide options for remote participation in the Public Hearings and the public meeting in which the Learning Continuity and Attendance Plan is adopted.

PRESENTER:

Katherine Wright, Superintendent

COST AND FUNDING SOURCES:

No cost to the District by holding a Public Hearing to obtain comment from the public.

RECOMMENDATION:

That the Board holds a Public Hearing on the Learning Continuity and Attendance Plan

Time allocated: 5 minutes



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995
www.riverdelta.k12.ca.us

NOTICE OF PUBLIC HEARING

River Delta Unified School District
Board Meeting
September 8, 2020, 6:30 p.m.
Hearing to be held remotely
Via Zoom webinar

<https://us02web.zoom.us/j/85462169131?pwd=VW1JSHA3RzVvM2lGRTRNaalpXdGQ2QT09>

DRAFT

Learning Continuity and Attendance Plan 2020-2021

The LEA governing board/body shall adopt the Learning Continuity and Attendance Plan (LCAP) by September 30, 2020 in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing for receiving public comment described below.

Prior to its adoption, the Learning Continuity Plan shall be presented at a public hearing of the governing board/body of the LEA for review and comment by members of the public. The agenda for the public hearing shall be posted at least 72 hours before the Public Hearing and shall include the location where the Learning Continuity and Attendance Plan will be available for public inspection.

Additionally, the governing board must provide options for remote participation in the Public Hearings and the public meeting in which the Learning Continuity and Attendance Plan is adopted.

Interested parties may: 1. Submit written comments to the Board (c/o District Office, 445 Montezuma Street, Rio Vista 94571); 2. Address the Board regarding the LCAP at the September Special meeting to be determined; and/or 3. Contact Mrs. Wright, Superintendent (707-374-1700) with questions regarding the Proposed LCAP document. A copy of the Proposed LCAP is available at the District Office, 445 Montezuma Street, Rio Vista for public viewing.

For questions, please call Ms. Gaston, Executive Assistant to Superintendent Wright at (707)-374-1711.

Creating Excellence To Ensure That All Students Learn

Bates School
Clarksburg Middle

Isleton School
Riverview Middle

Walnut Grove School
D. H. White Elementary
River Delta High/Elementary School

Delta High School
Rio Vista High School
River Delta Community Day School

Wind River School
Mokelumne High School



DISTRITO ESCOLAR UNIFICADO RIVER DELTA

445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995
www.riverdelta.k12.ca.us

AVISO DE AUDIENCIA PÚBLICA

Distrito Escolar Unificado River Delta

Junta Directiva

Septiembre 8, 2020, 6:30 p.m.

Audiencia que se llevará a cabo de forma remota

Vía Seminario web de Zoom

<https://us02web.zoom.us/j/85462169131?pwd=VW1JSHA3RzVvM2lGRtNaalpXdGQ2QT09>

BORRADOR

Plan de Continuidad y Asistencia al Aprendizaje 2020-2021

La junta / cuerpo gobernante de LEA adoptará el Plan de Continuidad del Aprendizaje y Asistencia (LCAP) antes del 30 de septiembre de 2020 en una reunión pública. Esta reunión se llevará a cabo después, pero no el mismo día, de la audiencia pública para recibir comentarios públicos que se describen a continuación.

Antes de su adopción, el Plan de Continuidad del Aprendizaje se presentará en una audiencia pública de la junta directiva / cuerpo de la LEA para que los miembros del público lo revisen y comenten. La agenda de la audiencia pública se publicará al menos 72 horas antes de la audiencia pública e incluirá el lugar donde el Plan de Continuidad del Aprendizaje y Asistencia estará disponible para inspección pública.

Además, la junta directiva debe proporcionar opciones para la participación remota en las Audiencias Públicas y la reunión pública en la que se adopta el Plan de Continuidad del Aprendizaje y Asistencia.

Las partes interesadas pueden: 1. Presentar comentarios por escrito a la Junta (c / o Oficina del Distrito, 445 Montezuma Street, Rio Vista 94571); 2. Dirigirse a la Junta Directiva sobre el LCAP en la reunión especial de septiembre por determinar; y / o 3. Comuníquese con la Sra. Wright, Superintendente (707-374-1700) si tiene preguntas sobre el documento LCAP propuesto. Una copia del LCAP propuesto está disponible en la Oficina del Distrito, 445 Montezuma Street, Rio Vista para la vista del público.

Si tiene preguntas, llame a la Sra. Gaston, Asistente Ejecutiva del Superintendente Wright al (707)-374-1711.

Creating Excellence To Ensure That All Students Learn

Bates School
Clarksburg Middle

Isleton School
Riverview Middle

Walnut Grove School
D. H. White Elementary
River Delta High/Elementary School

Delta High School
Rio Vista High School
River Delta Community Day School

Wind River School
Mokelumne High School