

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

February 15, 2022 – General Open Session 6:30 pm

As the result of the Coronavirus Pandemic (COVID-19), on January 6, 2022 an [Order of the Health Officer of the County of Sacramento](#) directing all public meetings in the county to occur virtually until further notice and encouraging workplaces to conduct meetings remotely as business needs permit. This order will continue to be in effect until rescinded or amended in writing by the Health Officer.

River Delta Unified School District Board meeting will be held as a teleconference (Zoom 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.

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. You will be called upon during Agenda item number 8: Public Comment or during the corresponding item number you have selected. Once your name has been called, the meeting organizer will allow you to unmute yourself. Unmute yourself and address the Board.
- 2) If you have a comment or complaint regarding a specific employee, please refrain from making a public comment and contact the employee's supervisor for resolution.

Listen in English: Meeting ID: 964 8930 4498 Passcode: 173261

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 (@ 4:30 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** (@4:35 p.m.)

Motioned: _____ Second: _____

Roll Call Vote:

Member Riley ___; Member Casillas ___; Member Lamera ___; Member Apel ___; Member Jelly ___; Member Mahoney ___; Member Stone ___ Time: ___

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

5.1 Retake Roll Call

Member Riley ___; Member Casillas ___; Member Lamera ___; Member Apel ___; Member Jelly ___; Member Mahoney ___; Member Stone ___

5.2 Pledge of Allegiance

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

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

Motioned: _____ Second: _____

Roll Call Vote:

Member Riley ___; Member Casillas ___; Member Lamera ___; Member Apel ___; Member Jelly ___; Member Mahoney ___; Member Stone ___

8. **Public Comment: Anyone may address the Board at this time regarding any subject that is within the Board's subject-matter jurisdiction which is not on this night's agenda** [Government Code Section 54954.3 and Education Code Sections 35145.5 and 72121.5]. **However, please hold your comments on a specific item listed until it is brought up for discussion. However, understand the Board may not act on any item which is not listed on this agenda** (except as authorized by Government Code Section 54954.2). (BB9323) **Individual speakers shall be allowed three minutes to address the Board on any non-agendized item. The Board shall limit the *total time* for public presentation and input on *all items* to a maximum of 20 minutes.** With Board consent, the Board President may increase or decrease the time allowed for public comment, depending on the topic and the number of persons wishing to be heard and the overall length of the agenda. The Board President may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. (BB 9323) Anyone may appear at the Board meeting to testify in support of, or in opposition to, any item on this agenda being presented to the Board for consideration. {If you wish to have an item placed on the agenda for discussion and/or action by the Board, you must notify the Board Secretary/Superintendent in writing no later than ten working days prior to a regularly scheduled Board meeting requesting permission. After the Superintendent's Cabinet has met, you will be notified of their decision.}

9. **Reports, Presentations, Information**

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

9.1.1 Board Members' report(s)

9.1.2 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 – Tammy Busch, Chief Business Officer; Ken Gaston, Director of MOT

9.2.1 Monthly Financial Report – Tammy Busch, Chief Business Officer

9.2.1.1 ADA/Enrollment Report – Tammy Busch, Chief Business Officer

9.2.1.2 Monthly Financial Report – Tammy Busch, Chief Business Officer

9.2.1.3 Revised Timeline for preparation of the 2022-2023 District Budget and LCAP – Tammy Busch, Chief Business Officer

9.2.1.4 Bond Projects Update SFID#1 – Tammy Busch, Chief Business Officer

9.2.1.5 Bond Projects Update SFID#2 – Tammy Busch, Chief Business Officer

9.2.1.6 District Facilities Master Plan Presentation – HKIT Architects

9.2.2 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 and Jamie Quirino Bautista, Director of Special Education

9.3.1 Educational Services Update – Nicole Latimer, Chief Educational Services Officer

9.3.2 2021-2022 Enrollment Update Presentations: Clarksburg Middle and Delta High; Bates Elementary; Walnut Grove Elementary; Isleton Elementary; D.H. White Elementary and Riverview Middle; and Rio Vista High Schools– Site Principals

9.3.3 Special Education Update – Jamie Quirino Bautista, Director of Special Education

9.4 River Delta Unified Teachers Association (RDUTA) Update – Alyson Stiles, RDUTA President

- 9.5 California State Employees Association (CSEA) Chapter #319 Update – Melinda Barkman, CSEA President

10. Consent Calendar

All matters listed under the Consent Calendar are to be considered routine action and all will be enacted by one motion. There will be no separate discussion of these items unless a member of the Board of Trustees requests that specific items to be removed from the Consent Calendar for separate action. Any items removed will be considered for separate action after the motion to approve the Consent Calendar.

- 10.1 Approve Board Minutes
Regular Meeting of the Board – January 11, 2022
- 10.2 Receive and Approve Monthly Personnel Report - As of February 15, 2022
- 10.3 Request to Approve District's Monthly Expenditure Report
January 2022
- 10.4 Request to Approve the Leave of Absence Made by Employee #001037 for March 2023 – June 2023 – Codi Agan, Director of Personnel
- 10.5 Request to Approve the Leave of Absence Made by Employee #001754 for February 4, 2022 – June 3, 2022 – Codi Agan, Director of Personnel
- 10.6 Request Approval to Apply for the School Breakfast Program (SBP) Start-up and Expansion Grant – Tammy Busch, Chief Business Officer
- 10.7 Donations to Receive and Acknowledge:
Rio Vista High School – Joseph Turk Memorial Scholarship Fund
Danny and Delinda Bowers
Rio Vista High School – Art Department in Memory of Kaz Omoto
Danny and Delinda Bowers

Motioned: _____ Second: _____

Roll Call Vote:

Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

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 River Delta Unified School District Master Plan for Bond Programs – Tammy Busch, Chief Business Officer and HKIT Architects Representative

Motioned: _____ Second: _____

Roll Call Vote:

Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

12. Request to Approve the Ratification of Change Order #1 in the Amount of \$583.44 and Approval to Submit the Notice of Completion for Riverview Middle School Marquee Sign Installation Project – Tammy Busch, Chief Business Officer

Motioned: _____ Second: _____

Roll Call Vote:

Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

13. Request to Approve the Ratification of Change Order #1 in the Amount of \$583.44 and Approval to Submit the Notice of Completion for Isleton Elementary School Marquee Sign Installation Project – Tammy Busch, Chief Business Officer

Motioned: _____ Second: _____

Roll Call Vote:

Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

14. Request to Approve the Ratification of Change Order #1 in the Amount of \$500 and Approval to Submit the Notice of Completion for Walnut Grove Elementary School Marquee Sign Installation Project – Tammy Busch, Chief Business Officer

Motioned: _____ Second: _____

Roll Call Vote:

Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

15. Request to Approve the Ratification of Change Order #1 in the Amount of \$820 and Approval to Submit the Notice of Completion for D.H. White Elementary School Marquee Sign Installation Project – Tammy Busch, Chief Business Officer
 Motioned: _____ Second: _____
 Roll Call Vote:
 Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

16. Request to Approve the Agreement with Bright Group to a Provide Roof Evaluation Report, for a cost not to exceed \$2,175, Measure J and Measure K Bond Funds – Tammy Busch, Chief Business Officer
 Motioned: _____ Second: _____
 Roll Call Vote:
 Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

17. Request to Approve the Independent Contract with Camacho Mechanical to Perform a Field Survey Collecting Information for the Mechanical Engineering Project to Include HVAC, Refrigeration, and Mechanical Equipment Districtwide – Bond Funds, Measure J (\$4,940) and Measure K (\$1,560) Totaling \$6,500– Tammy Busch, Chief Business Officer
 Motioned: _____ Second: _____
 Roll Call Vote:
 Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

18. Request to Approve the Fee Proposal and Agreement with Capital Engineering to Provide a HVAC Conditions Survey Districtwide – Bond Funds Measure J (\$21,280) and Measure K (\$6,720) Totaling \$28,000 – Tammy Busch, Chief Business Officer
 Motioned: _____ Second: _____
 Roll Call Vote:
 Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

19. Request to Approve the First Reading of the Updated or New Board Policies, Administrative Regulations and Exhibits Due to New Legislation, Mandated Language and/or Citation Revisions as of December 2021 - Katherine Wright, Superintendent
 Motioned: _____ Second: _____
 Roll Call Vote:
 Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

20. Request to Approve the 2022 Districtwide Comprehensive Safety Plan – Katherine Wright, Superintendent
 Motioned: _____ Second: _____
 Roll Call Vote:
 Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

21. Request to Approve the Final Draft of the Supplemental to the Annual Update to the 2021-2022 Local Control and Accountability Plan – Nicole Latimer, Chief Educational Services Officer
 Motioned: _____ Second: _____
 Roll Call Vote:
 Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

22. Request to Approve Resolution #827 Relative to the Reduction or Elimination of Particular Kinds of Certificated Services or Final Notice of Layoff Because of Reduction of Particular Kinds of Services - Katherine Wright, Superintendent
 Motioned: _____ Second: _____
 Roll Call Vote:
 Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

23. Request to Approve Resolution #828 Relative to the Reduction or Elimination of Particular Kinds of Classified Services or Final Notice of Layoff Because of Reduction of Particular Kinds of Services - Katherine Wright, Superintendent
 Motioned: _____ Second: _____
 Roll Call Vote:
 Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

24. Request to Approve and Adopt the 2019-2020 and 2020-2021 Tentative Agreement with the River Delta Unified Teacher’s Association – Katherine Wright, Superintendent

Motioned: _____ Second: _____

Roll Call Vote:

Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

25. Request to Award the Category Two (2) Eligible Network Equipment Contract for E-rate Approved Equipment to AMS.net in the Amount of \$262,032.65– Tammy Busch, Chief Business Officer

Motioned: _____ Second: _____

Roll Call Vote:

Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

26. Request Approval of Action Taken During Closed Session Regarding Student Discipline/Expulsion Hearing(s) or Stipulation Agreement(s) Action Taken to be Announced and Voted on Individually by Student Case Number to Maintain Student Confidentiality (Ed. Code 49070 (c) and 76232(c) - Board President Stone

4.1.1 Student Case #2122-311-001

Motioned: _____ Second: _____

Roll Call Vote:

Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

4.1.2 Student Case #2122-321-002

Motioned: _____ Second: _____

Roll Call Vote:

Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __

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

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

29. Adjournment

Motioned: _____ Second: _____

Roll Call Vote:

Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Mahoney __; Member Stone __ Time: __

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TRANSLATION SERVICES: Available in Spanish at the Board meeting upon request. Contact the Superintendent's Office at (707) 374-1711 at least 24 hours prior to the meeting to request translation services.

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

AFFIDAVIT OF NOTICING AND POSTING:

I, Jennifer Gaston, Executive Assistant to the Board of Trustees, declare that a copy of this Regular Meeting Agenda/Notice was posted in the bulletin board in front of the District Office, District administrative offices and that the Board of Trustees Members, school sites, and the community libraries were provided notice or caused to be provided notice via fax, e-mail and/or hand delivery on Friday, February 11, 2022, by or before 5:30 p.m.

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

ATTACHMENT

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

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

February 15, 2022 ♦ 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 4:35 p.m. on February 15, 2022, 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)] –

- 4.1.1 Student Case #2122-311-001
- 4.1.2 Student Case #2122-321-002

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
 - 4.3.4.1 Resolution #825 Release and Non-Reelect of certificated employees hired under temporary contracts for the 2021-2022 school year – Katherine Wright, Superintendent

Motion: _____ Second: _____ Roll Call Vote:

Member Mahoney __; Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Stone __

4.3.4.2 Resolution #826 non-re-employment for the 2022-2023 school year for Probationary 0, I & II Certificated Staff – Katherine Wright, Superintendent

Motion: _____ Second: _____ Roll Call Vote:

Member Mahoney __; Member Riley __; Member Casillas __; Member Lamera __; Member Apel __; Member Jelly __; Member Stone __

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

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

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

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Tammy Busch, Chief Business Officer

Item Number: 9.2.1.1

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

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

BACKGROUND: Each month district staff compiles attendance and enrollment data for all school sites. The attached summary shows enrollment and ADA for 2019-2020 compared to current year 2021-2022.

STATUS: District-wide enrollment **decreased by 118** students compared to the same month of school year 2019-20, decreasing from 1,937 to 1,819 (does not include Adult Ed), due to COVID-19 enrollment ADA is compared to 2019-20.

District-wide enrollment **decreased by 19 students** compared to **last month (December)**, from 1,838 to 1,819 (Does not include Adult Ed)

District-wide attendance **decreased by 196 ADA** compared to **last month (December)**, from 1,658 to 1,462. (Does not include Adult Ed)

PRESENTER:

Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

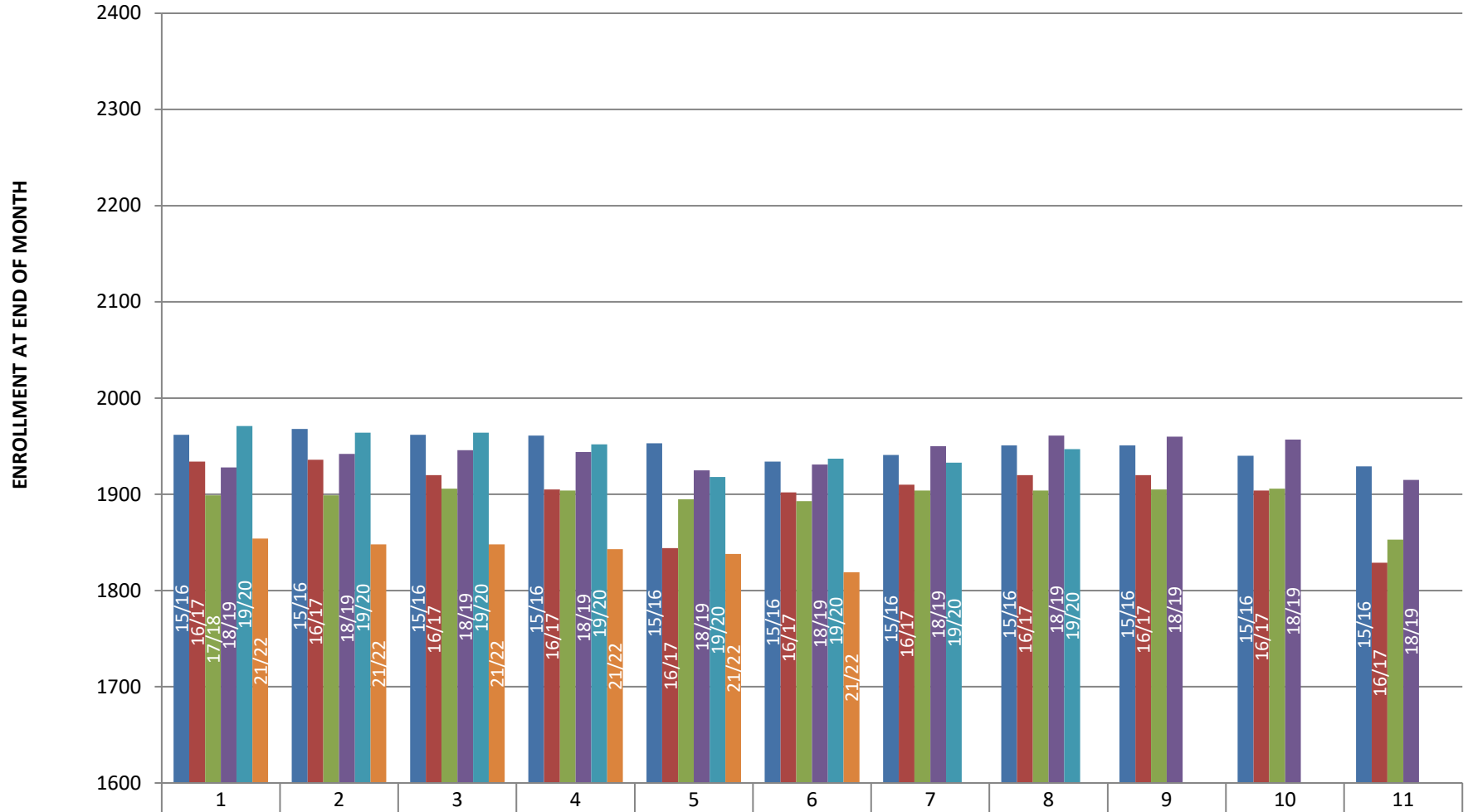
RECOMMENDATION:

That the Board receives the information presented

Time allocated: 3 minutes

SITE		AUG		% of ADA	SEPT		Incr/Decr From Pr Month	% of ADA	OCT		Incr/Decr From Pr Month	% of ADA	NOV		Incr/Decr From Pr Month	% of ADA	DEC		Incr/Decr From Pr Month	% of ADA	JAN		Incr/Decr From Pr Month	% of ADA
		19-20	21-22		19-20	21-22			19-20	21-22			19-20	21-22			19-20	21-22			19-20	21-22		
BATES	ENR	118	89		123	90	1		123	90	0		123	88	-2		111	85	-3		121	88	3	
	ADA	116	85	95.5%	121	84		93.3%	120	82		91.1%	120	83		94.3%	117	81		95.3%	114	73		83.0%
CLARKSBURG (7th & 8th Gr)	ENR	176	151		177	149	-2		177	150	1		178	149	-1		177	148	-1		177	145	-3	
	ADA	170	139	92.1%	172	141		94.6%	172	137		91.3%	169	140		94.0%	167	139		93.9%	168	125		86.2%
ISLETON	ENR	155	161		158	159	-2		156	158	-1		153	157	-1		149	157	0		155	156	-1	
	ADA	150	139	86.3%	150	148		93.1%	151	139		88.0%	146	147		93.6%	143	144		91.7%	147	127		81.4%
RIVERVIEW	ENR	256	193		253	189	-4		253	184	-5		253	187	3		250	177	-10		253	183	6	
	ADA	246	168	87.0%	244	171		90.5%	242	167		90.8%	243	169		90.4%	235	164		92.7%	242	149		81.4%
WALNUT GROVE	ENR	176	167		172	167	0		174	171	4		176	167	-4		176	172	5		176	171	-1	
	ADA	167	149	89.2%	167	153		91.6%	166	149		87.1%	167	150		89.8%	158	147		85.5%	166	135		78.9%
D.H. WHITE	ENR	350	393		346	385	-8		345	383	-2		337	383	0		337	387	4		345	386	-1	
	ADA	330	340	86.5%	330	352		91.4%	328	340		88.8%	327	340		88.8%	321	340		87.9%	332	307		79.5%
ELEMENTARY SUB TOTAL	ENR	1,231	1,154		1,229	1,139	-15		1,228	1,136	-3		1,220	1,131	-5		1,200	1,126	-5		1,227	1,129	3	
	ADA	1,179	1,020		1,184	1,049			1,179	1,014			1,172	1,029			1,141	1,015			1,169	916		
CLARKSBURG (9th Grade)	ENR	96	76		95	76	0		94	77	1		94	78	1		96	78	0		94	77	-1	
	ADA	94	73	96.1%	92	72		94.7%	92	70		90.9%	90	72		92.3%	89	73		93.6%	87	66		85.7%
DELTA HIGH	ENR	209	217		207	215	-2		207	214	-1		206	214	0		205	214	0		205	205	-9	
	ADA	205	205	94.5%	200	202		94.0%	198	197		92.1%	193	202		94.4%	194	201		93.9%	188	169		82.4%
RIO VISTA HIGH	ENR	409	381		402	380	-1		405	379	-1		396	379	0		379	379	0		388	374	-5	
	ADA	392	345	90.6%	381	343		90.3%	383	340		89.7%	375	341		90.0%	368	339		89.4%	366	285		76.2%
HIGH SCHOOL SUB TOTAL	ENR	714	674		704	671	-3		706	670	-1		696	671	1		680	671	0		687	656	-15	
	ADA	691	623		673	617			673	607			658	615			651	613			641	520		
Mokolumne High (Continuation)	ENR	17	4		18	4	0		15	4	0		16	4	0		16	4	0		10	3	-1	
	ADA	12	2		13	2			11	1			9	2			10	1			7	1		
River Delta High/Elem (Alternative)	ENR	7	22		9	34	12		11	38	4		15	37	-1		16	37	0		10	31	-6	
	ADA	8	11		8	19			10	23			11	27			15	29			10	25		
Community Day	ENR	2	0		4	0	0		4	0	0		5	0	0		6	0	0		3	0	0	
	ADA	2	0		2	0			3	0			3	0			3	0			1	0		
TOTAL K-12 LCFF Funded	ENR	1,971	1,854		1,964	1,848	-6		1,964	1,848	0		1,952	1,843	-5		1,918	1,838	-5		1,937	1,819	-19	
	ADA	1,892	1,656		1,880	1,687			1,876	1,645			1,853	1,673		90.8%	1,820	1,658		90.2%	1,828	1,462		
Wind River- Adult Ed	ENR	0	0		6	0	0		9	0	0		11	6	6		11	6	0		0	11	5	
TOTAL DISTRICT	ENR	1,971	1,854		1,970	1,848	-6		1,973	1,848	0		1,963	1,849	1		1,929	1,844	-5		1,937	1,830	-14	

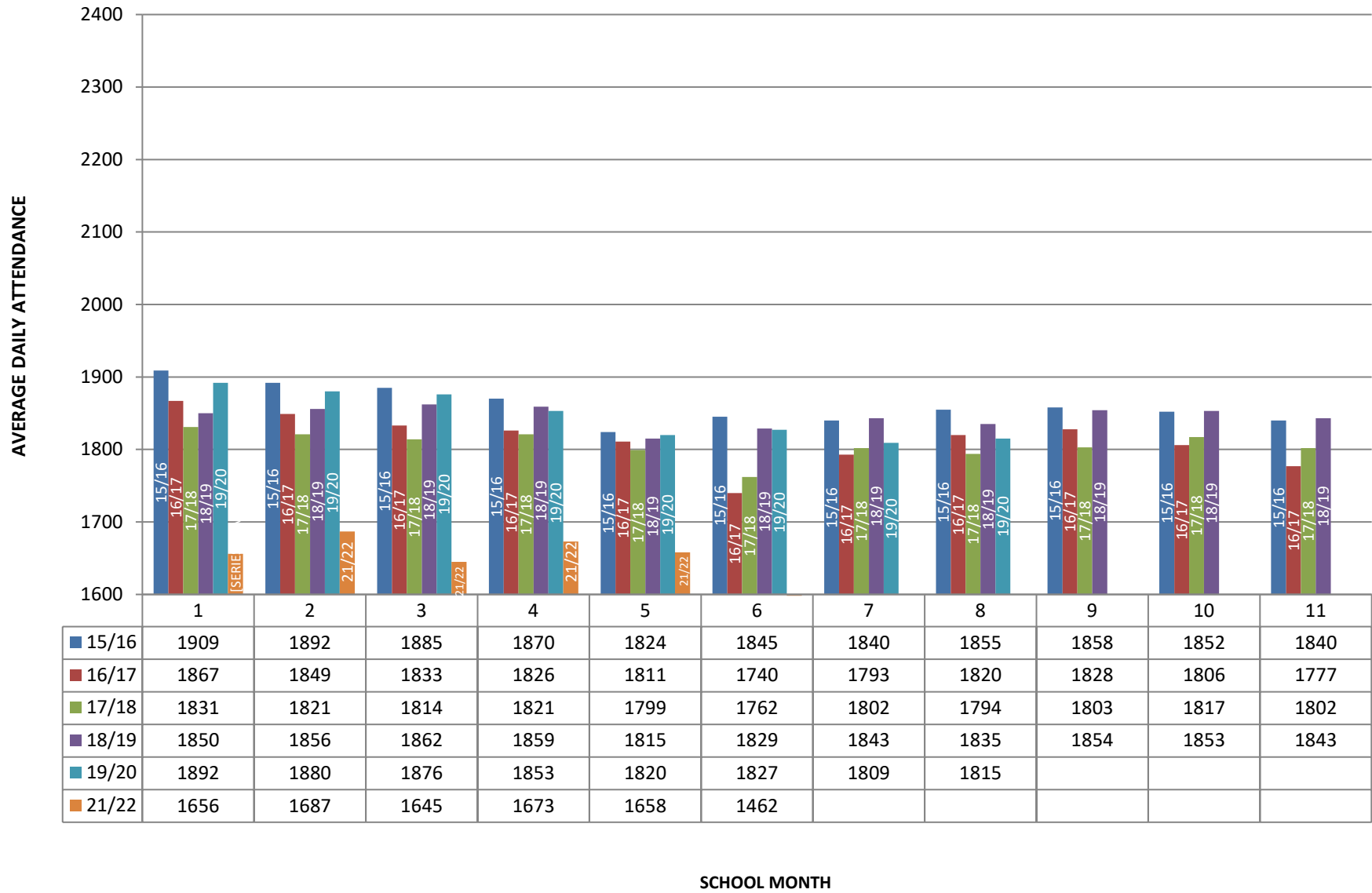
ENROLLMENT



	1	2	3	4	5	6	7	8	9	10	11
■ 15/16	1962	1968	1962	1961	1953	1934	1941	1951	1951	1940	1929
■ 16/17	1934	1936	1920	1905	1844	1902	1910	1920	1920	1904	1829
■ 17/18	1899	1899	1906	1904	1895	1893	1904	1904	1905	1906	1853
■ 18/19	1928	1942	1946	1944	1925	1931	1950	1961	1960	1957	1915
■ 19/20	1971	1964	1964	1952	1918	1937	1933	1947			
■ 21/22	1854	1848	1848	1843	1838	1819					

SCHOOL MONTH

ACTUAL ATTENDANCE



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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X _____

From: Tammy Busch, Chief Business Officer

Item Number: 9.2.1.2

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

SUBJECT:

Monthly Financial Report

BACKGROUND:

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

This report does not include any encumbered expenditures.

STATUS:

PRESENTER:

Tammy Busch, 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: 2 minutes

River Delta Unified School District
 2021-22 Working Budget vs. Actuals Report
 January 2022

Working Budget						Actuals thru: 1/31/2022					
	Beginning Balance (A)	Net Income/ Contributions in (B)	Expense/ Contributions out (C)	Ending Balance (D)	YTD Income (E)	YTD Paid to Delta Charter (F)	YTD Net Revenue (G)	Percentage Received (H)	YTD Expense (I)	Percentage Spent (J)	
							(G/B=H)			(I/C=J)	
General Fund: (01)											
Unrestricted	7,866,730	21,652,916	20,343,841	9,175,805	16,020,850	1,060,493	14,960,357	69.09%	8,593,980	42.24%	
Restricted	1,414,087	12,188,946	11,023,146	2,579,887	3,249,920		3,249,920	26.66%	2,898,346	26.29%	
Combined	9,280,817	33,841,862	31,366,987	11,755,692	19,270,770	1,060,493	19,270,770	56.94%	11,492,326	36.64%	
Other Funds											
Adult Ed. (11)	78,830	106,165	106,165	78,830	53,043		53,043	49.96%	21,031	19.81%	
Child Development (12)	7,717	292,102	292,102	7,717	192,120		192,120	65.77%	173,658	59.45%	
Cafeteria (13)	71,074	1,005,750	1,005,750	71,074	536,192		536,192	53.31%	501,697	49.88%	
Sp. Res-Other than Cap. Outlay (17)	40,992	400	-	41,392	171		171	42.75%	-	0.00%	
Bond Fund (21)	88,937	34,656	-	123,593	15,791		15,791	45.56%	-	0.00%	
Bond Fund- Measure J (22)	15,205,731	3	-	15,205,734	-		-	0.00%	261,806	0.00%	
Bond Fund - Measure K (23)	4,801,187	6	-	4,801,193	-		-	0.00%	88,173	0.00%	
Developer Fees (25)	947,141	318,371	-	1,265,512	101,971		101,971	32.03%	244,341	0.00%	
County School Facilities (35)	3,388	(30)	-	3,358	14		14	-46.67%	-	0.00%	
Capital Projects (49)	110,040	6,100	-	116,140	420		420	6.89%	23,407	0.00%	

Per Pupil Expenditures

Federal

		PPE by site	PPE for central
321	Rio Vista High	628.57	769.16
311	Delta High	1,587.93	769.16
335	Mokelumne High (cont.)	956.80	769.16
330	River Delta Alter. Ed	513.06	769.16
340	Community Day School	301.28	769.16
223	DH White Elem	941.70	769.16
210	Clarksburg MS	599.95	769.16
222	Riverview MS	616.98	769.16
224	Isleton Elem	1,135.15	769.16
214	Walnut Grove Elem	952.33	769.16
213	Bates Elem	1,377.15	769.16

State and Local

		PPE by site	PPE for central
321	Rio Vista High	8,685.86	1,514.44
311	Delta High	8,006.13	1,514.44
335	Mokelumne High (cont.)	18,245.76	1,514.44
330	River Delta Alter. Ed	4,434.33	1,514.44
340	Community Day School	60,146.21	1,514.44
223	DH White Elem	7,066.48	1,514.44
210	Clarksburg MS	6,714.39	1,514.44
222	Riverview MS	8,788.06	1,514.44
224	Isleton Elem	9,043.75	1,514.44
214	Walnut Grove Elem	8,398.05	1,514.44
213	Bates Elem	9,962.28	1,514.44

CalPads enrollment

321	Rio Vista High	389
311	Delta High	234
335	Mokelumne High (cont.)	7
330	River Delta Alter. Ed	11
340	Community Day School	2
223	DH White Elem	380
210	Clarksburg MS	234
222	Riverview MS	189
224	Isleton Elem	153
214	Walnut Grove Elem	170
213	Bates Elem	101
		1870

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Tammy Busch, Chief Business Officer

Item Number: 9.2.1.3

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

SUBJECT:

Revised 2022-23 LCAP & Budget Development Calendar

BACKGROUND:

The budget calendar is the outline of the steps and timeline for the Board and administration to be used in preparation of the new fiscal year Budget and Local Control Accountability Plan (LCAP) culminating in the adoption of both documents in June 2022. The Local Control Accountability Plan (LCAP) is a component of the state funding model, along with the Local Control Funding Formula (LCFF). Districts are required to describe how they intend to meet annual goals for all pupils. The District's Budget and LCAP must be aligned.

STATUS:

The revised Budget Calendar for 2022-23 is attached as a supporting document.

PRESENTER:

Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

N/A

RECOMMENDATION:

That the Board received the information on the revised timeline for preparation of the 2022-23 District Budget and Local Control Accountability Plan.

Time allocated: 3 minutes

RIVER DELTA UNIFIED SCHOOL DISTRICT

2022-23 BUDGET and LOCAL CONTROL ACCOUNTABILITY PLAN DEVELOPMENT TIMELINE

DATE	ACTIVITY	RESPONSIBLE PARTY
Nov-Dec	LCAP Collaborative Work Groups Session #2	LCAP Goal Leads
Jan 11	Present Budget Development Timeline to Board	CBO
Jan 18/21	Governor's Budget Workshop	Superintendent & CBO
Jan 26	DELAC Meeting	English Language Learner Coordinator
Jan	Parent presentation on LCAP & LCFF at School Site	Superintendent
Jan	Receive LCAP input from RDATA	Superintendent & Bargaining Units
Jan	Receive LCAP input from CSEA	Superintendent & Bargaining Units
Jan	Review enrollment and staffing projections	Superintendent, CBO & Director of H.R.
Jan	Receive LCAP input from DLAC/DAC/PI meeting	Superintendent, Principal of WG
Jan-Feb	LCAP Collaborative Work Groups	Chief Educational Services Officer (CESO) & LCAP Goal Leads
Feb	Develop Initial Budget Assumptions	Business Office
Feb	Parent presentation on LCAP & LCFF at School Site	Superintendent
Feb 15	Report to Board on Information received at Jan. Governor's Budget Workshop	CBO
Feb 15	Report to Board on Supplemental to the Annual Update for LCAP	Chief Educational Services Officer (CESO)
Mar	Receive input from Delta High and Rio Vista High School Students	Principals
Mar	LCAP Collaborative Work Groups	Chief Educational Services Officer (CESO) & LCAP Goal Leads
Mar	Parent presentation on LCAP & LCFF at School Site	Superintendent
Mar 8	2nd Interim Budget Report presented to the Board	CBO
Mar 31	Draft of Plan Summary & Stakeholder engagement sections of LCAP completed	Superintendent , Chief Educational Services Officer (CESO)
April 30	LCAP to SCOE for First Draft Review	Superintendent , Chief Educational Services Officer, CBO
May	Attend the Governor's May Revise Budget Workshop	Superintendent & CBO
May 14	Post LCAP on-line for Stakeholder review & opportunity for written feedback	Superintendent
Jun 14	Elementary School Site Plan presentation to the Board	Principals
Jun 14	LCAP & Budget Public Hearings	Superintendent, CBO & Board of Trustees
Jun 16	LCAP - LCFF presentation at RDUSD Principals Leadership Meeting	Superintendent
Jun 28	Middle & High School Site Plan presentation to the Board	Principals
Jun 28	LCAP to Board for Final Approval	Superintendent & Board of Trustees
Jun 28	Budget adoption	CBO & Board of Trustees
July 1	Submit Budget and LCAP to SCOE	CBO
July 1	Post LCAP on district website	Executive Assistant to Superintendent

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: _____

From: Tammy Busch, Chief Business Officer

Item Number: 9.2.1.4

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

SUBJECT:

Bond Oversight update on Measure J

BACKGROUND:

The Board of Trustees called a general obligation bond election, known as Measure J, pursuant to its Resolution No. 793 (the "Resolution") held on November 3, 2020. The Registrars of Voters of Sacramento County, Solano County, and Yolo County canvassed the returns of the election, as required by law, and delivered to the Board a certificate of election results certifying that at least 55 percent of the votes cast on Measure J were in favor of issuing bonds. The Board entered the results of the Measure J election on its January 19, 2021 minutes.

As required by the Resolutions and the Education Code, following the results of the Measure J election being entered in the Board's minutes, the Board must establish a Bond Oversight Committee to ensure that the proceeds of the Measure J bonds are expended only for the purposes set forth in the Resolutions, Measure J as approved by the voters.

The purpose of the Bond Oversight Committee shall be to inform the public concerning the expenditure of bond revenues. The Bond Oversight Committee shall actively review and report on the proper expenditure of taxpayers' money for school construction.

STATUS:

The Bond Oversight Committee has been established and held its 2nd meeting on February 3, 2022 via Zoom at 4:00 pm.

Measure J SFID #1 – expenditures

Cost of Issuance at \$105,000

Underwriter Fee at \$275,400

Fiscal Agent Fees at \$1,854.13

Total \$382,254.13

PRESENTER:

Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

N/A

RECOMMENDATION:

That the Board receives this information

Time allocated: 2 minutes

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: _____

From: Tammy Busch, Chief Business Officer

Item Number: 9.2.1.5

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

SUBJECT:

Bond Oversight Update Measure K

BACKGROUND:

The Board of Trustees called a general obligation bond election, known as Measure K, pursuant to its Resolution No. 794 (the "Resolution"), held on November 3, 2020. The Registrars of Voters of Sacramento County, Solano County, and Yolo County canvassed the returns of the election, as required by law, and delivered to the Board a certificate of election results certifying that at least 55 percent of the votes cast on Measure K were in favor of issuing bonds. The Board entered the results of the Measure K election on its January 19, 2021 minutes.

As required by the Resolutions and the Education Code, following the results of the Measure K election being entered in the Board's minutes, the Board must establish a Bond Oversight Committee to ensure that the proceeds of the and Measure K bonds are expended only for the purposes set forth in the Resolutions, Measure K as approved by the voters.

The purpose of the Bond Oversight Committee shall be to inform the public concerning the expenditure of bond revenues. The Bond Oversight Committee shall actively review and report on the proper expenditure of taxpayers' money for school construction.

STATUS:

The Bond Oversight Committee has been established and held its 2nd meeting on February 3, 2022 via Zoom at 4:00 pm.

Measure K SFID#2 – expenditures

Cost of issuance at \$105,000

Underwriter fee at \$79,309

Fiscal agent fees at \$2,199.24

Total \$186,508.24

PRESENTER:

Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

N/A

RECOMMENDATION:

That the Board receives this information

Time allocated: 2 minutes

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Tammy Busch, Chief Business Officer

Item Number: 9.2.1.6

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

SUBJECT:

Presentation of the River Delta Unified School District Master Plan for the Measure J and K Facilities Bond Programs.

BACKGROUND:

On August 10, 2021 the Board approved HKIT Architects as the Master Planning architect for the Measure J and K Facilities Bond Programs. The first step of the master planning process was HKIT meeting with staff leadership and walking all school sites in the amount of \$10,000. The second step was a robust Community Engagement process where there were two (2) meetings at each site: one with staff and one with parents and community members. They also met with maintenance staff, Special Education, Educational Services, collected as-built drawings and site information including student enrollment numbers. The cost of the Community Engagement process was \$52,952.

Once information was gathered, HKIT put together a Master Plan. HKIT meet with school Principals; Kathy Wright, Superintendent; Tammy Busch, Chief Business Officer and Ken Gaston, Director of MOT for review and feedback of the draft Master Plan.

STATUS:

Present the Master Plan for the Measure J and K Facilities Bond Programs.

PRESENTER:

Jeff Evans and Melissa Regan, HKIT Architects

OTHER PEOPLE WHO MIGHT BE PRESENT:

Maria Denney, RGM Kramer

COST AND FUNDING SOURCES:

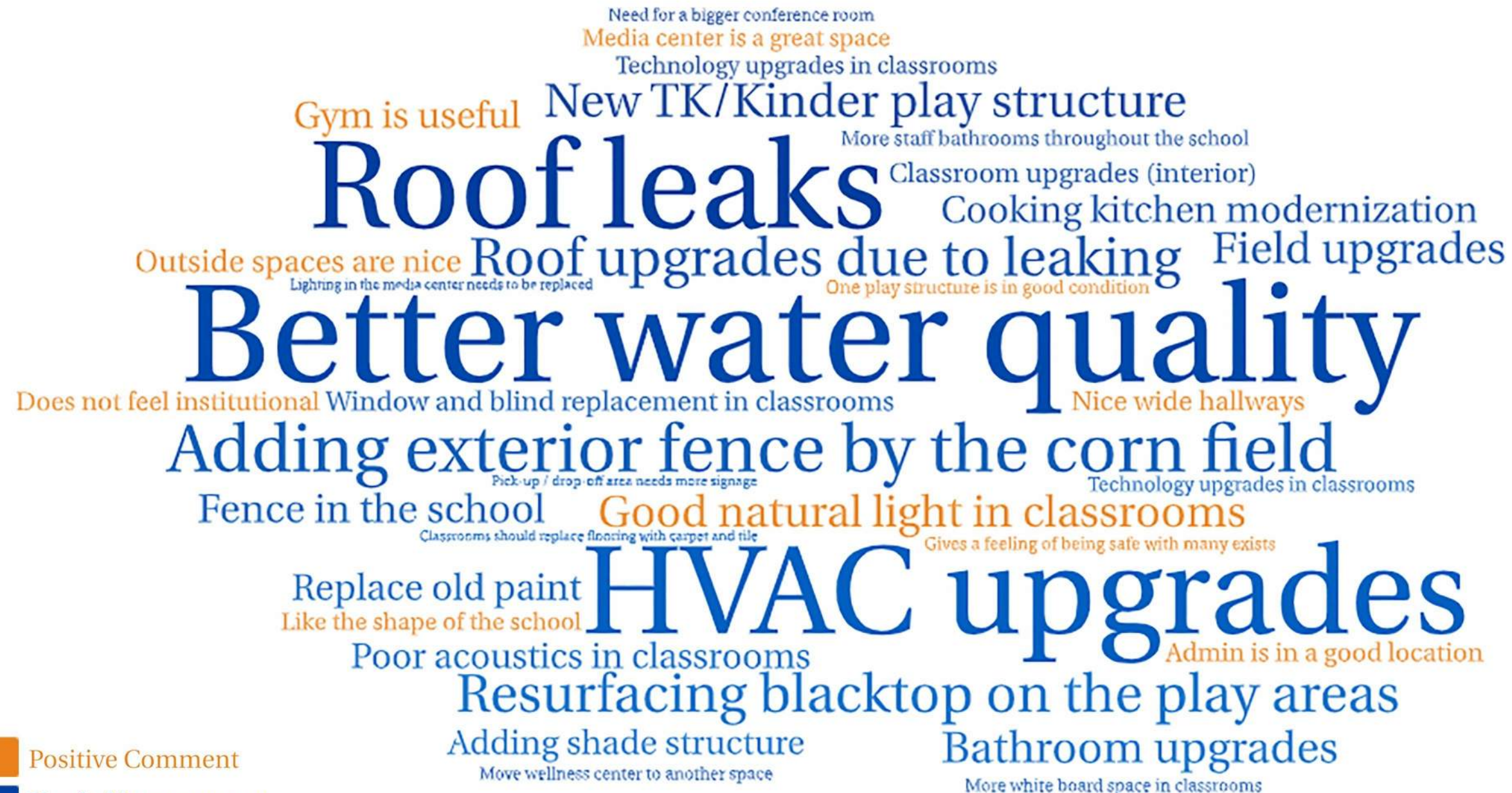
RECOMMENDATION:

That the Board receives this information.

Time allocated: 10 minutes

BATES ELEMENTARY

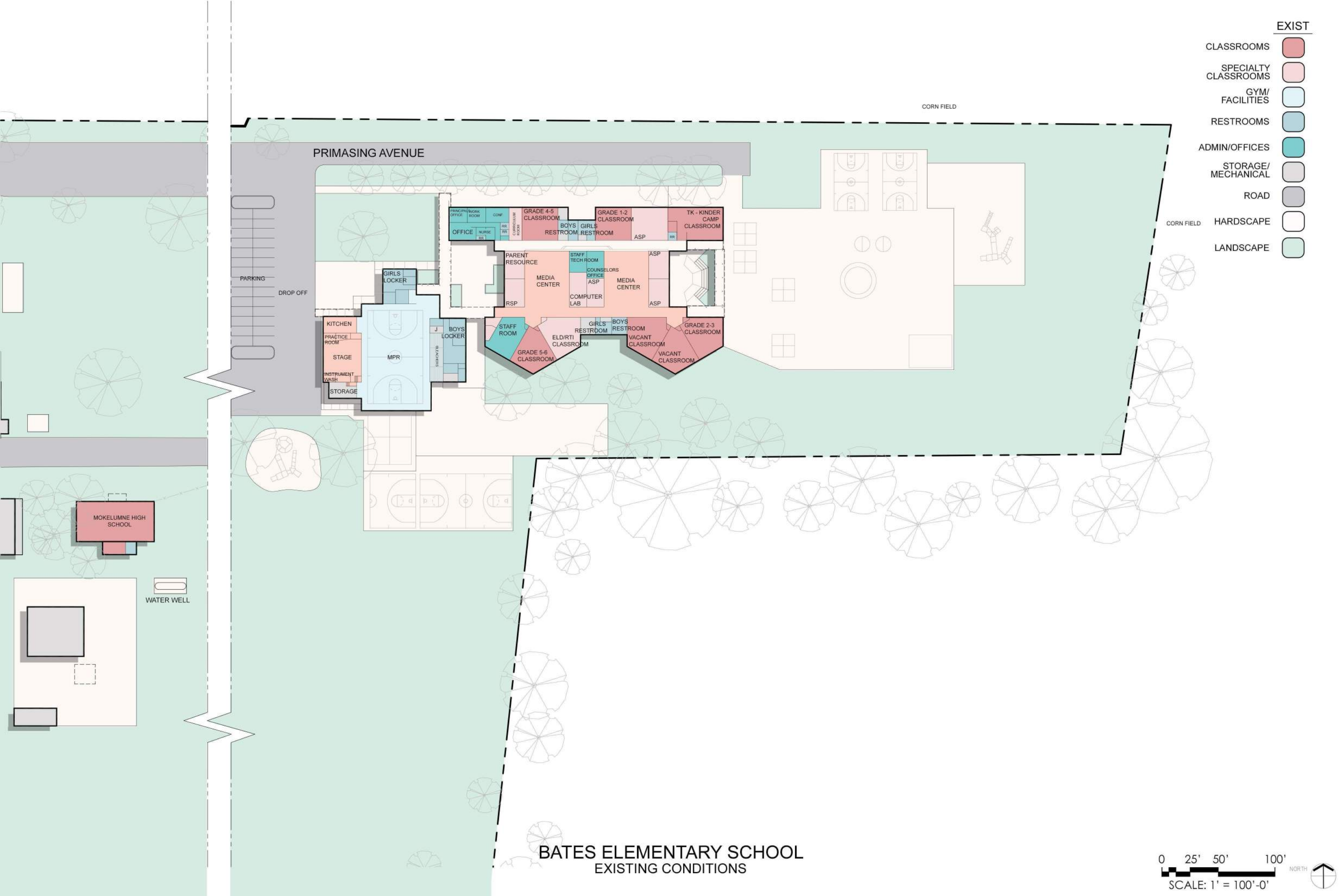
INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS



- Positive Comment
- Needed improvements

EXIST

- CLASSROOMS
- SPECIALTY CLASSROOMS
- GYM/FACILITIES
- RESTROOMS
- ADMIN/OFFICES
- STORAGE/MECHANICAL
- ROAD
- HARDSCAPE
- LANDSCAPE



PRIMASING AVENUE

CORN FIELD

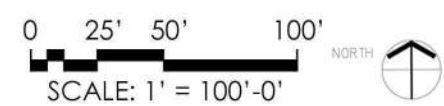
CORN FIELD

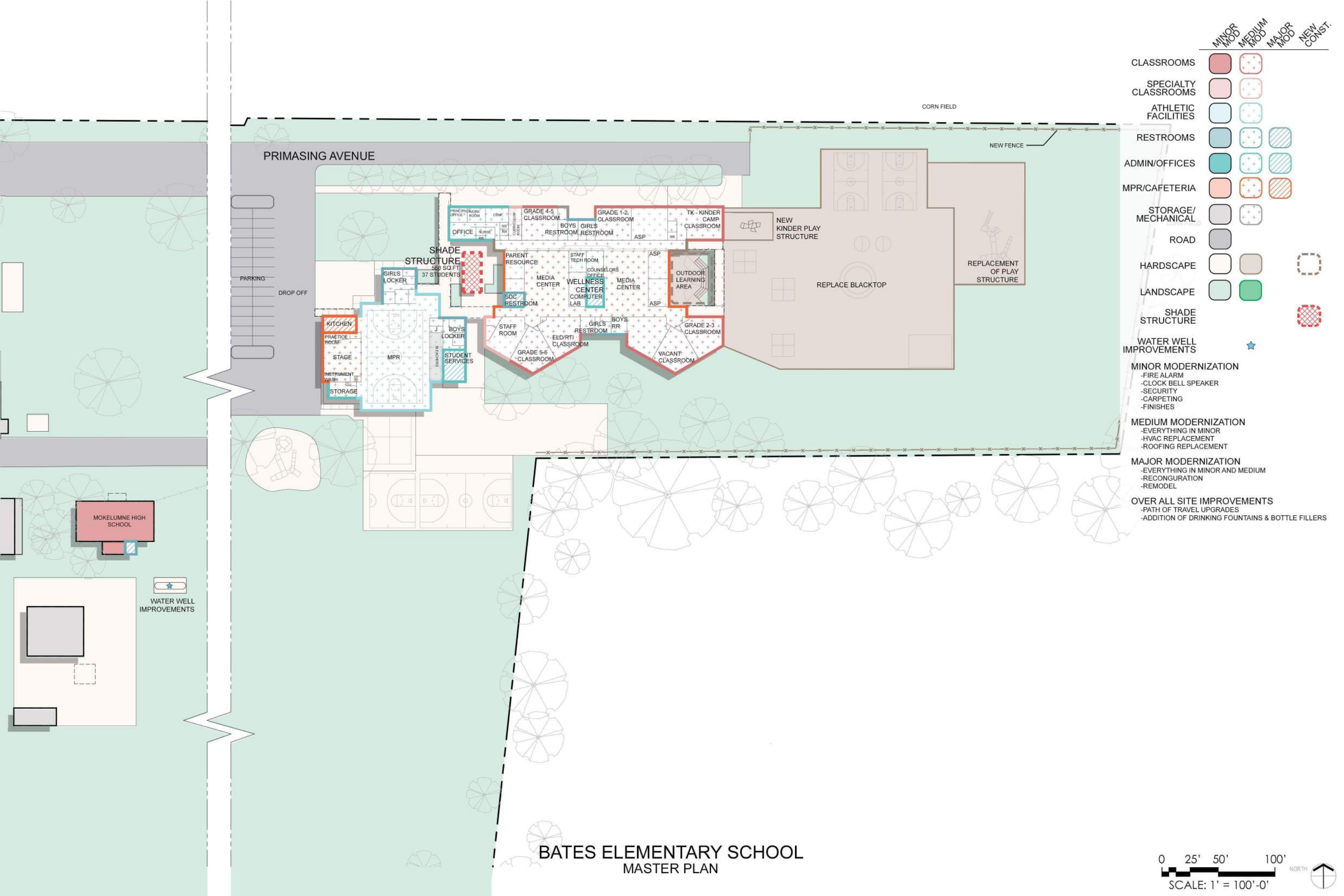
PARKING
DROP OFF

MOKELUMNE HIGH SCHOOL

WATER WELL

BATES ELEMENTARY SCHOOL EXISTING CONDITIONS

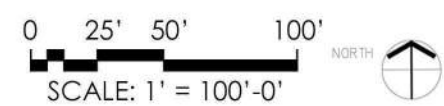




MINOR MOD
MEDIUM MOD
MAJOR MOD
NEW CONST.

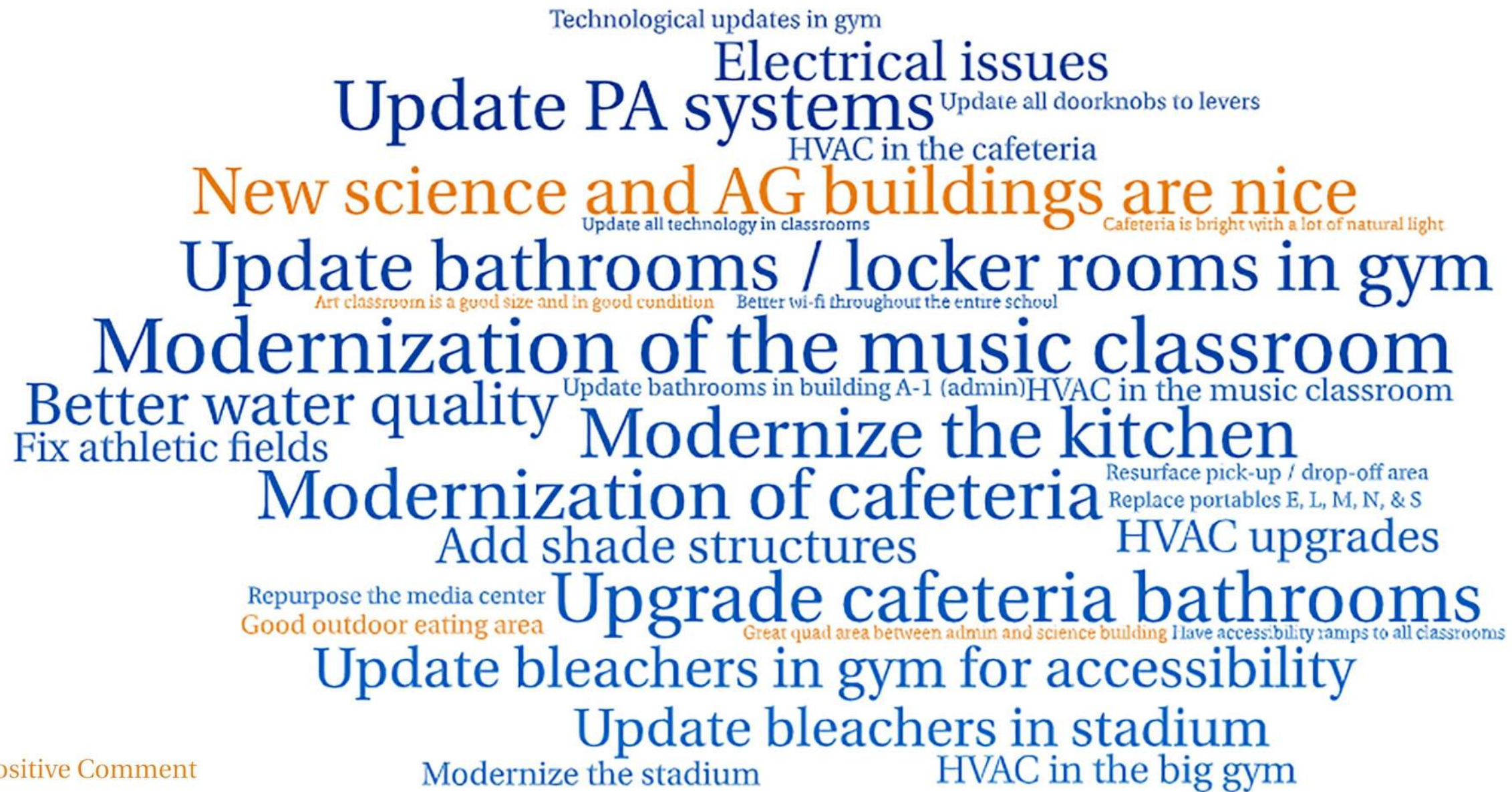
- CLASSROOMS
- SPECIALTY CLASSROOMS
- ATHLETIC FACILITIES
- RESTROOMS
- ADMIN/OFFICES
- MPR/CAFETERIA
- STORAGE/MECHANICAL
- ROAD
- HARDSCAPE
- LANDSCAPE
- SHADE STRUCTURE
- WATER WELL IMPROVEMENTS
- MINOR MODERNIZATION
 - FIRE ALARM
 - CLOCK BELL SPEAKER
 - SECURITY
 - CARPETING
 - FINISHES
- MEDIUM MODERNIZATION
 - EVERYTHING IN MINOR
 - HVAC REPLACEMENT
 - ROOFING REPLACEMENT
- MAJOR MODERNIZATION
 - EVERYTHING IN MINOR AND MEDIUM
 - RECONFIGURATION
 - REMODEL
- OVER ALL SITE IMPROVEMENTS
 - PATH OF TRAVEL UPGRADES
 - ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS

BATES ELEMENTARY SCHOOL
MASTER PLAN



DELTA HIGH

INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS



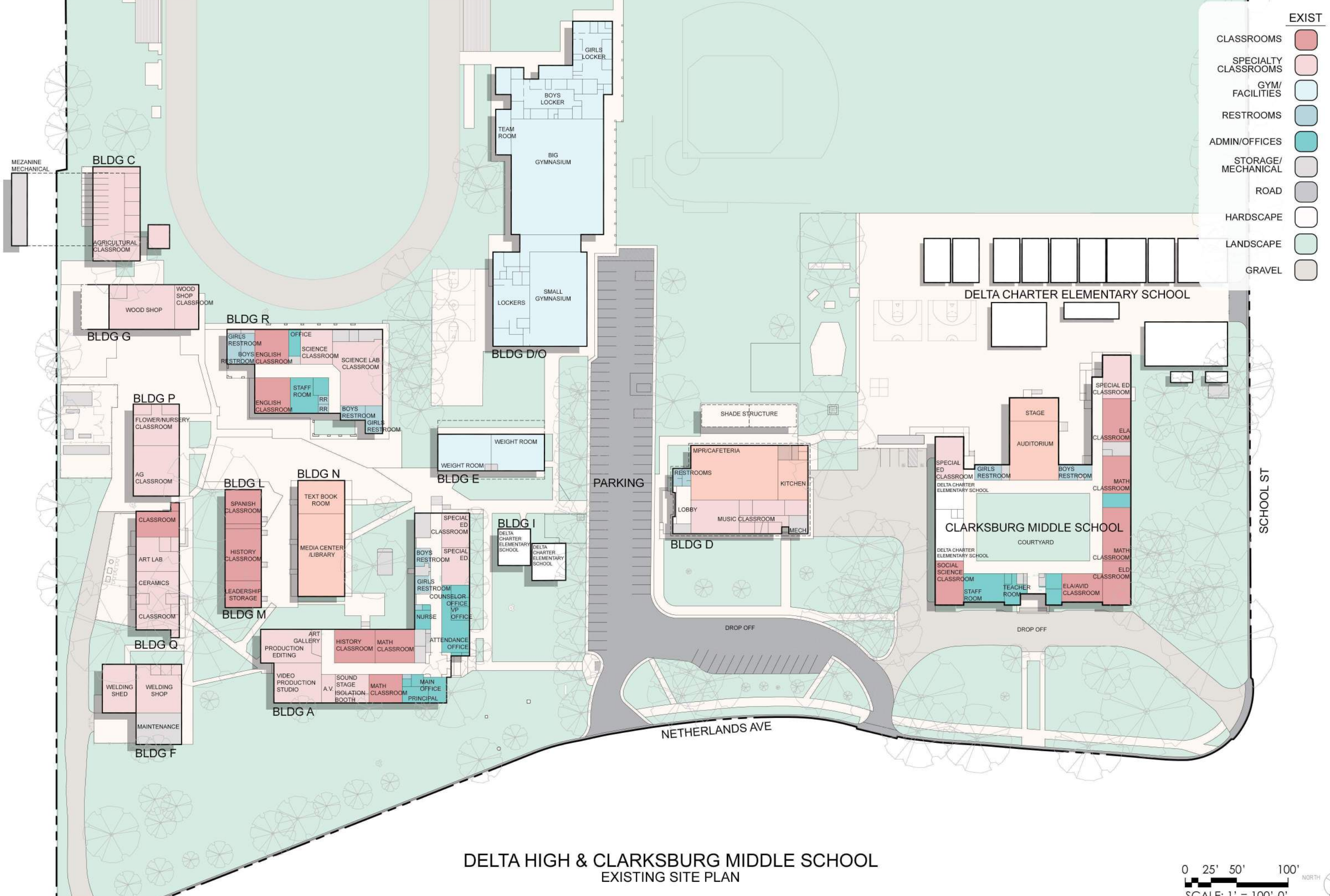
- Positive Comment
- Needed improvements

CLARKSBURG MIDDLE

INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS

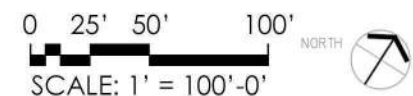
Good classrooms sized
Love the auditorium
Upgrade cafeteria bathrooms
Modernize the kitchen
Cafeteria is bright with a lot of natural light
Update all technology in classrooms
Better wi-fi throughout the entire school
Modernization of cafeteria
Modernization of the music classroom
Update PA systems
Great natural lighting
Better water quality
HVAC upgrades
Provide a lobby in the admin area
Add shade structures
"Pretty us up"
HVAC in the cafeteria
Character, design, and outdoor space
HVAC in the music classroom
Good outdoor eating area
Re-distribute the admin offices
Resurface pick-up / drop-off area
Provide a space for social workers, school psychologists, and counseling

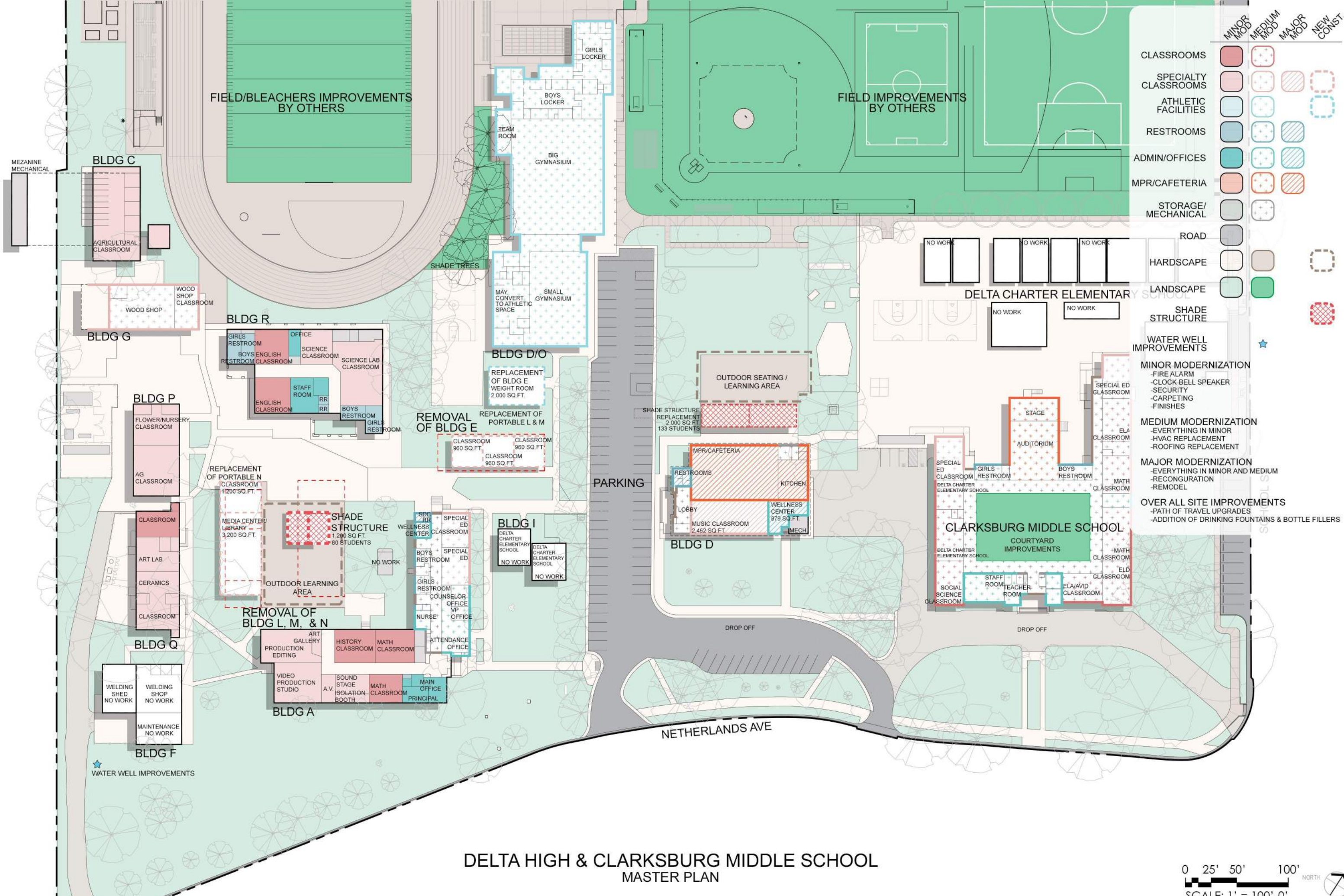
Positive Comment
Needed improvements



- EXIST**
- CLASSROOMS
 - SPECIALTY CLASSROOMS
 - GYM/FACILITIES
 - RESTROOMS
 - ADMIN/OFFICES
 - STORAGE/MECHANICAL
 - ROAD
 - HARDSCAPE
 - LANDSCAPE
 - GRAVEL

DELTA HIGH & CLARKSBURG MIDDLE SCHOOL
EXISTING SITE PLAN

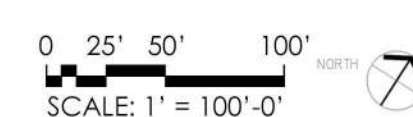




	MINOR MOD	MEDIUM MOD	MAJOR MOD	NEW CONST.
CLASSROOMS	[Red circle]	[Red circle with stars]	[Red circle with stars and dots]	[Red circle with stars and dots]
SPECIALTY CLASSROOMS	[Light red circle]	[Light red circle with stars]	[Light red circle with stars and dots]	[Light red circle with stars and dots]
ATHLETIC FACILITIES	[Light blue circle]	[Light blue circle with stars]	[Light blue circle with stars and dots]	[Light blue circle with stars and dots]
RESTROOMS	[Blue circle]	[Blue circle with stars]	[Blue circle with stars and dots]	[Blue circle with stars and dots]
ADMIN/OFFICES	[Teal circle]	[Teal circle with stars]	[Teal circle with stars and dots]	[Teal circle with stars and dots]
MPR/CAFETERIA	[Orange circle]	[Orange circle with stars]	[Orange circle with stars and dots]	[Orange circle with stars and dots]
STORAGE/MECHANICAL	[Grey circle]	[Grey circle with stars]	[Grey circle with stars and dots]	[Grey circle with stars and dots]
ROAD	[Dark grey circle]	[Dark grey circle with stars]	[Dark grey circle with stars and dots]	[Dark grey circle with stars and dots]
HARDSCAPE	[Light tan circle]	[Light tan circle with stars]	[Light tan circle with stars and dots]	[Light tan circle with stars and dots]
LANDSCAPE	[Light green circle]	[Light green circle with stars]	[Light green circle with stars and dots]	[Light green circle with stars and dots]
SHADE STRUCTURE	[Red cross-hatch pattern]	[Red cross-hatch pattern]	[Red cross-hatch pattern]	[Red cross-hatch pattern]
WATER WELL IMPROVEMENTS	[Blue star]	[Blue star]	[Blue star]	[Blue star]

- MINOR MODERNIZATION**
 - FIRE ALARM
 - CLOCK BELL SPEAKER
 - SECURITY
 - CARPETING
 - FINISHES
- MEDIUM MODERNIZATION**
 - EVERYTHING IN MINOR
 - HVAC REPLACEMENT
 - ROOFING REPLACEMENT
- MAJOR MODERNIZATION**
 - EVERYTHING IN MINOR AND MEDIUM
 - RECONFIGURATION
 - REMODEL
- OVER ALL SITE IMPROVEMENTS**
 - PATH OF TRAVEL UPGRADES
 - ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS

DELTA HIGH & CLARKSBURG MIDDLE SCHOOL
MASTER PLAN



D.H. WHITE ELEMENTARY

INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS

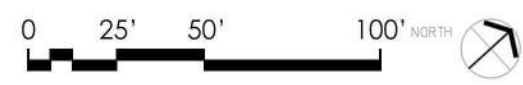


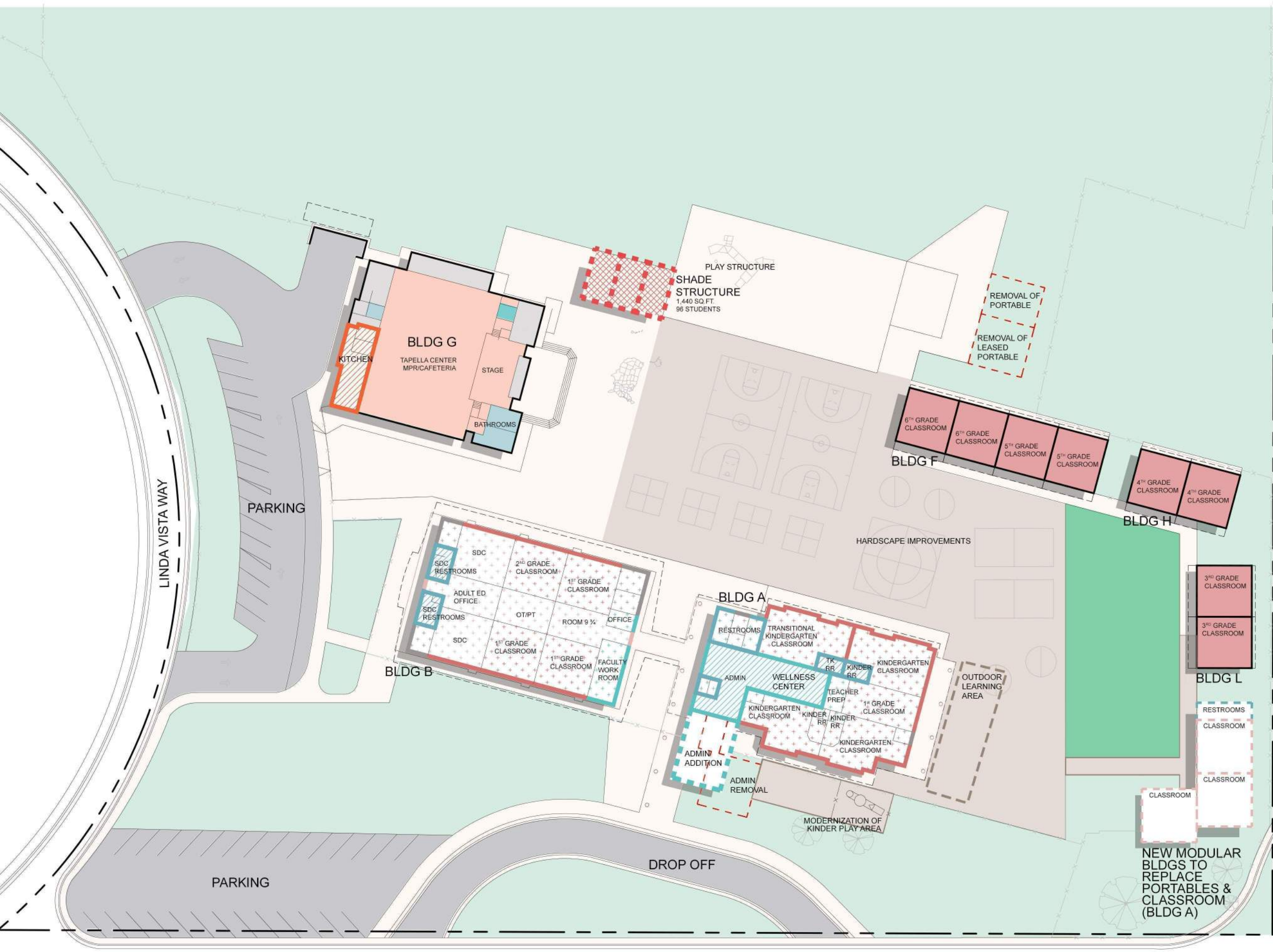
 Positive Comment
 Needed improvements

- EXIST**
- CLASSROOMS
 - SPECIALTY CLASSROOMS
 - GYM/FACILITIES
 - RESTROOMS
 - ADMIN/OFFICES
 - STORAGE/MECHANICAL
 - ROAD
 - HARDSCAPE
 - LANDSCAPE



D.H. WHITE ELEMENTARY SCHOOL
EXISTING CONDITIONS

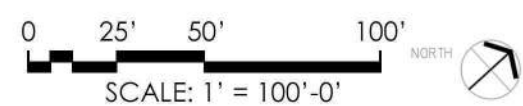


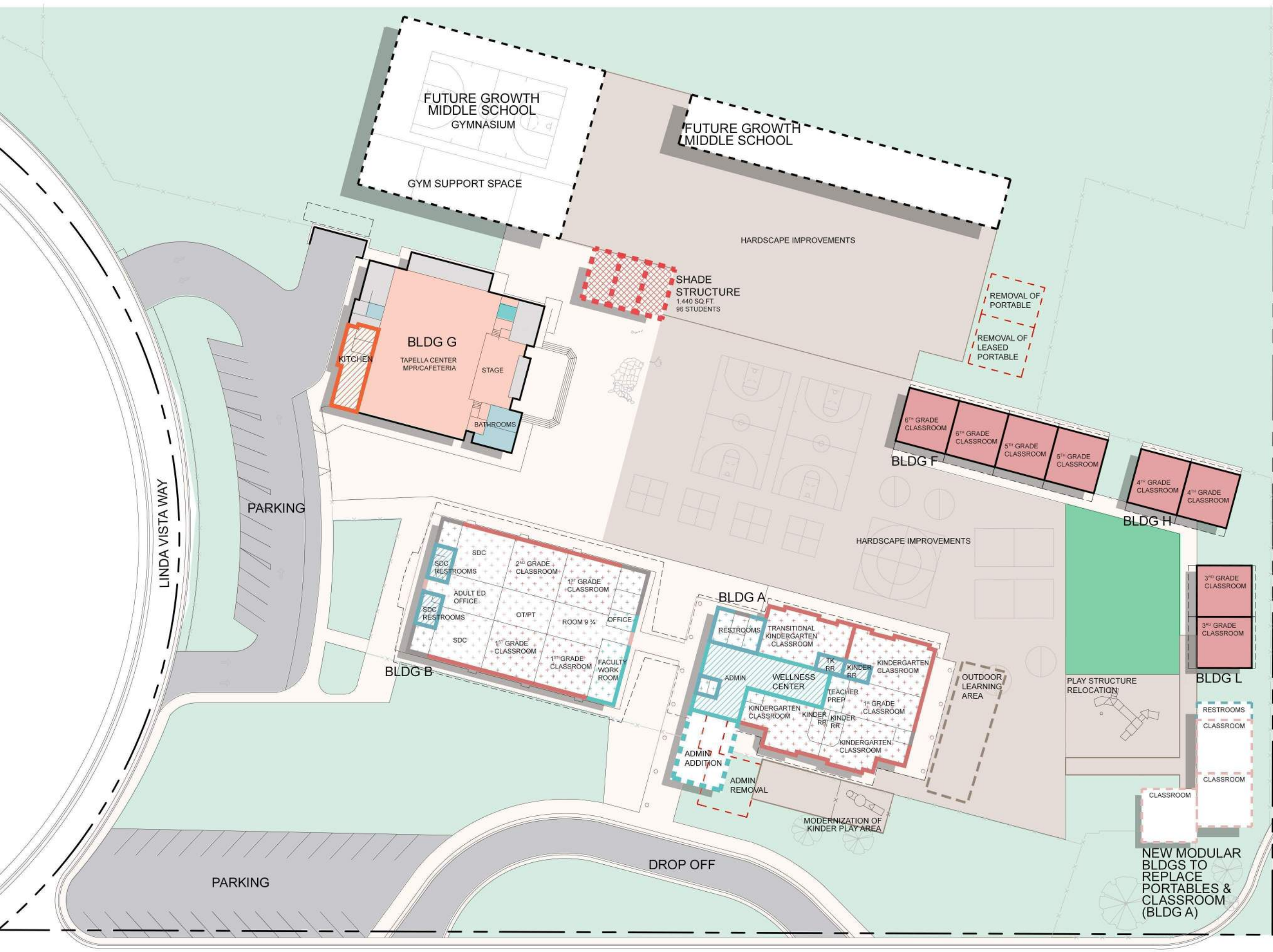


	MINOR MOD	MEDIUM MOD	MAJOR MOD	NEW CONST.
CLASSROOMS	[Red solid]	[Red with stars]		
SPECIALTY CLASSROOMS	[Light red solid]	[Light red with stars]		[Red dashed]
ATHLETIC FACILITIES	[Light blue solid]			
RESTROOMS	[Blue solid]	[Blue with stars]	[Blue with diagonal lines]	
ADMIN/OFFICES	[Teal solid]	[Teal with stars]	[Teal with diagonal lines]	[Teal dashed]
MPR/CAFETERIA	[Orange solid]		[Orange with diagonal lines]	
STORAGE/MECHANICAL	[Grey solid]	[Grey with stars]		
ROAD	[Dark grey solid]			
HARDSCAPE	[Light tan solid]			[Tan dashed]
LANDSCAPE	[Light green solid]	[Dark green solid]		
SHADE STRUCTURE				[Red cross-hatch]

- MINOR MODERNIZATION**
- FIRE ALARM
 - CLOCK BELL SPEAKER
 - SECURITY
 - CARPETING
 - FINISHES
- MEDIUM MODERNIZATION**
- EVERYTHING IN MINOR
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- OVER ALL SITE IMPROVEMENTS**
- PATH OF TRAVEL UPGRADES
 - ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS

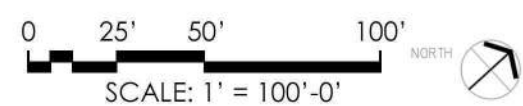
D.H. WHITE ELEMENTARY SCHOOL
MASTER PLAN





	MINOR MOD	MEDIUM MOD	MAJOR MOD	NEW CONST.
CLASSROOMS	[Red circle with dots]	[Red circle with stars]	[Red circle with diagonal lines]	[Red dashed circle]
SPECIALTY CLASSROOMS	[Light red circle]	[Light red circle with stars]	[Light red circle with diagonal lines]	[Light red dashed circle]
ATHLETIC FACILITIES	[Light blue circle]	[Light blue circle with stars]	[Light blue circle with diagonal lines]	[Light blue dashed circle]
RESTROOMS	[Blue circle]	[Blue circle with stars]	[Blue circle with diagonal lines]	[Blue dashed circle]
ADMIN/OFFICES	[Teal circle]	[Teal circle with stars]	[Teal circle with diagonal lines]	[Teal dashed circle]
MPR/CAFETERIA	[Orange circle]	[Orange circle with stars]	[Orange circle with diagonal lines]	[Orange dashed circle]
STORAGE/MECHANICAL	[Grey circle]	[Grey circle with stars]	[Grey circle with diagonal lines]	[Grey dashed circle]
ROAD	[Dark grey circle]	[Dark grey circle with stars]	[Dark grey circle with diagonal lines]	[Dark grey dashed circle]
HARDSCAPE	[Light tan circle]	[Light tan circle with stars]	[Light tan circle with diagonal lines]	[Light tan dashed circle]
LANDSCAPE	[Light green circle]	[Light green circle with stars]	[Light green circle with diagonal lines]	[Light green dashed circle]
SHADE STRUCTURE	[Red grid pattern]	[Red grid pattern with stars]	[Red grid pattern with diagonal lines]	[Red grid pattern dashed]
FUTURE GROWTH	[Red dashed outline]	[Red dashed outline with stars]	[Red dashed outline with diagonal lines]	[Red dashed outline]
MINOR MODERNIZATION				
-FIRE ALARM				
-CLOCK BELL SPEAKER				
-SECURITY				
-CARPETING				
-FINISHES				
MEDIUM MODERNIZATION				
-EVERYTHING IN MINOR				
-HVAC REPLACEMENT				
-ROOFING REPLACEMENT				
MAJOR MODERNIZATION				
-EVERYTHING IN MINOR AND MEDIUM				
-RECONFIGURATION				
-REMODEL				
OVER ALL SITE IMPROVEMENTS				
-PATH OF TRAVEL UPGRADES				
-ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS				

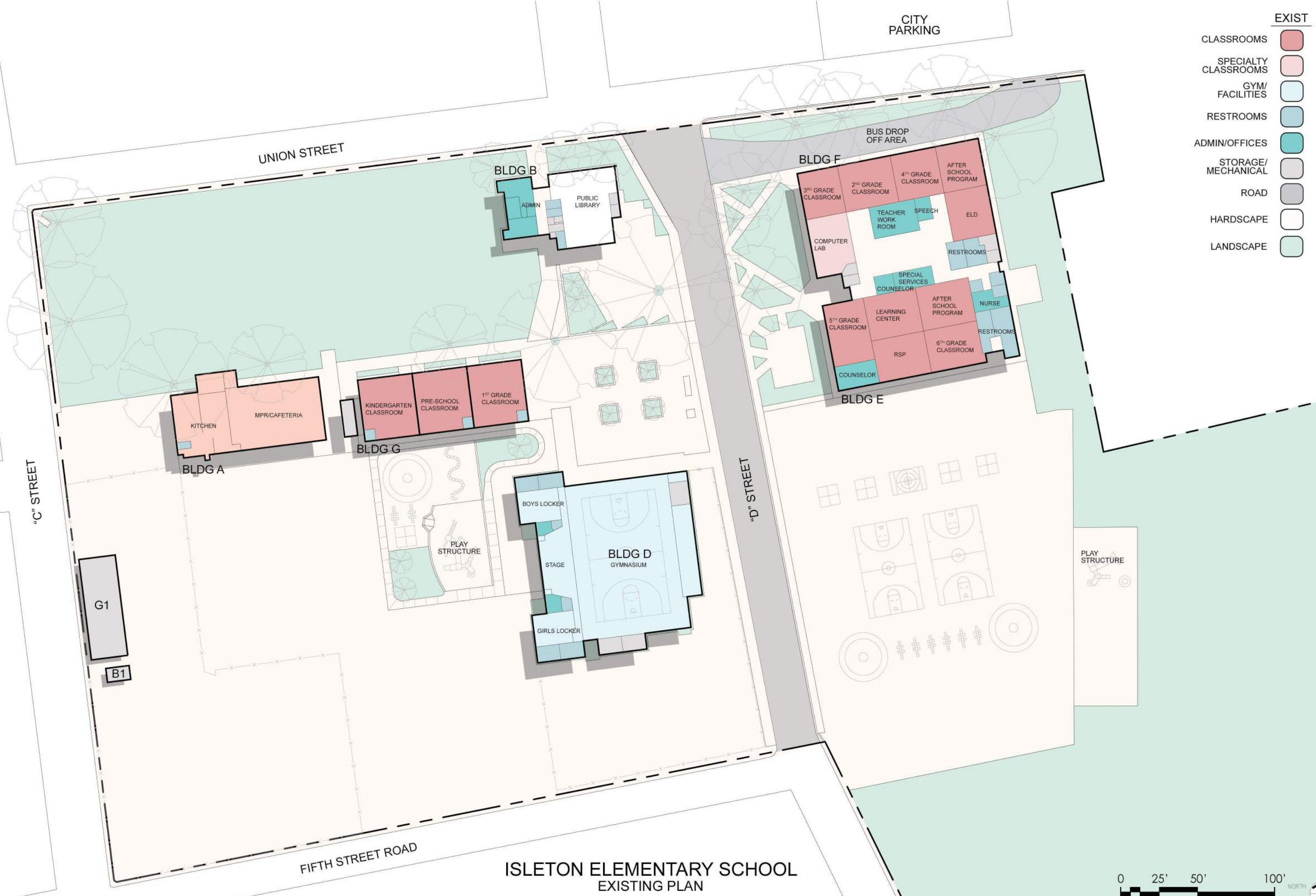
D.H. WHITE ELEMENTARY SCHOOL
FUTURE GROWTH



ISLETON ELEMENTARY

INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS

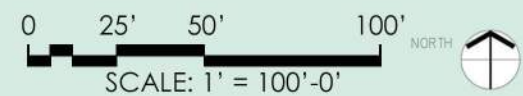


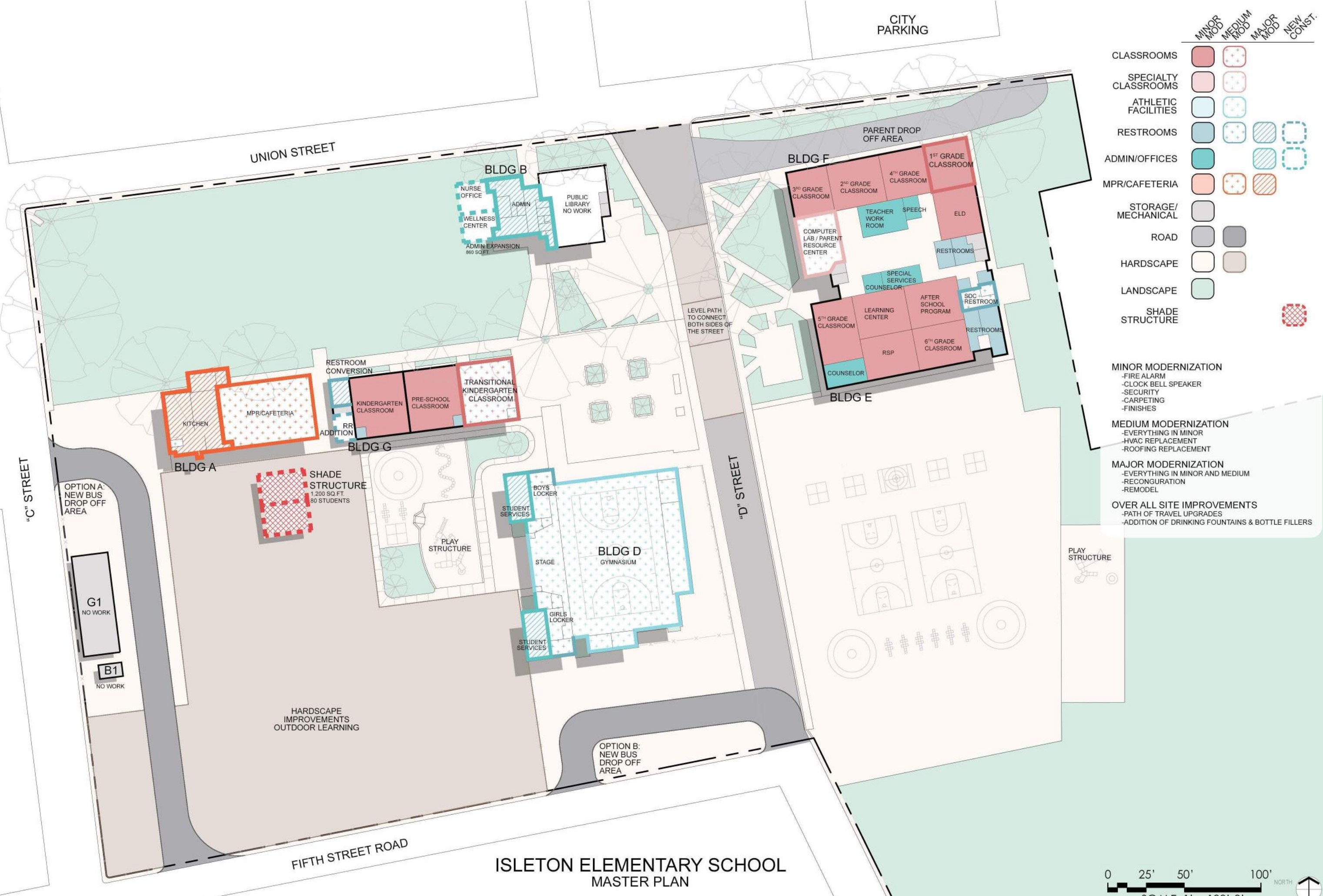


EXIST

- CLASSROOMS
- SPECIALTY CLASSROOMS
- GYM/FACILITIES
- RESTROOMS
- ADMIN/OFFICES
- STORAGE/MECHANICAL
- ROAD
- HARDSCAPE
- LANDSCAPE

ISLETON ELEMENTARY SCHOOL
EXISTING PLAN

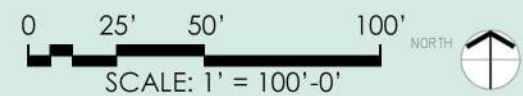


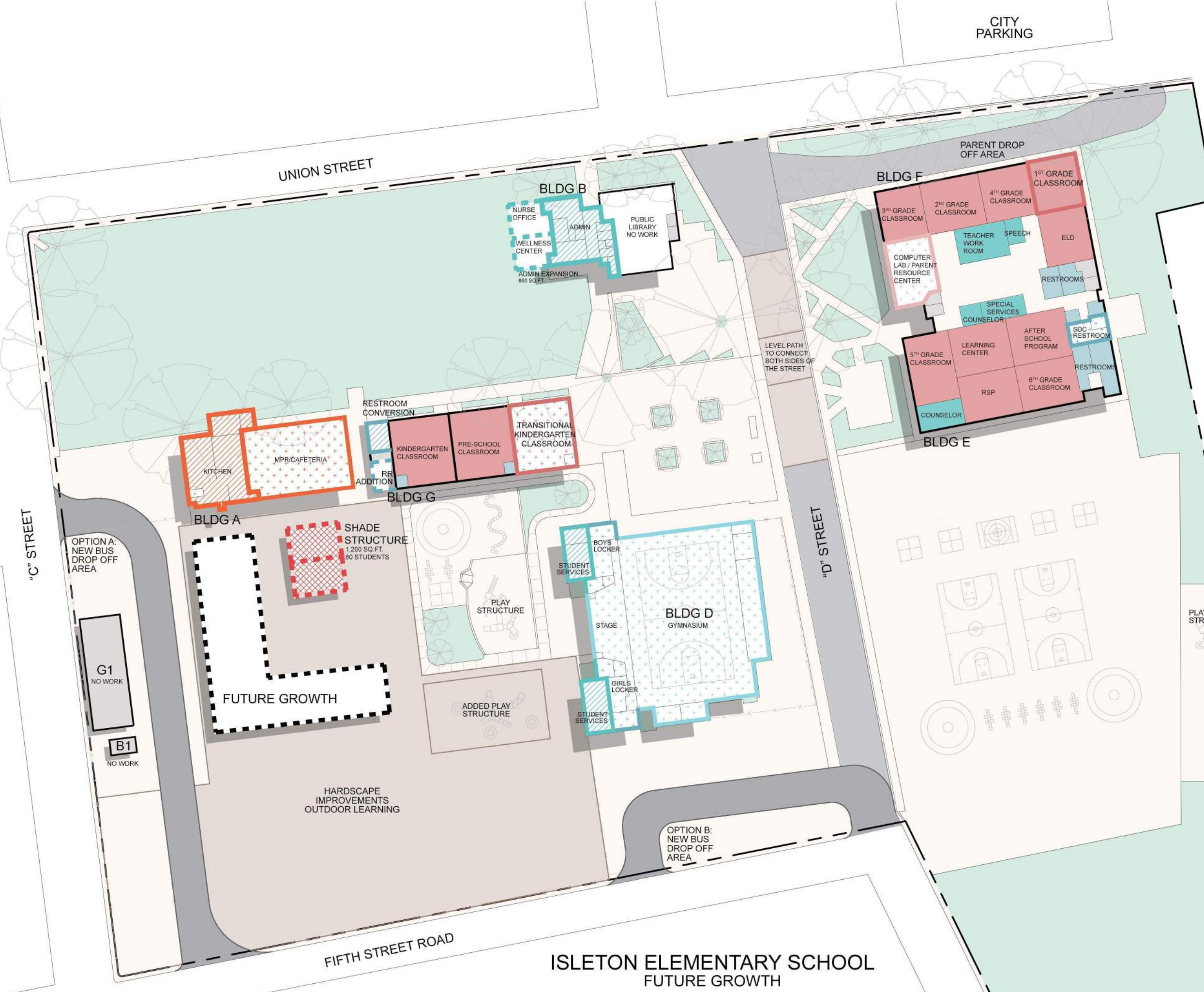


	MINOR MOD	MEDIUM MOD	MAJOR MOD	NEW CONST.
CLASSROOMS	[Red box]	[Red box with stars]	[Red box with stars]	[Red box with stars]
SPECIALTY CLASSROOMS	[Light red box]	[Light red box with stars]	[Light red box with stars]	[Light red box with stars]
ATHLETIC FACILITIES	[Light blue box]	[Light blue box with stars]	[Light blue box with stars]	[Light blue box with stars]
RESTROOMS	[Blue box]	[Blue box with stars]	[Blue box with stars]	[Blue box with stars]
ADMIN/OFFICES	[Teal box]	[Teal box with stars]	[Teal box with stars]	[Teal box with stars]
MPR/CAFETERIA	[Orange box]	[Orange box with stars]	[Orange box with stars]	[Orange box with stars]
STORAGE/MECHANICAL	[Grey box]	[Grey box]	[Grey box]	[Grey box]
ROAD	[Dark grey box]	[Dark grey box]	[Dark grey box]	[Dark grey box]
HARDSCAPE	[Light tan box]	[Light tan box]	[Light tan box]	[Light tan box]
LANDSCAPE	[Light green box]	[Light green box]	[Light green box]	[Light green box]
SHADE STRUCTURE	[Red and white grid box]	[Red and white grid box]	[Red and white grid box]	[Red and white grid box]

- MINOR MODERNIZATION**
- FIRE ALARM
 - CLOCK BELL SPEAKER
 - SECURITY
 - CARPETING
 - FINISHES
- MEDIUM MODERNIZATION**
- EVERYTHING IN MINOR
 - HVAC REPLACEMENT
 - ROOFING REPLACEMENT
- MAJOR MODERNIZATION**
- EVERYTHING IN MINOR AND MEDIUM
 - RECONFIGURATION
 - REMODEL
- OVER ALL SITE IMPROVEMENTS**
- PATH OF TRAVEL UPGRADES
 - ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS

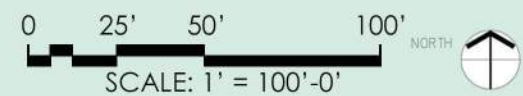
**ISLETON ELEMENTARY SCHOOL
MASTER PLAN**





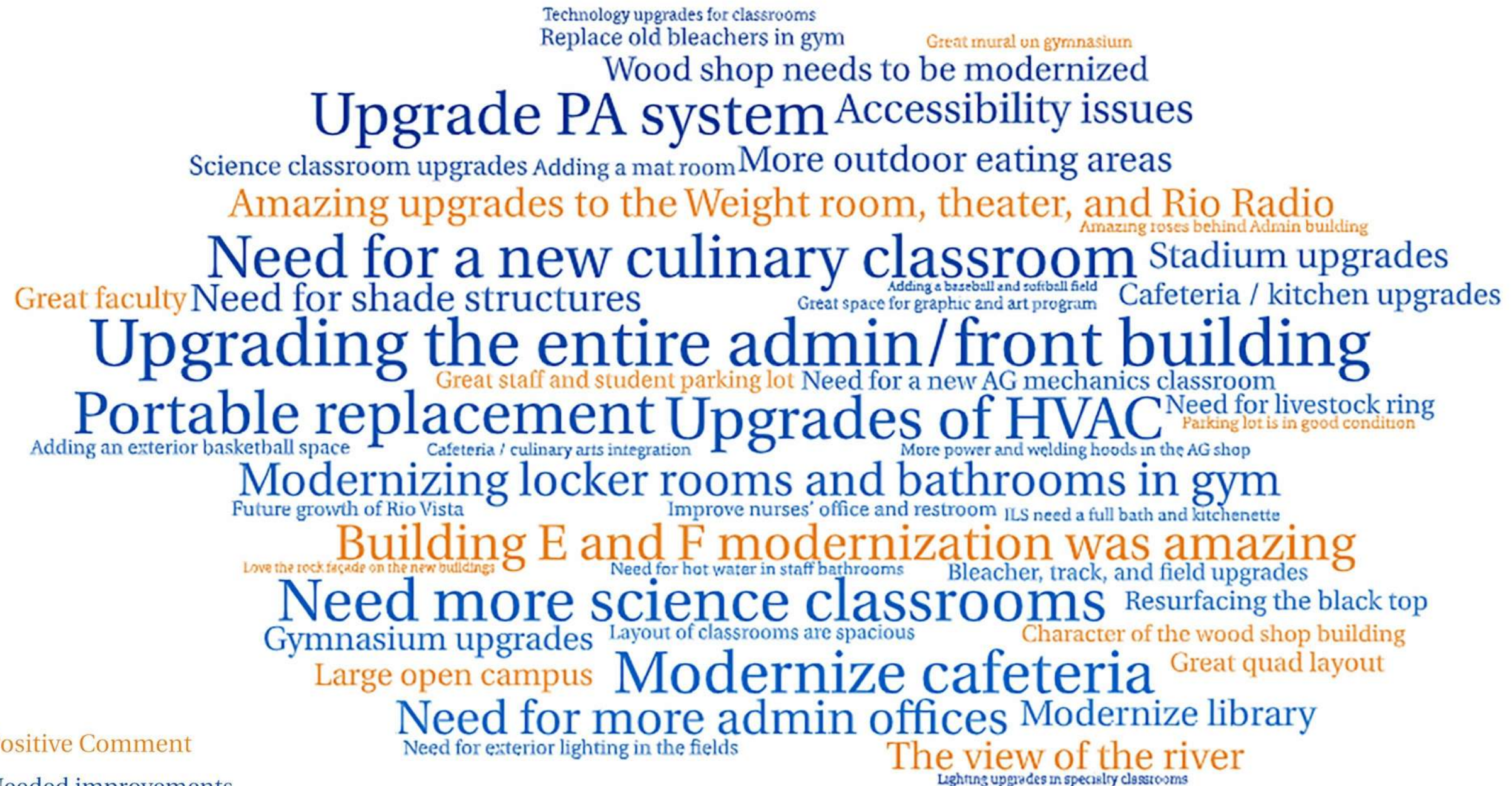
	MINOR MOD	MEDIUM MOD	MAJOR MOD	NEW CONST.
CLASSROOMS	[Red box with stars]	[Red box with stars]	[Red box with stars]	[Red box with stars]
SPECIALTY CLASSROOMS	[Light red box with stars]	[Light red box with stars]	[Light red box with stars]	[Light red box with stars]
ATHLETIC FACILITIES	[Light blue box with stars]	[Light blue box with stars]	[Light blue box with stars]	[Light blue box with stars]
RESTROOMS	[Blue box with stars]	[Blue box with stars]	[Blue box with stars]	[Blue box with stars]
ADMIN/OFFICES	[Teal box with stars]	[Teal box with stars]	[Teal box with stars]	[Teal box with stars]
MPR/CAFETERIA	[Orange box with stars]	[Orange box with stars]	[Orange box with stars]	[Orange box with stars]
STORAGE/MECHANICAL	[Grey box]	[Grey box]	[Grey box]	[Grey box]
ROAD	[Dark grey box]	[Dark grey box]	[Dark grey box]	[Dark grey box]
HARDSCAPE	[Light tan box]	[Light tan box]	[Light tan box]	[Light tan box]
LANDSCAPE	[Light green box]	[Light green box]	[Light green box]	[Light green box]
SHADE STRUCTURE	[Red grid box]	[Red grid box]	[Red grid box]	[Red grid box]
FUTURE GROWTH	[Dashed black box]	[Dashed black box]	[Dashed black box]	[Dashed black box]
MINOR MODERNIZATION				
-FIRE ALARM				
-CLOCK BELL SPEAKER				
-SECURITY				
-CARPETING				
-FINISHES				
MEDIUM MODERNIZATION				
-EVERYTHING IN MINOR				
-HVAC REPLACEMENT				
-ROOFING REPLACEMENT				
MAJOR MODERNIZATION				
-EVERYTHING IN MINOR AND MEDIUM				
-RECONFIGURATION				
-REMODEL				
OVER ALL SITE IMPROVEMENTS				
-PATH OF TRAVEL UPGRADES				
-ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS				

ISLETON ELEMENTARY SCHOOL
FUTURE GROWTH

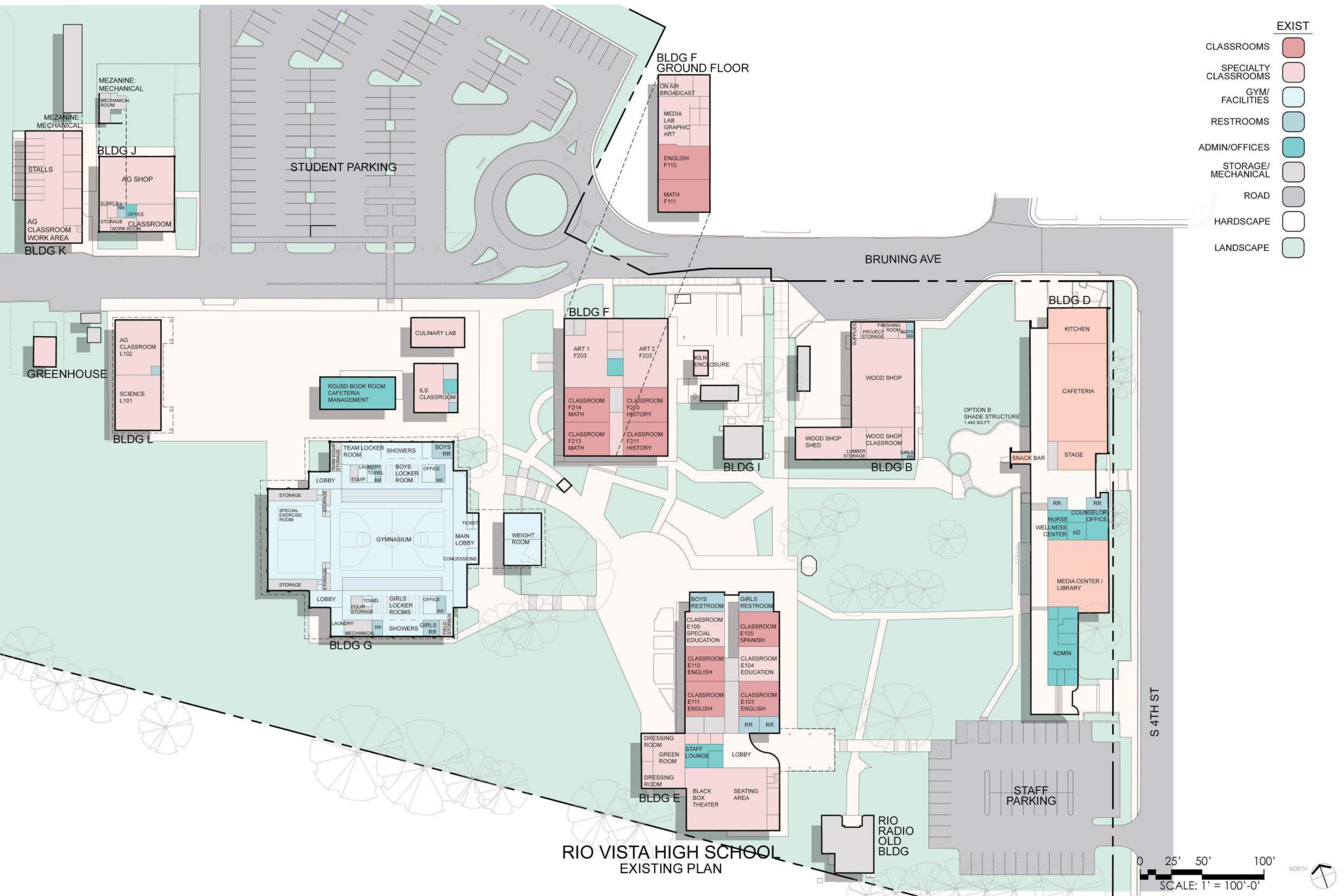


RIO VISTA HIGH

INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS



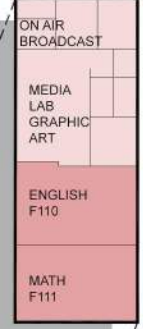
- Positive Comment
- Needed improvements



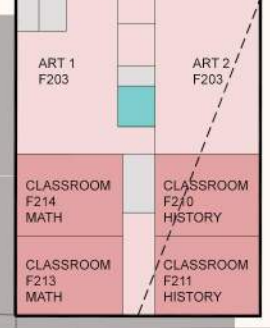
EXIST

- CLASSROOMS
- SPECIALTY CLASSROOMS
- GYM/FACILITIES
- RESTROOMS
- ADMIN/OFFICES
- STORAGE/MECHANICAL
- ROAD
- HARDSCAPE
- LANDSCAPE

BLDG F GROUND FLOOR



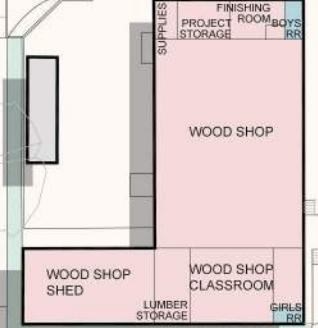
BLDG F



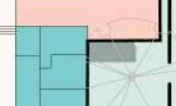
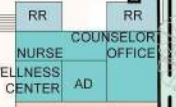
BLDG I



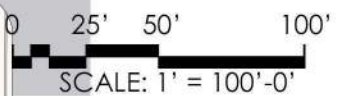
BLDG B



BLDG D



RIO VISTA HIGH SCHOOL
EXISTING PLAN



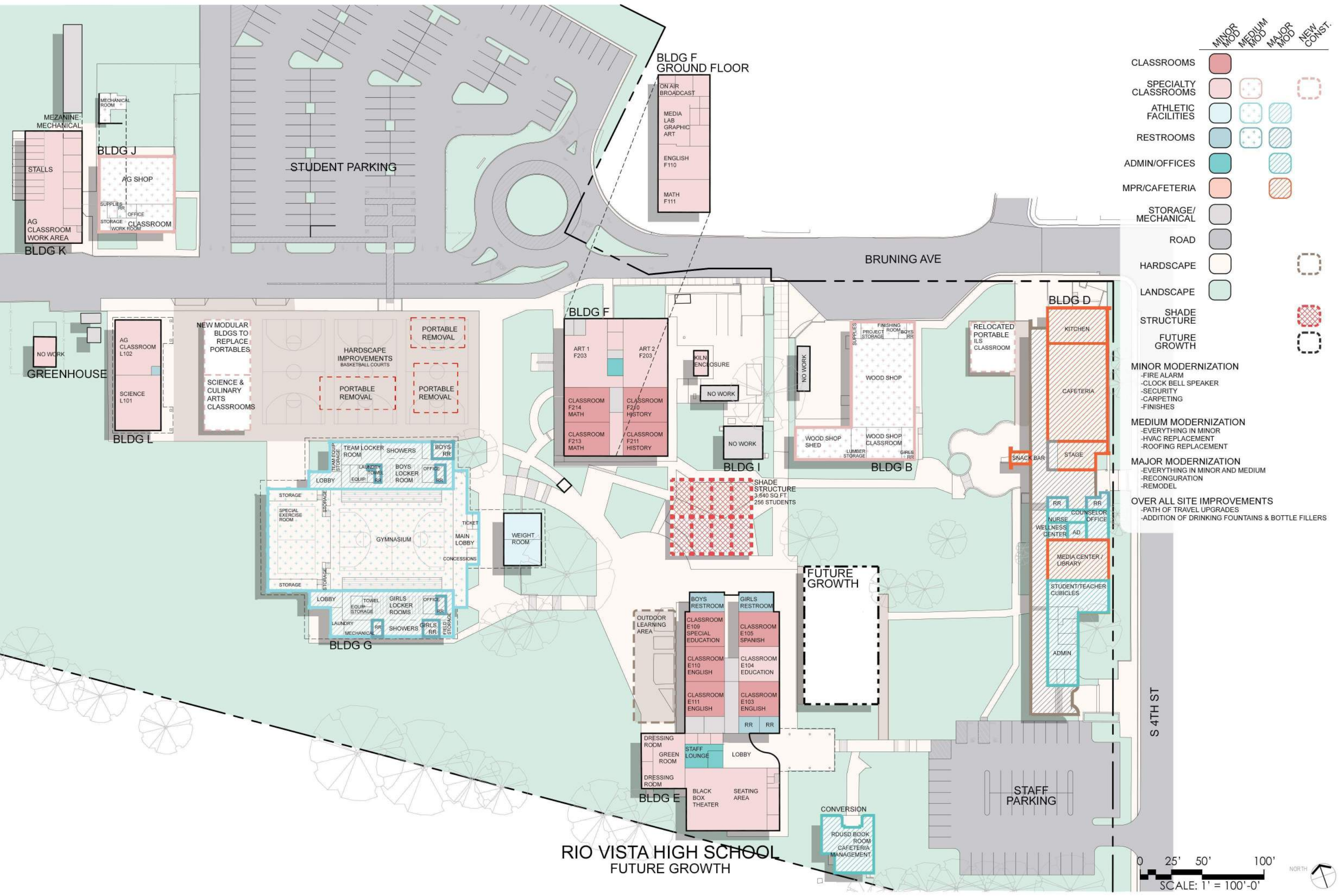


MINOR MOD
MEDIUM MOD
MAJOR MOD
NEW CONST.

- CLASSROOMS
- SPECIALTY CLASSROOMS
- ATHLETIC FACILITIES
- RESTROOMS
- ADMIN/OFFICES
- MPR/CAFETERIA
- STORAGE/MECHANICAL
- ROAD
- HARDSCAPE
- LANDSCAPE
- SHADE STRUCTURE

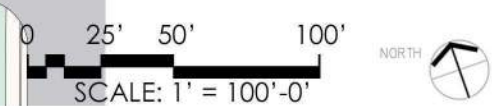
- MINOR MODERNIZATION**
 - FIRE ALARM
 - CLOCK BELL SPEAKER
 - SECURITY
 - CARPETING
 - FINISHES
- MEDIUM MODERNIZATION**
 - EVERYTHING IN MINOR
 - HVAC REPLACEMENT
 - ROOFING REPLACEMENT
- MAJOR MODERNIZATION**
 - EVERYTHING IN MINOR AND MEDIUM
 - RECONFIGURATION
 - REMODEL
- OVER ALL SITE IMPROVEMENTS**
 - PATH OF TRAVEL UPGRADES
 - ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS

0 25' 50' 100'
SCALE: 1" = 100'-0"
NORTH

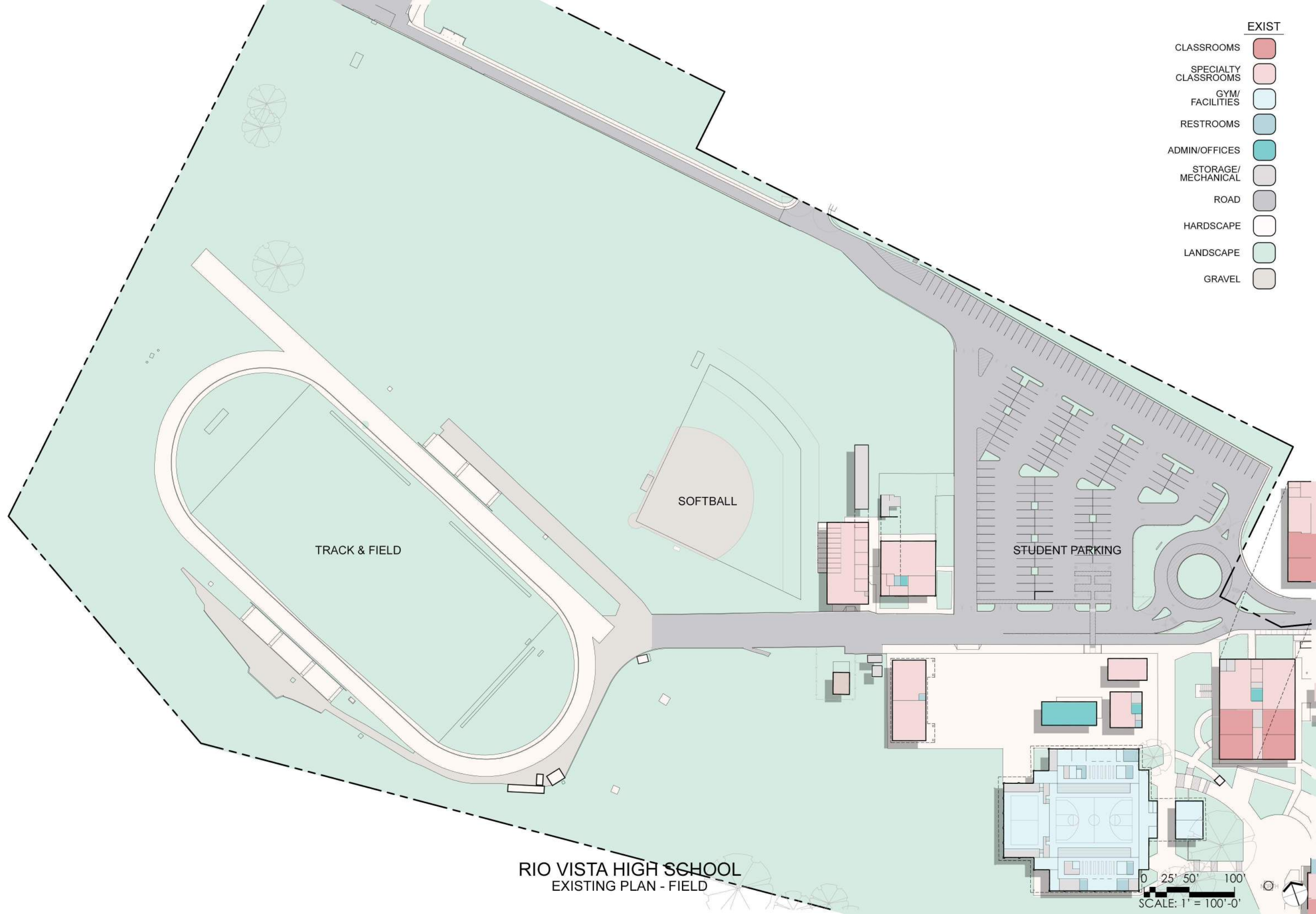


	MINOR MOD	MEDIUM MOD	MAJOR MOD	NEW CONST.
CLASSROOMS	[Red Circle]			
SPECIALTY CLASSROOMS	[Red Circle with Stars]	[Red Circle with Stars]		[Red Circle with Stars]
ATHLETIC FACILITIES	[Blue Circle]	[Blue Circle with Stars]	[Blue Circle with Stars]	
RESTROOMS	[Blue Circle]	[Blue Circle with Stars]	[Blue Circle with Stars]	
ADMIN/OFFICES	[Teal Circle]		[Teal Circle with Stars]	
MPR/CAFETERIA	[Orange Circle]		[Orange Circle with Stars]	
STORAGE/MECHANICAL	[Grey Circle]			
ROAD	[Grey Circle]			
HARDSCAPE	[White Circle]			[White Circle with Stars]
LANDSCAPE	[Green Circle]			
SHADE STRUCTURE				[Red Grid Circle]
FUTURE GROWTH				[Black Dashed Circle]

- MINOR MODERNIZATION**
- FIRE ALARM
 - CLOCK BELL SPEAKER
 - SECURITY
 - CARPETING
 - FINISHES
- MEDIUM MODERNIZATION**
- EVERYTHING IN MINOR
 - HVAC REPLACEMENT
 - ROOFING REPLACEMENT
- MAJOR MODERNIZATION**
- EVERYTHING IN MINOR AND MEDIUM
 - RECONFIGURATION
 - REMODEL
- OVER ALL SITE IMPROVEMENTS**
- PATH OF TRAVEL UPGRADES
 - ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS



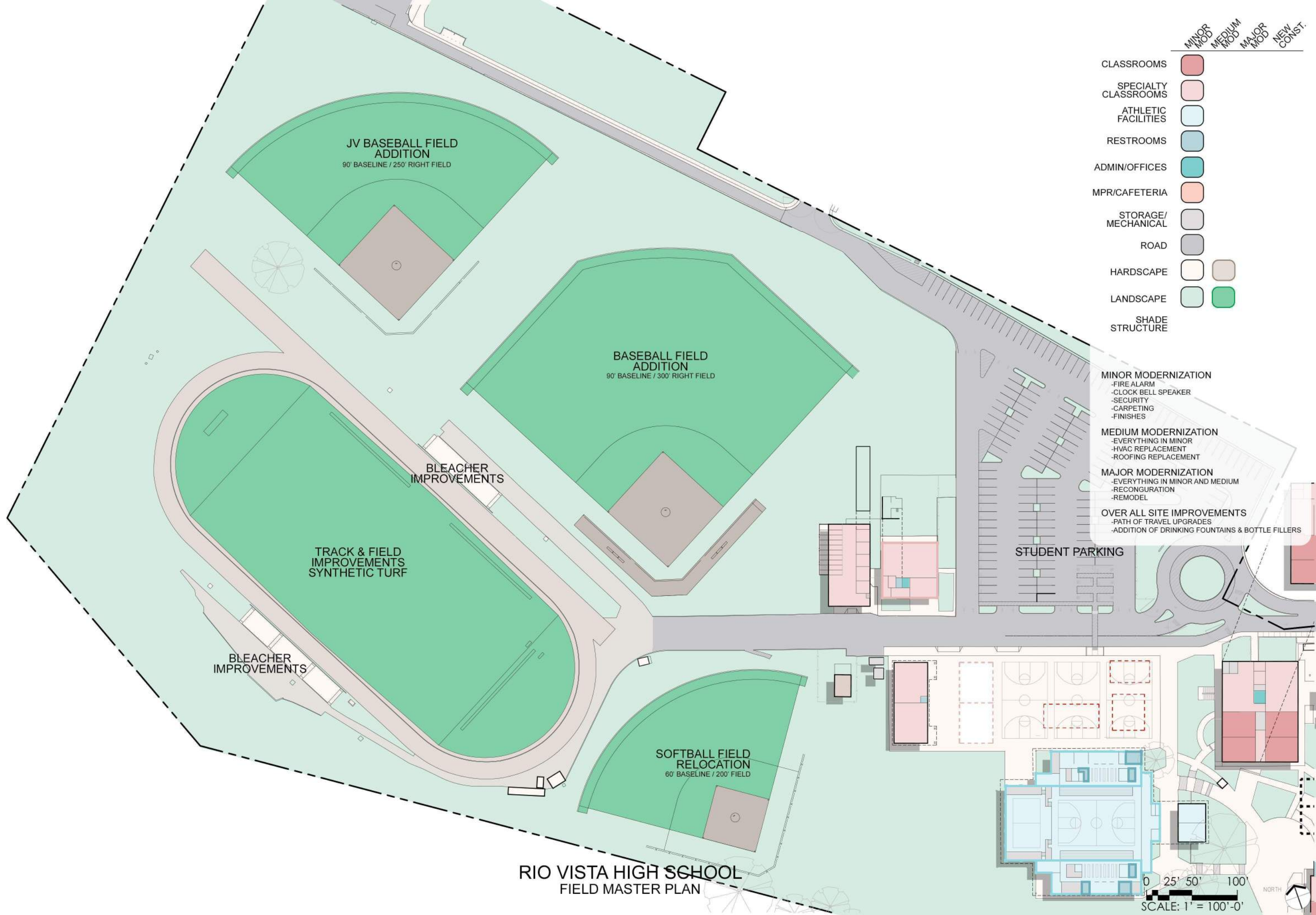
- EXIST**
- CLASSROOMS
 - SPECIALTY CLASSROOMS
 - GYM/FACILITIES
 - RESTROOMS
 - ADMIN/OFFICES
 - STORAGE/MECHANICAL
 - ROAD
 - HARDSCAPE
 - LANDSCAPE
 - GRAVEL



RIO VISTA HIGH SCHOOL
EXISTING PLAN - FIELD

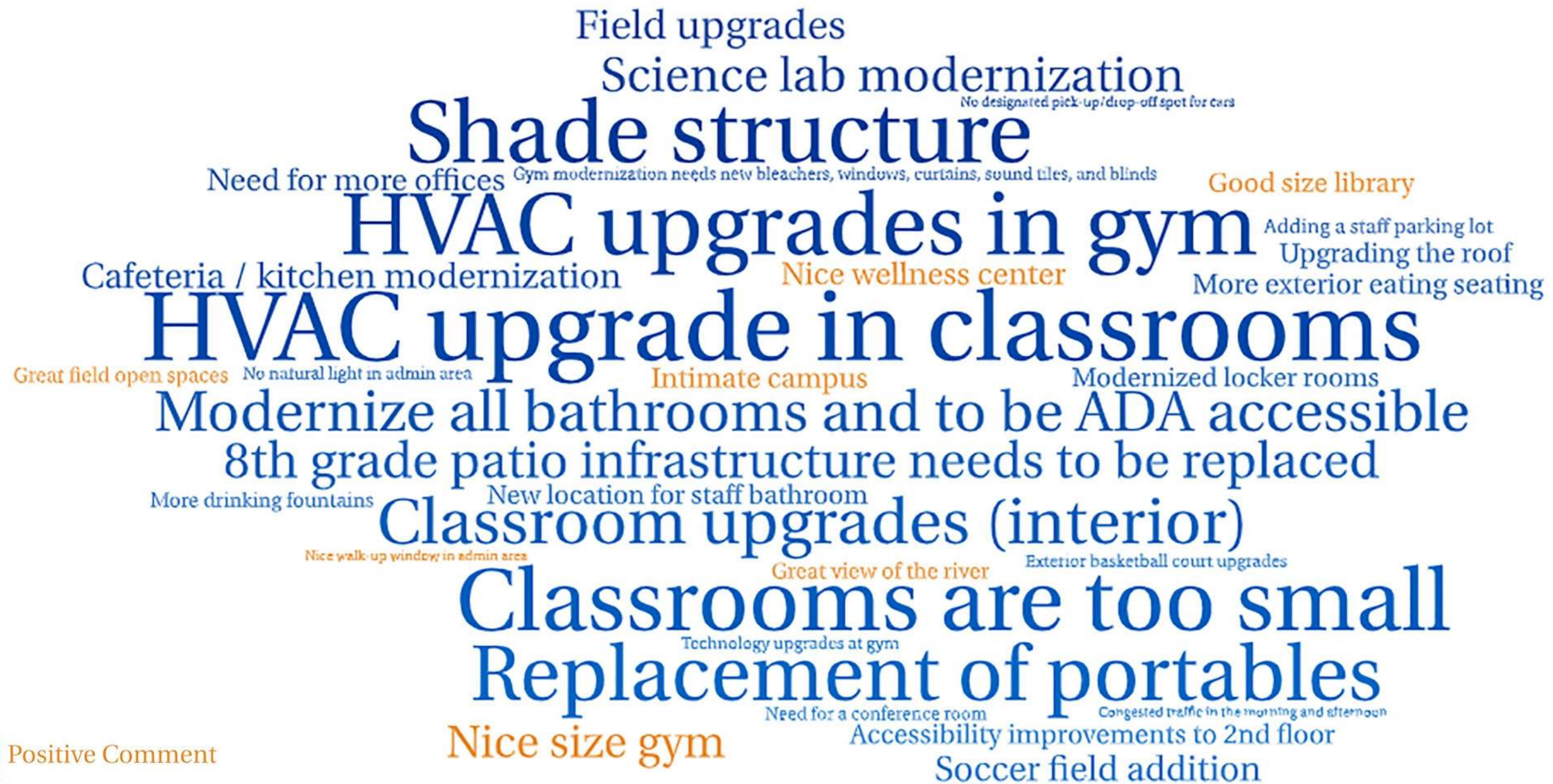
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SCALE: 1" = 100'-0"



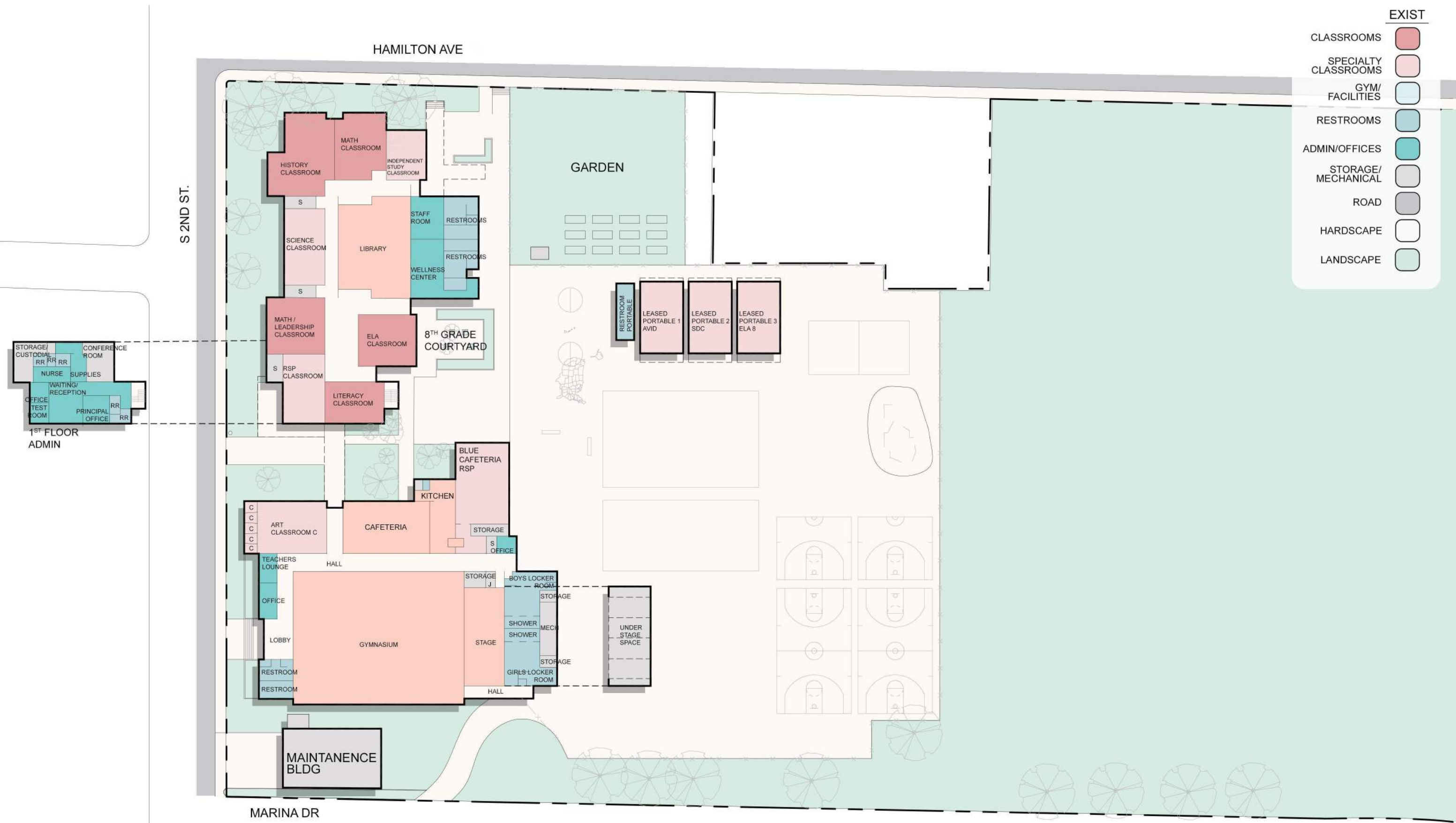


RIVERVIEW MIDDLE

INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS



- Positive Comment
- Needed improvements



RIVERVIEW MIDDLE SCHOOL
EXISTING CONDITIONS





	MINOR MOD	MEDIUM MOD	MAJOR MOD	NEW CONST.
CLASSROOMS	[Red box with dots]	[Red box with stars]	[Red box with diagonal lines]	[Red dashed box]
SPECIALTY CLASSROOMS	[Light red box with dots]	[Light red box with stars]	[Light red box with diagonal lines]	[Light red dashed box]
ATHLETIC FACILITIES	[Light blue box with dots]	[Light blue box with stars]	[Light blue box with diagonal lines]	[Light blue dashed box]
RESTROOMS	[Light blue box with dots]	[Light blue box with stars]	[Light blue box with diagonal lines]	[Light blue dashed box]
ADMIN/OFFICES	[Teal box with dots]	[Teal box with stars]	[Teal box with diagonal lines]	[Teal dashed box]
MPR/CAFETERIA	[Orange box with dots]	[Orange box with stars]	[Orange box with diagonal lines]	[Orange dashed box]
STORAGE/MECHANICAL	[Grey box with dots]	[Grey box with stars]	[Grey box with diagonal lines]	[Grey dashed box]
ROAD	[Dark grey box with dots]	[Dark grey box with stars]	[Dark grey box with diagonal lines]	[Dark grey dashed box]
HARDSCAPE	[Light tan box with dots]	[Light tan box with stars]	[Light tan box with diagonal lines]	[Light tan dashed box]
LANDSCAPE	[Light green box with dots]	[Light green box with stars]	[Light green box with diagonal lines]	[Light green dashed box]
SHADE STRUCTURE	[Red cross-hatch pattern]	[Red cross-hatch pattern]	[Red cross-hatch pattern]	[Red cross-hatch pattern]

MINOR MODERNIZATION

- FIRE ALARM
- CLOCK BELL SPEAKER
- SECURITY
- CARPETING
- FINISHES

MEDIUM MODERNIZATION

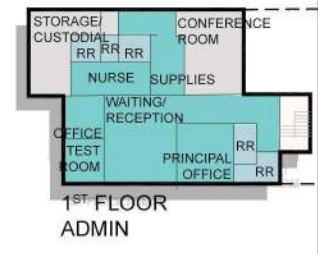
- EVERYTHING IN MINOR
- HVAC REPLACEMENT
- ROOFING REPLACEMENT

MAJOR MODERNIZATION

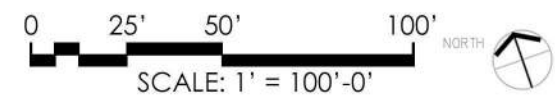
- EVERYTHING IN MINOR AND MEDIUM
- RECONFIGURATION
- REMODEL

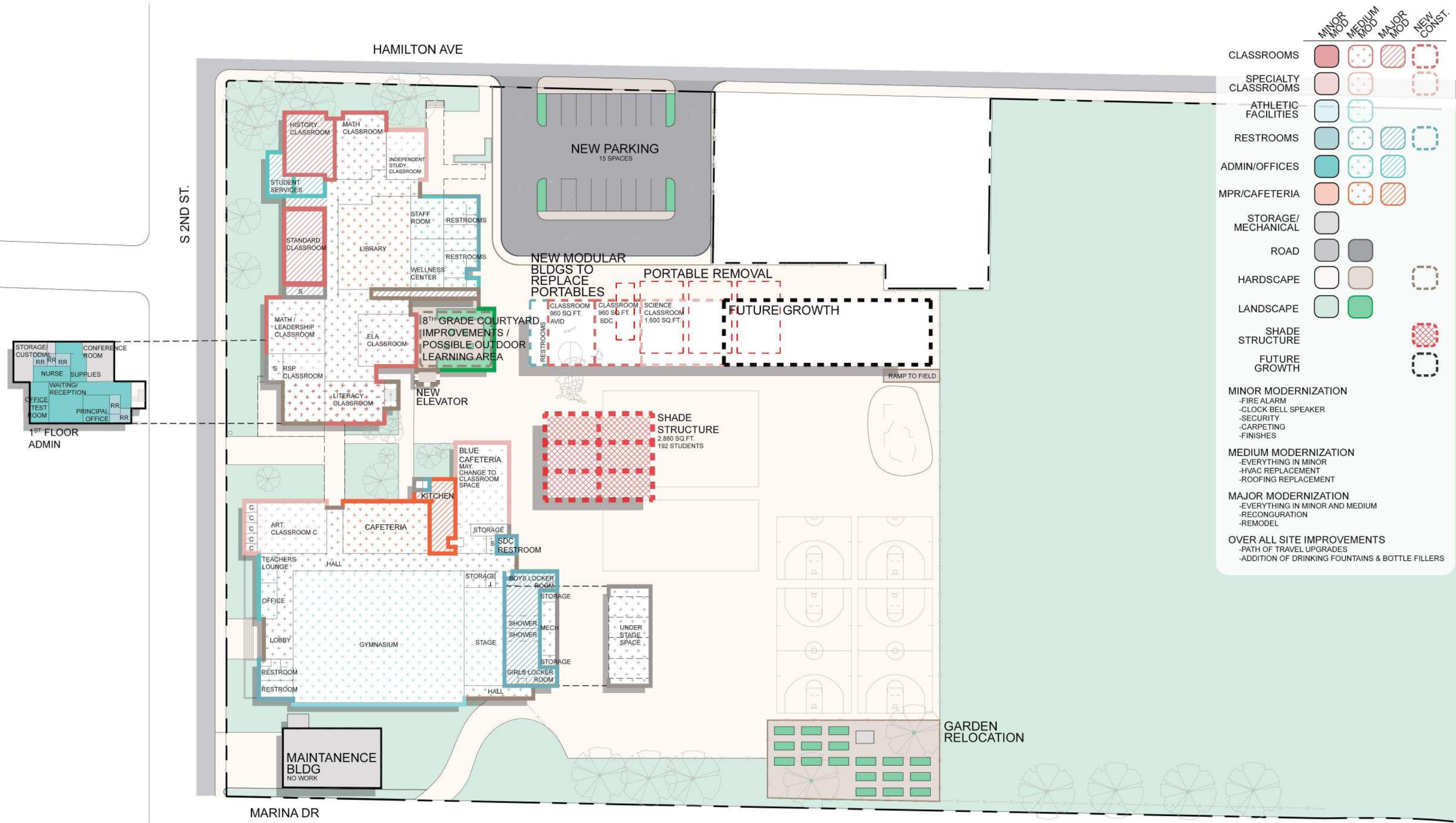
OVER ALL SITE IMPROVEMENTS

- PATH OF TRAVEL UPGRADES
- ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS



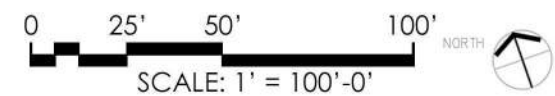
RIVERVIEW MIDDLE SCHOOL
MASTER PLAN





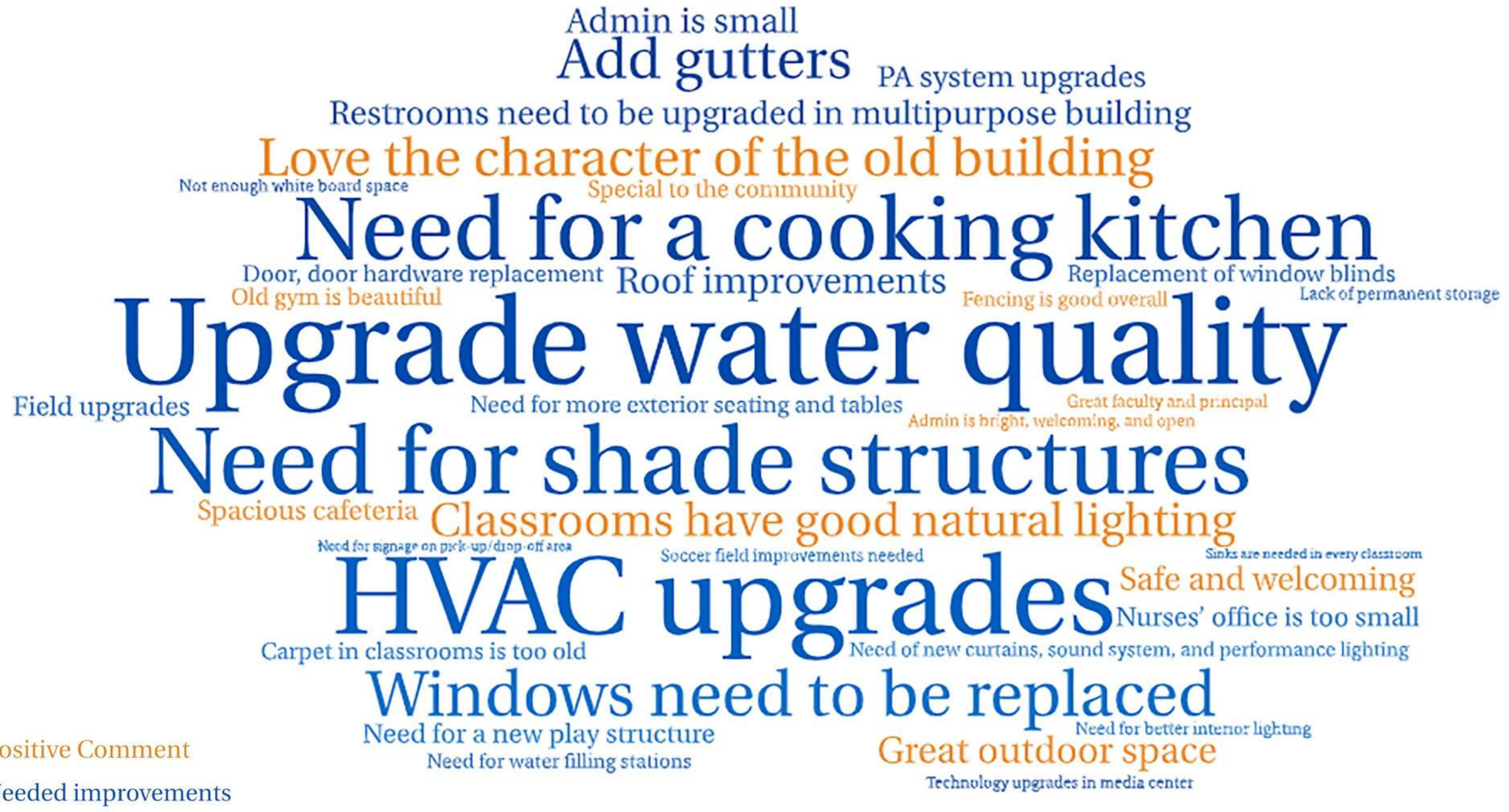
	MINOR MOD	MEDIUM MOD	MAJOR MOD	NEW CONST.
CLASSROOMS	[Red box with dots]	[Red box with stars]	[Red box with diagonal lines]	[Red dashed box]
SPECIALTY CLASSROOMS	[Light red box with dots]	[Light red box with stars]	[Light red box with diagonal lines]	[Light red dashed box]
ATHLETIC FACILITIES	[Light blue box with dots]	[Light blue box with stars]	[Light blue box with diagonal lines]	[Light blue dashed box]
RESTROOMS	[Light blue box with dots]	[Light blue box with stars]	[Light blue box with diagonal lines]	[Light blue dashed box]
ADMIN/OFFICES	[Light teal box with dots]	[Light teal box with stars]	[Light teal box with diagonal lines]	[Light teal dashed box]
MPR/CAFETERIA	[Light orange box with dots]	[Light orange box with stars]	[Light orange box with diagonal lines]	[Light orange dashed box]
STORAGE/MECHANICAL	[Light grey box with dots]	[Light grey box with stars]	[Light grey box with diagonal lines]	[Light grey dashed box]
ROAD	[Light grey box]	[Dark grey box]		
HARDSCAPE	[Light tan box]	[Dark tan box]		[Dashed tan box]
LANDSCAPE	[Light green box]	[Dark green box]		
SHADE STRUCTURE				[Red cross-hatch box]
FUTURE GROWTH				[Black dashed box]
MINOR MODERNIZATION				
-FIRE ALARM				
-CLOCK BELL SPEAKER				
-SECURITY				
-CARPETING				
-FINISHES				
MEDIUM MODERNIZATION				
-EVERYTHING IN MINOR				
-HVAC REPLACEMENT				
-ROOFING REPLACEMENT				
MAJOR MODERNIZATION				
-EVERYTHING IN MINOR AND MEDIUM				
-RECONFIGURATION				
-REMODEL				
OVER ALL SITE IMPROVEMENTS				
-PATH OF TRAVEL UPGRADES				
-ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS				

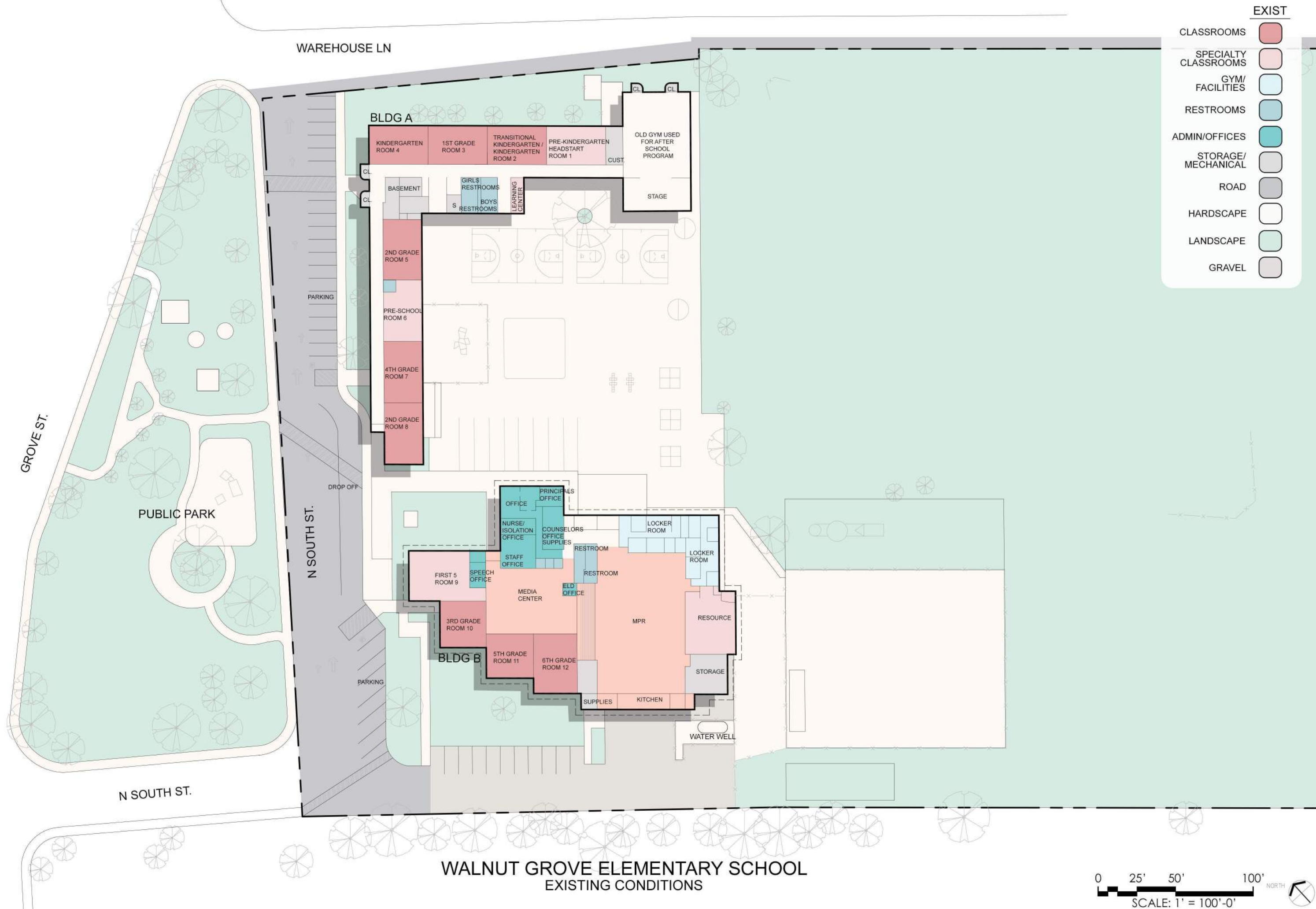
RIVERVIEW MIDDLE SCHOOL
FUTURE GROWTH



WALNUT GROVE ELEMENTARY

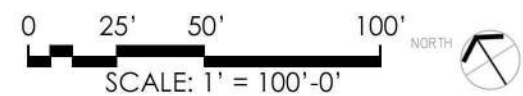
INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS







	MINOR MOD	MEDIUM MOD	MAJOR MOD	NEW CONST.
CLASSROOMS	[Red circle]	[Red circle with stars]		
SPECIALTY CLASSROOMS	[Light red circle]	[Light red circle with stars]		
ATHLETIC FACILITIES	[Light blue circle]	[Light blue circle with stars]		
RESTROOMS	[Blue circle]	[Blue circle with stars]	[Blue circle with diagonal lines]	
ADMIN/OFFICES	[Teal circle]	[Teal circle with stars]	[Teal circle with diagonal lines]	
MPR/CAFETERIA	[Orange circle]	[Orange circle with stars]	[Orange circle with diagonal lines]	
STORAGE/MECHANICAL	[Grey circle]	[Grey circle with stars]		
ROAD	[Dark grey circle]	[Dark grey circle with stars]		
HARDSCAPE	[Light brown circle]	[Light brown circle with stars]		[Dashed black circle]
LANDSCAPE	[Light green circle]	[Green circle]		
SHADE STRUCTURE				[Red grid pattern]
WATER WELL IMPROVEMENTS		[Blue star]		
MINOR MODERNIZATION				
-FIRE ALARM				
-CLOCK BELL SPEAKER				
-SECURITY				
-CARPETING				
-FINISHES				
MEDIUM MODERNIZATION				
-EVERYTHING IN MINOR				
-HVAC REPLACEMENT				
-ROOFING REPLACEMENT				
MAJOR MODERNIZATION				
-EVERYTHING IN MINOR AND MEDIUM				
-RECONFIGURATION				
-REMODEL				
-WINDOW REPLACEMENT (BLDG A)				
OVER ALL SITE IMPROVEMENTS				
-PATH OF TRAVEL UPGRADES				
-ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS				



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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Ken Gaston, Director of MOT

Item Number: 9.2.2

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 January 2022.

PRESENTER:

Ken Gaston

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board receives this information

Time allocated: 5 minutes

Maintenance, Operations & Transportation
Monthly Report for Board Meeting
February 15, 2022

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**
 - Replaced PA speaker wire in room 8. - \$300

- **Delta High School**
 - Replaced filters on P.Q buildings for the monthly HVAC maintenance. - \$560
 - Build a rekey plan and repined locks in kitchen. - \$200
 - Cleaned gutters on home economics classroom. - \$132
 - Cleaned baseball field and got back to a useable field. - \$640

- **D. H. White Elementary**
 - Replaced filters on all buildings for the monthly HVAC maintenance. - \$1,130
 - Installed new inducer motor for heater in room 17. - \$595

- **Isleton Elementary School**
 - Repaired window lock in 5th grade classroom. - \$140
 - Replaced water heater in maintenance room. - \$1,090

- **Rio Vista High School**
 - Replaced filters on all buildings for the monthly HVAC maintenance. - \$1,140
 - Pulled out weeds and cleaned the rose garden. - \$400
 - Replaced 2 broken sections of bleachers. - \$255
 - Pruned all roses on campus. - \$200
 - Cleaned and defrosted small refrigerator in library. - \$240
 - Replaced light ballast at cafeteria office. - \$110

- **Riverview Middle School**
 - Replaced filters on all buildings for the monthly HVAC maintenance. - \$640

- **Walnut Grove Elementary School**
 - Replaced old shaft and blower for heating unit in media center. - \$964
 - Replaced water heater in the kitchen. - \$612

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Nicole Latimer, Chief Educational Services Officer

Item Number: 9.2.3

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

SUBJECT:

Educational Services and the district administration team are presenting updates regarding our current enrollment District-Wide, current attendance challenges as well as goals to support increased attendance and enrollment.

BACKGROUND:

During a regularly scheduled meeting of the Board of Trustees on January 11, 2022, a request was made by the Board to provide an update regarding District enrollment, school site enrollment and attendance in River Delta Unified School District (RDUSD). Together with Educational Services, each school site has an update for the board including:

- Current Enrollment numbers
- Current attendance percentages
- Attendance goals for supporting students
- Current practices and strategies utilized to increase enrollment and promote attendance.

STATUS:

This agenda item is informational in nature.

PRESENTER: Nicole Latimer, Chief Educational Services Officer, Maria Elena Becerra, Principal of Bates Elementary, Nicholas Casey, Principal of D.H. White Elementary, Stacy Wallace, Principal of Isleton Elementary, Carrie Norris, Principal of Walnut Grove Elementary, Marcy Rossi, Principal of Riverview Middle School, Christine Mabery, Principal of Clarksburg Middle School and Delta High School, and Victoria Turk, Principal of Rio Vista High School

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES: No cost to the district.

RECOMMENDATION:

That the Board receives the information provided.

Time allocated: 15 minutes

Enrollment Update 2020-2021



*Presented By Nicole Latimer, Maria Elena Becerra,
Nicholas Casey, Stacy Wallace, Carrie Norris, Marcy
Rossi, Christine Mabery and Victoria Turk on
February 15, 2022*

RIVER DELTA UNIFIED SCHOOL DISTRICT



Creating Excellence To Ensure That All Students Learn

RDUSD Enrollment at a Glance...

Enrollment 2020-2021 School Year: 1903

Year to Date Enrollment for 2021-2022: 1859
Census Day (October 6) 1848

**RIVER DELTA UNIFIED
SCHOOL DISTRICT**



Creating Excellence To Ensure That All Students Learn

Bates Elementary



Attendance 2020-2021
School Year: 97

Year to Date Attendance for
2021-2022: 88

- ❖ Continue with advertisement of the Dual Immersion Program, placed signs in different parts of the district; via social media, in collaboration with other community organizations and a lot of parent participation in passing out flyers and advertisement.
- ❖ Continue with incentives for students who have better attendance and make SARB referrals and home visits as needed
- ❖ Continue to promote a safe learning environment where students can be socially, emotionally and academically supported by having our monthly student of the month assemblies, perfect attendance, Viking Honor Roll and creating opportunities to foster positive school spirit and culture
- ❖ Increase daily attendance from low 90% to 95.5%
- ❖ Continue to promote the Spanish Dual Immersion program

D.H. White Elementary



Enrollment 2020-2021
School Year: **383**

Year to Date Enrollment for
2021-2022: **390**

- ❖ Continued community outreach and advertisement will take place. Local outreach with preschools/daycare to ensure TK and Kindergarten eligible students get enrolled. Partnerships with community organizations aides in the promotion of our school & programs.
- ❖ **Increase Average daily attendance from 87.41% to 90% & continue to engage in the SARB process** (Note:16% of absences this year have been due to Quarantine/28% due to illness/4% due to bus cancellations as of 1/25/22).
- ❖ We had 4 students transfer to Independent Study, but they have since all re-enrolled at D.H. White.

Isleton Elementary



Enrollment 2020-2021
School Year: 157

Year to Date Enrollment for
2021-2022: 156

- ❖ Continue and extend community outreach and advertisement. Engage in partnerships with local resources and community groups in order to promote our school and programs. Communicating with Preschool and community flyers for enrollment.
- ❖ Daily average attendance goal is at 95% (we are currently at 90% for the school year).
 - Participate in monthly recognition for students with perfect attendance at our monthly assembly. Monthly and quarterly incentive rewards.
 - Continue to engage in the SARB process to re-engage students who are chronically absent.
 - Promote student engagement through school activities, counseling support, and clubs.
- ❖ We have only had 1 student transfer to Independent Study at this time.

Walnut Grove Elementary



Enrollment 2020-2021
School Year: 169

Year to Date Enrollment for
2021-2022: 171

- ❖ 2 more TK students starting this week! (One transfer from out of district)
- ❖ Working on Kinder/TK Round-Up and advertising that TK dates for next year have changed to "if your child turns 5 by between September 2, 2022 and February 2, 2023, he/she can start TK on the first day of the 2022 school year."
- ❖ Continuing to meet with families who are struggling with attendance to connect them with whatever it is that they need: Access Mental Health Resources, Transportation, alarm clocks, etc.
- ❖ ADA Goal in SPSA was 97%. Currently we have 87.89% ADA. Adjusted goal to get to 91% by the end of the school year.
- ❖ 1 family with 2 students chose an outside virtual program in lieu in-person learning this school year.

Clarksburg Middle School



Enrollment 2020-2021
School Year: **228**

Year to Date Enrollment for
2021-2022: **223**

- ❖ 223
- ❖ Increased presence and visibility with DECS; building collaborative working relationships with leadership between both schools
- ❖ Work with VP, teachers, and counselor to retain 8th to 9th graders—lost 9 from 2020-21 to 2021-2022 (gained 7; net loss of 2)
- ❖ Student awards for attendance
- ❖ Incoming 7th graders for 2021-22: Increase of 4 students
- ❖ 96% of 7th graders continued to 8th grade in 2021-22
- ❖ 98% of 8th graders continued to 9th grade in 2021-22
- ❖ Number of disenrolled students from 2020-21 to 2021-22
YTD 7th/8th Grade only: 14 (moved out of area or returned to school of residence; 1 enrolled in IS)

Riverview Middle School



Enrollment 2020-2021
School Year: 197

Year to Date Enrollment for
2021-2022: 184

- ❖ 95% attendance reward each quarter (excluding quarantine)
 - 112 students invited 1st quarter
 - ___ 2nd quarter
- ❖ Strategies for chronic absenteeism
 - Families that have high absentee rate
 - SARB
 - Officer Ventura
- ❖ 2 students transfer to RDEHS

Delta High School



Enrollment 2020-2021
School Year: 229

Year to Date Enrollment for
2021-2022: 206

- ❖ 206
- ❖ Survey families to understand the decline from 9th to 10th grade and 10th to 11th grade; Conference with students that are tardy 3 or more times a week; Communication with parents from counselor/admin; Improve attendance tracking via SARB guidelines
- ❖ 90% of 9th graders continued to 10th grade
- ❖ 92% of 10th graders continued to 11th grade in 2021-22
- ❖ 85% of 11th graders continued to 12th grade in 2021-22
- ❖ Number of disenrolled students from 2020-21 to 2021-22
YTD 9th/10th/11th grade: 27 (8 attended alternative school; 6 returned to school of residence; 3 enrolled in IS; 6 moved out of state; 2 IDT revoked)

Rio Vista High School



Enrollment 2020-2021
School Year: **388**

Year to Date Enrollment for
2021-2022: **373**

- ❖ Continue family & community outreach via parent arenas, grade level success meetings, student showcases, Rammie of the Month, Sports and Academic Awards Night, Facebook and Instagram pages, 8th Grade Orientation and Parent Night, and parent groups.
- ❖ Continue monthly and interim School Attendance Review Board Referrals and home visits - to date: 21 Referrals - 9 improvements in attendance.

Continue to promote and engage students in school life by providing safe activities, rallies, dances, intramurals, clubs, athletics, and counseling.

- ❖ Goal: 95% attendance excluding Covid. Reward: "95% Attendance BBQ quarterly.
- ❖ 24 Initial Intakes at Independent Study.

River Delta High/Elementary School



Enrollment 2020-2021

School Year: 16

Elem: 7

high: 9

Year to Date Enrollment for

2021-2022: 32

Elem: 7

High: 25

- ❖ Enrollment has doubled since last year
- ❖ Hired Jennifer Loscotoff, a new teacher in the north end
- ❖ Daily check-ins with students and/or parent to monitor assignment completion and student engagement

Mokelumne/Community Day School

Enrollment 2020-2021

School Year: 16

Moke: 15

CDS:1

- Transferred students only.
- District wide students are eligible for credit recovery
- Transportation has made a huge impact in our numbers.

Year to Date Enrollment for

2021-2022:

Moke:3

CDS:0:

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

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 held on January 11, 2022.

BACKGROUND:

Attached are the Minutes from the Regular meeting of the Board of Trustees held on January 11, 2022.

STATUS:

The Board is to review and approve.

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

January 11, 2022

1. **Call Open Session to Order** – Board President Stone called the Open Session of the meeting of the Board of Trustees to order at 5:30 p.m. on January 11, 2022 at Rio Vista High School, Rio Vista, California.
2. **Roll Call of Members:**
 - Jennifer Stone, President
 - Dan Mahoney, Vice President
 - Marilyn Riley, Clerk
 - Rafaela Casillas, Member
 - Marcial Lamera, Member
 - Wanda Apel, Member
 - Randall Jelly, MemberAlso present: Katherine Wright, Superintendent
3. **Review, Approve the Closed Session Agenda and Adjourn to Closed Session**
 - 3.1 Board President Stone announced items on the Closed Session Agenda
 - 3.2 Public Comment on Closed Session Agenda Items. – None to report
4. **Board President Stone asked for a motion to approve the Closed Session agenda and adjourn the meeting to Closed Session @ 5:32 pm**

Member Lamera moved to approve, Member Jelly seconded. Motion carried 5 (Ayes: Riley, Casillas, Lamera, Jelly, Stone): 0 (Nays): 2 (Absent: Technical difficulty; Mahoney, Apel)
5. **Open Session was reconvened at 6:34 pm**
 - 5.1 Roll was retaken. Due to technical difficulties Member Casillas joined at 6:37 and Member Mahoney joined at 6:40pm through Zoom, all other members were present.
Also present: Katherine Wright, Superintendent; Tammy Busch, Chief Business Officer and Jennifer Gaston, Recorder.
 - 5.2 Pledge of Allegiance was led by Board President Stone
6. **Report of Action taken, if any, during the Closed Session** (Government Code Section 54957.1)
Board President Stone reported that no actions were taken during Closed Session.
7. **Review and Approve the Open Session Agenda**

President Stone announced that there is a request from Superintendent Wright to add an item to tonight's Board Open Session Agenda. Rationale is that the training and workshop are prior to the next schedule Board meeting.

“Request to Approve the Agreement for Services with Learning for Living, Inc. to Provide a Pre-recorded Assembly, Facilitate a Student Leadership Training and a Two-day Workshop January 24-26, 2022 at Rio Vista High School – Victoria Turk, Principal”

Board President Stone asked for a motion to add the requested item to the Open Session Agenda.

Member Riley moved to approve, Member Jelly seconded. Motion carried by roll call vote 4 (Ayes: Riley, Lamera, Apel, Jelly, Stone): 0 (Nays): 3 (Absent: Technical difficulty - Apel, Casillas, Mahoney)

Board President Stone placed the additional item as Action Item 12 on the Open Session Agenda.

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

Member Riley moved to approve, Member Lamera seconded. Motion carried by roll call vote 5 (Ayes: Riley, Lamera, Apel, Jelly, Stone): 0 (Nays): 2 (Absent: Technical difficulty - Mahoney, Casillas)
8. **Public Comment:** None to report

9. Reports, Presentations, Information

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

9.3.1 Board Members' report(s) – None to report

9.3.2 Committee report(s)

9.3.2.1 Trustee Area Redistricting Committee – The Committee held another meeting the Sacramento County GIS Analyst, Steve Demers, along with Commissioner Alicia Fernandez. Member Jelly reported that small revisions were made to the Trustee Area boundary lines presented at the last Board meeting. The revision included adjusting the boundary lines between Trustee Area 4 and Trustee Area 1.

9.3.3 Superintendent Wright's report(s) Superintendent Wright extended a warm welcome back to all the staff, students, and families. She stated that we are once again amidst of a surge in COVID cases. However, the Delta communities are doing very well in comparison to surrounding communities in terms of the number of cases. Superintendent Wright mentioned that our Health Services team which include Angela Patin, School Nurse; four (4) health assistants and two (2) certified nurses assistants, have been doing a wonderful job trying to mitigate the situation and keep up with new laws and Public Orders, tracking the positivity rate in the District and answering any questions that arise. The District strongly encourages families to perform morning wellness checks on all students prior to coming to school and asking them to remain home if there are any COVID-related symptoms and to take a COVID test. Superintendent of Wright mentioned that the Health Services team is available to answer any questions about timeframes for quarantines. She requested that everyone wear their masks at all times, wash their hands frequently and cover their coughs and sneezes. Superintendent Wright stated that the free COVID Testing Clinics held on Friday, January 7th went smoothly and that over 350 students and staff members were tested. She also noted that the State of California provided at-home test kits for each student, which were distributed during these clinics. Superintendent Wright noted that the families have until Wednesday to pick up an at-home test kit for their student if they haven't done so. On Thursday, the District will distribute the remaining kits, one per staff member and to families on a first come first serve basis for the remaining students who have not already picked one up.

Superintendent Wright reported that, during the weekly Sacramento Superintendent's call held that morning, Dr. Kasirye, was in attendance to learn how the Sacramento County Districts were doing in the school settings and to provide the superintendents with updated information on COVID cases. Dr. Kasirye will be sending out updated guidelines for contact tracing. The county is asking that, if 20% of a class, of an athletic program, of a school or district tests positive, a conversation will be had with Superintendent Wright, a Public Health Officer and our school nurse to determine how to quarantine.

Superintendent Wright announced that the numbers on the Covid-19 Dashboard are very concerning. The symptoms are less severe than the other variant, however, the contagions rate is extremely high and spreads very fast.

The State plans on sending out additional Personal Protect Equipment (PPE) to the school sites. The PPE will be delivered to our County Office of Education, who will distribute to our District. Jen and Ken Gaston have worked closely with our county office when these COVID supplies become available to be pickup. Masks and testing kits are hard to come by and these additional PPE supplies will be very helpful.

Superintendent Wright mentioned that the California Public Health Officer will be sending out new guidelines regarding spectators at athletic events. It looks like athletic events will be more restrictive.

Dr. Kasirye informed the Superintendents and would like them to reach out to their districts, that there is social media hype that getting COVID intentionally to "get it over with", so it will all be done. Dr. Kasirye stresses that this is not the case with this virus. She stated that it is not like getting a bad cold, but a life-threatening disease.

Superintendent Wright noted that our healthcare system is being negatively impacted and they can't keep up with load, especially the ambulance services. She also mentioned that

the long-term symptoms with Covid does not go away when the contagions phase is gone, the symptoms linger. The more people that get infected, the better chance of the virus will mutate into a new variant and the cycle will continue.

Superintendent Wright mentioned that staffing shortages are a real thing. Our District has been impacted. She stated that, as of today the District has ten staff members that have Covid related absences, six active Covid cases and four who are caring for their children.

Superintendent Wright announced that the District would be providing Covid testing and vaccination clinics in the District later in the week in Courtland and Walnut Grove.

However, grant related Sacramento County Testing Clinic that was held in Walnut Grove has expired and will close at the end of January.

Superintendent Wright announced that on January 6, 2022 an Order from the Health Officer of Sacramento County is directing all public meetings be held virtually until further notice. The District will be holding future Board meetings via Zoom Webinar.

9.4 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 – Tammy Busch, Chief Business Officer; Ken Gaston, Directors of MOT

9.4.1 Business Services' Report – Tammy Busch, Chief Business Officer

9.4.1.1 ADA/Enrollment Report – Tammy Busch, Chief Business Officer reported that enrollment has decreased by 81 students, compared to the same month of school year 2019-2020. Enrollment has decreased by one compared to last month. The Average Daily Attendance (ADA) has decreased by 16 compared to last month.

9.4.1.2 Monthly Financial Report – Tammy Busch, Chief Business Officer reported that the financial statement is as of December 20, 2021 since this was the date of the last Accounts Payable run and the payroll is payable on January 1st.

9.4.2 Timeline for preparation of the 2022-2023 District Budget and LCAP – Tammy Busch, Chief Business Officer reported that the 2022-2023 timeline has been based on the prior year timeline. The timeline may be adjusted due to the input meetings will be held via Zoom. There has been an additional item listed in February, the LCAP Supplemental that will be part of the Annual Update.

9.4.3 Maintenance, Operations & Transportation Update, Ken Gaston, Director of MOT reported that, in addition to the report submitted at last month's meeting, he announced that a van driver had been hired. However, after the driver completed all the necessary paperwork to start in the position, he was called with information regarding his start date. He informed the Director of Personnel that he will not be accepting the position.

Mr. Gaston informed the Board that the hill on the far side of the football stadium on the visitor's side at Rio Vista High School is falling. It is creating large holes that are filling in with water. He mentioned that each year it is typical to have a small amount of erosion; however, this summer repairs will need to be made. He also mentioned that, at the stadium, there is a eucalyptus tree that looks to be falling. It is not in danger of hitting anything, but, will be a large mess to clean up if it does fall.

9.5 Education Services' Reports and/or Presentation(s) - Nicole Latimer, Chief Educational Services Officer and Jamie Quirino Bautista, Director of Special Education

9.5.1 Educational Services Update – Nicole Latimer, Chief Educational Services Officer was not in attendance – Superintendent Wright reported that schools is just reopening after a much-needed break.

9.5.2 Williams' Settlement Public Notification regarding sufficiency of teachers, facilities, and textbook and instructional materials – Second Quarter (October – December 2021) – Nicole Latimer, Educational Services Officer was not in attendance – Superintendent Wright reported that she was able to confirm during the second quarter there were no insufficiencies to report.

9.5.3 Special Education Update – Jamie Quirino Bautista, Director of Special Education was not in attendance – Superintendent Wright reported that Ms. Bautista will be out the remainder of the week. However, she and the Health Services team are working on obtaining mobile clinic van to provide health services to families.

9.6 River Delta Unified Teacher's Association (RDUTA) Update – Alyson Stiles, RDUTA President reported that last month the union ratified the Tentative Agreement. She received notice from the District that, after it has been approved by the Sacramento County Office of Education (SCOE), it will be presented to the Board at the next Board meeting for approval. The negotiation team is sending out surveys to its members and hopefully they will be able to Sunshine soon to start the negotiation process for this year's contract.

9.7 California State Employees Association (CSEA) Delta Chapter #319 Update – Melinda Barkman, CSEA President – No report given

9.8 Hold a Public Hearing to Receive Comments from Stakeholders Regarding the Revised Proposed Trustee Area Redistricting Map Using 2020 Census Data – Katherine Wright, Superintendent

Open Public Hearing: 7:08 pm

Public Comments: Superintendent Wright explained that after slight adjustments from suggestions mentioned during the Public Hearing in December, which did not affect the 10% variance rule are being presented one last time for public comments and input. There were no public comments to report.

Close Public Hearing: 7:10 pm

10. **Consent Calendar**

10.1 Approve Board Minutes

Regular Meeting of the Board, December 14, 2021

Special Meeting of the Board, December 17, 2021

10.2 Receive and Approve Monthly Personnel Reports

As of January 11, 2022

10.3 District's Monthly Expenditure Report

December 2021

10.4 Request to Approve the California State Preschool Program (CSPP) Continued Funding Application for FY 2022-2023 – Tammy Busch, Chief Business Officer

10.5 Request to Approve the Leave of Absence for Employee #0012013 through March 28, 2022 – Codi Agan, Director of Personnel

10.6 Request to Approve the Leave of Absence for Employee #001688 through March 21, 2022 – Codi Agan, Director of Personnel

10.7 Request to Approve the Agreement with LermanSenter Communications Law in Connection with Federal Communications Laws and the Rules and Policies for the Federal Communications Commission (FCC) as it Pertains to Radio Station KRVH – Tammy Busch, Chief Business Officer

10.8 Request to Declare Non-Operational Technology Equipment as Surplus and Deem its Value as Zero at Rio Vista High School – Victoria Turk, Principal

10.9 Request to Surplus Library Books that are Damaged, Duplicates, or Out of Date from Rio Vista High School - Victoria Turk, Principal

10.10 Donations to Receive and Acknowledge:

Rio Vista High School – Joseph Turk Memorial Scholarship Fund

Kyle Turk and Kearsten Shepherd - \$1,000

Member Lamera moved to approve, Member Riley seconded. Motion carried 7 (Ayes: Riley, Mahoney, Casillas, Lamera, Apel, Jelly, Stone): 0 (Nays): 0 (Absent)

Member Stone acknowledged those who donated and thanked them for their continuing support.

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

11. Request to Approve the Adjusted Trustee Area Boundaries using the 2020 Census Data – Katherine Wright, Superintendent

Member Riley moved to approve, Member Jelly seconded. Motion carried 7 (Ayes: Riley, Mahoney, Casillas, Lamera, Apel, Jelly, Stone): 0 (Nays): 0 (Absent)

12. Request to Approve the Agreement for Services with Learning for Living, Inc. to Provide a Pre-recorded Assembly, Facilitate a Student Leadership Training and a Two-day Workshop January 24-26, 2022 at Rio Vista High School – Victoria Turk, Principal

Member Riley moved to approve, Member Lamera seconded. Motion carried 7 (Ayes: Riley, Mahoney, Casillas, Lamera, Apel, Jelly, Stone): 0 (Nays): 0 (Absent)

13. Re-Adjourn to continue Closed Session, if needed – Board President Stone reported that re-adjourning to Closed Session was not necessary.

14. Report of Action taken, if any, during continued Closed Session (Government Code Section 54957.1) - Board President Stone reported Closed Session was not necessary – no actions to report.

15. Adjournment: There being no further business before the Board, Board President Stone asked for a motion to adjourn.

Member Riley moved to approve, Member Lamera seconded. Motion carried 7 (Ayes: Riley, Mahoney, Casillas, Lamera, Apel, Jelly, Stone): 0 (Nays): 0 (Absent)

The meeting was adjourned at 7:18 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: February 15, 2022

Attachments: X

From: Codi Agan, Director of Personnel

Item Number: 10.2

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

SUBJECT:

Request to Approve the Monthly Personnel Transaction Report

BACKGROUND:

STATUS:

PRESENTER:

Codi Agan, Director of Personnel

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: January 11, 2022

NAME	SCHOOL OR DEPARTMENT	NEW / CURRENT POSITION	FTE	TRANSACTION, EFFECTIVE AT
				*CLOSE OF THE DAY
				**BEGINNING OF THE DAY
ADMINISTRATIVE				
Nanci Rose	Clarksburg Middle/Delta High	Vice Principal	1.00	Resigned effective *upon suitable replacement
CERTIFICATED				
Caroline Nilsson	Clarksburg Middle/Delta High	Science Teacher	1.00	Resigned effective *06/03/2021
CLASSIFIED MANAGEMENT				
CLASSIFIED				
Mercy Hinshaw	Walnut Grove Elementary	Food Service Worker I	0.56	Hired effective **01/10/2022
Lorena Ibarra Silva	Bates Elementary	Food Service Worker I	0.50	Hired effective **01/10/2022
Elvia Navarro Corona	District Office	Accounts Payable	1.00	Resigned effective *11/18/2021
Alex Ruiz Carjillo	District Office	Accounts Payable	1.00	Hired effective **01/01/2022
Wayne Jardine	Rio Vista High School	Instructional Assistant III	0.88	Retired effective *01/31/2022
Carmen Arias	District Office	Accounts Payable	1.00	Resigned effective *01/31/2022
Melinda Barkman	District Office	Accounts Payable	1.00	Hired effective *02/01/2022
Amber Gregory-Gleaves	DH White Elementary	Instructional Assistant I	0.19	Resigned effective *01/31/2022
Amber Gregory-Gleaves	DH White Elementary	Instructinal Assistant IIII	0.81	Hired effective **02/01/2022

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X _____

From: Tammy Busch, 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:

Tammy Busch, 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: Tue, Feb 01, 2022, 11:51 AM

BUS OFF CASBO REGIST	01/18/2022	22328867	PO-220608	4,050.00	N
DHS SUPPLIES	01/18/2022	22328867	PO-220610	235.58	N
ED SV CHRMBKS	01/18/2022	22328867	PO-220613	533.08	N
MAINT SUPPLIES	01/18/2022	22328867	PO-220614	496.05	N
MAINT SUPPLIES	01/18/2022	22328867	PO-220618	408.81	N
FLIGHT J. BAUTISTA CONF	01/18/2022	22328867	PO-220621	389.97	N
SP ED SUPPLIES	01/18/2022	22328867	PO-220622	248.71	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014367 BANK OF AMERICA (Continued...)		BUS OFF RUIZ WRKSHOP	01/18/2022	22328867 PO-220624	1,185.00	N
		MAINT SUPPLIES	01/18/2022	22328867 PO-220628	1,424.59	N
015254 BANKSTON, STACEY 3130 BALFOUR ROAD STE D-112 BRENTWOOD, CA 94513	850.00	RVHS PROF DEVELPMNT	01/11/2022	22327999 PO-220551	850.00	Y
(0) - 0						Y
015146 BATTERIES PLUS BULBS 369 S LOWER SACRAMENTO RE #A LODI, CA 95242	538.55	P47158839 MAINT SUPPLIES	01/18/2022	22328819 PO-220508	538.55	N
(925) 687-2600						N
012586 BAY ALARM 60 BERRY DRIVE PACHECO, CA 94553	2,449.75	DHW CAMERA	01/18/2022	22328822 PO-220071	667.44	N
		ISLE CAMERAS	01/18/2022	22328822 PO-220177	115.23	N
		DW ALARMS	01/18/2022	22328822 PO-220288	1,667.08	N
(209) 465-1986		N BALCO HOLDINGS				
015095 BRIOSO, TRINIDAD 9674 JAN MARIE WAY ELK GROVE, CA 95624	35.84	DEC MILEAGE	01/11/2022	22328029 TC-220123	35.84	N
(209) 625-7663						N
014614 BUCKMASTER 1801 TRIBUTE ROAD SACRAMENTO, CA 95815	195.83	424185 DHS COPIER CONTRACTS	01/18/2022	22328823 PO-220225	195.83	N
(916) 923-0500						N
003681 CALIFORNIA AMERICAN WATER P.O. BOX 7150 PASADENA, CA 91109-7150	756.38	ISLE WATER SERVICE	01/18/2022	22328843 PV-220424	756.38	N
(888) 237-1333						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	1,234.92	ISLE WASTE SERVICE	01/18/2022	22328844 PV-220425	1,234.92	N
014242 CAMACHO MECHANICAL 618 A AIRPORT RD RIO VISTA, CA 94571 (209) 607-9807	768.51	8354/8355/8361 MAINT REPAIRS	01/11/2022	22328000 PO-220308	768.51	Y
		DAVID CAMACHO				
015222 CHEN, JIALING 7820 52ND AVENUE SACRAMENTO, CA 95828 (719) 510-4467	45.13	DEC MILEAGE	01/11/2022	22328030 TC-220124	45.13	N
000201 CITY OF ISLETON P.O. BOX 716 101 SECOND STREET ISLETON, CA 95641 (916) 777-7770	411.05	88244 ISLE SEWER	01/18/2022	22328824 PO-220159	411.05	N
000077 CITY OF RIO VISTA 1 MAIN STREET RIO VISTA, CA 94571 (0) - 0	7,031.96	RV WATER SERVICE RV SEWER SERVICE	01/18/2022 01/18/2022	22328825 PO-220286 22328825 PO-220286	5,120.35 1,911.61	N N
		N RIO VISTA FIRE				
013922 COMPREHENSIV DRUG TESTING 230 COMMERCE, SUITE 100 IRVINE, CA 92602 (714) 852-5200	132.00	50470 TRANS DOT TESTING	01/11/2022	22328001 PO-220143	132.00	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014215 CONTERRA ULTRA BROADBAND PO BOX 281357 ATLANTA, GA 30384-1357 (704) 936-1722 N	1,624.18	51978 DISTRICT WIDE NETWORK	01/18/2022	22328845 PV-220426	1,624.18	N
000162 COUNTY OF SACRAMENTO ENVIRONMENTAL MANAGMENT DEPT 10590 ARMSTRONG AVENUE MATHER, CA 95655-4153 (916) 875-8484 N	213.00	SMALL WATER PUMP PERMIT	01/18/2022	22328846 PV-220427	213.00	N
013798 CROWE LLP 320 E JEFFERSON BOULEVARD PO BOX 7 SOUTH BEND, IN 46624-0007 (0) - 0 Y	26,050.00	745-2487187 AUDITOR SERV 745-2487187 AUDITOR SERV 745-2487187 AUDITOR SERV	01/18/2022 01/18/2022 01/18/2022	22328847 PV-220443 22328863 PV-220443 22328864 PV-220443	18,050.00 4,000.00 4,000.00	7 7 7
013302 D & S PRESS 1105 "A" AIRPORT ROAD RIO VISTA, CA 94571 (707) 374-2442 N	1,378.59	5416 RVHS COURSE CATALOGS	01/18/2022	22328848 PV-220428	1,378.59	N
013876 DATAPATH PO BOX 886009 LOS ANGELES, CA 90088-6009 (888) 693-2827 N	12,878.31	153838 STRCTRD CABLING SERV 153990 DW IT SERVICES 153990 DW IT SERVICES 153990 DW IT SERVICES 153990 DW IT SERVICES 153990 DW IT SERVICES	01/11/2022 01/18/2022 01/18/2022 01/18/2022 01/18/2022 01/18/2022	22327995 PO-220581 22328826 PO-220191 22328826 PO-220191 22328826 PO-220191 22328826 PO-220191 22328842 PO-220191	696.00 11,573.21 121.82 121.82 121.82 243.64	N N N N N N
013722 DE LAGE LANDEN PUBLIC FINANCE 1111 OLD EAGLE SCHOOL ROAD WAYNE, PA 19087 (800) 736-0220 N	794.66	74877081 DO SAVIN LEASE	01/11/2022	22328013 PV-220406	794.66	7

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
002819 DELTA CARE DEPT #0170 LOS ANGELES, CA 90084-0170 (0) - 0 N	46.98	JAN 2022 SUMMER HEALTH PREMS	01/18/2022	22328849 PV-220445	46.98	N
012807 DELTA ELEMENTARY CHARTER SCHOOL 36230 N SCHOOL ST CLARKSBURG, CA 95612 (916) 995-1335 N	169,679.00	JAN TAX IN LIEU	01/11/2022	22328014 PV-220407	169,679.00	N
014067 DISCOVERY OFFICE SYSTEMS 1269 CORPORATE CENTER PARKWAY SANTA ROSA, CA 95407 (707) 570-1000 N	36.69	55D1653493 WG CONTRACT	01/11/2022	22328018 PV-220408	36.69	N
015248 DIXON SMARTSCHOOLHOUSE 4 VIA CACION SAN CLEMENTE, CA 92673 (0) - 0 N	1,668.75	1292 CONSULTING	01/11/2022	22328010 PO-220546	1,668.75	N
010469 E.F. KLUDT & SONS INC P.O. BOX 166 LODI, CA 95241-0166 (0) - 0 N	5,666.15	286274/286360 TRANS FUEL	01/18/2022	22328827 PO-220142	5,666.15	N
011339 FRONTIER COMMUNICATIONS CORPORATION THREE HIGH RIDGE PARK STAMFORD, CT 06905 (0) - 0 N	3,696.42	DW PHONE SERVICE	01/18/2022	22328828 PO-220287	3,696.42	N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014234 GIRARD EDWARDS STEVENS & TUCKER LLP., ATTORNEYS AT LAW 8801 FOLSOM BLVD STE 285 SACRAMENTO, CA 95826 (916) 706-1255 Y	915.00	3832 ATTY FEES	01/11/2022	22328015 PV-220409	915.00	Y
003354 GOPHER SPORT 2525 LEMOND ST SW OWATONNA, MN 55060-0998 (800) 533-0446 N THE PROPHET CO	180.88	84765 WG SUPPLIES 84765 WG SUPPLIES 84765 WG SUPPLIES	01/11/2022 01/11/2022 01/11/2022	22328016 PV-220410 22328016 PV-220410 22328016 PV-220410	180.88 14.70 14.70-	N N N
003111 GOVERNMENT FINANCIAL STRATEGIES INC. 1228 N STREET, SUITE 13 SACRAMENTO, CA 95814-5609 (916) 444-5100 N	420.00	1324066 PROF SERVICES	01/18/2022	22328850 PV-220429	420.00	N
003598 GRAINGER 3691 INDUSTRIAL BLVD WEST SACRAMENTO, CA 95691-3479 (916) 372-7800 N W.W. GRAINGER	1,143.20	9168693316 MAINT SUPPLIES 9162536107 MAINT SUPPLIES	01/18/2022 01/18/2022	22328829 PO-220116 22328829 PO-220116	578.25 564.95	N N
014623 GRANADOS-ORDAZ, YAZMIN PO BOX 947 WALNUT GROVE, CA 95690 (0) - 0 N	17.82	CMS DEC MILEAGE	01/11/2022	22328031 TC-220125	17.82	N
014573 GREAT AMERICA FINANCIAL SVCS PO BOX 660831 DALLAS, TX 75266-0831 (877) 311-4422 N	725.59	30658083 DHS LEASE 30699036 CMS LEASE	01/11/2022 01/11/2022	22328017 PV-220411 22328017 PV-220412	415.64 309.95	N N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000711 GROW WEST PARTS 14301 RAILROAD AVE WALNUT GROVE, CA 95690- (916) 776-1744	143.29	13112 TRANS SUPPLIES	01/18/2022	22328830 PO-220151	143.29	N
		N THE LYMAN GROU				
014868 HALL, SARA PO BOX 9586 TRUCKEE, CA 96162 (916) 640-3533	2,125.00	SP ED BEHVR ASSMNTS	01/18/2022	22328831 PO-220179	2,125.00	Y
		Y				
014500 HAND IN HAND THERAPEUTICS 214 ELMWOOD AVE MODESTO, CA 95354 (209) 604-8533	1,402.50	SP ED OCC THERAPY W/E 12/16	01/18/2022	22328832 PO-220176	1,402.50	Y
		Y WAYNE STEVENSO				
015210 HKIT 538 NINTH ST #240 OAKLAND, CA 94607 (510) 625-9800	5,744.00	21029.01 MSTR PLANNING SERV 21029.01 MSTR PLANNING SERV	01/11/2022 01/11/2022	22328006 PO-220547 22328008 PO-220547	2,872.00 2,872.00	N N
		N				
013947 HOME DEPOT PRO PO BOX 742056 LOS ANGELES, CA 90074-2056 (877) 577-1114	179.02	657512307 MAINT SUPPLIES 657512315 MAINT SUPPLIES 657236501 MAINT SUPPLIES	01/18/2022 01/18/2022 01/18/2022	22328833 PO-220125 22328833 PO-220125 22328833 PO-220125	46.06 31.50 101.46	N N N
		N				
015250 INDUSTRIAL DOOR COMPANY 10235 SYSTEMS PARKWAY SACRAMENTO, C 95827 (916) 894-6455	3,388.88	32784 MAINT PARTS 32784 MAINT PARTS	01/11/2022 01/11/2022	22327996 PO-220541 22327996 PO-220541	2,088.88 1,300.00	N N
		N				
011311 LA RUE COMMUNICATIONS 521 E. MINER AVE	330.00	9321 TRANS UHF SERV	01/18/2022	22328834 PO-220144	330.00	7

STOCKTON, CA 95202

(209) 463-1900

Y LA RUE, KNOX J

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
000548 LIRAS SUPERMARKET 609 HWY 12 RIO VISTA, CA 94571 (707) 374-5399	1,386.03	#133 RMS SUPPLIES #175 DHW SUPPLIES #55 RVHS SUPPLIES #55 RVHS CULINARY SUPPLIES	01/18/2022 01/18/2022 01/18/2022 01/18/2022	22328835 PO-220058 22328835 PO-220066 22328835 PO-220192 22328835 PO-220307	248.13 13.79 726.09 398.02	N N N N
015177 MABERY, CHRISTINE PO BOX 532 MEADOW VISTA, CA 95722 (916) 606-6958	124.60	DHS/CMS REIMB DHS/CMS REIMB	01/11/2022 01/11/2022	22328032 TC-220126 22328032 TC-220126	31.15 93.45	N N
014819 MAVERICK NETWORKS INC. 7060 KOLL CENTER PKWY#318 PLEASANTON, CA 94566 (925) 931-1900	600.00	2102619 PHONE REPAIR	01/11/2022	22328019 PV-220413	600.00	N
014355 MAXIM STAFFING SOLUTIONS 12558 COLLECTIONS CENTER DR CHICAGO, IL 60693 (800) 394-7195	5,696.64	E4501550262 NURSING ASSTS E4555670262 NURSING ASSTS	01/11/2022 01/18/2022	22328002 PO-220451 22328836 PO-220451	2,565.12 3,131.52	N N
015110 MAYNARD, NIKKA 4545 BEACON COURT RIO VISTA, CA 94571 (0) - 0	7.05	CAFE MILEAGE	01/11/2022	22328039 TC-220131	7.05	N
015173 MCCLATCHY COMPANY PO BOX 510150 LIVONIA, MI 48151 (0) - 0	353.20	176193 ERATE LEGAL AD	01/18/2022	22328851 PV-220430	353.20	N
014990 MINDSPEAKER PRINTING 1163 GRANDVIEW DR	2,495.50	RV055 RVHS TSHIRTS	01/11/2022	22328020 PV-220414	2,495.50	N

PROVIDENCE, UT 84332

(707) 321-9425

N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012837 MOBILE MODULAR 5700 LAS POSITAS ROAD LIVERMORE, CA 94551 (925) 606-9000 N MCGRATH RENTCO	625.00	2228924 MODULAR LEASE	01/18/2022	22328865 PV-220442	625.00	N
015232 PALMA HERNANDEZ, MARIA 928 THEREZA WAY RIO VISTA, CA 94571 (0) - 0 N	98.89	DEC MILEAGE	01/11/2022	22328033 TC-220127	98.89	N
014465 PARKER & COVERT LAW OFFICE 17862 EAST SEVENTEENTH ST#204 EAST BUILDING TUSTIN, CA 92780 (714) 573-0900 Y PARKER & COVE	3,775.00	74583 ATTY FEES 74583 ATTY FEES	01/11/2022 01/11/2022	22328021 PV-220415 22328028 PV-220415	2,625.00 1,150.00	Y Y
013692 PATIN, ANGELA 633 MADERE STREET RIO VISTA, CA 94571 (707) 628-4406 N	97.38	DEC MILEAGE	01/11/2022	22328034 TC-220128	97.38	N
015261 PCR CONSULTING 4041 SOQUEL DRIVE, STE A-1 SOQUEL, CA 95073 (0) - 0 N	917.96	RD01 PROF SERV	01/11/2022	22328022 PV-220416	917.96	N
003270 PG&E 685 EMBARCADERO DRIVE SACRAMENTO, CA 95605 (0) - 0 N PACIFIC GAS AN	28,191.44	DW ELECTRIC	01/11/2022	22328003 PO-220289	28,191.44	N
013554 POINT QUEST	14,887.40	1518 SP ED INST ASSTS	01/18/2022	22328837 PO-220168	6,410.40	N

8376 FRUITRIDGE RD
SACRAMENTO, CA 95828-0949

53664/736726/736738 NPS DUES 01/18/2022 22328837 PO-220169 8,477.00 N

(916) 422-0571 N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012857 PRISTINE REHAB CARE 706 N. DIAMOND BAR BLVD STE #B DIAMOND BAR, CA 91765 (317) 371-3866 Y	18,611.84	727/7728 SP ED SP THERAPY	01/18/2022	22328838 PO-220165	18,611.84	7
011565 RALEY'S P.O. BOX 15618 SACRAMENTO, CA 95852 (0) - 0 N	72.55	5000034 DHS AG SUPPLIES 5000034 DHS AG SUPPLIES	01/18/2022 01/18/2022	22328820 PO-220282 22328820 PO-220282	36.28 36.27	N N
015262 REEVES, JODIE 133 DELTA WAY RIO VISTA, CA 94571 (0) - 0 N	92.51	NOV MILEAGE	01/11/2022	22328035 TC-220129	92.51	N
012529 RGM KRAMER INC. 3230 MONUMENT WAY CONCORD, CA 94518 (0) - 0 N	17,917.50	7359 BOND PROJECT MNGMNT 7358 BOND PROJECT MNGMNT 7359 BOND PROJECT MNGMNT 7358 BOND PROJECT MNGMNT	01/11/2022 01/11/2022 01/11/2022 01/11/2022	22328007 PO-220392 22328007 PO-220392 22328009 PO-220392 22328009 PO-220392	9,973.10 3,644.20 3,149.40 1,150.80	N N N N
010239 RIO VISTA SANITATION P.O. BOX 607 RIO VISTA, CA 94571-0607 (0) - 0 N	2,086.92	RV SITES WASTE SERV	01/18/2022	22328852 PV-220431	2,086.92	N
010048 RIVER DELTA REVOLVING FUND 445 MONTEZUMA ST RIO VISTA, CA 94571 (0) - 0 N	1,175.94	DEPOSIT TO CLEARING IN ERROR	01/11/2022	22328023 PV-220417	1,175.94	N
012796 ROSSI, MARCY 128 N SECOND STREET	114.02	RMS REIMB	01/11/2022	22328036 TC-220130	114.02	N

RIO VISTA, CA 94571

(0) - 0 N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
015249 RVHS BOOSTER CLUB 410 S. 4TH STREET RIO VISTA, CA 94571	2,000.00	RVHS AFTER SCHL MENTORSHIP	01/11/2022	22327997 PO-220540	2,000.00	N
(0) - 0						N
000095 S M U D P.O. BOX 15555 SACRAMENTO, CA 95852	10,866.64	WG/BATES ELECT	01/18/2022	22328839 PO-220292	10,866.64	N
(0) - 0						N
000090 SACRAMENTO COUNTY UTILITIES 9700 GOETHE ROAD SUITE C SACRAMENTO, CA 95827	430.92	WG/BATES/MOKE SEWER SERV	01/18/2022	22328853 PV-220432	430.92	N
(0) - 0						N
013891 SENTINEL FIRE EQUIPMENT CO INC 5702 BROADWAY SACRAMENTO, CA 95820	172.98	90013 CAFE EXTING MAINT	01/18/2022	22328862 PV-220441	172.98	N
		90013 CAFE EXTING MAINT	01/18/2022	22328862 PV-220441	2.23	N
		90013 CAFE EXTING MAINT	01/18/2022	22328862 PV-220441	2.23	N
(916) 455-5630						N
014459 SESAC 55 MUSIC SQUARE EAST NASHVILLE, TN 37203-4362	174.00	62390 RADIO RIO LICENSE	01/18/2022	22328866 PV-220444	174.00	N
(615) 320-0055						N
013480 SHELDON GAS COMPANY 1 HARBOR CENTER # 310 SUISUN CITY, CA 94585	391.16	4245024/4243184/4245096/424663	01/18/2022	22328854 PV-220433	284.48	N
		4245024/4243184/4245096/424663	01/18/2022	22328854 PV-220433	106.68	N
(707) 425-2951						N

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
014524 SHRED IT PO BOX 101007 PASADENA, CA 91189-1007	140.57	8000448550 DO SHREDDING	01/18/2022	22328855 PV-220434	140.57	N
(0) - 0						N
000055 SIA DELTA DENTAL P.O. BOX 276710 SACRAMENTO, CA 95827-6710	14,056.95	DEC 2021 PREMIUMS DEC 2021 PREMIUMS DEC 2021 PREMIUMS NOV 21 PREMIUMS NOV 21 PREMIUMS NOV 21 PREMIUMS JAN 2022 PREMIUMS JAN 2022 PREMIUMS JAN 2022 PREMIUMS	01/11/2022 01/11/2022 01/11/2022 01/11/2022 01/11/2022 01/11/2022 01/18/2022 01/18/2022 01/18/2022	22328024 PV-220419 22328024 PV-220419 22328024 PV-220419 22328037 PV-220422 22328037 PV-220422 22328037 PV-220422 22328856 PV-220435 22328856 PV-220435 22328856 PV-220435	2,730.23 1,766.00 189.42 2,730.23 1,766.00 189.42 2,730.23 1,766.00 189.42	N N N N N N N N N
(0) - 0						N
000056 SIA VISION SERVICE P.O. BOX 276710 SACRAMENTO, CA 95827-6710	3,085.88	DEC 2021 PREMIUMS DEC 2021 PREMIUMS DEC 2021 PREMIUMS DEC 2021 PREMIUMS NOV 21 PREMIUMS NOV 21 PREMIUMS NOV 21 PREMIUMS NOV 21 PREMIUMS JAN 2022 PREMIUMS JAN 2022 PREMIUMS JAN 2022 PREMIUMS	01/11/2022 01/11/2022 01/11/2022 01/11/2022 01/11/2022 01/11/2022 01/11/2022 01/11/2022 01/18/2022 01/18/2022 01/18/2022	22328025 PV-220418 22328025 PV-220418 22328025 PV-220418 22328025 PV-220418 22328038 PV-220423 22328038 PV-220423 22328038 PV-220423 22328038 PV-220423 22328857 PV-220436 22328857 PV-220436 22328857 PV-220436	461.44 519.12 28.84 57.68 461.44 519.12 28.84 57.68 403.76 490.28 57.68	N N N N N N N N N N N
(0) - 0						N
003646 STATE OF CALIFORNIA 1300 I STREET SUITE 810 SACRAMENTO, CA 95814	309.00	548661 HR FINGERPRINTING	01/18/2022	22328858 PV-220437	309.00	N
(0) - 0						N
011695 THOMSON WEST P.O. BOX 64833 ST PAUL, MN 55164-0833	2,487.00	845699429 HR YRLY UPDTED MATRL	01/18/2022	22328860 PV-220438	2,487.00	N
(0) - 0		N WEST PUBLISHIN				

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012694 U.S. BANK 221 SOUTH FIGUEROA ST, STE 210 LM-CA-F2TC LOS ANGELES, CA 90012 (0) - 0 N	10,150.99	DEC 2021 GASB 75	01/11/2022	22328026 PV-220420	10,150.99	N
015264 UNIQUE DESIGN PO BOX 347 MOUNT AUKUM, CA 95656 (0) - 0 N	747.53	DEVELOPER FEE REFUND #6175	01/11/2022	22328027 PV-220421	747.53	N
001896 UNITED PARCEL SERVICE INC 55 GLENLAKE PARKWAY NE ATLANTA, GA 30328 (0) - 0 N	138.00	DO SHIPPING	01/18/2022	22328859 PV-220439	138.00	N
013419 US BANK NATIONAL ASSOCIATION 1310 MADRID ST SUITE 101 MARSHALL, MN 56258 (800) 328-5371 N	1,207.42	460144660 DHW LEASE	01/11/2022	22328004 PO-220073	1,207.42	N
013997 VERIZON WIRELESS ONE VERIZON PLACE ALPHARETTA, GA 30004 () - Y VERIZON WIRELE	3,841.87	DW CELLULAR ASP CELLULAR SP ED CELLULAR	01/18/2022 01/18/2022 01/18/2022	22328840 PO-220290 22328840 PO-220290 22328840 PO-220290	3,528.13 251.08 62.66	7 7 7
015136 WEAVER, RICK 929 SAGE DRIVE VACAVILLE, CA 95687 (707) 592-1633 Y RICHARD R WEAV	1,800.00	503611 TRANS EVALS	01/11/2022	22328005 PO-220131	1,800.00	Y

Vendor Name/Address	Total	Description	Date	Warrant Reference	Amount	1099
012528 WILLIAMS SCOTSMAN INC 901 SOUTH BOND ST. #600 BALTIMORE, MD 21231 (800) 782-1500	4,122.64	DHW MODULAR LEASE RMS MODULAR LEASE RMS MODULAR LEASE RVHS MODULAR LEASE	01/11/2022 01/11/2022 01/11/2022 01/11/2022	22328011 PO-220208 22328011 PO-220208 22328011 PO-220208 22328011 PO-220208	1,030.66 1,030.66 1,030.66 1,030.66	N N N N
014450 WIZIX 4777 BENNETT DRIVE SUITE D LIVERMORE, CA 94551 (916) 913-6191	594.38	248835 F5 PRINT CHRGS 249427 WG PRINT CHRGS 248303 DO PRINT CHARGES	01/18/2022 01/18/2022 01/18/2022	22328841 PO-220040 22328841 PO-220086 22328861 PV-220440	126.61 154.23 313.54	N N N
015259 ZOO-PHONICS INC 995 MORNING STAR DR. STE #B SONORA, CA 95370 (209) 288-2430	99.00	59409 BATES WORKSHOP	01/18/2022	22328821 PO-220615	99.00	N
District total:	426,829.37					
Report total:	426,829.37					

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: _____

From: Codi Agan, Director of Personnel

Item Number: 10.4

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

SUBJECT:

Request Made by Employee #001037, Teacher at Rio Vista High School, For Unpaid Leave of Absence for March 2023 – June 2023.

BACKGROUND:

Employee #001037, teacher at Rio Vista High school, is requesting an unpaid leave of Absence for March 2023 – June 2023, to participate The Fulbright Distinguished Awards in Teaching Research Program.

STATUS:

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approve the requested unpaid leave of absence made by employee #0010307 for March 2023 – June 2023.

Time allocated: 2 minutes

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: _____

From: Codi Agan, Director of Personnel

Item Number: 10.5

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

SUBJECT:

Request made by employee #001754, teacher at Walnut Grove Elementary School, for unpaid Leave of Absence for February 4, 2022 – June 3, 2022.

BACKGROUND:

Employee #001754, teacher at Walnut Grove Elementary School, is requesting an unpaid leave of Absence for February 4, 2022 – June 3, 2022, due to unforeseen circumstances that have arisen.

STATUS:

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approve the requested unpaid leave of absence made by employee #001754 for February 4, 2022 – June 3, 2022.

Time allocated: 2 minutes

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Tammy Busch, Chief Business Officer

Item Number: 10.6

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

SUBJECT:

Request Approval to Apply for the School Breakfast Program (SBP) Start-up and Expansion Grant.

BACKGROUND:

The California Department of Education is awarding up to \$15,000 per site (up to 10 sites) in a competitive grant for cafeteria equipment for the start-up or expansion of the school breakfast program. The deadline for submittal is 4:00 p.m. on March 1, 2022. River Delta will be applying for equipment for all seven (7) sites to serve students breakfast after the bell as required by Universal Meals for Students.

STATUS:

River Delta School District will be submitting the application for School Breakfast Program (SBP) Start-up and Expansion Grant.

PRESENTER:

Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board grants the approval to apply for the School Breakfast Program (SBP) Start-up and Expansion Grant.

Time allocated: 3 minutes



Home / Learning Support / Nutrition / School Nutrition

School Breakfast and Summer Meal Grants

School Breakfast Program and Summer Meal Programs Start-up and Expansion Grants.

The School Breakfast Program (SBP) and Summer Meal Programs (SMP) Start-up and Expansion Grants, administered by the California Department of Education, provide schools with funding to start-up or expand their SBP and SMP.

Contact Us

For questions regarding the content of this web page, please contact the Breakfast Grant team by phone at 800-952-5609 or by email at breakfastgrant@cde.ca.gov.

Overview

Application

Recipients

Criteria

Best Practices

Success Stories

Equipment

FAQs

Criteria

Application Scoring Criteria

The California Department of Education (CDE) will score all applications and award grants competitively, based on a comprehensive scoring criteria matrix. The scoring matrix factors in relevant components such as innovation and detailed budget descriptions. The maximum number of points is 100.

All school food authority (SFA) applications are scored based on the following criteria:

1. **An explanation of any public or private funding that the SFA has received for starting or expanding a School Breakfast Program (SBP) or Summer Meal Programs (SMP).** This can include funding from an outside source such as a private citizen, local health department, community organization, etc. Please indicate if no outside funding has been

collected (**up to 5 points**).

2. **An explanation of the technical assistance (TA) or funding, beyond normal operating support, that the SFA will provide to the site(s).** For example, the CDE will not award points for a description stating that the SFA will use its information technology staff to wire or program computers or to pay custodians to clean the classrooms, etc. However, the CDE will award points if the SFA proposes to provide Breakfast in the Classroom training to its teachers. Please indicate if the SFA will not provide additional TA or funding. The CDE does not consider financial support from the cafeteria fund to be special funding. However, financial support from the SFA's General Fund is considered to be special funding. If this section is blank, the CDE will not award points (**up to 5 points**).
3. **A detailed explanation that describes the existing barriers** that hinder the SFA's ability to provide breakfast, restrict the SFA's ability to operate the SMP, or decrease children's ability or desire to participate in the SBP or SMP. Describe the innovative measures designed to maximize participation in these programs. Examples of barriers could be early or late bus schedules, meal time constraints, student and staff attitudes toward the SBP or SMP, lack of updated equipment, etc. (**up to 5 points**).
4. **Identification of innovative strategies designed to maximize participation.** Examples of innovative strategies in the SBP include Breakfast on the Bus, Grab-and-Go Breakfast, and Breakfast After the Bell (BATB) service models like Breakfast in the Classroom and Second Chance Breakfast (**up to 30 points**).

Note: Please be assured that SFAs can provide students with Breakfast in the Classroom while appropriate educational activities are taking place without concern regarding an instructional minutes audit exception.

Examples of innovative strategies in the SMP include hosting a summer meals kick-off event, planning a farm to summer event using local produce and including a nutrition education lesson, and planning barbecues. Be sure to include any activities that your agency will offer such as baseball, crafts, etc. Giveaways and contests are not considered innovative; however, a marketing plan designed to increase participation may be considered innovative.

5. **Budgets** that identify equipment purchases, site outreach, promotional items and activities, and training (if applicable). The proposed budget should include a detailed description of how the expenses will support the program, as well as how innovation will be used to enhance the program and overcome the barriers to student participation (**up to 20 points**).

▪ **Equipment:** Be specific and reflect quantities for each item. For example, use descriptions like an **insulated utility cart** versus a cart, or **three-door refrigerator**

versus refrigerator. A detailed description also includes a justification of how the item will be used and how the item supports start-up or expansion efforts. Address what barriers to participation the expenditure will resolve. If the equipment costs more than \$1,000, include the name of the vendor that provided the price quote and how the equipment will promote innovation.

- **Outreach and Promotion:** List each item that your SFA plans to purchase. The CDE suggests that SFAs estimate the number of times they plan to distribute letters, flyers, and other sources of outreach during the entire grant period; recurring costs cannot be billed more than once per year. The SFA should then request the amount needed for costs associated with ongoing outreach and promotional activities for the year. Some expenses—such as food, staff salaries, clothing, and giveaways—are not allowable costs under this grant.

- **Training:** Include any allowable training expenses. Training on customer service and on innovative breakfast models like Breakfast in the Classroom and Second Chance Breakfast are allowable. Travel-related expenses for vendors and staff are not allowable. Some training expenses such as salaries and benefits, conference and membership fees, and subscriptions are not allowable costs under this grant.

Please be specific in your budget justifications. The CDE will deduct points if the SFA is not clear regarding how the expenditures will support or increase participation in either the SBP or SMP.

While the following criteria are not required, the CDE will award additional points if the site:

1. Implements a **new SBP or SFSP (15 points)**

2. Qualifies for **Severe Need** breakfast reimbursement (the site served 40 percent or more free or reduced-price [F/RP] lunches two years prior) **(15 points)**

3. Agrees to operate the SBP or SMP for no less than three years **(5 points)**

Questions: Breakfast Grant Team | breakfastgrant@cde.ca.gov | 800-952-5609

Last Reviewed: Thursday, December 10, 2020

This Institution is an equal opportunity provider.
Esta institución es un proveedor que ofrece igualdad de oportunidades.



Home / Learning Support / Nutrition / School Nutrition

School Breakfast and Summer Meal Grants

School Breakfast Program and Summer Meal Programs Start-up and Expansion Grants.

The School Breakfast Program (SBP) and Summer Meal Programs (SMP) Start-up and Expansion Grants, administered by the California Department of Education, provide schools with funding to start-up or expand their SBP and SMP.

Contact Us

For questions regarding the content of this web page, please contact the Breakfast Grant team by phone at 800-952-5609 or by email at breakfastgrant@cde.ca.gov.

Overview

Application

Recipients

Criteria

Best Practices

Success Stories

Equipment

FAQs

Equipment

Below is a list of frequently requested equipment that supports innovative School Breakfast Program and Summer Meal Programs service models:

- Wireless point-of-sale systems
- Wagons and insulated bags for Breakfast in the Classroom service
- Delivery vehicle
- Portable steam table
- Blender
- Yogurt machine
- Smoothie machine
- Horizontal wrapper
- Refrigerated truck
- Mobile food service cart
- Salad bar

- ▣ Merchandising kiosk
- ▣ Speed line—cold and hot
- ▣ Grab and Go refrigerator
- ▣ Dough divider
- ▣ Barbecue equipment
- ▣ Milk cooler

Questions: Breakfast Grant Team | breakfastgrant@cde.ca.gov | 800-952-5609

Last Reviewed: Thursday, December 10, 2020

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: _____

From: Katherine Wright, Superintendent

Item Number: 10.7

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

SUBJECT:

Donations

Rio Vista High School – Jose Turk Memorial Scholarship Fund

Danny and Delinda Bowers

Rio Vista High School – Art Department in Memory of Kaz Omoto

Danny and Delinda Bowers

BACKGROUND:

Donations to Receive and Acknowledge:

STATUS:

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board acknowledge and approve the receipt of these donations

Time allocated: 3 minutes

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Tammy Busch, Chief Business Office

Item Number: 11

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

SUBJECT:

Request to approve the Master Plan for the Measure J and K Facilities Bond Programs

BACKGROUND:

On August 10, 2021 the board approved HKIT Architects as the Master Planning architect for the Measure J and K Facilities Bond Programs. The first step of the master planning process was HKIT meeting with staff leadership and walking all school sites in the amount of \$10,000. The second step was a robust Community Engagement process where there were two (2) meetings at each site: one with staff and one with parents and community members. They also met with maintenance staff, Special Education, Educational Services, collected as-built drawings and site information including student enrollment numbers. The cost of the Community Engagement process was \$52,952.

Once information was gathered, HKIT created seven sets of master plan graphics. HKIT meet with school Principals; Kathy Wright, Superintendent; Tammy Busch, Chief Business Officer and Ken Gaston, Director of MOT for review and feedback on these master plans.

STATUS:

The District is asking the Board to approve the Master Plans for the Measure J and K Facilities Bond Programs.

PRESENTER:

Tammy Busch, Chief Business Office

OTHER PEOPLE WHO MIGHT BE PRESENT:

Jeff Evan and Melissa Regan, HKIT Architects

COST AND FUNDING SOURCES:

Measure J (76%) in the amount of 10,914 and Measure K (24%) in the amount of 3,446 for a total cost not to exceed \$14,360.

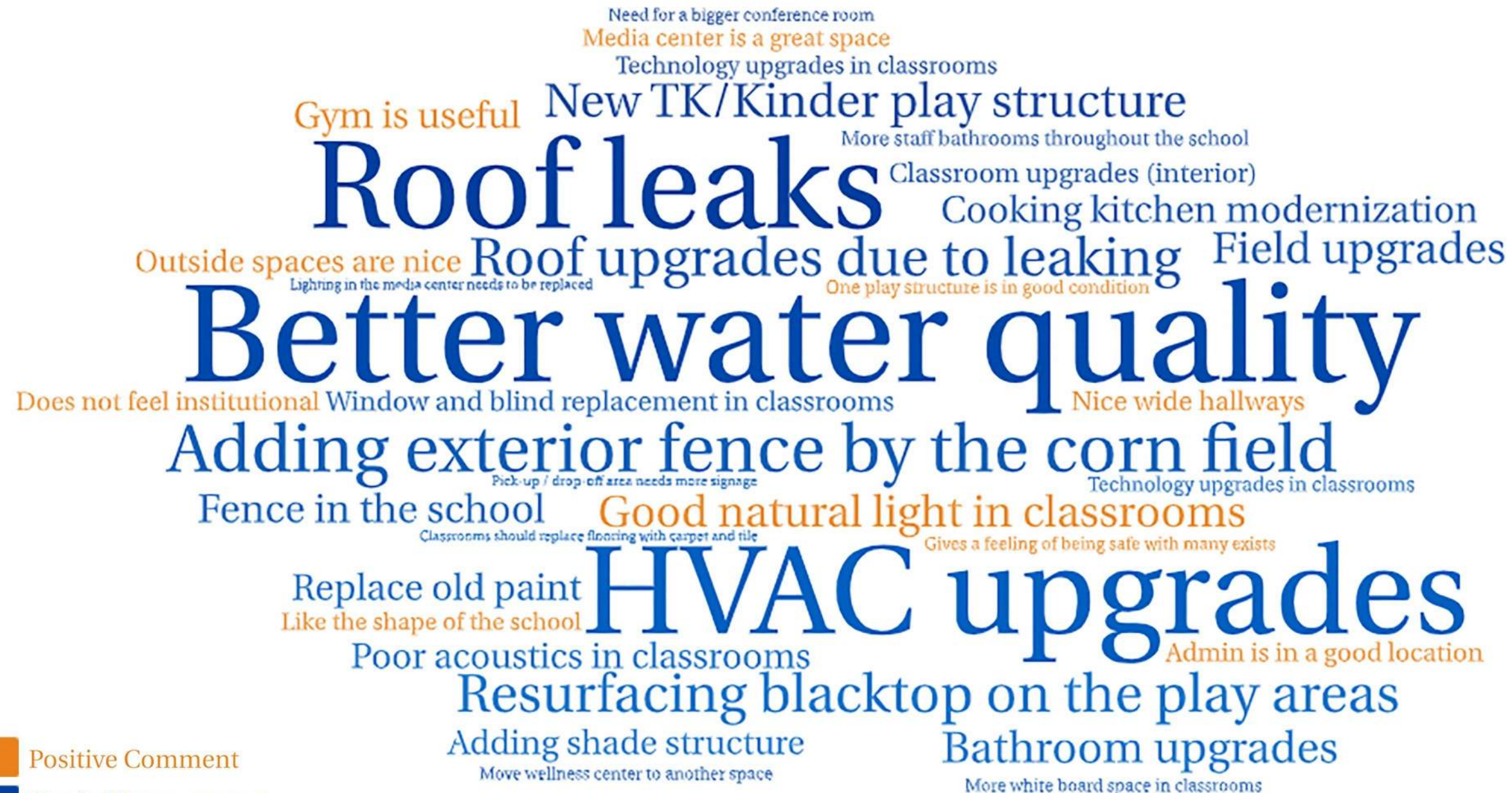
RECOMMENDATION:

That the Board approves the Master Plans for the Measure J and K Facilities Bond programs.

Time allocated: 5 minutes









BATES ELEMENTARY

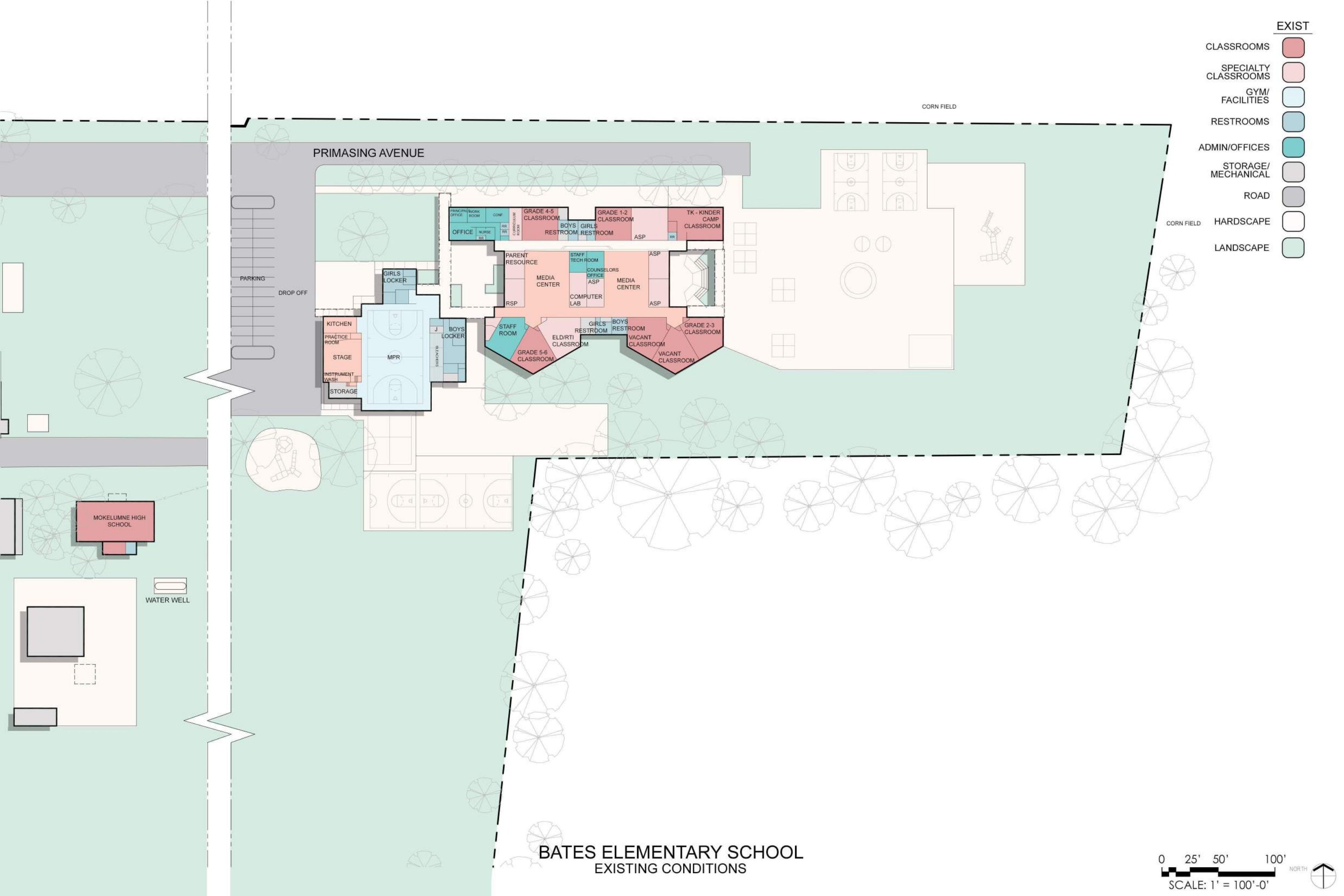
INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS



- Positive Comment
- Needed improvements

EXIST

- CLASSROOMS 
- SPECIALTY CLASSROOMS 
- GYM/FACILITIES 
- RESTROOMS 
- ADMIN/OFFICES 
- STORAGE/MECHANICAL 
- ROAD 
- HARDSCAPE 
- LANDSCAPE 



PRIMASING AVENUE

CORN FIELD

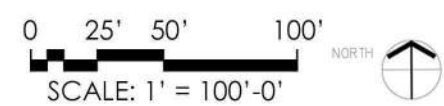
PARKING
DROP OFF

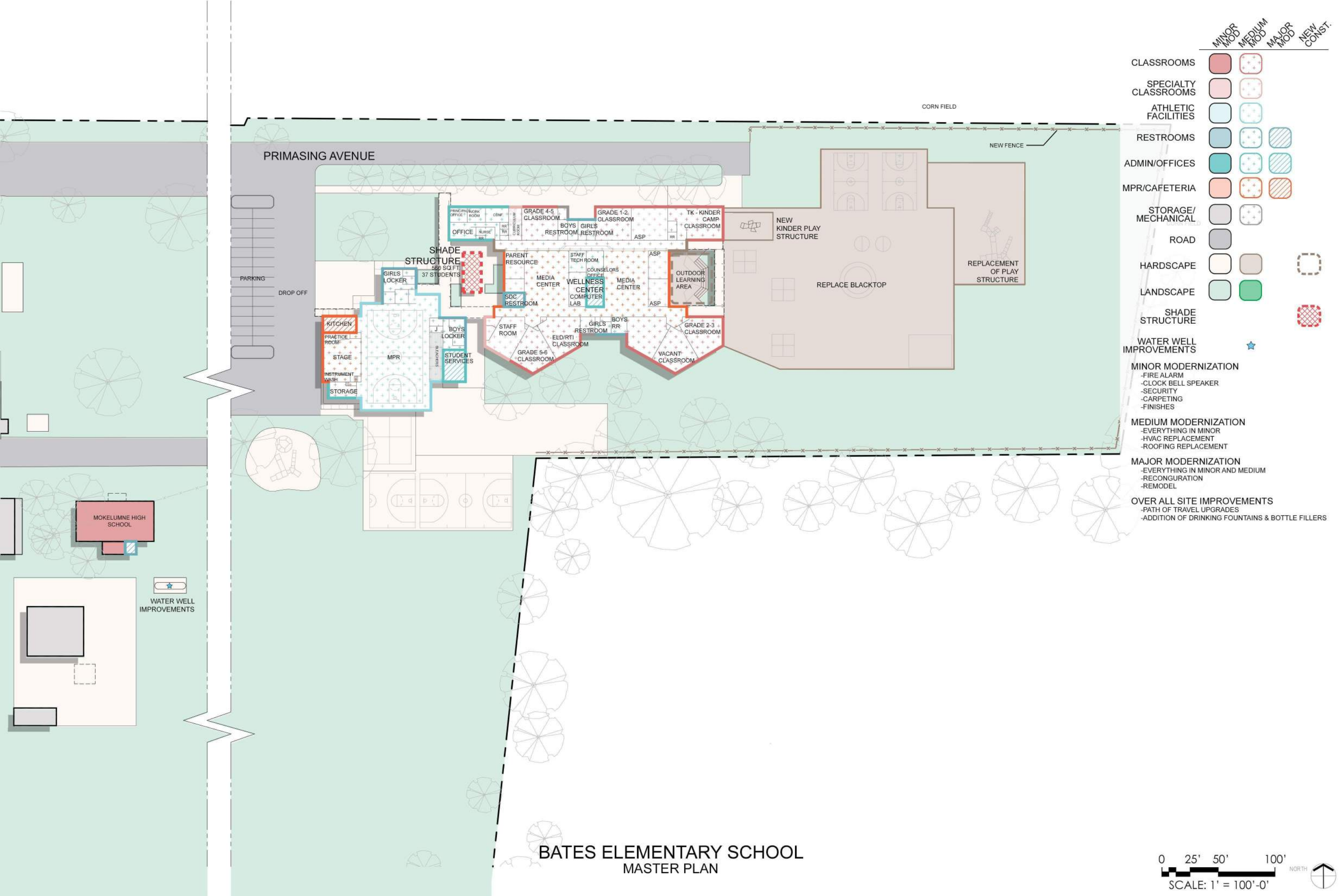
CORN FIELD

MOKELUMNE HIGH SCHOOL

WATER WELL

BATES ELEMENTARY SCHOOL EXISTING CONDITIONS





MINOR MOD MEDIUM MOD MAJOR MOD NEW CONST.

- CLASSROOMS
- SPECIALTY CLASSROOMS
- ATHLETIC FACILITIES
- RESTROOMS
- ADMIN/OFFICES
- MPR/CAFETERIA
- STORAGE/MECHANICAL
- ROAD
- HARDSCAPE
- LANDSCAPE
- SHADE STRUCTURE
- WATER WELL IMPROVEMENTS
- MINOR MODERNIZATION
 - FIRE ALARM
 - CLOCK BELL SPEAKER
 - SECURITY
 - CARPETING
 - FINISHES
- MEDIUM MODERNIZATION
 - EVERYTHING IN MINOR
 - HVAC REPLACEMENT
 - ROOFING REPLACEMENT
- MAJOR MODERNIZATION
 - EVERYTHING IN MINOR AND MEDIUM
 - RECONFIGURATION
 - REMODEL
- OVER ALL SITE IMPROVEMENTS
 - PATH OF TRAVEL UPGRADES
 - ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS

PRIMASING AVENUE

CORN FIELD

NEW FENCE

PARKING
DROP OFF

SHADE STRUCTURE
560 SQ FT
37 STUDENTS

NEW KINDER PLAY STRUCTURE

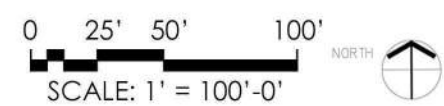
REPLACEMENT OF PLAY STRUCTURE

REPLACE BLACKTOP

MOKELUMNE HIGH SCHOOL

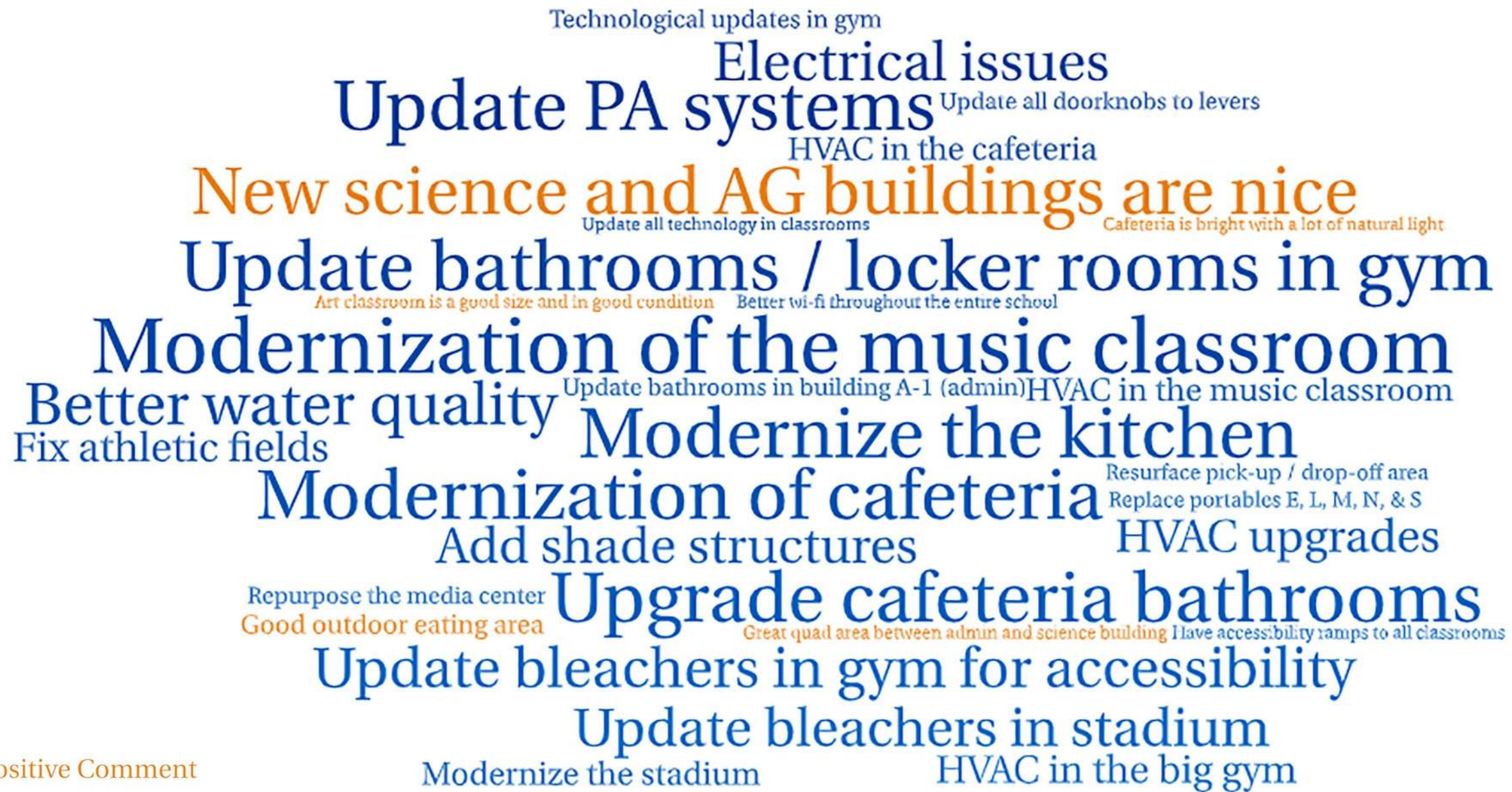
WATER WELL IMPROVEMENTS

BATES ELEMENTARY SCHOOL
MASTER PLAN



DELTA HIGH

INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS



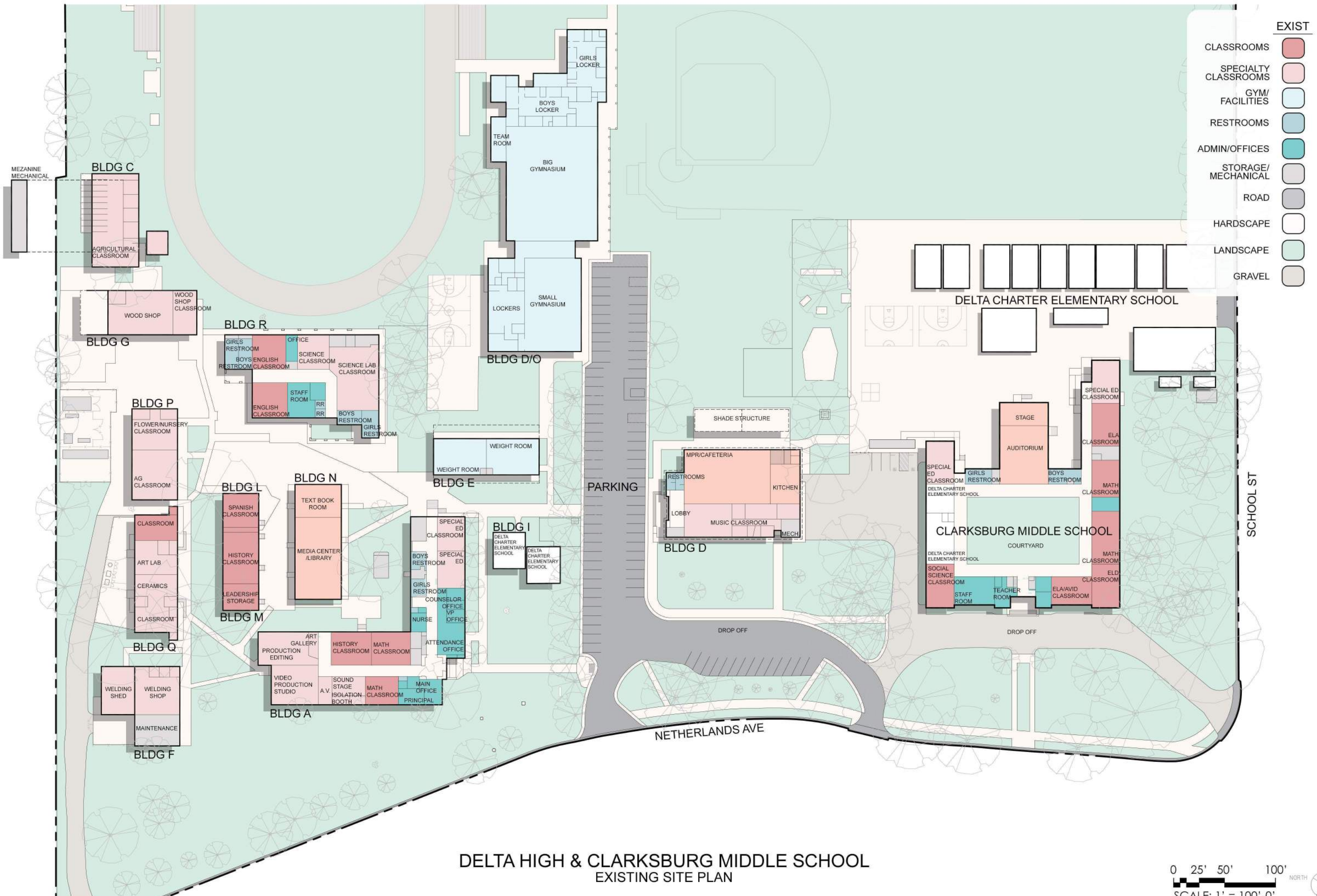
- Positive Comment
- Needed improvements

CLARKSBURG MIDDLE

INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS

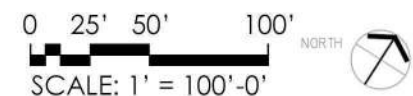
Good classrooms sized
Love the auditorium
Upgrade cafeteria bathrooms
Modernize the kitchen
Cafeteria is bright with a lot of natural light
Update all technology in classrooms
Better wi-fi throughout the entire school
Modernization of cafeteria
Modernization of the music classroom
Update PA systems
Great natural lighting
Better water quality
HVAC upgrades
Provide a lobby in the admin area
Add shade structures
"Pretty us up"
HVAC in the cafeteria
Character, design, and outdoor space
HVAC in the music classroom
Good outdoor eating area
Re-distribute the admin offices
Resurface pick-up / drop-off area
Provide a space for social workers, school psychologists, and counseling

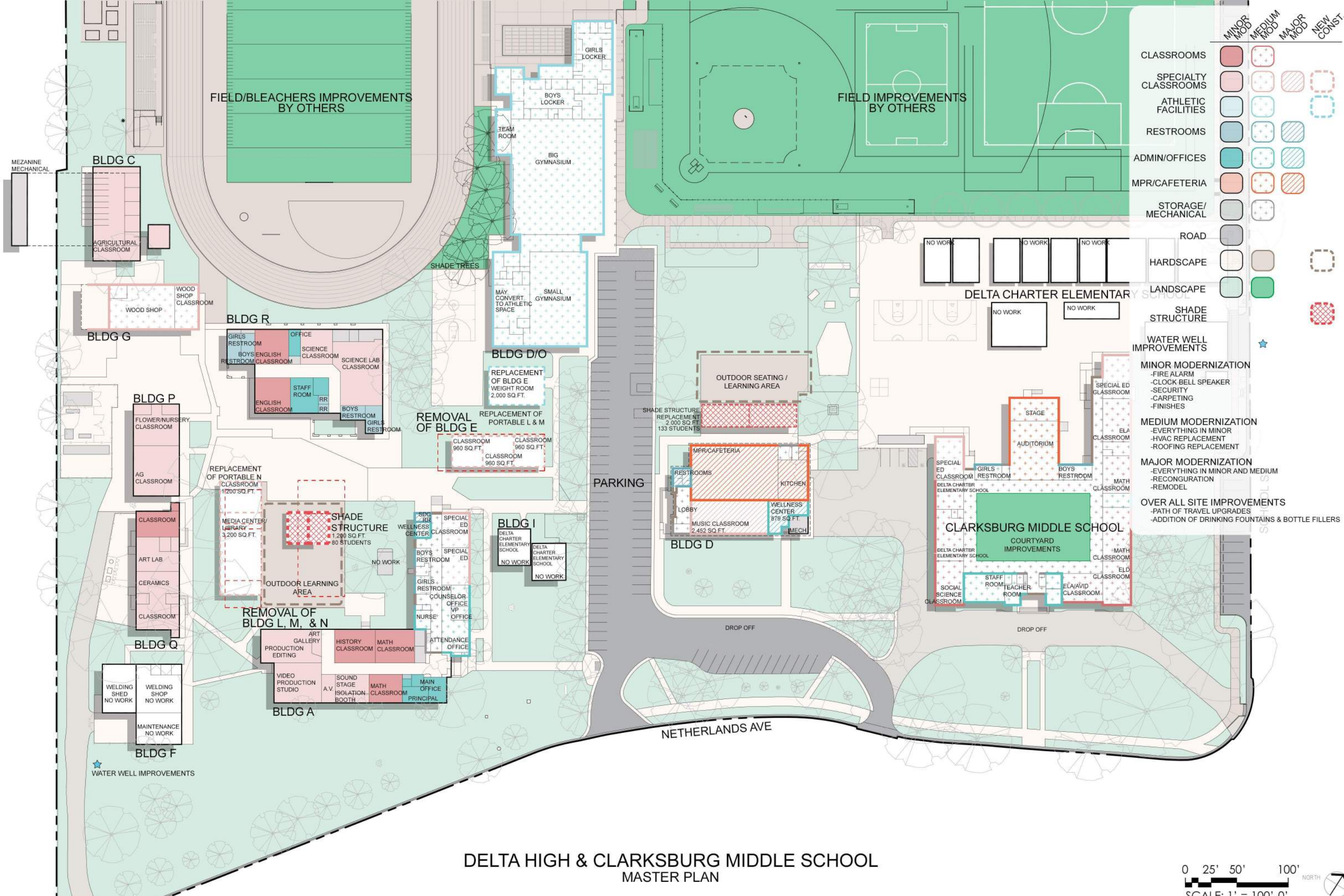
Positive Comment
Needed improvements



- EXIST**
- CLASSROOMS
 - SPECIALTY CLASSROOMS
 - GYM/FACILITIES
 - RESTROOMS
 - ADMIN/OFFICES
 - STORAGE/MECHANICAL
 - ROAD
 - HARDSCAPE
 - LANDSCAPE
 - GRAVEL

DELTA HIGH & CLARKSBURG MIDDLE SCHOOL
EXISTING SITE PLAN

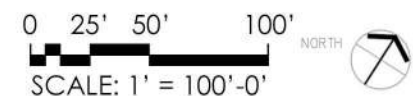




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SPECIALTY CLASSROOMS	[Light red circle]	[Light red circle with stars]	[Light red circle with stars and dots]	[Light red circle with stars and dots]
ATHLETIC FACILITIES	[Light blue circle]	[Light blue circle with stars]	[Light blue circle with stars and dots]	[Light blue circle with stars and dots]
RESTROOMS	[Blue circle]	[Blue circle with stars]	[Blue circle with stars and dots]	[Blue circle with stars and dots]
ADMIN/OFFICES	[Teal circle]	[Teal circle with stars]	[Teal circle with stars and dots]	[Teal circle with stars and dots]
MPR/CAFETERIA	[Orange circle]	[Orange circle with stars]	[Orange circle with stars and dots]	[Orange circle with stars and dots]
STORAGE/MECHANICAL	[Grey circle]	[Grey circle with stars]	[Grey circle with stars and dots]	[Grey circle with stars and dots]
ROAD	[Dark grey circle]	[Dark grey circle with stars]	[Dark grey circle with stars and dots]	[Dark grey circle with stars and dots]
HARDSCAPE	[Light tan circle]	[Light tan circle with stars]	[Light tan circle with stars and dots]	[Light tan circle with stars and dots]
LANDSCAPE	[Light green circle]	[Light green circle with stars]	[Light green circle with stars and dots]	[Light green circle with stars and dots]
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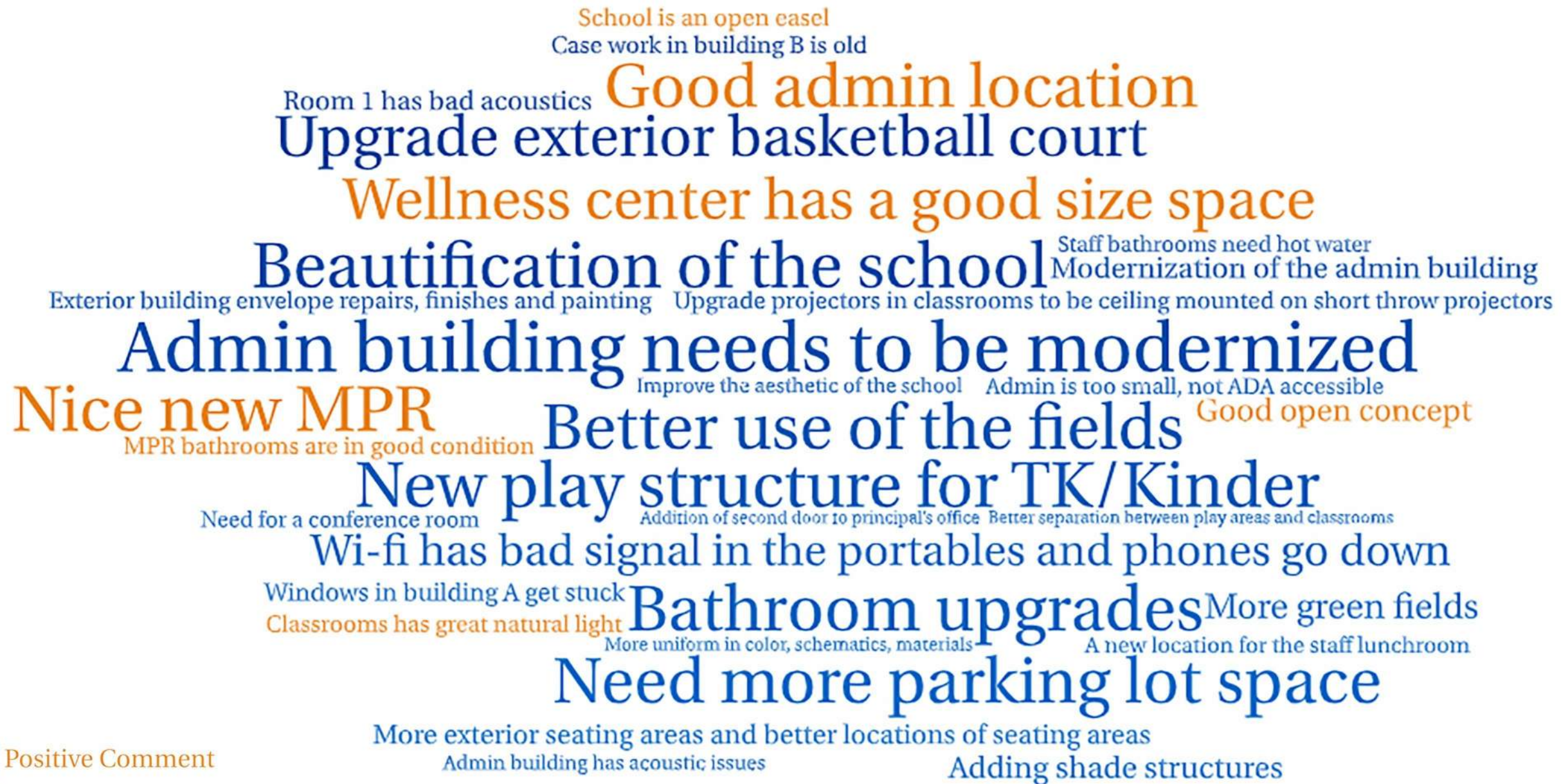
- WATER WELL IMPROVEMENTS
- MINOR MODERNIZATION
 - FIRE ALARM
 - CLOCK BELL SPEAKER
 - SECURITY
 - CARPETING
 - FINISHES
- MEDIUM MODERNIZATION
 - EVERYTHING IN MINOR
 - HVAC REPLACEMENT
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 - REMODEL
- OVER ALL SITE IMPROVEMENTS
 - PATH OF TRAVEL UPGRADES
 - ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS

DELTA HIGH & CLARKSBURG MIDDLE SCHOOL
MASTER PLAN



D.H. WHITE ELEMENTARY

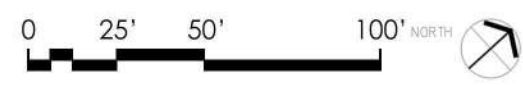
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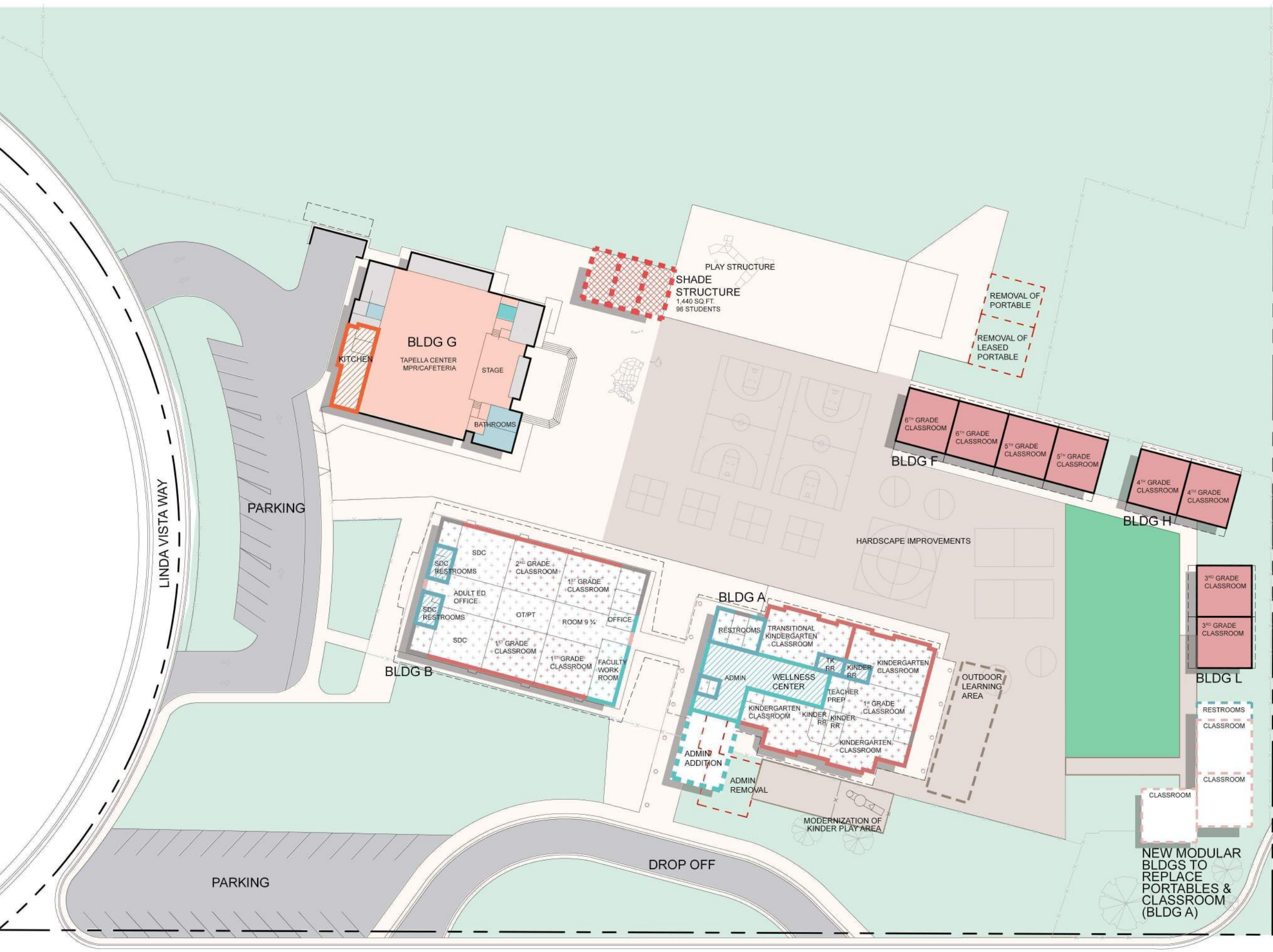


 Positive Comment
 Needed improvements



D.H. WHITE ELEMENTARY SCHOOL
EXISTING CONDITIONS

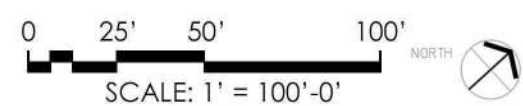


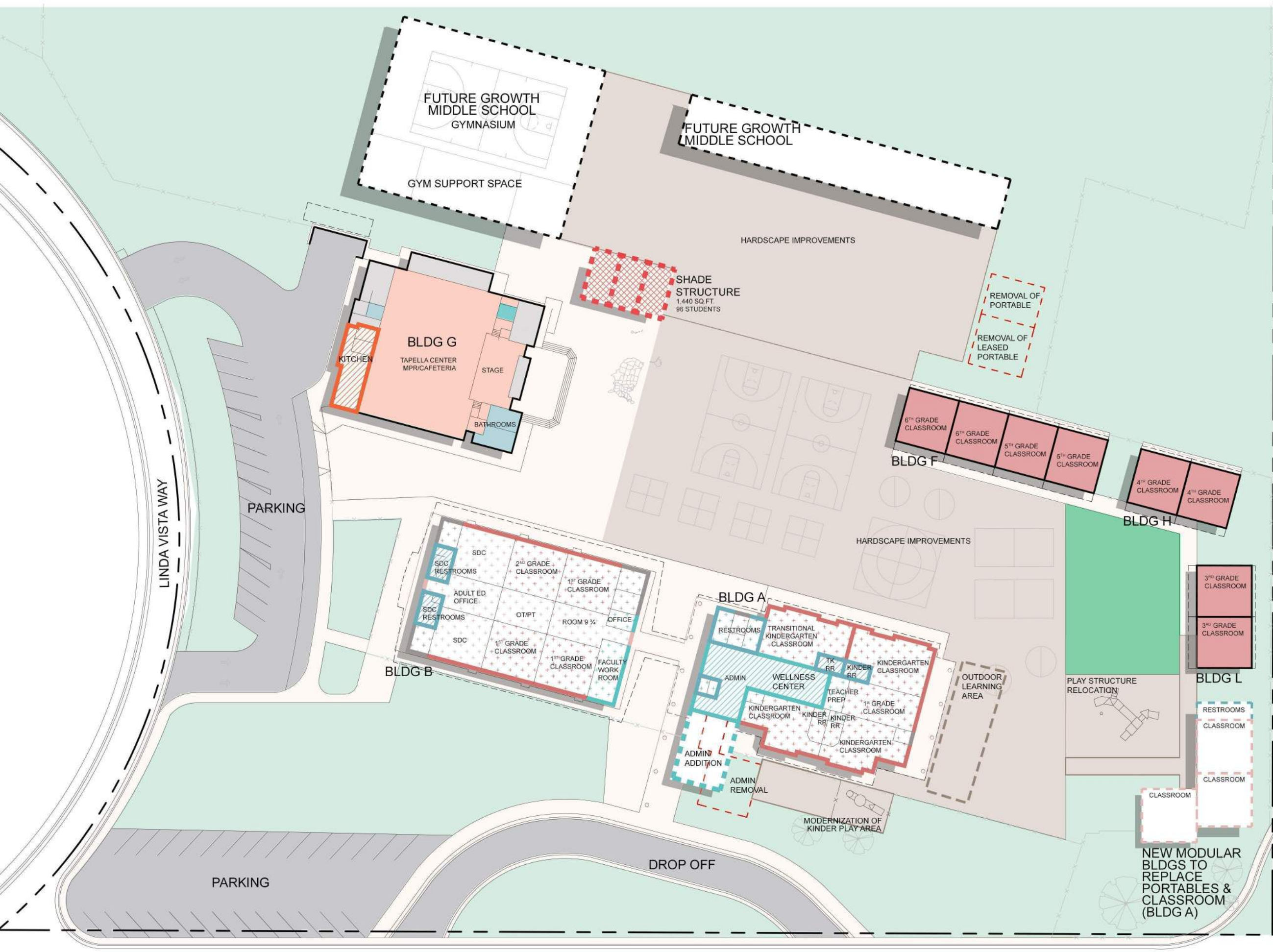


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ATHLETIC FACILITIES	[Light blue solid]			
RESTROOMS	[Blue solid]	[Blue with stars]	[Blue with diagonal lines]	
ADMIN/OFFICES	[Teal solid]	[Teal with stars]	[Teal with diagonal lines]	[Teal dashed]
MPR/CAFETERIA	[Orange solid]		[Orange with diagonal lines]	
STORAGE/MECHANICAL	[Grey solid]	[Grey with stars]		
ROAD	[Dark grey solid]			
HARDSCAPE	[Light tan solid]			[Tan dashed]
LANDSCAPE	[Light green solid]	[Dark green solid]		
SHADE STRUCTURE				[Red cross-hatch]

- MINOR MODERNIZATION**
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D.H. WHITE ELEMENTARY SCHOOL
MASTER PLAN

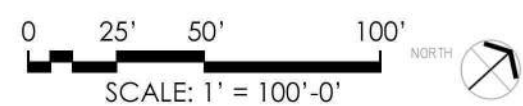




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SPECIALTY CLASSROOMS	[Light red circle]	[Light red circle with stars]	[Light red circle with diagonal lines]	[Light red dashed circle]
ATHLETIC FACILITIES	[Light blue circle]	[Light blue circle with stars]	[Light blue circle with diagonal lines]	[Light blue dashed circle]
RESTROOMS	[Blue circle]	[Blue circle with stars]	[Blue circle with diagonal lines]	[Blue dashed circle]
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STORAGE/MECHANICAL	[Grey circle]	[Grey circle with stars]	[Grey circle with diagonal lines]	[Grey dashed circle]
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SHADE STRUCTURE	[Red cross-hatch pattern]	[Red cross-hatch pattern with stars]	[Red cross-hatch pattern with diagonal lines]	[Red dashed cross-hatch pattern]
FUTURE GROWTH	[Red dashed outline]	[Red dashed outline with stars]	[Red dashed outline with diagonal lines]	[Red dashed outline]

- MINOR MODERNIZATION**
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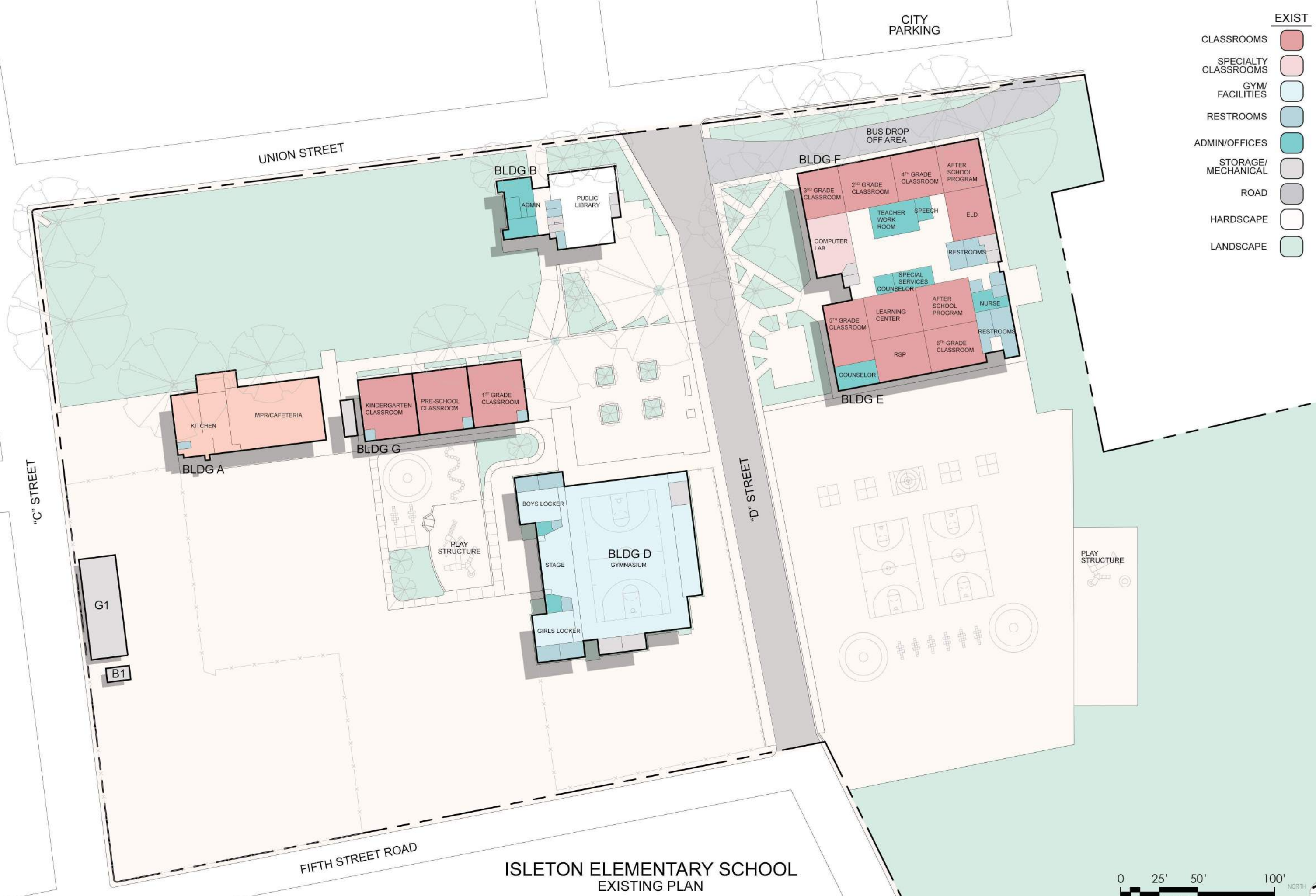
D.H. WHITE ELEMENTARY SCHOOL
FUTURE GROWTH



ISLETON ELEMENTARY

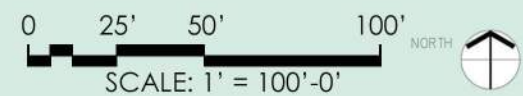
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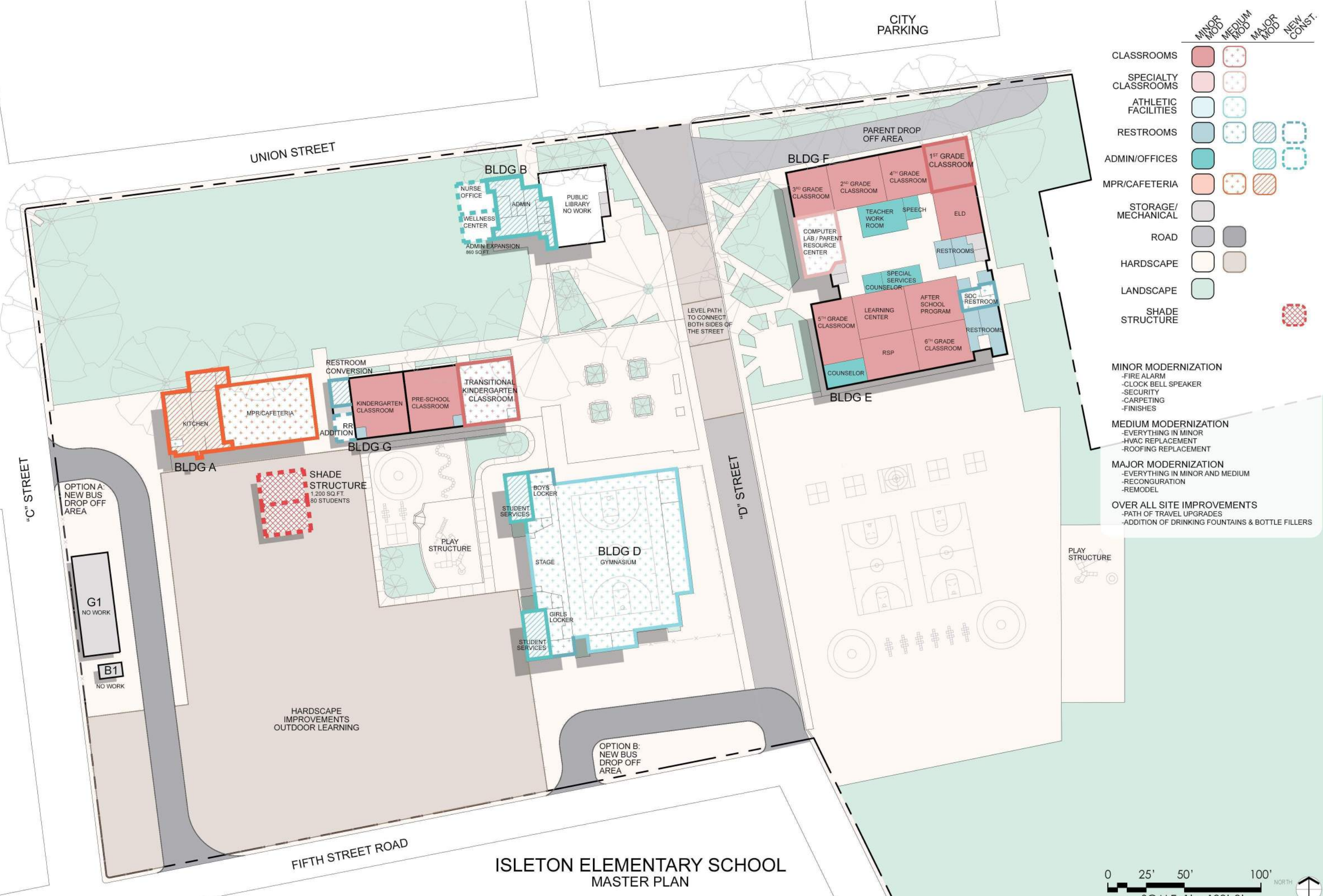




- EXIST**
- CLASSROOMS ■
 - SPECIALTY CLASSROOMS ■
 - GYM/FACILITIES ■
 - RESTROOMS ■
 - ADMIN/OFFICES ■
 - STORAGE/MECHANICAL ■
 - ROAD ■
 - HARDSCAPE ■
 - LANDSCAPE ■

ISLETON ELEMENTARY SCHOOL
EXISTING PLAN

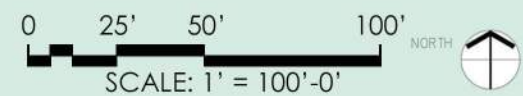


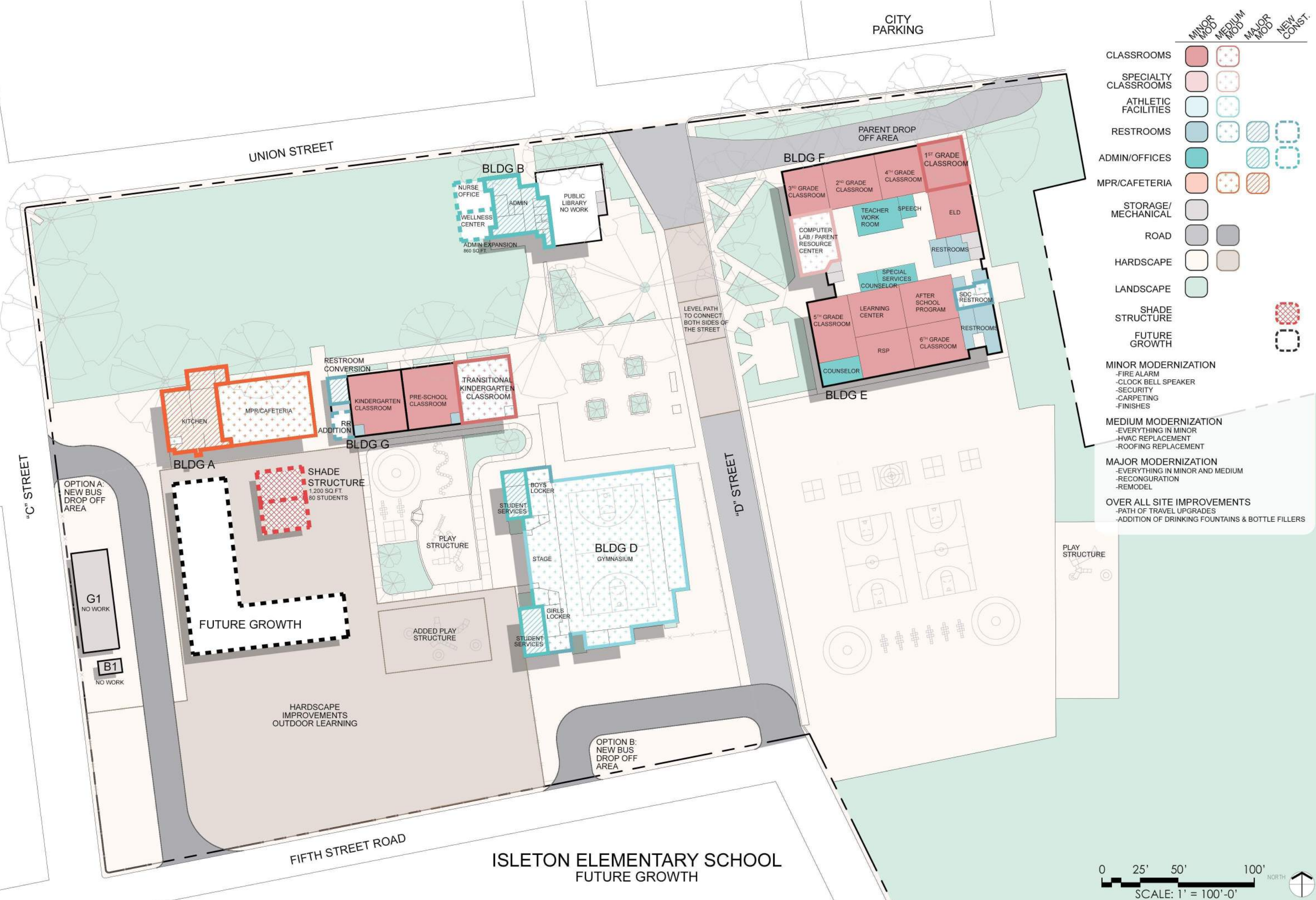


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SPECIALTY CLASSROOMS	[Light red square]	[Light red square with stars]	[Light red square with stars]	[Light red square with stars]
ATHLETIC FACILITIES	[Light blue square]	[Light blue square with stars]	[Light blue square with stars]	[Light blue square with stars]
RESTROOMS	[Blue square]	[Blue square with stars]	[Blue square with stars]	[Blue square with stars]
ADMIN/OFFICES	[Teal square]	[Teal square with stars]	[Teal square with stars]	[Teal square with stars]
MPR/CAFETERIA	[Orange square]	[Orange square with stars]	[Orange square with stars]	[Orange square with stars]
STORAGE/MECHANICAL	[Grey square]	[Grey square]	[Grey square]	[Grey square]
ROAD	[Dark grey square]	[Dark grey square]	[Dark grey square]	[Dark grey square]
HARDSCAPE	[Light tan square]	[Light tan square]	[Light tan square]	[Light tan square]
LANDSCAPE	[Light green square]	[Light green square]	[Light green square]	[Light green square]
SHADE STRUCTURE	[Red and white grid square]	[Red and white grid square]	[Red and white grid square]	[Red and white grid square]

- MINOR MODERNIZATION**
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- PATH OF TRAVEL UPGRADES
 - ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS

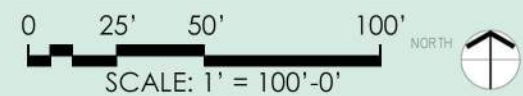
ISLETON ELEMENTARY SCHOOL
MASTER PLAN





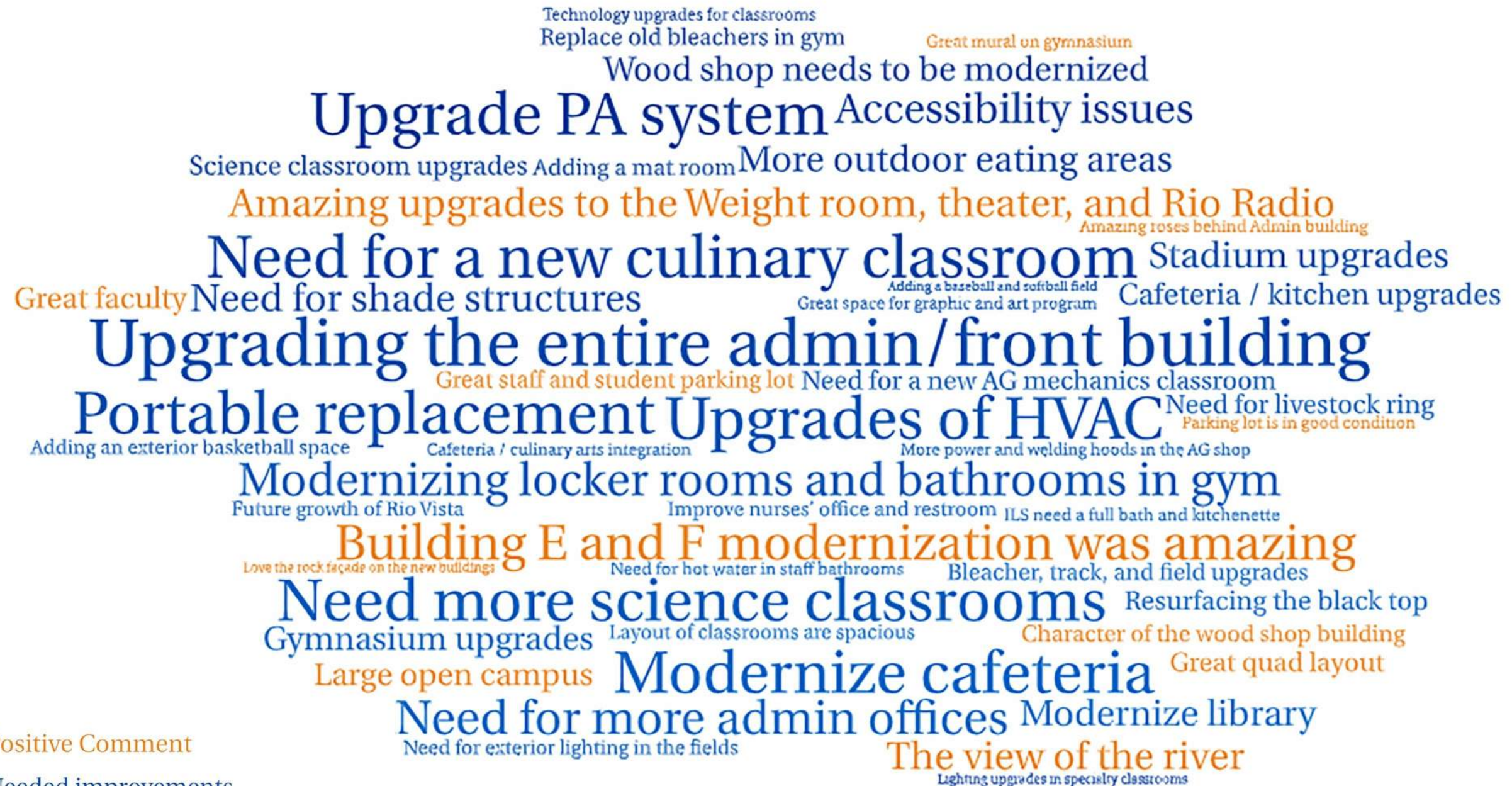
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CLASSROOMS	[Red box with stars]	[Red box with stars]	[Red box with stars]	[Red box with stars]
SPECIALTY CLASSROOMS	[Light red box with stars]	[Light red box with stars]	[Light red box with stars]	[Light red box with stars]
ATHLETIC FACILITIES	[Light blue box with stars]	[Light blue box with stars]	[Light blue box with stars]	[Light blue box with stars]
RESTROOMS	[Blue box with stars]	[Blue box with stars]	[Blue box with stars]	[Blue box with stars]
ADMIN/OFFICES	[Teal box with stars]	[Teal box with stars]	[Teal box with stars]	[Teal box with stars]
MPR/CAFETERIA	[Orange box with stars]	[Orange box with stars]	[Orange box with stars]	[Orange box with stars]
STORAGE/MECHANICAL	[Grey box]	[Grey box]	[Grey box]	[Grey box]
ROAD	[Dark grey box]	[Dark grey box]	[Dark grey box]	[Dark grey box]
HARDSCAPE	[Light tan box]	[Light tan box]	[Light tan box]	[Light tan box]
LANDSCAPE	[Light green box]	[Light green box]	[Light green box]	[Light green box]
SHADE STRUCTURE	[Red grid pattern]	[Red grid pattern]	[Red grid pattern]	[Red grid pattern]
FUTURE GROWTH	[Dashed black outline]	[Dashed black outline]	[Dashed black outline]	[Dashed black outline]
MINOR MODERNIZATION				
-FIRE ALARM				
-CLOCK BELL SPEAKER				
-SECURITY				
-CARPETING				
-FINISHES				
MEDIUM MODERNIZATION				
-EVERYTHING IN MINOR				
-HVAC REPLACEMENT				
-ROOFING REPLACEMENT				
MAJOR MODERNIZATION				
-EVERYTHING IN MINOR AND MEDIUM				
-RECONFIGURATION				
-REMODEL				
OVER ALL SITE IMPROVEMENTS				
-PATH OF TRAVEL UPGRADES				
-ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS				

**ISLETON ELEMENTARY SCHOOL
FUTURE GROWTH**

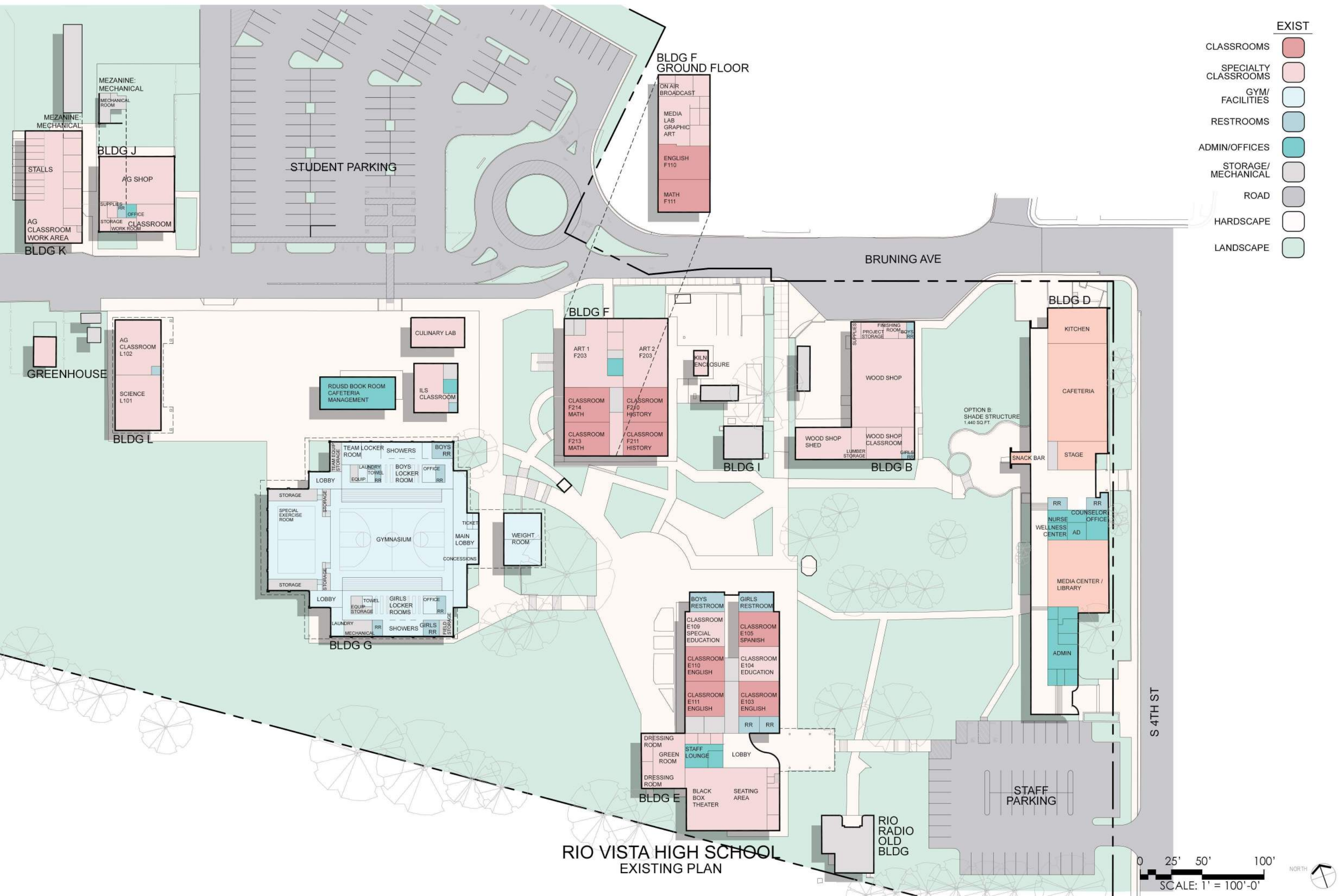


RIO VISTA HIGH

INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS



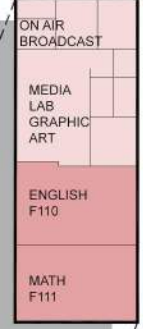
- Positive Comment
- Needed improvements



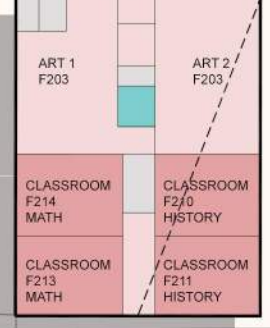
EXIST

- CLASSROOMS
- SPECIALTY CLASSROOMS
- GYM/FACILITIES
- RESTROOMS
- ADMIN/OFFICES
- STORAGE/MECHANICAL
- ROAD
- HARDSCAPE
- LANDSCAPE

BLDG F GROUND FLOOR



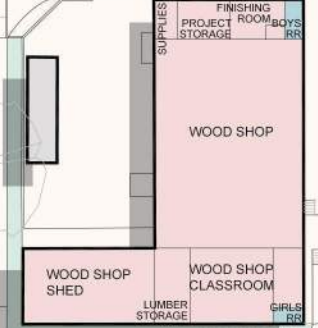
BLDG F



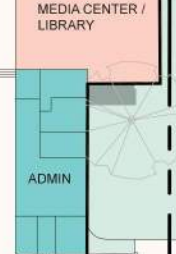
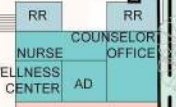
BLDG I



BLDG B



BLDG D



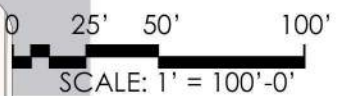
STUDENT PARKING

BRUNING AVE

S 4TH ST

STAFF PARKING

RIO VISTA HIGH SCHOOL
EXISTING PLAN





BLDG F GROUND FLOOR

MINOR MOD
MEDIUM MOD
MAJOR MOD
NEW CONST.

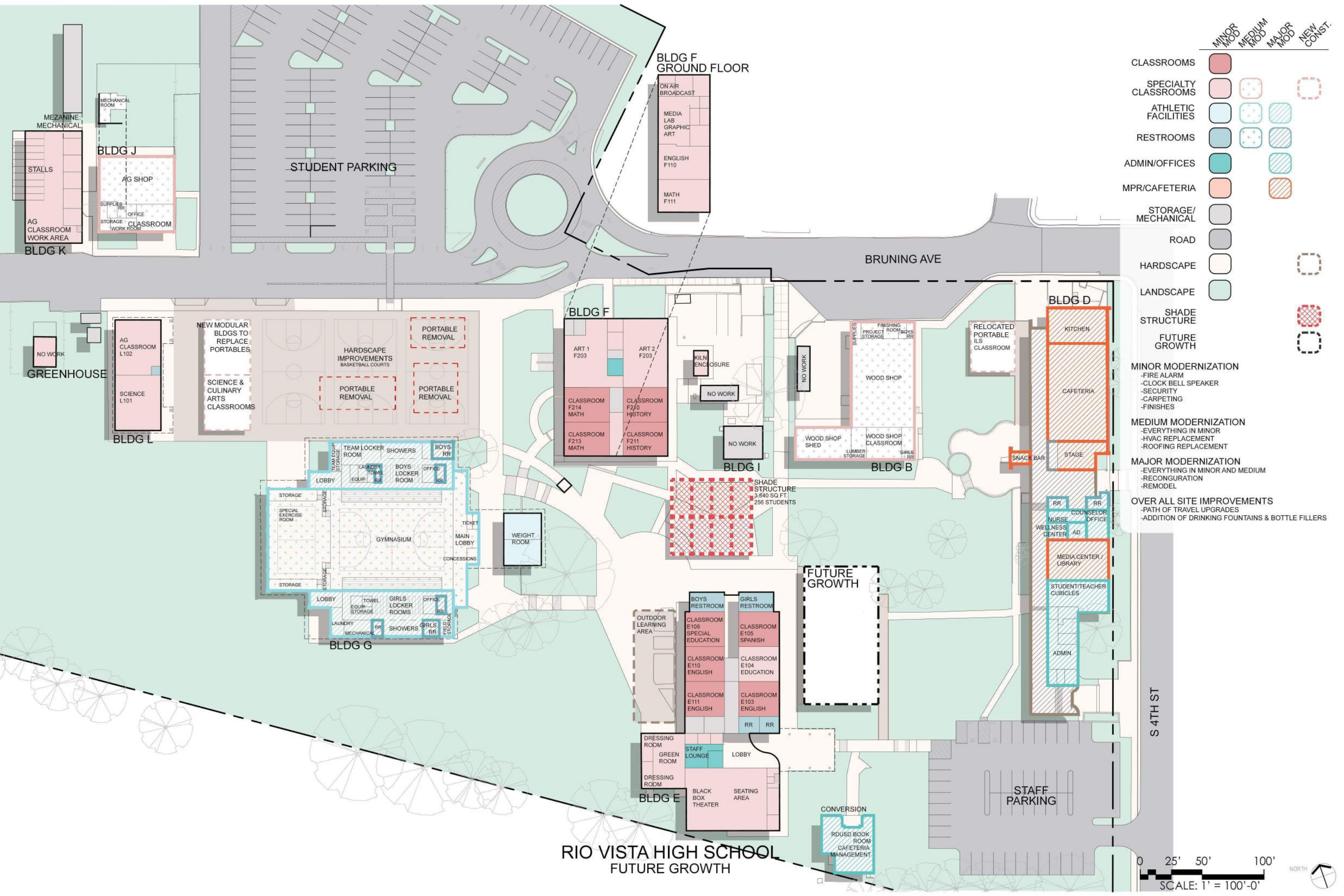
- CLASSROOMS
- SPECIALTY CLASSROOMS
- ATHLETIC FACILITIES
- RESTROOMS
- ADMIN/OFFICES
- MPR/CAFETERIA
- STORAGE/MECHANICAL
- ROAD
- HARDSCAPE
- LANDSCAPE
- SHADE STRUCTURE

- MINOR MODERNIZATION**
 - FIRE ALARM
 - CLOCK BELL SPEAKER
 - SECURITY
 - CARPETING
 - FINISHES
- MEDIUM MODERNIZATION**
 - EVERYTHING IN MINOR
 - HVAC REPLACEMENT
 - ROOFING REPLACEMENT
- MAJOR MODERNIZATION**
 - EVERYTHING IN MINOR AND MEDIUM
 - RECONFIGURATION
 - REMDEL
- OVER ALL SITE IMPROVEMENTS**
 - PATH OF TRAVEL UPGRADES
 - ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS

S 4TH ST

RIO VISTA HIGH SCHOOL
MASTER PLAN

0 25' 50' 100'
SCALE: 1" = 100'-0"

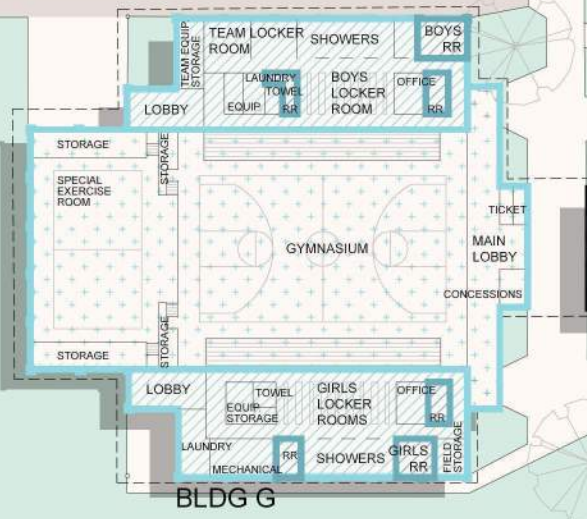
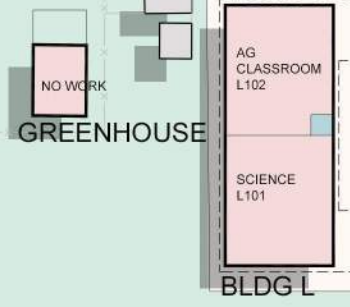
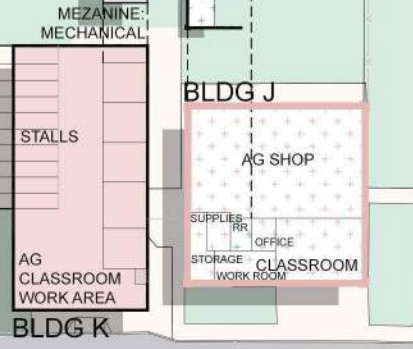
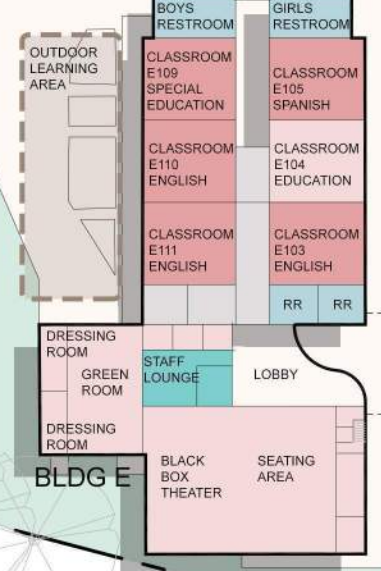
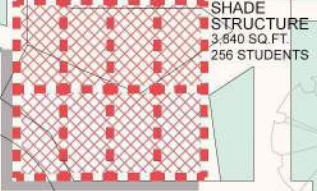
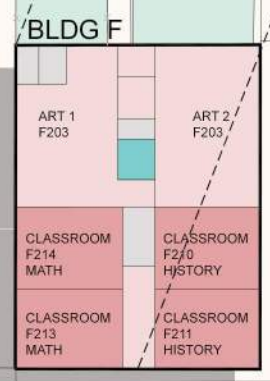
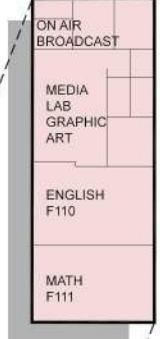


MINOR MOD
MEDIUM MOD
MAJOR MOD
NEW CONST.

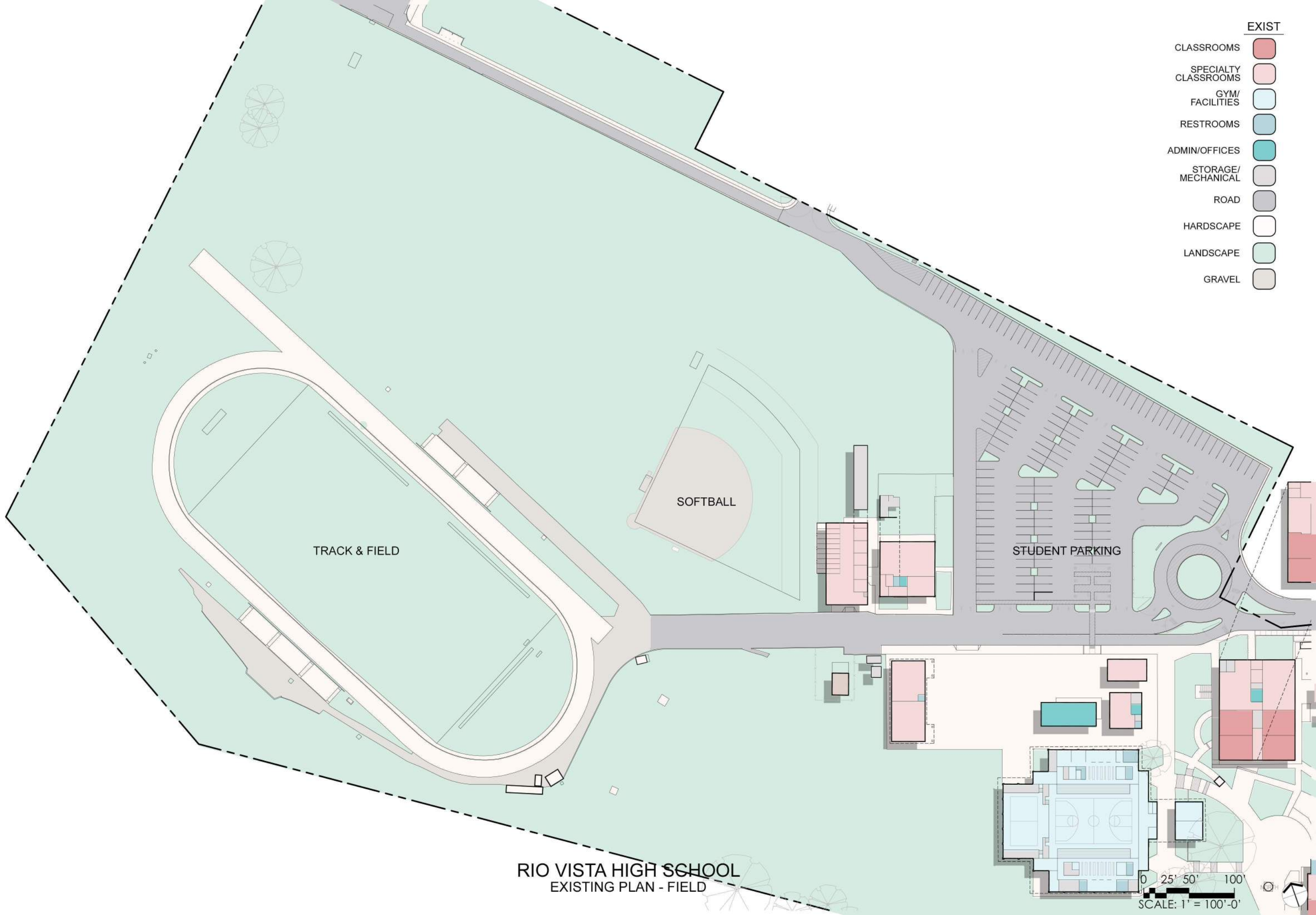
- CLASSROOMS
- SPECIALTY CLASSROOMS
- ATHLETIC FACILITIES
- RESTROOMS
- ADMIN/OFFICES
- MPR/CAFETERIA
- STORAGE/MECHANICAL
- ROAD
- HARDSCAPE
- LANDSCAPE
- SHADE STRUCTURE
- FUTURE GROWTH

- MINOR MODERNIZATION
 - FIRE ALARM
 - CLOCK BELL SPEAKER
 - SECURITY
 - CARPETING
 - FINISHES
- MEDIUM MODERNIZATION
 - EVERYTHING IN MINOR
 - HVAC REPLACEMENT
 - ROOFING REPLACEMENT
- MAJOR MODERNIZATION
 - EVERYTHING IN MINOR AND MEDIUM
 - RECONFIGURATION
 - REMODEL
- OVER ALL SITE IMPROVEMENTS
 - PATH OF TRAVEL UPGRADES
 - ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS

BLDG F GROUND FLOOR



0 25' 50' 100'
SCALE: 1" = 100'-0"
NORTH



EXIST

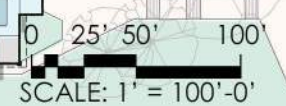
- CLASSROOMS
- SPECIALTY CLASSROOMS
- GYM/FACILITIES
- RESTROOMS
- ADMIN/OFFICES
- STORAGE/MECHANICAL
- ROAD
- HARDSCAPE
- LANDSCAPE
- GRAVEL

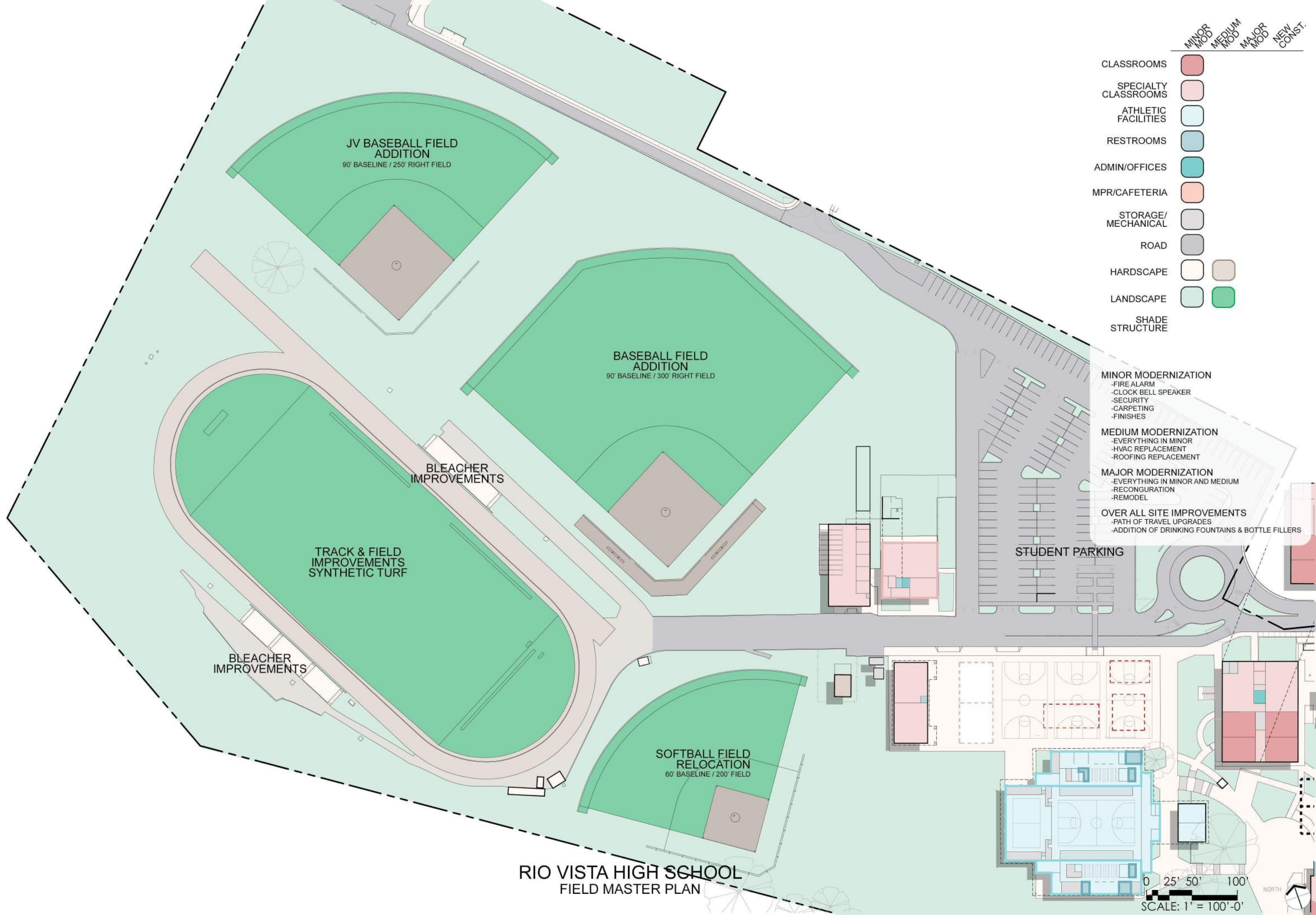
TRACK & FIELD

SOFTBALL

STUDENT PARKING

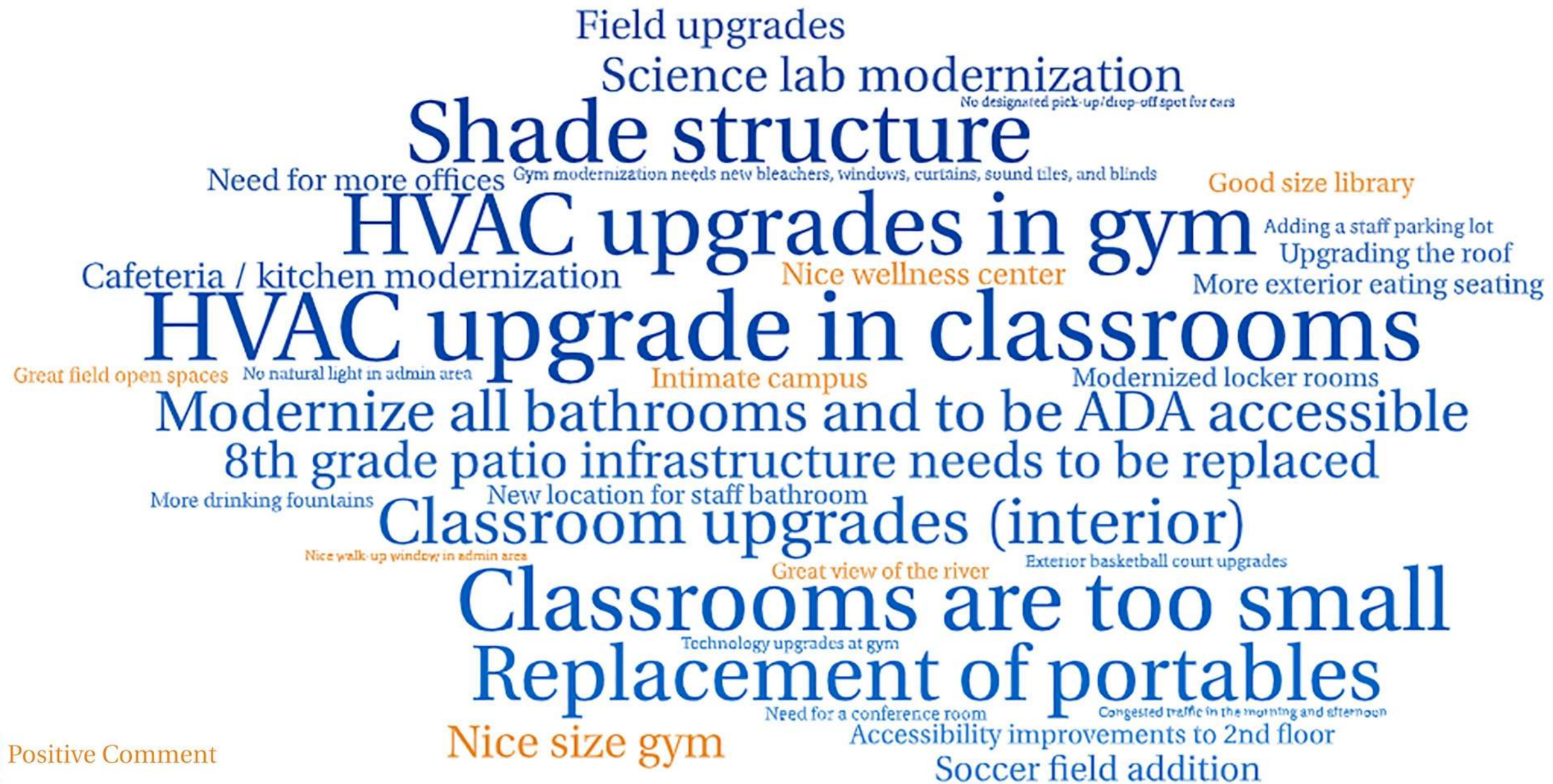
RIO VISTA HIGH SCHOOL
EXISTING PLAN - FIELD



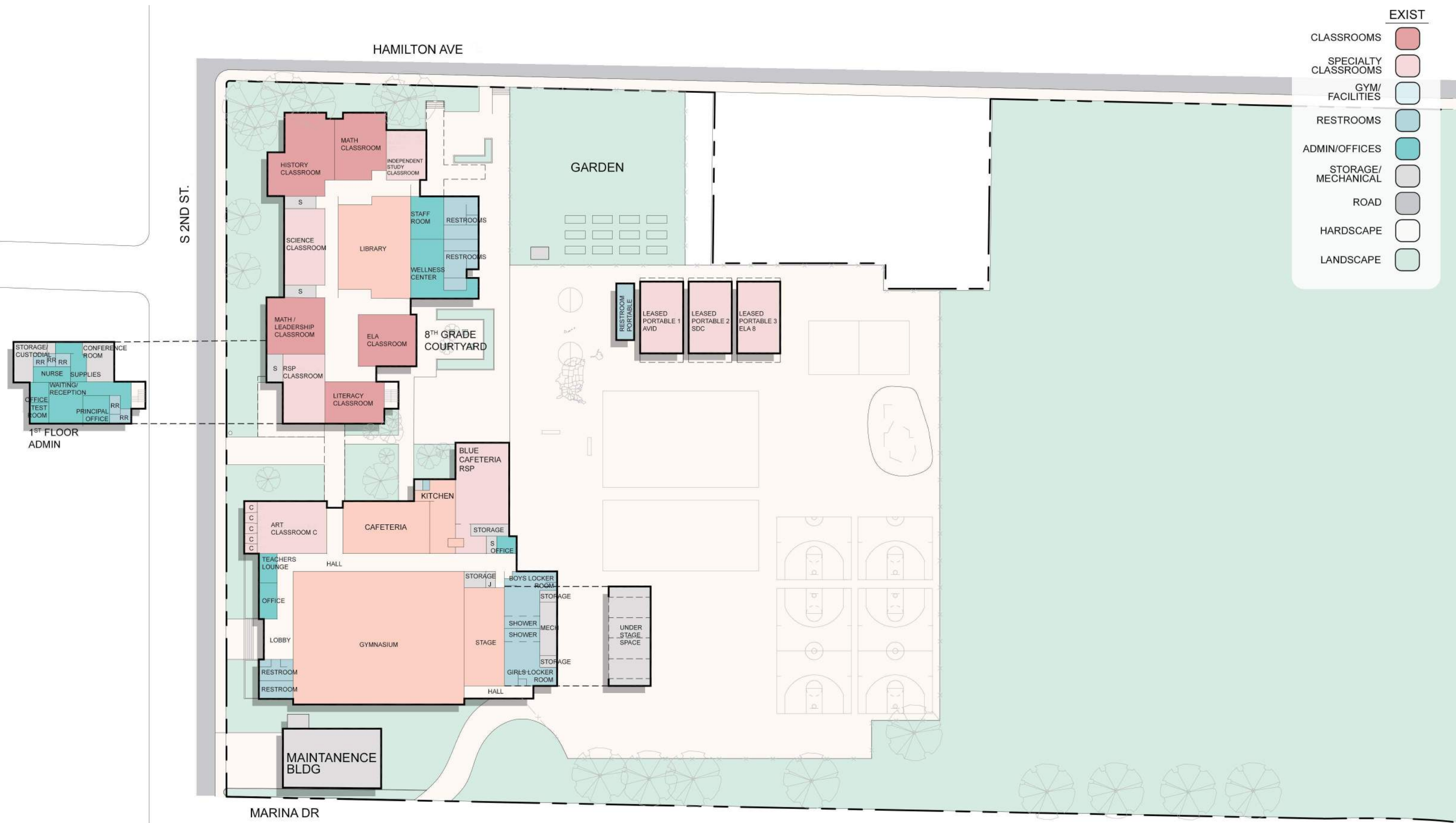


RIVERVIEW MIDDLE

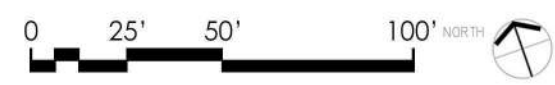
INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS



- Positive Comment
- Needed improvements



**RIVERVIEW MIDDLE SCHOOL
EXISTING CONDITIONS**





	MINOR MOD	MEDIUM MOD	MAJOR MOD	NEW CONST.
CLASSROOMS	[Red box with dots]	[Red box with stars]	[Red box with diagonal lines]	[Red dashed box]
SPECIALTY CLASSROOMS	[Light red box with dots]	[Light red box with stars]	[Light red box with diagonal lines]	[Light red dashed box]
ATHLETIC FACILITIES	[Light blue box with dots]	[Light blue box with stars]	[Light blue box with diagonal lines]	[Light blue dashed box]
RESTROOMS	[Light blue box with dots]	[Light blue box with stars]	[Light blue box with diagonal lines]	[Light blue dashed box]
ADMIN/OFFICES	[Teal box with dots]	[Teal box with stars]	[Teal box with diagonal lines]	[Teal dashed box]
MPR/CAFETERIA	[Orange box with dots]	[Orange box with stars]	[Orange box with diagonal lines]	[Orange dashed box]
STORAGE/MECHANICAL	[Grey box with dots]	[Grey box with stars]	[Grey box with diagonal lines]	[Grey dashed box]
ROAD	[Light grey box]	[Dark grey box]		
HARDSCAPE	[Light tan box]	[Dark tan box]		[Dashed tan box]
LANDSCAPE	[Light green box]	[Dark green box]		
SHADE STRUCTURE				[Red cross-hatch box]

MINOR MODERNIZATION

- FIRE ALARM
- CLOCK BELL SPEAKER
- SECURITY
- CARPETING
- FINISHES

MEDIUM MODERNIZATION

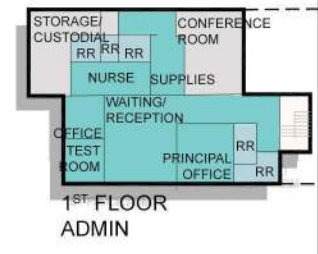
- EVERYTHING IN MINOR
- HVAC REPLACEMENT
- ROOFING REPLACEMENT

MAJOR MODERNIZATION

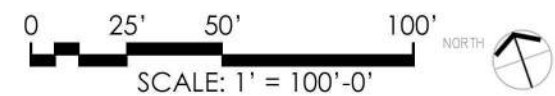
- EVERYTHING IN MINOR AND MEDIUM
- RECONFIGURATION
- REMODEL

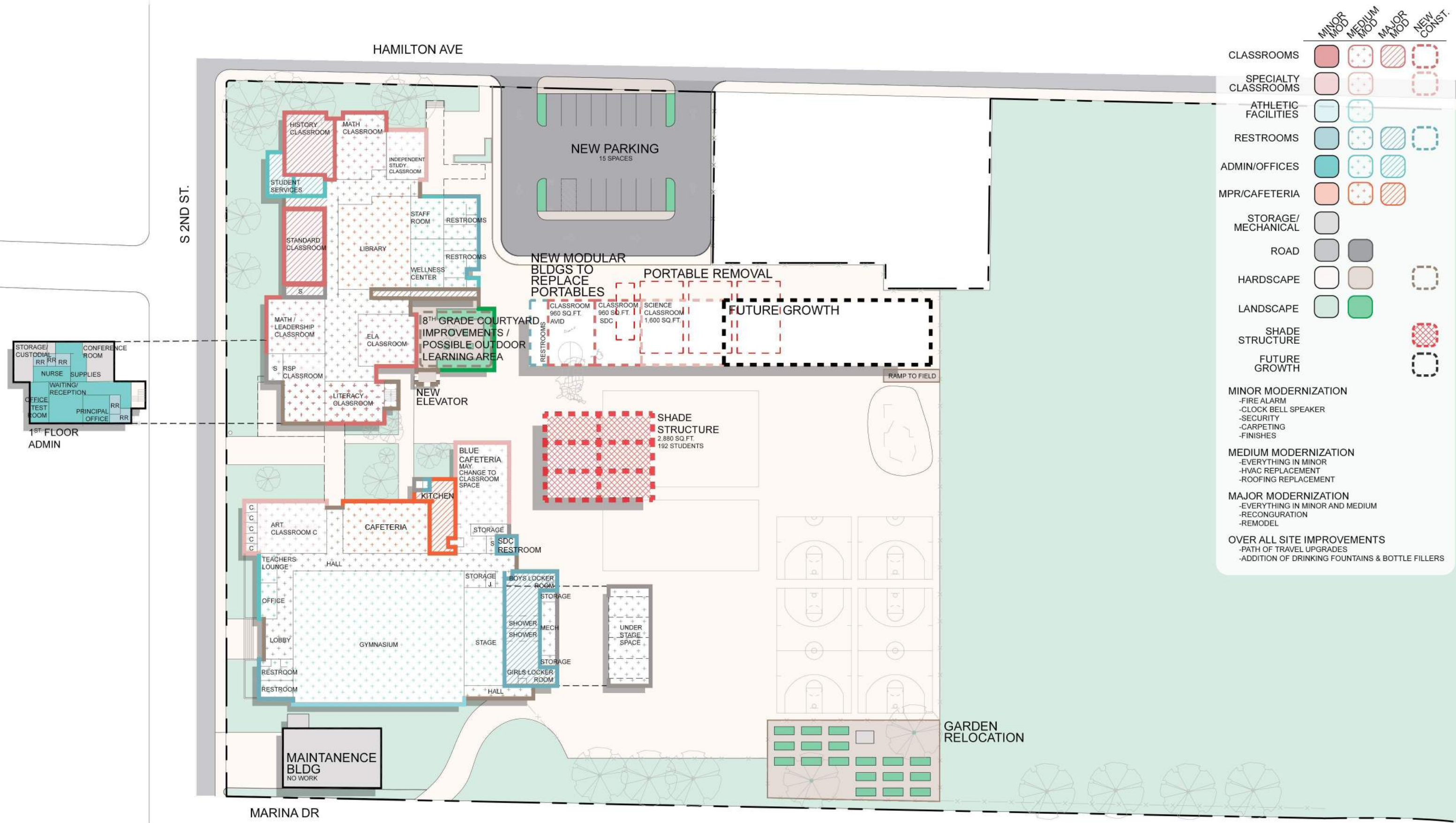
OVER ALL SITE IMPROVEMENTS

- PATH OF TRAVEL UPGRADES
- ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS



RIVERVIEW MIDDLE SCHOOL
MASTER PLAN

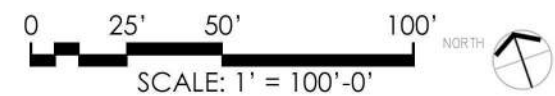




	MINOR MOD	MEDIUM MOD	MAJOR MOD	NEW CONST.
CLASSROOMS	[Red solid]	[Red with stars]	[Red with diagonal lines]	[Red dashed]
SPECIALTY CLASSROOMS	[Light red solid]	[Light red with stars]	[Light red with diagonal lines]	[Light red dashed]
ATHLETIC FACILITIES	[Light blue solid]	[Light blue with stars]	[Light blue with diagonal lines]	[Light blue dashed]
RESTROOMS	[Blue solid]	[Blue with stars]	[Blue with diagonal lines]	[Blue dashed]
ADMIN/OFFICES	[Teal solid]	[Teal with stars]	[Teal with diagonal lines]	[Teal dashed]
MPR/CAFETERIA	[Orange solid]	[Orange with stars]	[Orange with diagonal lines]	[Orange dashed]
STORAGE/MECHANICAL	[Grey solid]	[Grey with stars]	[Grey with diagonal lines]	[Grey dashed]
ROAD	[Dark grey solid]	[Dark grey with stars]	[Dark grey with diagonal lines]	[Dark grey dashed]
HARDSCAPE	[Light tan solid]	[Light tan with stars]	[Light tan with diagonal lines]	[Light tan dashed]
LANDSCAPE	[Light green solid]	[Light green with stars]	[Light green with diagonal lines]	[Light green dashed]
SHADE STRUCTURE	[Red cross-hatch]	[Red cross-hatch with stars]	[Red cross-hatch with diagonal lines]	[Red cross-hatch dashed]
FUTURE GROWTH	[Black dashed]	[Black dashed with stars]	[Black dashed with diagonal lines]	[Black dashed]

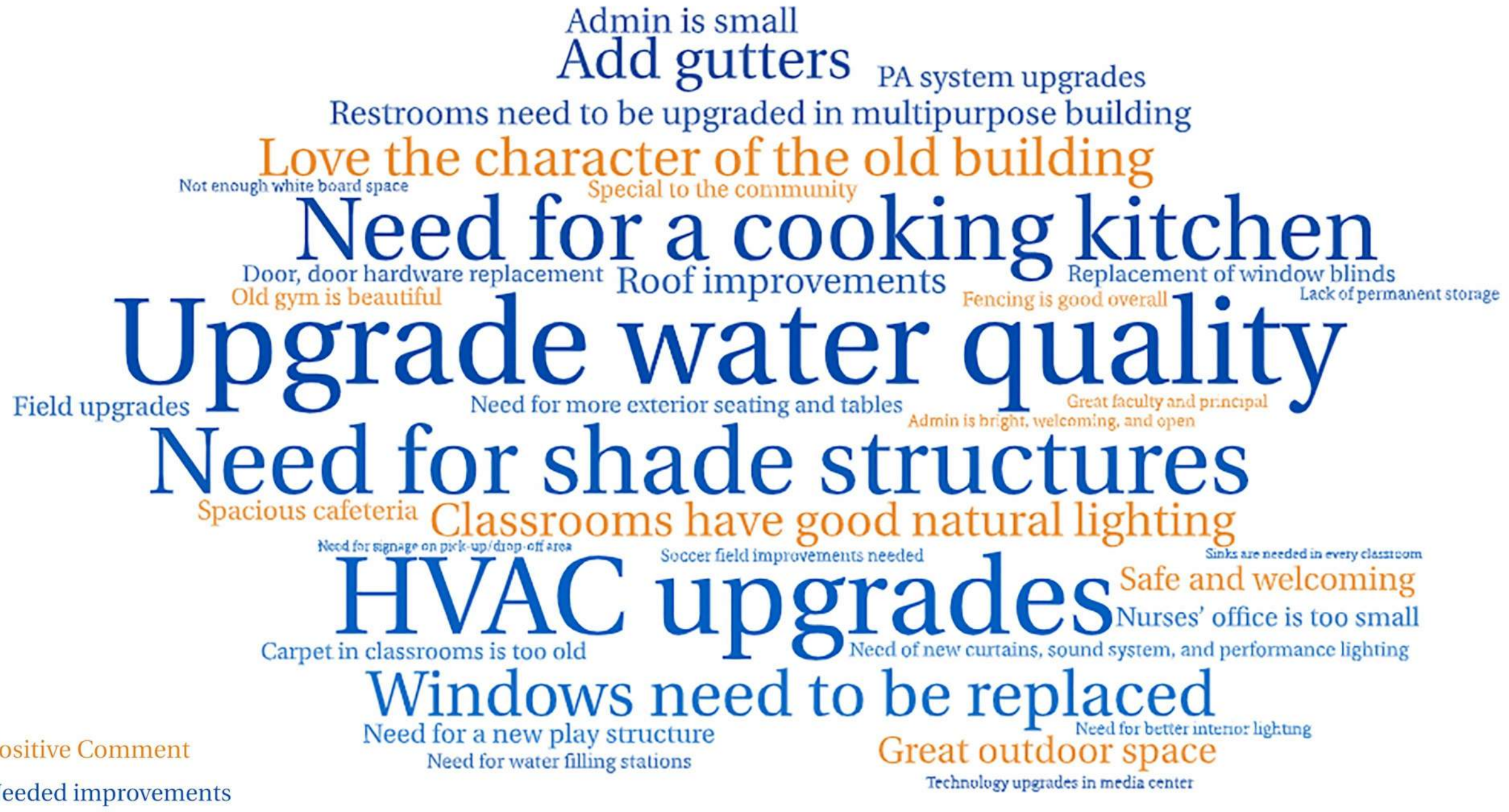
MINOR MODERNIZATION	-FIRE ALARM -CLOCK BELL SPEAKER -SECURITY -CARPETING -FINISHES
MEDIUM MODERNIZATION	-EVERYTHING IN MINOR -HVAC REPLACEMENT -ROOFING REPLACEMENT
MAJOR MODERNIZATION	-EVERYTHING IN MINOR AND MEDIUM -RECONFIGURATION -REMODEL
OVER ALL SITE IMPROVEMENTS	-PATH OF TRAVEL UPGRADES -ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS

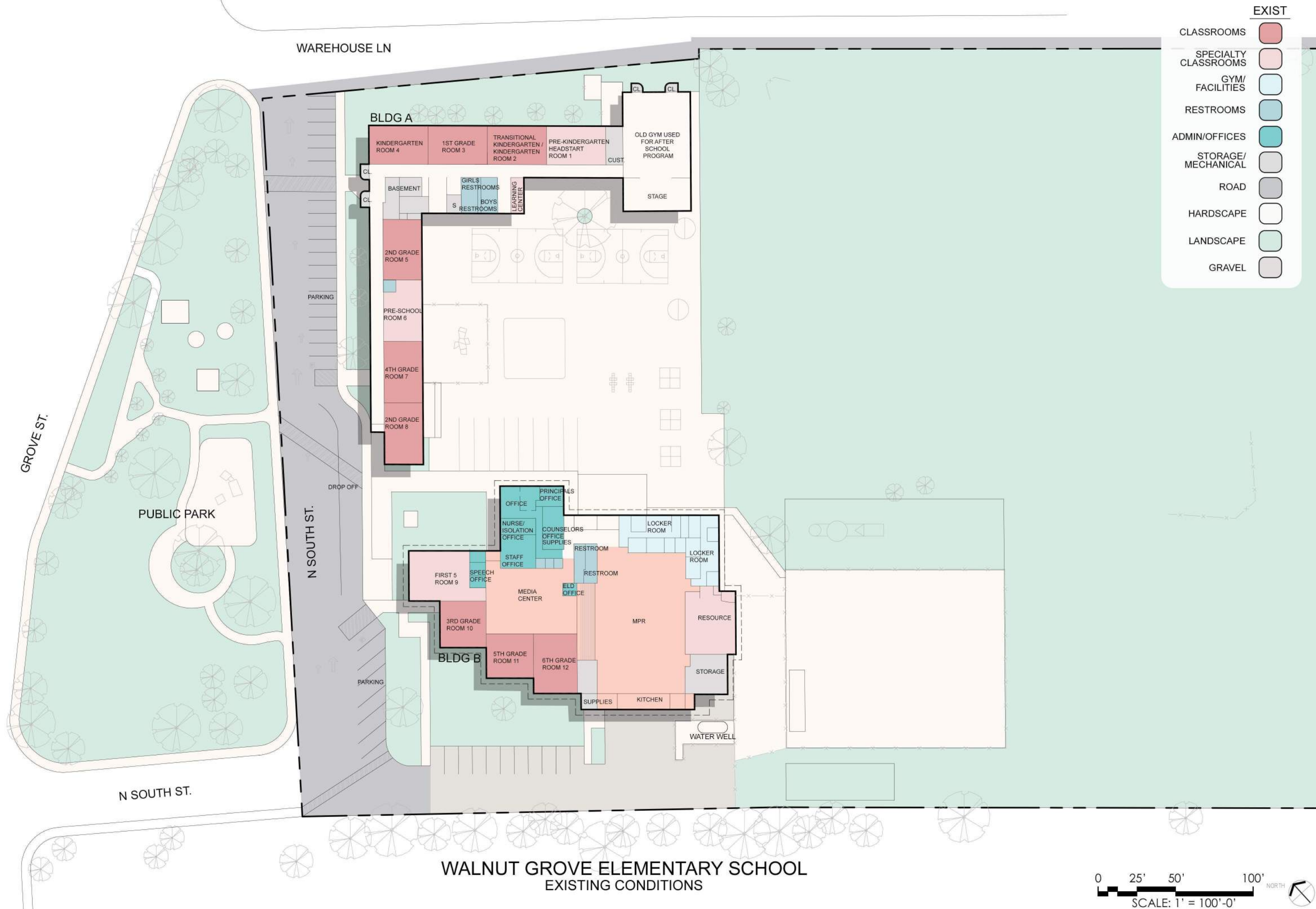
RIVERVIEW MIDDLE SCHOOL
FUTURE GROWTH



WALNUT GROVE ELEMENTARY

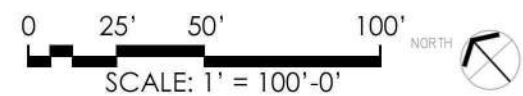
INCLUDES FEEDBACK FROM BOTH STAFF AND COMMUNITY ENGAGEMENT MEETINGS





	EXIST
CLASSROOMS	
SPECIALTY CLASSROOMS	
GYM/FACILITIES	
RESTROOMS	
ADMIN/OFFICES	
STORAGE/MECHANICAL	
ROAD	
HARDSCAPE	
LANDSCAPE	
GRAVEL	

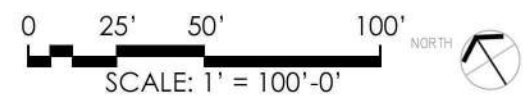
WALNUT GROVE ELEMENTARY SCHOOL
EXISTING CONDITIONS





	MINOR MOD	MEDIUM MOD	MAJOR MOD	NEW CONST.
CLASSROOMS	[Red circle with dots]	[Red circle with stars]		
SPECIALTY CLASSROOMS	[Light red circle with dots]	[Light red circle with stars]		
ATHLETIC FACILITIES	[Light blue circle with dots]	[Light blue circle with stars]		
RESTROOMS	[Blue circle with dots]	[Blue circle with stars]	[Blue circle with diagonal lines]	
ADMIN/OFFICES	[Teal circle with dots]	[Teal circle with stars]	[Teal circle with diagonal lines]	
MPR/CAFETERIA	[Orange circle with dots]	[Orange circle with stars]	[Orange circle with diagonal lines]	
STORAGE/MECHANICAL	[Grey circle with dots]	[Grey circle with stars]		
ROAD	[Dark grey circle with dots]	[Dark grey circle with stars]		
HARDSCAPE	[Light brown circle with dots]	[Light brown circle with stars]		[Dashed circle]
LANDSCAPE	[Light green circle with dots]	[Green circle with stars]		
SHADE STRUCTURE				[Red grid pattern]
WATER WELL IMPROVEMENTS		[Blue star]		
MINOR MODERNIZATION				
-FIRE ALARM				
-CLOCK BELL SPEAKER				
-SECURITY				
-CARPETING				
-FINISHES				
MEDIUM MODERNIZATION				
-EVERYTHING IN MINOR				
-HVAC REPLACEMENT				
-ROOFING REPLACEMENT				
MAJOR MODERNIZATION				
-EVERYTHING IN MINOR AND MEDIUM				
-RECONFIGURATION				
-REMODEL				
-WINDOW REPLACEMENT (BLDG A)				
OVER ALL SITE IMPROVEMENTS				
-PATH OF TRAVEL UPGRADES				
-ADDITION OF DRINKING FOUNTAINS & BOTTLE FILLERS				

WALNUT GROVE ELEMENTARY SCHOOL
MASTER PLAN



BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Tammy Busch, Chief Business Officer

Item Number: 12

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

SUBJECT:

Request to Approve Ratification of Change Order and Authorize Filling of a Notice of Completion (NOC) with the County Recorder of Solano County for Installation of Marquee Sign at Riverview Middle School.

BACKGROUND:

On October 12, 2021 the Board approved and awarded the contract for the installation of the Marquee Sign at Riverview to Bockmon & Woody Electric Co., Inc. in the amount of \$28,685. The scope of work for the Change Order is for added steel reinforcement in the concrete footing which was required by the architect at a cost of \$583.44.

The Installation of Marquee Sign at Riverview Middle School has been completed by Bockmon & Woody Electric Co., Inc.

STATUS:

The District is asking the approval for the Ratification of Change Order and authorization filling of a Notice of Completion (NOC) with the County Recorder of Solano County for Installation of Marquee Sign at Riverview Middle School.

PRESENTER:

Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

Ratification of the Change Order \$583.44 from Measure J Bond Funds

RECOMMENDATION:

That the Board approves Ratification of Change Order and authorize filling of a Notice of Completion (NOC) with the County Recorder of Solano County for Installation of Marquee Sign at Riverview Middle School.

Time allocated: 3 minutes

CHANGE ORDER

Date: November 10, 2021

CO# 01

Project:
 Installation of Marquee Sign at
 Riverview Middle School
PO# 220544

Architect:
 Wilson Architecture
 609 15th Street
 Modesto, CA 9594

Owner:
 River Delta Unified School District
 445 Montezuma Street
 Rio Vista, CA 94571

Contractor:
 Bockmon & Woody Electric Co., Inc
 1528 El Pinal Drive
 Stockton, CA 95201

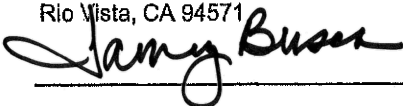
Pursuant to the Contract Documents, you are hereby authorized to make the following changes to the project. Execution of this change order represents full and final costs of all direct, indirect, and delay costs for the scope of services identified herein unless otherwise noted.

<u>Item #</u>	<u>Description</u>	<u>Reason for Change</u>	<u>Amount</u>
1	Install additional reinforcing steel per Proposal Request #4 and Bockmon & Woody PCO #1 dated 11/05/21	Architect and CM Recommendation	\$ 583.44
TOTAL THIS CHANGE ORDER			\$ 583.44

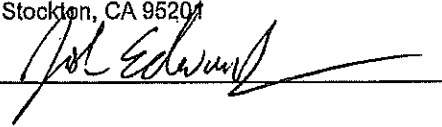
Original contract sum:	\$ 28,685.00
Previous change orders:	\$ -
Original contract amount plus/minus previous change orders	\$ 28,685.00
Total amount of this change order	\$ 583.44
Adjusted contract amount including this change order will be:	\$ 29,268.44

The contract time will be adjusted by the following number of days: 0 days

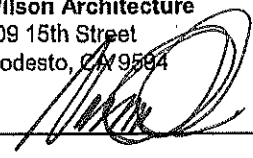
Owner:
 River Delta Unified School District
 445 Montezuma Street
 Rio Vista, CA 94571

By: 

Contractor:
 Bockmon & Woody Electric Co., Inc
 1528 El Pinal Drive
 Stockton, CA 95201

By: 

Architect:
 Wilson Architecture
 609 15th Street
 Modesto, CA 9594

By:  12/23/21

Construction Manager:
 RGM Kramer, Inc.
 3230 Monument Way
 Concord, CA 94518

By: 

Fund 22	\$583.44
Fund 23	\$0.00



Proposal Request

Date: 11/2/2021 Proposal Request No. 4

Project: Installation of Marquee Signs at Riverview MS

Owner: River Delta Unified School District

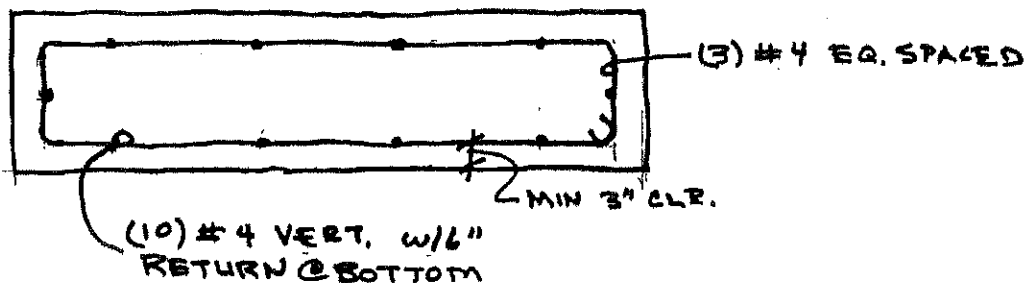
To: Bockman & Woody Electric
(Contractor):

Please submit an itemized quotation for changes to the Contract Sum and/or time incidental to the changes described herein.

THIS IS NOT A CHANGE NOR A DIRECTION TO PROCEED WITH THE WORK DESCRIBED HEREIN.

Description of Change:

Provide additional reinforcing steel in the footings as shown below:



FOOTING PLAN

Attachments::

None

Reason for Change:

Architect/CM Recommendation

Construction Manager:

By: Marlin L. Jones

RGM Kramer, Inc.

Bockmon & Woody ELECTRIC CO., INC.

1626 El Plati Drive • P.O. Box 1018 • Stockton, CA 95201-1018
PHONE: (209) 464-4878 • FAX: (209) 464-2615
CA Lic. No. G10-580308 • DIR No. 1000002769

Proposed Change Order

TO: River Delta USD c/o RGM Kramer, Inc

DATE: 11/05/21

ELEC PCO #: 1

ELEC JOB #: 2021-438J

GC PCO #

GC ASI #

GC RFI #

FAX: TEL:

ATTN.: Dave Adams/Martin Jones

PROJECT: Installation of Marquee Sign at Riverview MS

SCOPE OF WORK: Labor, Materials, & Equipment to provide and install rebar cage per proposal request.

MATERIAL COSTS W/MARKUP	\$	260.59
LABOR COSTS	\$	288.42
EQUIPMENT COSTS HOUR	\$	-
EQUIPMENT COSTS DAY	\$	-
EQUIPMENT COSTS WEEK	\$	-
SUBTOTAL	\$	549.01

PERMITS	FLAT RATE	\$	-
WARRANTY	0.00%	\$	-
JOBSITE TRAILER - STORAGE	0.00%	\$	-
PLANS - BLUEPRINTS - ASBUILTS	2.00%	\$	10.98
SUBTOTAL	\$	10.98	

MATERIAL TAX	9.00%	\$	23.45
EQUIP/DIRECT JOB EXPENSE MU	15.00%	\$	-
SUBTOTAL	\$	23.45	

SUBCON COSTS (INCLUDES MU)	\$	-
TOTAL	\$	583.44

BOND	0.00%	\$	-
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TOTAL PROPOSED CO	\$	583.44
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NUMBER OF ADDITIONAL WORKING DAYS	0
TIME EXTENSION REQUEST	0
WORK TO START	0

APPROVED BY GC:

SIGNED: _____

DATE: _____

Name
Company

This proposal is valid for 30 days.

Total pages of proposal 1

FORCE MAJEURE: Bockmon & Woody Electric Co., Inc. shall not be liable for failure or delay to perform obligations under this agreement, which have become practically impossible because of circumstances beyond the reasonable control of Bockmon & Woody Electric Co., Inc. (herein "Force Majeure Event"). A Force Majeure Event shall include, without limitation: natural disasters or acts of God; acts of terrorism; labor disputes or stoppages; war; government acts or orders; epidemics, pandemics or outbreak of communicable disease; public health emergency; quarantines; national or regional emergencies; or any other cause, whether similar in kind to the foregoing or otherwise, beyond Bockmon & Woody Electric Co., Inc.'s reasonable control. Bockmon & Woody Electric Co., Inc. shall provide prompt notice to Contractor of any failure or delay in performance due to a Force Majeure Event. In the event of a Force Majeure Event, Bockmon & Woody Electric Co., Inc. shall be entitled to an equitable adjustment in the time of completion or contract requirements, and contract price, paid on actual costs basis.

ESCALATION CLAUSE: In the event of a significant delay or price increase of materials, equipment, or labor during the performance of the contract, through no fault of Bockmon & Woody Electric Co., Inc., Bockmon & Woody Electric Co., Inc. shall be entitled to an equitable adjustment in the time of completion, contract requirements, and the contract price, in an amount reasonably necessary to cover any such significant price increases. Where the delivery of materials or equipment is delayed, through no fault of Bockmon & Woody Electric Co., Inc., as a result of material shortage or unavailability, Bockmon & Woody Electric Co., Inc. shall not be liable for any additional costs or damages associated with such delay(s).

PCO #001 is approved for \$583.44.

Dave Adams RGMK 11/5/21

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 _____ Street and No. _____ City _____ State _____
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:
Bockmon & Woody Electric Co. Inc. 1528 El Pinal Drive, Stockton, CA 95205
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 15th day of February, 2022, 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:
Installation of Marquee Sign at Riverview Middle School
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:
Riverview Middle School (APN# 0049 193 080)
9. The street address of said property is:
525 S 2nd St. Rio Vista, CA 94571-1941
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 or 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 _____, _____ (date), at _____ (city), California.

Signature of Owner or Owner's Authorized Agent

PROOF OF SERVICE DECLARATION

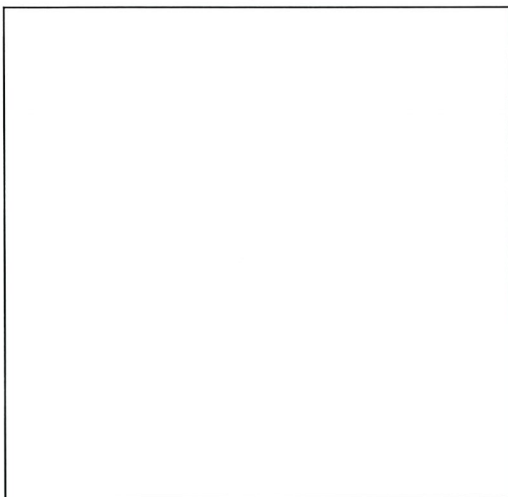
I, _____, declare that I served copies of the above **NOTICE OF COMPLETION**, (check appropriate box):

- 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.

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Tammy Busch, Chief Business Officer

Item Number: 13

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

SUBJECT:

Request to Approve Ratification of Change Order and Authorize Filling of a Notice of Completion (NOC) with the County Recorder of Sacramento County for Installation of Marquee Sign at Isleton Elementary.

BACKGROUND:

Bockmon & Woody Electric Co., Inc. as well as RA Jones Construction both submitted a proposal for the Installation of the Marquee Sign for Isleton. Bockmon & Woody Electric Co., Inc. had the lowest proposal fee and was awarded a contract at a cost of \$25,630.00. The scoop of work for the Change Order is for added steel reinforcement in the concrete footing which required by the architect for a cost of \$583.44.

The Installation of the Marquee Sign at Isleton has been completed by Bockmon & Woody Electric Co., Inc.

STATUS:

The District is asking for the approval for the Ratification of Change Order and authorize filling of a Notice of Completion (NOC) with the County Recorder of Sacramento County for Installation of Marquee Sign at Isleton Elementary.

PRESENTER:

Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

Cost of \$583.44 of Change Order from Measure J Bond Funds

RECOMMENDATION:

That the Board approves the Ratification of Change Order and authorize filling of a Notice of Completion (NOC) with the County Recorder of Sacramento County for Installation of Marquee Sign at Isleton Elementary.

Time allocated: 3 minutes

CHANGE ORDER

Date: November 10, 2021

CO# 01

Project:
Installation of Marquee Sign at
Isleton Elementary School
PO# 220545

Architect:
Wilson Architecture
609 15th Street
Modesto, CA 9594

Owner:
River Delta Unified School District
445 Montezuma Street
Rio Vista, CA 94571

Contractor:
Bockmon & Woody Electric Co., Inc
1528 El Pinal Drive
Stockton, CA 95201

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.

<u>Item #</u>	<u>Description</u>	<u>Reason for Change</u>	<u>Amount</u>
1	Install additional reinforcing steel per Proposal Request #4 and Bockmon & Woody PCO #1 dated 11/05/21	Architect and CM Recommendation	\$ 583.44
TOTAL THIS CHANGE ORDER			\$ 583.44

Original contract sum:	\$	25,630.00
Previous change orders:	\$	-
Original contract amount plus/minus previous change orders	\$	25,630.00
Total amount of this change order	\$	583.44
Adjusted contract amount including this change order will be:	\$	26,213.44

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

By: Jamy Busen

Contractor:
Bockmon & Woody Electric Co., Inc
1528 El Pinal Drive
Stockton, CA 95201

By: John Edwards

Architect:
Wilson Architecture
609 15th Street
Modesto, CA 9594

By: [Signature] 12/23/21

Construction Manager:
RGM Kramer, Inc.
3230 Monument Way
Concord, CA 94518

By: [Signature]

Fund 22	\$583.44
Fund 23	\$0.00



Proposal Request

Date: 11/2/2021 Proposal Request No. 4

Project: Installation of Marquee Signs at Isleton ES

Owner: River Delta Unified School District

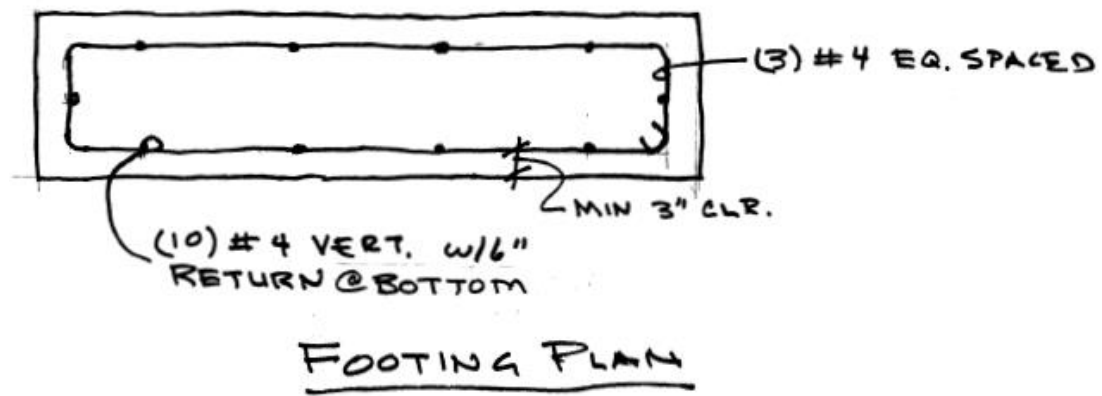
To: Bockman & Woody Electric
(Contractor):

Please submit an itemized quotation for changes to the Contract Sum and/or time incidental to the changes described herein.

THIS IS NOT A CHANGE NOR A DIRECTION TO PROCEED WITH THE WORK DESCRIBED HEREIN.

Description of Change:

Provide additional reinforcing steel in the footings as shown below:



Attachments::

None

Reason for Change:

Architect/CM Recommendation

Construction Manager:

By: Marlin L. Jones

RGM Kramer, Inc.

Bockmon & Woody ELECTRIC CO., INC.

1528 El Pinal Drive • P.O. Box 1018 • Stockton, CA 95201-1018
PHONE: (209) 464-4878 • FAX: (209) 464-2615
CA Lic. No. C10-588308 • DIR No. 1000002789

Proposed Change Order

TO: River Delta USD c/o RGM Kramer, Inc

FAX: _____ **TEL:** _____

ATTN.: Dave Adams/Marlin Jones

PROJECT: Installation of Marquee Sign at Isleton ES.

DATE: 11/23/21
ELEC PCO #: 1
ELEC JOB #: 2021-487J
GC PCO #
GC ASI #:
GC RFI #

SCOPE OF WORK: Labor, Materials, & Equipment to provide and install rebar cage per proposal request.

MATERIAL COSTS W/MARKUP	\$	260.59
LABOR COSTS	\$	288.42
EQUIPMENT COSTS HOUR	\$	-
EQUIPMENT COSTS DAY	\$	-
EQUIPMENT COSTS WEEK	\$	-
SUBTOTAL	\$	549.01
PERMITS	FLAT RATE	\$ -
WARRANTY	0.00%	\$ -
JOBSITE TRAILER - STORAGE	0.00%	\$ -
PLANS - BLUEPRINTS - ASBUILTS	2.00%	\$ 10.98
SUBTOTAL	\$	10.98
MATERIAL TAX	9.00%	\$ 23.45
EQUIP/DIRECT JOB EXPENSE MU	15.00%	\$ -
SUBTOTAL	\$	23.45
SUBCON COSTS (INCLUDES MU)	\$	-
TOTAL	\$	583.44
BOND	0.00%	\$ -
TOTAL PROPOSED CO	\$	583.44

NUMBER OF ADDITIONAL WORKING DAYS _____
 TIME EXTENSION REQUEST _____
 WORK TO START _____

APPROVED BY GC:

SIGNED: _____

DATE: _____

Name _____
 Company _____

This proposal is valid for 30 days.

Total pages of proposal 1

FORCE MAJEURE: Bockmon & Woody Electric Co., Inc. shall not be liable for failure or delay to perform obligations under this agreement, which have become practicably impossible because of circumstances beyond the reasonable control of Bockmon & Woody Electric Co., Inc. (herein "Force Majeure Event"). A Force Majeure Event shall include, without limitation: natural disasters or acts of God; acts of terrorism; labor disputes or stoppages; war; government acts or orders; epidemics, pandemics or outbreak of communicable disease; public health emergency; quarantines; national or regional emergencies; or any other cause, whether similar in kind to the foregoing or otherwise, beyond Bockmon & Woody Electric Co., Inc's reasonable control. Bockmon & Woody Electric Co., Inc. shall provide prompt notice to Contractor of any failure or delay in performance due to a Force Majeure Event. In the event of a Force Majeure Event, Bockmon & Woody Electric Co., Inc. shall be entitled to an equitable adjustment in the time of completion or contract requirements, and contract price, paid on actual costs basis.

ESCALATION CLAUSE: In the event of a significant delay or price increase of materials, equipment, or labor during the performance of the contract, shall be entitled to an equitable adjustment in the time of y to cover any such significant price increases. Where the Co., Inc., as a result of material shortage or unavailability, or damages associated with such delay(s).

PCO #001 is approved for \$583.44.
 Dave Adams RGMK 11/23/21

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 _____ Street and No. _____ City _____ State _____
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:
Bockmon & Woody Electric Co. Inc. 1528 El Pinal Drive Stockton, CA 95205
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 15th day of February, 2022, 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:
Installation of Marquee Sign at Isleton Elementary School
8. The real property herein referred to is situated in the City of Isleton, County of Sacramento State of California, and is described as follows:
Isleton Elementary School (APN# 15700510010000)
9. The street address of said property is:
412 Union Street, Isleton, CA 95641
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 _____, _____ (date), at _____ (city), California.

Signature of Owner or Owner's Authorized Agent

PROOF OF SERVICE DECLARATION

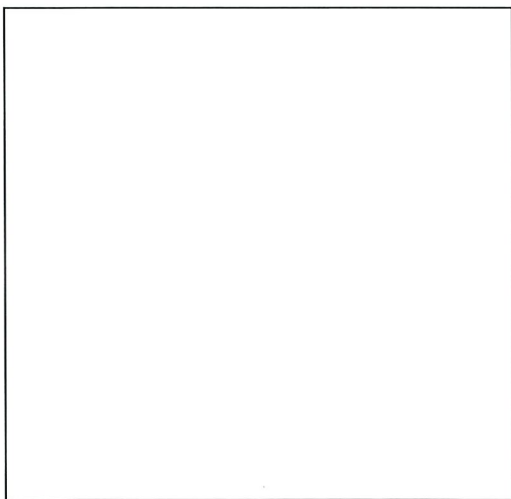
I, _____, declare that I served copies of the above **NOTICE OF COMPLETION**, (check appropriate box):

- 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.

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Tammy Busch, Chief Business Officer

Item Number: 14

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

SUBJECT:

Request to Approve Ratification of Change Order and Authorize Filling of Notice of Completion (NOC) with the County Recorder of Sacramento County for Installation of Marquee Sign at Walnut Grove Elementary.

BACKGROUND:

On October 12, 2021 the Board approved and awarded the contract for the installation of the Marquee Sign at Walnut Grove to RA Jones Construction in the amount of \$33,600. The scope of work for the Change Order is for installing a data drop for wireless at a cost of \$500.00.

The Installation of the Marquee Sign at Walnut Grove Elementary has been completed by RA Jones Construction.

STATUS:

The District is asking the approval for the Ratification of Change Order and authorization filling of a Notice of Completion (NOC) with County Recorder of Sacramento County for Installation of Marquee Sign at Walnut Grove Elementary.

PRESENTER:

Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

Cost of Change Order \$500.00 from Measure K Funds

RECOMMENDATION:

That the Board approves Ratification of Change Order and authorize filling of Notice of Completion (NOC) with the County Recorder of Sacramento County for Installation of Marquee Sign at Walnut Grove Elementary.

Time allocated: 3 minutes

CHANGE ORDER

Date: December 3, 2021

CO# 01

Project:
Installation of Marquee Sign at
Riverview Middle School

Architect:
Wilson Architecture
609 15th Street
Modesto, CA 9594

Owner:
River Delta Unified School District
445 Montezuma Street
Rio Vista, CA 94571

Contractor:
RA Jones Construction
PO Box 835
Thornton, CA 95686

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.

<u>Item #</u>	<u>Description</u>	<u>Reason for Change</u>	<u>Amount</u>
<u>D. H. White</u>			
1	Install 20A Duplex Receptcle in waterproof box at sign per Proposal Request #1	Owner Request	\$ 320.00
2	Directional Bore in lieu of trenching per Proposal Request #2*	Owner Request	\$ -
3	Install additional reinforcing steel per Proposal Request #3.*	Architect and CM Recommendation	\$ -
4	Install data drop for wireless	Information not available at bid time.	\$ 500.00
D. H. White Subtotal			\$ 820.00
<u>Walnut Grove</u>			
5	Install additional reinforcing steel per Proposal Request #3.*	Architect and CM Recommendation	\$ -
6	Install data drop for wireless	Information not available at bid time.	\$ 500.00
Walnut Grove Subtotal			\$ 500.00
TOTAL THIS CHANGE ORDER			\$ 1,320.00

*Note: Additional reinforcing steel at both locations traded for credit due to directional bore in lieu of trenching.

CHANGE ORDER

Date: December 3, 2021

CO# 01

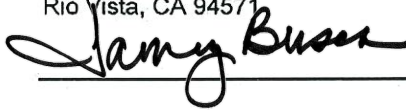
Original contract sum:	\$	28,685.00
Previous change orders:	\$	-
Original contract amount plus/minus previous change orders	\$	28,685.00
Total amount of this change order	\$	1,320.00
Adjusted contract amount including this change order will be:	\$	30,005.00

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

By:



Contractor:

RA Jones Construction
PO Box 835
Thornton, CA 95686

By:



Architect:

Wilson Architecture
609 15th Street
Modesto, CA 9594

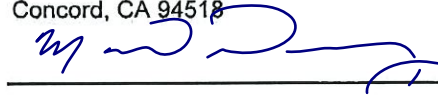
By:

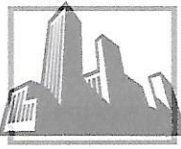


Construction Manager:

RGM Kramer, Inc.
3230 Monument Way
Concord, CA 94518

By:





RA Jones Construction
 PO Box 835
 Thornton, CA. 95686

925-525-6311

rajonesco@att.net

Estimate

Estimate No: 581
 Date: 11/30/2021

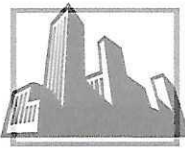
Bill To:

River Delta Unified School District
 445 Montezuma Street
 Rio Vista, CA.
 94571

Description	Hours	Rate	Amount
Provide labor and material to install and set up wireless remote for newly installed Marquee at DH White Elem,			\$500.00

We appreciate your business.

Total \$500.00



RA Jones Construction
 PO Box 835
 Thornton, CA. 95686

925-525-6311

rajonesco@att.net

Estimate

Estimate No: 582
 Date: 11/30/2021

Bill To:

River Delta Unified School District
 445 Montezuma Street
 Rio Vista, CA.
 94571

Description	Hours	Rate	Amount
Provide labor and material to install and set up wireless remote for newly installed Marquee at Walnut Grove Elem.			\$500.00

We appreciate your business.

Total \$500.00

PROPOSED CHANGE ORDER



**R A JONES
CONSTRUCTION**

Distribution to:
 OWNER
 ARCHITECT
 CONSTRUCTION MANAGER
 CONTRACTOR
 FIELD
 OTHER

PROJECT:
 Marquee Signs at Walnut Grove and DH White Elem.

PCO NUMBER: 1

DATE: 11-15-21

TO: River Delta Unified School District

PROJECT No.:

CONTRACT FOR:

Reference: RFI # PR # ASI#
 CCA # CCD #

CONTRACT DATE:

Description of work: Add 110 outlet in weatherproof box at DH White Elem.

1. Subcontractor Work (mark-up not to exceed 10%)

(Please attached all required backup, quantities, unit cost, etc., associated with work performed.)

- 1. Subcontractor Quote \$ 300
- 2. Subcontractor Quote \$
- 3. Subcontractor Quote \$

SUBTOTAL \$ 300

Contractor mark-up on Sub work (not to exceed 5%) \$ 15

TOTAL - 1 \$ 315.00

2. Work Performed by Prime Contractor

(Please attached all required backup, quantities, unit cost, etc., associated with work performed.)

- Materials \$
- Labor \$
- Equipment \$

SUBTOTAL \$

Prime Contractor OH&P (not to exceed 15%) \$

TOTAL - 2 \$ 0

TOTAL - 1 & 2 \$ 315.00

Bond Premium (actual rate, not to exceed 2%) \$ 5

TOTAL PROPOSED CHANGE \$ 320.00

Extension of Contract Time proposed 0 Days.

Prepared by Robert Jones

Date 11-15-21

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
94571
3. The name and address of the direct contractor for the work of improvement as a whole is:
RA Jones Construction PO BOX 835 Thornton, CA 95686
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 15th day of February, 2022, 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:
Installation of Marquee Sign at Walnut Grove Elementary School
8. The real property herein referred to is situated in the City of Walnut Grove, County of Sacramento State of California, and is described as follows:
Walnut Grove Elementary (APN# 146-0170-059)
9. The street address of said property is:
14181 Grove Street Walnut Grove, CA 95690
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 _____, _____ (date), at _____ (city), California.

Signature of Owner or Owner's Authorized Agent

PROOF OF SERVICE DECLARATION

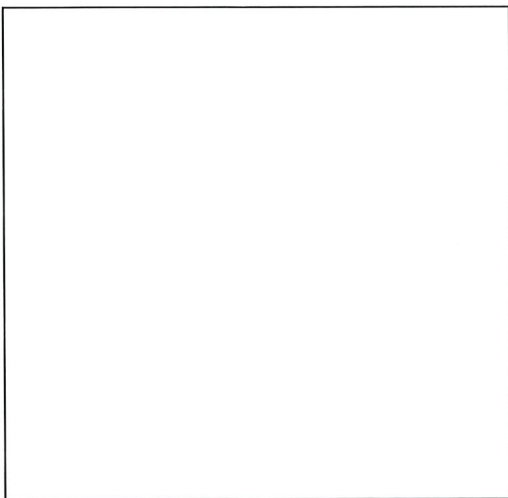
I, _____, declare that I served copies of the above **NOTICE OF COMPLETION**, (check appropriate box):

- 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: February 15, 2022

Attachments: X

From: Tammy Busch, Chief Business Officer

Item Number: 15

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

SUBJECT:

Request to Approve Ratification of Change Order and Authorize Filling of Notice of Completion (NOC) with the County Recorder of Solano County for Installation of Marquee Sign at D.H. White Elementary.

BACKGROUND:

On October 12, 2021 the Board approved and awarded the contract for the installation of the Marquee Sign at D.H. White to RA Jones Construction in the amount of \$42,900. The scope of work for the Change Order is for installing a data drop and adding an outlet for future irrigation timer per site request at a cost of \$820.00.

The Installation of the Marquee Sign at D.H. White Elementary has been completed by RA Jones Construction.

STATUS:

The District is asking the approval for the Ratification of Change Order and authorization filling of a Notice of Completion (NOC) with County Recorder of Solano County for Installation of Marquee Sign at D.H. White Elementary.

PRESENTER:

Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

Cost of \$820.00 from Measure J Bond Funds

RECOMMENDATION:

That the Board approves the Ratification of Change Order and authorize filling of Notice of Completion (NOC) with the County Recorder of Solano County for Installation of Marquee Sign at D.H. White Elementary.

Time allocated: 3 minutes

CHANGE ORDER

Date: December 3, 2021

CO# 01

Project:
Installation of Marquee Sign at
Riverview Middle School

Architect:
Wilson Architecture
609 15th Street
Modesto, CA 9594

Owner:
River Delta Unified School District
445 Montezuma Street
Rio Vista, CA 94571

Contractor:
RA Jones Construction
PO Box 835
Thornton, CA 95686

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.

<u>Item #</u>	<u>Description</u>	<u>Reason for Change</u>	<u>Amount</u>
<u>D. H. White</u>			
1	Install 20A Duplex Receptcle in waterproof box at sign per Proposal Request #1	Owner Request	\$ 320.00
2	Directional Bore in lieu of trenching per Proposal Request #2*	Owner Request	\$ -
3	Install additional reinforcing steel per Proposal Request #3.*	Architect and CM Recommendation	\$ -
4	Install data drop for wireless	Information not available at bid time.	\$ 500.00
D. H. White Subtotal			\$ 820.00
<u>Walnut Grove</u>			
5	Install additional reinforcing steel per Proposal Request #3.*	Architect and CM Recommendation	\$ -
6	Install data drop for wireless	Information not available at bid time.	\$ 500.00
Walnut Grove Subtotal			\$ 500.00
TOTAL THIS CHANGE ORDER			\$ 1,320.00

*Note: Additional reinforcing steel at both locations traded for credit due to directional bore in lieu of trenching.

CHANGE ORDER

Date: December 3, 2021

CO# 01

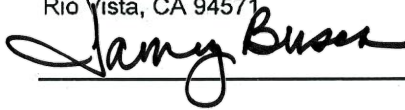
Original contract sum:	\$	28,685.00
Previous change orders:	\$	-
Original contract amount plus/minus previous change orders	\$	28,685.00
Total amount of this change order	\$	1,320.00
Adjusted contract amount including this change order will be:	\$	30,005.00

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

By:



Contractor:

RA Jones Construction
PO Box 835
Thornton, CA 95686

By:



Architect:

Wilson Architecture
609 15th Street
Modesto, CA 9594

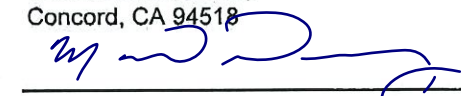
By:

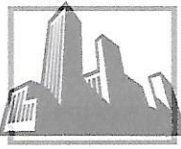


Construction Manager:

RGM Kramer, Inc.
3230 Monument Way
Concord, CA 94518

By:





RA Jones Construction
 PO Box 835
 Thornton, CA. 95686

925-525-6311

rajonesco@att.net

Estimate

Estimate No: 581
 Date: 11/30/2021

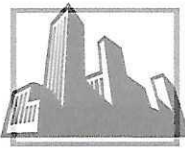
Bill To:

River Delta Unified School District
 445 Montezuma Street
 Rio Vista, CA.
 94571

Description	Hours	Rate	Amount
Provide labor and material to install and set up wireless remote for newly installed Marquee at DH White Elem,			\$500.00

We appreciate your business.

Total \$500.00



RA Jones Construction
 PO Box 835
 Thornton, CA. 95686

925-525-6311

rajonesco@att.net

Estimate

Estimate No: 582
 Date: 11/30/2021

Bill To:

River Delta Unified School District
 445 Montezuma Street
 Rio Vista, CA.
 94571

Description	Hours	Rate	Amount
Provide labor and material to install and set up wireless remote for newly installed Marquee at Walnut Grove Elem.			\$500.00

We appreciate your business.

Total \$500.00

PROPOSED CHANGE ORDER



**R A JONES
CONSTRUCTION**

Distribution to:
OWNER
ARCHITECT
CONSTRUCTION MANAGER
CONTRACTOR
FIELD
OTHER

PROJECT:
Marquee Signs at Walnut Grove and DH White Elem.

PCO NUMBER: 1

DATE: 11-15-21

TO: River Delta Unified School District

PROJECT No.:

Reference: RFI # _____ PR # _____ ASI# _____
CCA # _____ CCD # _____

CONTRACT FOR:

CONTRACT DATE:

Description of work: Add 110 outlet in weatherproof box at DH White Elem.

1. Subcontractor Work (mark-up not to exceed 10%)

(Please attached all required backup, quantities, unit cost, etc., associated with work performed.)

- 1. Subcontractor Quote \$ 300 _____
- 2. Subcontractor Quote \$ _____
- 3. Subcontractor Quote \$ _____

SUBTOTAL \$ 300 _____

Contractor mark-up on Sub work (not to exceed 5%) \$ 15 _____

TOTAL - 1 \$ 315.00 _____

2. Work Performed by Prime Contractor

(Please attached all required backup, quantities, unit cost, etc., associated with work performed.)

- Materials \$ _____
- Labor \$ _____
- Equipment \$ _____

SUBTOTAL \$ _____

Prime Contractor OH&P (not to exceed 15%) \$ _____

TOTAL - 2 \$ 0 _____

TOTAL - 1 & 2 \$ 315.00 _____

Bond Premium (actual rate, not to exceed 2%) \$ 5 _____

TOTAL PROPOSED CHANGE \$ 320.00 _____

Extension of Contract Time proposed 0 Days.

Prepared by Robert Jones _____

Date 11-15-21 _____

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 _____ Street and No. _____ City _____ State _____
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:
RA Jones Construction PO BOX 835 Thornton, CA 95686
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 15th day of February, 2022, 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:
Installation of Marquee Sign at D.H. White Elementary School
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# 0178-080-020)
9. The street address of said property is:
500 Elm Way, Rio Vista, CA 94571-1304
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 _____, _____ (date), at _____ (city), California.

Signature of Owner or Owner's Authorized Agent

PROOF OF SERVICE DECLARATION

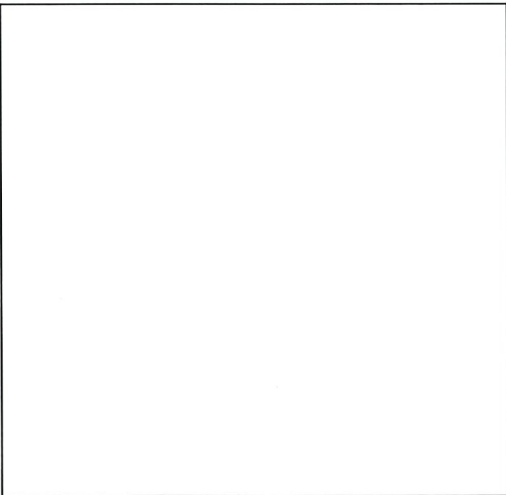
I, _____, declare that I served copies of the above **NOTICE OF COMPLETION**, (check appropriate box):

- 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: February 15, 2022

Attachments: X

From: Tammy Busch, Chief Business Officer

Item Number: 16.

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

SUBJECT:

Request to approve fee proposal with Bright Group for a roof evaluation report Districtwide. Cost not to exceed \$2,175.00.

BACKGROUND:

Every year during the rainy season, the Maintenance department gets calls districtwide about leaking roofs. The District needs a roof evaluation report to point out which roofs need reroofing. Bright Group has past experience with RDUSD and is familiar with some of the schools. Bright Group will deliver a roof condition report and address questions regarding the conditions found. Bright Group will also test for ACM (Asbestos Containing Materials) for sites that are selected for reroofing.

STATUS:

The District is requesting the Board approves the fee proposal from the Bright Group to provide a districtwide roof evaluation report.

PRESENTER:

Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

Cost \$2,175.00 from Measure J and Measure K Bond Funds

RECOMMENDATION:

That the Board approves the fee proposal from Bright Group for a districtwide roof evaluation report.

Time allocated: 3 minutes



P.O. Box 10278
Napa, CA 94581
Phone: 707-224-6877
Fax: 707-224-7232
www.brightgroup.us

December 13, 2021

Kathy Wright
Superintendent
River Delta Unified School District

Re: PROPOSAL FOR ROOF EVALUATION REPORT

We were involved in the re-roofing project at Rio Vista in 2018 and are familiar with all the sites except for Bates, DH White, and River View. Some of the work that was bid out was not done due to budget constraints.

All the sites from the 2018 evaluation report can be reviewed and updated. However, Bates, DH White, and River View would be new additions to the report.

In addition, we would be prepared to advise on current market concerns such as material availability and long lead times, budget analysis, etc., identify and define unusual details, and assist in specification development.

Any sites that are selected for reroofing would then be tested for ACM (Asbestos Containing Materials) for an additional \$350 per test.

Our proposal is to deliver a roof condition report and to address questions in regard to the conditions found for a fee of \$1,800.

We appreciate the opportunity.

Respectfully,

John Bennett :mb
Phone 510-332-1122



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

INDEPENDENT CONTRACT FOR SERVICES AGREEMENT

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

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

1. **TERM:** The term of this agreement is from February 15, 2022 through June 30, 2022. Extension or renewal requires approval of DISTRICT or authorized representative. Unless compensation is fixed on the basis of a daily or hourly rate, compensation will not be increased upon extension of the agreement without approval of the DISTRICT or authorized representative.

This agreement may be terminated with 60 days advance written notice by either party. In the event of termination for cause, CONSULTANT need be compensated only to the extent required by law.

2. **CONSULTANT SERVICES:** CONSULTANT agrees to perform, during the term of this agreement, the tasks obligations and services detailed as follows:

Bright Group will deliver a roof evaluation districtwide and address questions in regard to the conditions found.

3. **PAYMENT FOR SERVICES:** CONSULTANT shall receive compensation at the rate of:
\$ per day week month year or per hour
OR
for a total cost not to exceed \$ 1,800
Billing is based per project.

All payments will be based on invoices submitted to DISTRICT by CONSULTANT and approved by DISTRICT'S authorized representative. The CONSULTANT shall provide an itemization of costs on submitted invoice.

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

7. COMPLIANCE WITH LAWS: CONSULTANT shall comply with all applicable federal, state and local laws, rules, regulations and ordinances involving its employees, including workers' compensation and tax laws.
8. CONFLICTS OF INTEREST: Consultants are responsible for complying with the Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations and may be required to file an annual Form 700 Conflict of Interest Statement of Economic Interests (as required following the passage of the Political Reform Act Government Code Section 81000, et seq.) (attached to and made a part of this contract).

The Superintendent may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and, thus, is not required to comply fully with the disclosure requirements described in those Sections cited above. The Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as the Conflict of Interest Code Form 700 Statements of Economic Interest. In addition, if the contract itself contains Conflict of Interest/Statements of Economic Interest Disclosures, the consultant is not required to re-file with the district annually.

9. MODIFICATION OR ASSIGNMENT: This agreement may not be assigned by either party without express written consent to the other. No modification shall be effective unless approved in writing by DISTRICT or authorized representatives.

CONTRACTOR/CONSULTANT:

RIVER DELTA UNIFIED SCHOOL DISTRICT:

Bright Group
 Printed/Typed Name _____ Date _____
 Social Security Number/Federal Tax ID Number _____
 PO Box 10278 Napa CA 94581
 Address _____ State _____ Zip _____
 (707) 224-6877
 Contact Phone and Email _____

Tammy Busch, Chief Business Officer
 Requested By _____ Date _____
 Approval Signature _____ Date _____
 Measure J and Measure K Bond
 Budget Code (Name & Coding) _____
 Board of Trustees Action _____ Date _____

Signature (Contractor/Consultant Authorized Representative)

Consultant must answer the two questions below:

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

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



RIVER DELTA UNIFIED SCHOOL DISTRICT

**445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995**

HOLD HARMLESS & INDEMNIFICATION AGREEMENT

To the fullest extent permitted by law, Bright Group, (Contractor/Consultant) agrees to defend, indemnify, hold harmless and waive all rights of 9+subrogation against River Delta Joint Unified School District, its Board of Trustees, officers, agents and employees (collectively the "District") from and against any and all claims, costs, demands, expenses (including attorney's fees), losses, damages, injuries and liabilities, whether active or passive, arising from any accident, death, or injury whatsoever or however caused or alleged to be caused whether by the District or the Contractor/Consultant to any person or property because of, arising out of, or in any way related to the performance of this agreement. Contractor/Consultant shall not be responsible for the sole or willful liability of the District. It is understood and agreed that such indemnity shall survive the termination of this agreement.

Contractor/Consultant shall maintain their own contractual liability insurance to cover its obligations under this agreement. This indemnification is independent of and shall not in any way be limited by insurance carried by the Contractor/Consultant.

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

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

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

Signature of Authorized Representative

Date Signed

Typed/Printed Name of Authorized Representative

Bright Group

Company Name

Address, Email & Phone: PO Box 10278 Napa, CA 94581
(707) 224-6877

1/14/08

Creating Excellence To Ensure That All Students Learn

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



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(707) 374-1700 Fax (707) 374-2995
www.riverdelta.k12.ca.us

Superintendent's Statement Regarding Consultant and Conflict of Interest Annual Statement Needed

This is to affirm that the Contractor/Independent Contractor (Consultant), Bright Group
by this District to perform work as indicated below and/or per attached contract/agreement:

10. Description of Duties:

Bright Group deliver a roof evaluation report and address questions regarding the conditions found.

Will these duties and/or this Contractor/Consultant in any way have any level of influence on the expenditure of district revenues and/or resources?

 No (If No, this consultant is not required to file the Form 700 with the district for the year(s) they are contracted by the district as long as the scope of duties do not change*).

 Yes (If Yes, this consultant is required to file a **statement of economic interests/conflict of interest disclosure with this district for the year(s) they are contracted by the district****)

 *This contractor/consultant (although identified as a "designated position" for purposes of the District's Conflict of Interest Code/Economic Interest Statement Form 700) 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 the District's Conflict of Interest Code.

 **Either (a) the contractor/consultant must file the Form 700 annually as long as they are contracted with the district or (b) if the contract/agreement itself (provided by the contractor/district and district Board approved), contains conflict of interest disclosures, the contractor/consultant may attach that portion of the contract/agreement to this Statement (annually) in satisfaction of this requirement.

This determination is a public record and shall be retained for public inspection in the same manner and location as the District's Conflict of Interest Code Form 700s.

Kathy Wright, Superintendent

Date

1/14/08 Attachment : (Conflict of Interest Code)

Creating Excellence To Ensure That All Students Learn



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Attachment to Superintendent's Statement

DISTRICT'S CONFLICT-OF-INTEREST CODE

"The Political Reform Act (Government Code Section 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 Cal. Code of Reg. Sec. 18730) which 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 it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict-of-interest code of the River Delta Joint Unified School District.

Designated employees shall file their statements with the River Delta Joint Unified School District which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Statements for all designated employees will be retained by the River Delta Joint Unified School District in the Superintendent's Office."

Below are excerpts from attachments to the above Code regarding consultant disclosure:

Consultants must be included in the list of designated employees and must 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, 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 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. In addition, if the contract itself contains conflict of interest disclosures, the consultant is not required to re-file under this provision.

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 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.

1/14/08

Creating Excellence To Ensure That All Students Learn

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



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995
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CONTRACTOR INSURANCE REQUIREMENTS

Contractor represents that it does carry and will continue to carry, with Insurance companies acceptable to the District, the following insurance coverages for any work or liability, including products and completed operations, arising out of or in any way connected with the work under this agreement:

Commercial General Liability Coverage—on an “occurrence form” policy containing a per occurrence limit of at least \$1,000,000 or the total cost of the project, which ever is more, protecting against bodily injury, property damage and personal injury claims arising from the exposures of (1) premises and operations; (2) products and completed operations (with a separate limit of coverage at least equal to the per occurrence limit); (3) independent subcontractors; (4) Contractual liability risk covering the indemnity obligations set forth in the hold harmless and indemnification agreement; and (5) where applicable, property damage resulting from explosion, collapse, or underground (x, c, u) exposures. The policy may not contain any exclusion or reduction in coverage for any of the above listed exposures.

Automobile Liability Coverage—insuring against bodily injury and/or property damage arising out of the operation, use, loading or unloading of any auto including owned, non-owned, hired and employee autos with limits of at least \$1,000,000.

Worker’s Compensation and Employer’s Liability Coverage—providing statutory benefits imposed by applicable state or federal laws such that the District will have no liability to Contractor or its employees, subcontractors and agents; and that Contractor will satisfy all Worker’s Compensation obligations imposed by state law. If Contractor has any employees that are subject to the rights and obligations of the Longshoremen and Harbor Workers Act, then the Worker’s Compensation Insurance must be broadened to provide such coverage. In addition, Contractor agrees to carry Employer’s Liability Coverage with limits of not less than \$1,000,000 per accident for each employee.

Professional Liability Coverage—insuring, where applicable, for any exposures resulting from professional liability with limits of at least \$1,000,000.

Additional Insured—Contractor shall add “River Delta Unified School District, its board of trustees, officers, agents and employees” (collectively the “District”) as an additional insured via separate endorsement by having the insurance carrier issue an ISO CG 20 10 edition date 11 85 Additional Insured Endorsement or its equivalent. Such endorsement must include completed operations coverage for the benefit of the additional insured. This extension shall apply to the full extent of the actual limits of Contractor’s coverages even if such actual limits exceed the minimum limits required by this agreement. The District’s additional insured status under the policy(ies) must not be limited by amendatory language to the policy. To the extent umbrella or excess insurance is available above the minimum required limits stated in this Agreement, the protection afforded the District in the umbrella or excess liability insurance shall be as broad or broader than the coverages present in the underlying insurance and in accordance with this agreement. Each general liability, umbrella, or excess policy shall specifically state that the insurance provided by the Contractor shall be considered primary, and insurance of the District shall be considered excess for purposes of responding to claims.

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Contractor shall evidence that such insurance is in force by furnishing the District with acceptable proof thereof with a Certificate of Insurance together with a copy of the declarations page of the policies and all policy endorsements, or if requested by the District, certified copies of the policies. The certificate, declarations page, and all policy endorsements shall become a part of this agreement. Each certificate of insurance shall (1) contain an unqualified statement that the policy shall not be subject to cancellation, nonrenewal, adverse change, or reduction of amounts of coverage without thirty (30) days prior written notice to the District, but in the event of non-payment of premium, ten (10) days notification will be provided; (2) show the District as Additional Insured by referencing and attaching the required endorsement; (3) shall indicate that the Contractor’s coverage is primary and the District’s insurance is excess for any claims; and (4) as to CGL coverage shall state “Policy includes contractual liability coverage insuring the agreement and obligations of the insured to indemnify the District and others to the extent set forth in the Agreement between the insured and the District.”

Subcontractors and Suppliers—If the Contractor should sublet any work to another party (subcontractor), Contractor guarantees that such subcontractor shall indemnify the District as set forth in this agreement and shall carry insurance as set forth in these requirements prior to permitting subcontractor to commence its work. Contractor shall obtain a signed agreement from such subcontractor indemnifying the District as set forth in this Agreement and agreeing to carry insurance as set forth above. In addition, Contractor shall require in its purchase orders that each supplier indemnifies Contractor and the District from all losses arising from any materials, products, or supplies included in such work.

Any attempt by the Contractor to cancel or modify such insurance coverage, or any failure by the Contractor to maintain such coverage, shall be default under this Agreement and, upon such default, the District will have the right to terminate this Agreement and/or exercise any of its rights at law or at equity. In addition to other remedies, the District may, at its discretion, withhold payment of any sums due under this Agreement until Contractor provides adequate proof of insurance.

These insurance requirements are independent of and shall not in any way limit the indemnity obligations of the Contractor under this agreement.

The amounts and types of insurance set forth above are minimums required by the District and shall not substitute for an independent determination by Contractor of the amounts and types of Insurance which Contractor shall determine to be reasonably necessary to protect itself and its work. The District reserves the right to modify these provisions relating to indemnification and insurance, and Contractor agrees to be bound by such modifications 30 days after receipt of the modified provisions.

Failure to enforce any of the provisions of these requirements or any of the provisions of this agreement shall in no way constitute a waiver of such provisions. In the case of any conflict with these requirements and the provisions of the agreement to which it is attached, these provisions shall prevail.

Signature of Authorized Representative

Date Signed

Typed/Printed Name of Authorized Representative

Bright Group
Company Name

Address, Email & Phone: PO Box 10278 Napa, CA 94581 (707) 224-6877

FINGERPRINTING NOTICE AND ACKNOWLEDGEMENT
FOR CONTRACTS OTHER THAN CONSTRUCTION CONTRACTS

(Education Code Section 45125.1)

Other than business entities performing construction, reconstruction, rehabilitation, or repair who have complied with Education Code section 45125.2, business entities entering into contracts with the District must comply with Education Code sections 45125.1. Such entities are responsible for ensuring full compliance with the law and should therefore review all applicable statutes and regulations. The following information is provided simply to assist such entities with compliance with the law:

1. You (as a business entity) shall ensure that each of your employees who interacts with pupils outside of the immediate supervision and control of the pupil's parent or guardian or a school employee has a valid criminal records summary as described in Education Code section 44237. (Education Code §45125.1(a).) You shall do the same for any other employees as directed by the District. (Education Code §45125.1(c).) When you perform the criminal background check, you shall immediately provide any subsequent arrest and conviction information it receives to the District pursuant to the subsequent arrest service. (Education Code §45125.1(a).)
2. You shall not permit an employee to interact with pupils until the Department of Justice has ascertained that the employee has not been convicted of a felony as defined in Education Code section 45122.1. (Education Code §45125.1(e).) See the lists of violent and serious felonies in *Attachment A* to this Notice.
3. Prior to performing any work or services under your contract with the District, and prior to being present on District property or being within the vicinity of District pupils, you shall certify in writing to the District under the penalty of perjury that neither the employer nor any of its employees who are required to submit fingerprints, and who may interact with pupils, have been convicted of a felony as defined in Education Code section 45122.1, and that you are in full compliance with Education Code section 45125.1. (Education Code §45125.1(f).) For this certification, you shall use the form in *Attachment B* to this Notice.
4. If you are providing the above services in an emergency or exceptional situation, you are not required to comply with Education Code section 45125.1, above. An "emergency or exceptional" situation is one in which pupil health or safety is endangered or when repairs are needed to make a facility safe and habitable. The District shall determine whether an emergency or exceptional situation exists. (Education Code §45125.1(b).)
5. If you are an individual operating as a sole proprietor of a business entity, you are considered an employee of that entity for purposes of Education Code section 45125.1, and the District shall prepare and submit your fingerprints to the Department of Justice as described in Education Code section 45125.1(a).

(Education Code §45125.1(h).)

I, as _____ *[insert "owner" or officer title]* of Bright Group
[insert name of business entity], have read the foregoing and agree that Bright Group
[insert name of business entity] will comply with the requirements of
Education Code §45125.1 as applicable, including submission of the certificate mentioned
above.

Dated: _____

Name: _____

Signature: _____

Title: _____

ATTACHMENT A

Violent and Serious Felonies

Under Education Code sections 45122.1 and 45125.1, no employee of a contractor or subcontractor who has been convicted of or has criminal proceedings pending for a violent or serious felony may come into contact with any student. A violent felony is any felony listed in subdivision (c) of Section 667.5 of the Penal Code. Those felonies are presently defined as:

- (1) Murder or voluntary manslaughter.
- (2) Mayhem.
- (3) Rape as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or (4) of subdivision (a) of Section 262.
- (4) Sodomy as defined in subdivision (c) or (d) of Section 286.
- (5) Oral copulation as defined in subdivision (c) or (d) of Section 288a.
- (6) Lewd or lascivious act as defined in subdivision (a) or (b) of Section 288.
- (7) Any felony punishable by death or imprisonment in the state prison for life.
- (8) Any felony in which the defendant inflicts great bodily injury on any person other than an accomplice which has been charged and proved as provided for in Section 12022.7, 12022.8, or 12022.9 on or after July 1, 1977, or as specified prior to July 1, 1977, in Sections 213, 264, and 461, or any felony in which the defendant uses a firearm which use has been charged and proved as provided in subdivision (a) of Section 12022.3, or Section 12022.5 or 12022.55.
- (9) Any robbery.
- (10) Arson, in violation of subdivision (a) or (b) of Section 451.
- (11) Sexual penetration as defined in subdivision (a) or (j) of Section 289.
- (12) Attempted murder.
- (13) A violation of Section 18745, 18750, or 18755.
- (14) Kidnapping.
- (15) Assault with the intent to commit a specified felony, in violation of

Section 220.

- (16) Continuous sexual abuse of a child, in violation of Section 288.5.
- (17) Carjacking, as defined in subdivision (a) of Section 215.
- (18) Rape, spousal rape, or sexual penetration, in concert, in violation of Section 264.1.
- (19) Extortion, as defined in Section 518, which would constitute a felony violation of Section 186.22 of the Penal Code.
- (20) Threats to victims or witnesses, as defined in Section 136.1, which would constitute a felony violation of Section 186.22 of the Penal Code.
- (21) Any burglary of the first degree, as defined in subdivision (a) of Section 460, wherein it is charged and proved that another person, other than an accomplice, was present in the residence during the commission of the burglary.
- (22) Any violation of Section 12022.53.
- (23) A violation of subdivision (b) or (c) of Section 11418.

A serious felony is any felony listed in subdivision (c) Section 1192.7 of the Penal Code. Those felonies are presently defined as:

- (1) Murder or voluntary manslaughter; (2) Mayhem; (3) Rape; (4) Sodomy by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person; (5) Oral copulation by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person; (6) Lewd or lascivious act on a child under the age of 14 years; (7) Any felony punishable by death or imprisonment in the state prison for life; (8) Any felony in which the defendant personally inflicts great bodily injury on any person, other than an accomplice, or any felony in which the defendant personally uses a firearm; (9) Attempted murder; (10) Assault with intent to commit rape, or robbery; (11) Assault with a deadly weapon or instrument on a peace officer; (12) Assault by a life prisoner on a non-inmate; (13) Assault with a deadly weapon by an inmate; (14) Arson; (15) Exploding a destructive device or any explosive with intent to injure; (16) Exploding a destructive device or any explosive causing bodily injury, great bodily injury, or mayhem; (17) Exploding a destructive device or any explosive with intent to murder; (18) Any burglary of the first degree; (19) Robbery or bank robbery; (20) Kidnapping; (21) Holding of a hostage by a person confined in a state prison; (22) Attempt to commit a felony punishable by death or imprisonment in the state prison for life; (23) Any felony in which the defendant personally used a dangerous or deadly weapon; (24) Selling, furnishing, administering, giving, or offering to sell, furnish, administer, or give to a minor any heroin, cocaine, phencyclidine (PCP), or any methamphetamine-related drug,

as described in paragraph (2) of subdivision (d) of Section 11055 of the Health and Safety Code, or any of the precursors of methamphetamines, as described in subparagraph (A) of paragraph (1) of subdivision (f) of Section 11055 or subdivision (a) of Section 11100 of the Health and Safety Code; (25) Any violation of subdivision (a) of Section 289 where the act is accomplished against the victim's will by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person; (26) Grand theft involving a firearm; (27) carjacking; (28) any felony offense, which would also constitute a felony violation of Section 186.22; (29) assault with the intent to commit mayhem, rape, sodomy, or oral copulation, in violation of Section 220; (30) throwing acid or flammable substances, in violation of Section 244; (31) assault with a deadly weapon, firearm, machine gun, assault weapon, or semiautomatic firearm or assault on a peace officer or firefighter, in violation of Section 245; (32) assault with a deadly weapon against a public transit employee, custodial officer, or school employee, in violation of Sections 245.2, 245.3, or 245.5; (33) discharge of a firearm at an inhabited dwelling, vehicle, or aircraft, in violation of Section 246; (34) commission of rape or sexual penetration in concert with another person, in violation of Section 264.1; (35) continuous sexual abuse of a child, in violation of Section 288.5; (36) shooting from a vehicle, in violation of subdivision (c) or (d) of Section 26100; (37) intimidation of victims or witnesses, in violation of Section 136.1; (38) criminal threats, in violation of Section 422; (39) any attempt to commit a crime listed in this subdivision other than an assault; (40) any violation of Section 12022.53; (41) a violation of subdivision (b) or (c) of Section 11418; and (42) any conspiracy to commit an offense described in this subdivision.

ATTACHMENT B

Form for Certification of Lack of Felony Convictions

Note: This form must be submitted by the owner, or an officer, of the contracting entity before it may commence any work or services, and before it may be present on District property or be within the vicinity of District pupils.

Entity Name: _____
Date of Entity’s Contract with District: _____
Scope of Entity’s Contract with District: _____

I, _____ [insert name] , am the _____ [insert “owner” or officer title] for Bright Group [insert name of business entity] (“Entity”), which entered a contract on _____, 20__, with the District for _____.

I certify that (1) neither the Entity, nor any of its employees who are required to submit fingerprints and who may interact with pupils, have been convicted of a felony as defined in Education Code section 45122.1; and (2) the Entity is in full compliance with Education Code section 45125.1, including but not limited to each employee who will interact with a pupil outside of the immediate supervision and control of the pupil’s parent or guardian having a valid criminal background check as described in Education Code section 44237.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Date: _____, 20__

Signature: _____
Typed Name: _____
Title: _____
Entity: _____

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Tammy Busch, Chief Business Officer

Item Number: 17

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

SUBJECT:

Request to Approve the Independent Contract with Camacho Mechanical to Perform a Field Survey Collecting Information for the Mechanical Engineering Project to Include HVAC, Refrigeration, and Mechanical Equipment Districtwide.

BACKGROUND:

The District has started an excel spreadsheet with information of HVAC Equipment at each facility. However, there are missing pieces of information that need to be ascertained. The District needs assistance in retrieving information of existing HVAC units throughout the district. This additional information is required for the engineers to understand the location of each HVAC unit, its make, model, and other specifications.

STATUS:

The District is asking for approval for the Independent Contract with Camacho Mechanical to perform a field survey to ascertain the additional information needed to complete the report for the engineers.

PRESENTER:

Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

Measure J (76%) in the amount of \$4,940 and Measure k (24%) in the amount of \$1,560 for a total amount not to exceed \$6,500.

RECOMMENDATION:

That the Board approves the Independent Contract with Camacho Mechanical to perform a field survey.

Time allocated: 3 minutes



PO Box 72
Rio Vista, CA
(209)607-9807

Estimate

Date	Estimate #
12/16/2021	5990

Name / Address
River Delta Unified School District 445 Montezuma St. Rio Vista, CA 94571

Terms	Project
Net 15	District inspection

Description	Qty	Rate	Total
Camacho Mechanical will perform mechanical inspections of all HVAC, Refrigeration, and mechanical equipment including exhaust fans and chiller and boilers at all 8 schools and the district office. We will match up all equipment with the as built plans provided and include any missing documentation. We will also match all equipment with the map overview provided by the district and give a assessment of the condition and longevity of each system. This quote is a number not to exceed and will be billed out on a time and material basis for work performed. Rio Vista		6,500.00	6,500.00
		8.125%	0.00

Estimate is good for 30 days. Thank you for this opportunity. Signature	Total	\$6,500.00
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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

INDEPENDENT CONTRACT FOR SERVICES AGREEMENT

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

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

- TERM:** The term of this agreement is from February 15, 2022 through June 30, 2022. Extension or renewal requires approval of DISTRICT or authorized representative. Unless compensation is fixed on the basis of a daily or hourly rate, compensation will not be increased upon extension of the agreement without approval of the DISTRICT or authorized representative.

This agreement may be terminated with 60 days advance written notice by either party. In the event of termination for cause, CONSULTANT need be compensated only to the extent required by law.

- CONSULTANT SERVICES:** CONSULTANT agrees to perform, during the term of this agreement, the tasks obligations and services detailed as follows:

Camacho Mechanical will perform a field survey collecting information for the Mechanical Engineering Project to include HVAC, refrigeration, and mechanical equipment districtwide.

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

\$ ___ per ___ day ___ week ___ month ___ year or per ___ hour
OR
for a total cost not to exceed \$ 6,500
Billing is based per project.

All payments will be based on invoices submitted to DISTRICT by CONSULTANT and approved by DISTRICT'S authorized representative. The CONSULTANT shall provide an itemization of costs on submitted invoice.

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

7. **COMPLIANCE WITH LAWS:** CONSULTANT shall comply with all applicable federal, state and local laws, rules, regulations and ordinances involving its employees, including workers' compensation and tax laws.
8. **CONFLICTS OF INTEREST:** Consultants are responsible for complying with the Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations and may be required to file an annual Form 700 Conflict of Interest Statement of Economic Interests (as required following the passage of the Political Reform Act Government Code Section 81000, et seq.) (attached to and made a part of this contract).

The Superintendent may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and, thus, is not required to comply fully with the disclosure requirements described in those Sections cited above. The Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as the Conflict of Interest Code Form 700 Statements of Economic Interest. In addition, if the contract itself contains Conflict of Interest/Statements of Economic Interest Disclosures, the consultant is not required to re-file with the district annually.

9. **MODIFICATION OR ASSIGNMENT:** This agreement may not be assigned by either party without express written consent to the other. No modification shall be effective unless approved in writing by DISTRICT or authorized representatives.

CONTRACTOR/CONSULTANT:

RIVER DELTA UNIFIED SCHOOL DISTRICT:

Camacho Mechanical

 Printed/Typed Name Date

 Social Security Number/Federal Tax ID Number

 PO Box 72 Rio Vista CA 94571

 Address State Zip

 (209) 607-9807 dcamacho@camachomechanical.com

 Contact Phone and Email

Tammy Busch, Chief Business Officer

 Requested By Date

 Approval Signature Date

 Measure J and Measure K Bond

 Budget Code (Name & Coding)

 Board of Trustees Action Date

 Signature (Contractor/Consultant Authorized Representative)

Consultant must answer the two questions below:

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

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



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1651
(707) 374-1700 Fax (707) 374-2995

HOLD HARMLESS & INDEMNIFICATION AGREEMENT

To the fullest extent permitted by law, Camacho Mechanical, (Contractor/Consultant) agrees to defend, indemnify, hold harmless and waive all rights of 9+subrogation against River Delta Joint Unified School District, its Board of Trustees, officers, agents and employees (collectively the "District") from and against any and all claims, costs, demands, expenses (including attorney's fees), losses, damages, injuries and liabilities, whether active or passive, arising from any accident, death, or injury whatsoever or however caused or alleged to be caused whether by the District or the Contractor/Consultant to any person or property because of, arising out of, or in any way related to the performance of this agreement. Contractor/Consultant shall not be responsible for the sole or willful liability of the District. It is understood and agreed that such indemnity shall survive the termination of this agreement.

Contractor/Consultant shall maintain their own contractual liability insurance to cover its obligations under this agreement. This indemnification is independent of and shall not in any way be limited by insurance carried by the Contractor/Consultant.

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

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

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

Signature of Authorized Representative

Date Signed

Typed/Printed Name of Authorized Representative

Camacho Mechanical

Company Name

Address, Email & Phone: PO Box 72 Rio Vista, CA 94571
dcamacho@camachomechanical.com (209) 607-9807

1/14/08

Creating Excellence To Ensure That All Students Learn

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



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Superintendent's Statement Regarding Consultant and Conflict of Interest Annual Statement Needed

This is to affirm that the Contractor/Independent Contractor (Consultant), Camacho Mechanical by this District to perform work as indicated below and/or per attached contract/agreement:

10. Description of Duties: Camacho Mechanical will perform mechanical inspections of all HVAC, Refrigeration and mechanical equipment including exhaust fans and chiller and boilers Districtwide.

Will these duties and/or this Contractor/Consultant in any way have any level of influence on the expenditure of district revenues and/or resources?

No (If No, this consultant is not required to file the Form 700 with the district for the year(s) they are contracted by the district as long as the scope of duties do not change*).

Yes (If Yes, this consultant is **required** to file a **statement of economic interests/conflict of interest disclosure with this district for the year(s) they are contracted by the district****)

*This contractor/consultant (although identified as a "designated position" for purposes of the District's Conflict of Interest Code/Economic Interest Statement Form 700) 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 the District's Conflict of Interest Code.

**Either (a) the contractor/consultant must file the Form 700 annually as long as they are contracted with the district or (b) if the contract/agreement itself (provided by the contractor/district and district Board approved), contains conflict of interest disclosures, the contractor/consultant may attach that portion of the contract/agreement to this Statement (annually) in satisfaction of this requirement.

This determination is a public record and shall be retained for public inspection in the same manner and location as the District's Conflict of Interest Code Form 700s.

Kathy Wright, Superintendent

Date

1/14/08 Attachment : (Conflict of Interest Code)

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Attachment to Superintendent's Statement

DISTRICT'S CONFLICT-OF-INTEREST CODE

"The Political Reform Act (Government Code Section 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 Cal. Code of Reg. Sec. 18730) which 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 it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict-of-interest code of the River Delta Joint Unified School District.

Designated employees shall file their statements with the River Delta Joint Unified School District which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Statements for all designated employees will be retained by the River Delta Joint Unified School District in the Superintendent's Office."

Below are excerpts from attachments to the above Code regarding consultant disclosure:

Consultants must be included in the list of designated employees and must 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, 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 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. In addition, if the contract itself contains conflict of interest disclosures, the consultant is not required to re-file under this provision.

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 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.

1/14/08

Creating Excellence To Ensure That All Students Learn

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



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CONTRACTOR INSURANCE REQUIREMENTS

Contractor represents that it does carry and will continue to carry, with Insurance companies acceptable to the District, the following insurance coverages for any work or liability, including products and completed operations, arising out of or in any way connected with the work under this agreement:

Commercial General Liability Coverage—on an “occurrence form” policy containing a per occurrence limit of at least \$1,000,000 or the total cost of the project, which ever is more, protecting against bodily injury, property damage and personal injury claims arising from the exposures of (1) premises and operations; (2) products and completed operations (with a separate limit of coverage at least equal to the per occurrence limit); (3) independent subcontractors; (4) Contractual liability risk covering the indemnity obligations set forth in the hold harmless and indemnification agreement; and (5) where applicable, property damage resulting from explosion, collapse, or underground (x, c, u) exposures. The policy may not contain any exclusion or reduction in coverage for any of the above listed exposures.

Automobile Liability Coverage—insuring against bodily injury and/or property damage arising out of the operation, use, loading or unloading of any auto including owned, non-owned, hired and employee autos with limits of at least \$1,000,000.

Worker’s Compensation and Employer’s Liability Coverage—providing statutory benefits imposed by applicable state or federal laws such that the District will have no liability to Contractor or its employees, subcontractors and agents; and that Contractor will satisfy all Worker’s Compensation obligations imposed by state law. If Contractor has any employees that are subject to the rights and obligations of the Longshoremen and Harbor Workers Act, then the Worker’s Compensation Insurance must be broadened to provide such coverage. In addition, Contractor agrees to carry Employer’s Liability Coverage with limits of not less than \$1,000,000 per accident for each employee.

Professional Liability Coverage—insuring, where applicable, for any exposures resulting from professional liability with limits of at least \$1,000,000.

Additional Insured—Contractor shall add “River Delta Unified School District, its board of trustees, officers, agents and employees” (collectively the “District”) as an additional insured via separate endorsement by having the insurance carrier issue an ISO CG 20 10 edition date 11 85 Additional Insured Endorsement or its equivalent. Such endorsement must include completed operations coverage for the benefit of the additional insured. This extension shall apply to the full extent of the actual limits of Contractor’s coverages even if such actual limits exceed the minimum limits required by this agreement. The District’s additional insured status under the policy(ies) must not be limited by amendatory language to the policy. To the extent umbrella or excess insurance is available above the minimum required limits stated in this Agreement, the protection afforded the District in the umbrella or excess liability insurance shall be as broad or broader than the coverages present in the underlying insurance and in accordance with this agreement. Each general liability, umbrella, or excess policy shall specifically state that the insurance provided by the Contractor shall be considered primary, and insurance of the District shall be considered excess for purposes of responding to claims.

Creating Excellence To Ensure That All Students Learn

Contractor shall evidence that such insurance is in force by furnishing the District with acceptable proof thereof with a Certificate of Insurance together with a copy of the declarations page of the policies and all policy endorsements, or if requested by the District, certified copies of the policies. The certificate, declarations page, and all policy endorsements shall become a part of this agreement. Each certificate of insurance shall (1) contain an unqualified statement that the policy shall not be subject to cancellation, nonrenewal, adverse change, or reduction of amounts of coverage without thirty (30) days prior written notice to the District, but in the event of non-payment of premium, ten (10) days notification will be provided; (2) show the District as Additional Insured by referencing and attaching the required endorsement; (3) shall indicate that the Contractor’s coverage is primary and the District’s insurance is excess for any claims; and (4) as to CGL coverage shall state “Policy includes contractual liability coverage insuring the agreement and obligations of the insured to indemnify the District and others to the extent set forth in the Agreement between the insured and the District.”

Subcontractors and Suppliers—If the Contractor should sublet any work to another party (subcontractor), Contractor guarantees that such subcontractor shall indemnify the District as set forth in this agreement and shall carry insurance as set forth in these requirements prior to permitting subcontractor to commence its work. Contractor shall obtain a signed agreement from such subcontractor indemnifying the District as set forth in this Agreement and agreeing to carry insurance as set forth above. In addition, Contractor shall require in its purchase orders that each supplier indemnifies Contractor and the District from all losses arising from any materials, products, or supplies included in such work.

Any attempt by the Contractor to cancel or modify such insurance coverage, or any failure by the Contractor to maintain such coverage, shall be default under this Agreement and, upon such default, the District will have the right to terminate this Agreement and/or exercise any of its rights at law or at equity. In addition to other remedies, the District may, at its discretion, withhold payment of any sums due under this Agreement until Contractor provides adequate proof of insurance.

These insurance requirements are independent of and shall not in any way limit the indemnity obligations of the Contractor under this agreement.

The amounts and types of insurance set forth above are minimums required by the District and shall not substitute for an independent determination by Contractor of the amounts and types of Insurance which Contractor shall determine to be reasonably necessary to protect itself and its work. The District reserves the right to modify these provisions relating to indemnification and insurance, and Contractor agrees to be bound by such modifications 30 days after receipt of the modified provisions.

Failure to enforce any of the provisions of these requirements or any of the provisions of this agreement shall in no way constitute a waiver of such provisions. In the case of any conflict with these requirements and the provisions of the agreement to which it is attached, these provisions shall prevail.

Signature of Authorized Representative

Date Signed

Typed/Printed Name of Authorized Representative

Camacho Mechanical

Company Name

Address, Email & Phone: PO Box 72 Rio Vista, CA 94571

dcamacho@camachomechanical.com (209) 607-9807

FINGERPRINTING NOTICE AND ACKNOWLEDGEMENT
FOR CONTRACTS OTHER THAN CONSTRUCTION CONTRACTS

(Education Code Section 45125.1)

Other than business entities performing construction, reconstruction, rehabilitation, or repair who have complied with Education Code section 45125.2, business entities entering into contracts with the District must comply with Education Code sections 45125.1. Such entities are responsible for ensuring full compliance with the law and should therefore review all applicable statutes and regulations. The following information is provided simply to assist such entities with compliance with the law:

1. You (as a business entity) shall ensure that each of your employees who interacts with pupils outside of the immediate supervision and control of the pupil's parent or guardian or a school employee has a valid criminal records summary as described in Education Code section 44237. (Education Code §45125.1(a).) You shall do the same for any other employees as directed by the District. (Education Code §45125.1(c).) When you perform the criminal background check, you shall immediately provide any subsequent arrest and conviction information it receives to the District pursuant to the subsequent arrest service. (Education Code §45125.1(a).)
2. You shall not permit an employee to interact with pupils until the Department of Justice has ascertained that the employee has not been convicted of a felony as defined in Education Code section 45122.1. (Education Code §45125.1(e).) See the lists of violent and serious felonies in *Attachment A* to this Notice.
3. Prior to performing any work or services under your contract with the District, and prior to being present on District property or being within the vicinity of District pupils, you shall certify in writing to the District under the penalty of perjury that neither the employer nor any of its employees who are required to submit fingerprints, and who may interact with pupils, have been convicted of a felony as defined in Education Code section 45122.1, and that you are in full compliance with Education Code section 45125.1. (Education Code §45125.1(f).) For this certification, you shall use the form in *Attachment B* to this Notice.
4. If you are providing the above services in an emergency or exceptional situation, you are not required to comply with Education Code section 45125.1, above. An "emergency or exceptional" situation is one in which pupil health or safety is endangered or when repairs are needed to make a facility safe and habitable. The District shall determine whether an emergency or exceptional situation exists. (Education Code §45125.1(b).)
5. If you are an individual operating as a sole proprietor of a business entity, you are considered an employee of that entity for purposes of Education Code section 45125.1, and the District shall prepare and submit your fingerprints to the Department of Justice as described in Education Code section 45125.1(a).

(Education Code §45125.1(h).)

I, as _____ *[insert "owner" or officer title]* of Camacho Mechanical
_____ *[insert name of business entity]* , have read the foregoing and agree that
Camacho Mechanical _____ *[insert name of business entity]* will comply with the
requirements of Education Code §45125.1 as applicable, including submission of the certificate
mentioned above.

Dated: _____

Name: _____

Signature: _____

Title: _____

ATTACHMENT A

Violent and Serious Felonies

Under Education Code sections 45122.1 and 45125.1, no employee of a contractor or subcontractor who has been convicted of or has criminal proceedings pending for a violent or serious felony may come into contact with any student. A violent felony is any felony listed in subdivision (c) of Section 667.5 of the Penal Code. Those felonies are presently defined as:

- (1) Murder or voluntary manslaughter.
- (2) Mayhem.
- (3) Rape as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or (4) of subdivision (a) of Section 262.
- (4) Sodomy as defined in subdivision (c) or (d) of Section 286.
- (5) Oral copulation as defined in subdivision (c) or (d) of Section 288a.
- (6) Lewd or lascivious act as defined in subdivision (a) or (b) of Section 288.
- (7) Any felony punishable by death or imprisonment in the state prison for life.
- (8) Any felony in which the defendant inflicts great bodily injury on any person other than an accomplice which has been charged and proved as provided for in Section 12022.7, 12022.8, or 12022.9 on or after July 1, 1977, or as specified prior to July 1, 1977, in Sections 213, 264, and 461, or any felony in which the defendant uses a firearm which use has been charged and proved as provided in subdivision (a) of Section 12022.3, or Section 12022.5 or 12022.55.
- (9) Any robbery.
- (10) Arson, in violation of subdivision (a) or (b) of Section 451.
- (11) Sexual penetration as defined in subdivision (a) or (j) of Section 289.
- (12) Attempted murder.
- (13) A violation of Section 18745, 18750, or 18755.
- (14) Kidnapping.
- (15) Assault with the intent to commit a specified felony, in violation of

Section 220.

- (16) Continuous sexual abuse of a child, in violation of Section 288.5.
- (17) Carjacking, as defined in subdivision (a) of Section 215.
- (18) Rape, spousal rape, or sexual penetration, in concert, in violation of Section 264.1.
- (19) Extortion, as defined in Section 518, which would constitute a felony violation of Section 186.22 of the Penal Code.
- (20) Threats to victims or witnesses, as defined in Section 136.1, which would constitute a felony violation of Section 186.22 of the Penal Code.
- (21) Any burglary of the first degree, as defined in subdivision (a) of Section 460, wherein it is charged and proved that another person, other than an accomplice, was present in the residence during the commission of the burglary.
- (22) Any violation of Section 12022.53.
- (23) A violation of subdivision (b) or (c) of Section 11418.

A serious felony is any felony listed in subdivision (c) Section 1192.7 of the Penal Code. Those felonies are presently defined as:

- (1) Murder or voluntary manslaughter; (2) Mayhem; (3) Rape; (4) Sodomy by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person; (5) Oral copulation by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person; (6) Lewd or lascivious act on a child under the age of 14 years; (7) Any felony punishable by death or imprisonment in the state prison for life; (8) Any felony in which the defendant personally inflicts great bodily injury on any person, other than an accomplice, or any felony in which the defendant personally uses a firearm; (9) Attempted murder; (10) Assault with intent to commit rape, or robbery; (11) Assault with a deadly weapon or instrument on a peace officer; (12) Assault by a life prisoner on a non-inmate; (13) Assault with a deadly weapon by an inmate; (14) Arson; (15) Exploding a destructive device or any explosive with intent to injure; (16) Exploding a destructive device or any explosive causing bodily injury, great bodily injury, or mayhem; (17) Exploding a destructive device or any explosive with intent to murder; (18) Any burglary of the first degree; (19) Robbery or bank robbery; (20) Kidnapping; (21) Holding of a hostage by a person confined in a state prison; (22) Attempt to commit a felony punishable by death or imprisonment in the state prison for life; (23) Any felony in which the defendant personally used a dangerous or deadly weapon; (24) Selling, furnishing, administering, giving, or offering to sell, furnish, administer, or give to a minor any heroin, cocaine, phencyclidine (PCP), or any methamphetamine-related drug,

as described in paragraph (2) of subdivision (d) of Section 11055 of the Health and Safety Code, or any of the precursors of methamphetamines, as described in subparagraph (A) of paragraph (1) of subdivision (f) of Section 11055 or subdivision (a) of Section 11100 of the Health and Safety Code; (25) Any violation of subdivision (a) of Section 289 where the act is accomplished against the victim's will by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person; (26) Grand theft involving a firearm; (27) carjacking; (28) any felony offense, which would also constitute a felony violation of Section 186.22; (29) assault with the intent to commit mayhem, rape, sodomy, or oral copulation, in violation of Section 220; (30) throwing acid or flammable substances, in violation of Section 244; (31) assault with a deadly weapon, firearm, machine gun, assault weapon, or semiautomatic firearm or assault on a peace officer or firefighter, in violation of Section 245; (32) assault with a deadly weapon against a public transit employee, custodial officer, or school employee, in violation of Sections 245.2, 245.3, or 245.5; (33) discharge of a firearm at an inhabited dwelling, vehicle, or aircraft, in violation of Section 246; (34) commission of rape or sexual penetration in concert with another person, in violation of Section 264.1; (35) continuous sexual abuse of a child, in violation of Section 288.5; (36) shooting from a vehicle, in violation of subdivision (c) or (d) of Section 26100; (37) intimidation of victims or witnesses, in violation of Section 136.1; (38) criminal threats, in violation of Section 422; (39) any attempt to commit a crime listed in this subdivision other than an assault; (40) any violation of Section 12022.53; (41) a violation of subdivision (b) or (c) of Section 11418; and (42) any conspiracy to commit an offense described in this subdivision.

ATTACHMENT B

Form for Certification of Lack of Felony Convictions

Note: This form must be submitted by the owner, or an officer, of the contracting entity before it may commence any work or services, and before it may be present on District property or be within the vicinity of District pupils.

Entity Name: Camacho Mechanical
Date of Entity’s Contract with District: _____
Scope of Entity’s Contract with District: _____

I, _____ [insert name] , am the _____ [insert “owner” or officer title] for Camacho Mechanical [insert name of business entity] (“Entity”), which entered a contract on _____, 20___, with the District for _____.

I certify that (1) neither the Entity, nor any of its employees who are required to submit fingerprints and who may interact with pupils, have been convicted of a felony as defined in Education Code section 45122.1; and (2) the Entity is in full compliance with Education Code section 45125.1, including but not limited to each employee who will interact with a pupil outside of the immediate supervision and control of the pupil’s parent or guardian having a valid criminal background check as described in Education Code section 44237.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Date: _____, 20___ Signature: _____
Typed Name: _____
Title: _____
Entity: _____

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Tammy Busch, Chief Business Officer

Item Number: 18

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

SUBJECT:

Request to Approve the Fee Proposal and Agreement with Capital Engineering to Provide a HVAC Conditions Survey Districtwide

BACKGROUND:

The District is in need of determining the condition of its HVAC systems, their life expectancy, as well as, replacement options or modifications of existing units.

STATUS:

Capital Engineering has provided a HVAC Assessment Proposal to include heating, ventilating and air conditioning survey to determine general system type, configuration, condition, basic design for replacement options and or modifications of existing where recommended. All services are outlined in the attached document.

PRESENTER:

Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

Measure J (76%) in the amount of \$21,280 and Measure K (24%) in the amount of \$6,720 for a total amount of \$28,000.

RECOMMENDATION:

That the Board approves the assessment proposal and agreement with Capital Engineering to provide a HVAC condition survey districtwide.

Time allocated: 3 minutes



1/31/22
Rev 4

Kathy Wright, Superintendent
River Delta Unified School District
445 Montezuma Street
Rio Vista, CA 94571

PROJECT: River Delta USD, HVAC Assessment

SUBJECT: PROPOSAL FOR MECHANICAL ENGINEERING SERVICES
21-0403

Dear Kathy,

We are pleased to offer this fee proposal for mechanical engineering services for the subject Project.

A. Project Description: The project consists of the following sites:

1. Rio Vista High School
2. Riverview Middle
3. D.H. White
4. Isleton
5. Delta
6. Clarksburg
7. Bates / Mokelumne Continuation High School and Community Day School
8. Walnut Grove
9. District Office

B. Our team will work with the team and explore a variety of MEP solutions, but for purposes of this fee proposal, our basic services fee assumes the following or something similar:

- a. HVAC
 - 1) Packaged roof-top & split air conditioning units
 - 2) VRF (variable refrigerant flow) unitary system
 - 3) Boilers with terminal units

C. Assumptions:

1. General:
 - a. All field investigations shall be accompanied by District staff familiar with the HVAC equipment of the site being surveyed.
 - b. ESSR funding will not be addressed.
 - c. AB-841 application requirements will not be addressed.
 - d. District does not have a “reduced carbon” directive. As a result source energy conversion of existing equipment (gas heat to heatpump) will not be considered.
 - e. Retrofit plan for improving iAQ via improved filtration, increased ventilation air, CO2 monitoring, fan system operating schedule modifications will not be considered

D. Scope of Services:

1. The scope of basic services shall include heating, ventilating and air conditioning survey and basis of design for replacement and modifications of existing where recommended.
2. Programming of a cloud-based database with the equipment parameters determined to be relevant to existing type and condition and replacement.
3. Schematic Phase: Review cost estimates. Review the site and pertinent existing documentation available. Provide sites specific prioritized recommendations for replacement and/or modifications of HVAC systems
 - a. Deliverables:
 - 1) Site survey to determine information in G.4 below.
 - 2) Site visits to determine general system type, configuration and condition.
 - 3) Narrative report describing existing systems/equipment and their replacement options.
 - 4) Populating of cloud database with survey data and replacement options from Capital and District site visits.
 - 5) Review of workorder system reports, in concert with District staff to establish a “bias” for weighting of replacement timing

- 6) Prioritized list of replacement based on recommendations in concert with the District and their consultants.
- 7) Review of initial cost estimate prepared by others.
- 8) Database report-out of parameterized replacement scope and costs, by site. Three iterations assumed.
- 9) Access to online equipment database for one user for a period of six months. At the end of 6 months a CSV file export of each database table.

E. Clarifications:

1. We have provided for the following services in our fee proposal:
 - a. [9] person-days of field investigation.
 - b. [3] Team meeting(s) during the Scoping/Schematic Design phase.

F. Extra Services: The following services are not included in this proposal. The Engineer shall be compensated for providing these services when the Architect requests such services.

1. Design services to provide alternate bid items, and descriptions of phased construction except as identified above.
2. Employment of special sub consultants at the request of the Architect.
3. Life cycle cost analyses, owning or operating cost studies and energy effectiveness studies.
4. Mechanical design services related to landscape architectural fountains, water features or water displays, landscape sprinklers, site drainage, site utilities, or special piping systems not specifically noted in proposal.
5. Mechanical design services related to hydraulic calculation of or detailed pipe sizing and design of fire sprinkler system. CECI will provide a deferred approval performance type design for the fire sprinkler system.
6. Work outside the line five feet from the building unless noted otherwise.
7. Preparation of cost estimates
8. BIM LOD to provide a greater level of detail or different than described in the BIM LOD paragraph above.
9. The modification of mechanical and electrical drawings (Revit model or AutoCAD files) to show final mechanical and electrical ceiling devices that will be used directly by Architect to show locations of ceiling

- devices on Architectural drawings by the means of directly referencing or linking the mechanical and electrical files or model.
10. California Energy Code analysis or compliance documentation of Architectural or Lighting systems.
 11. Partnering sessions, value engineering sessions or review of Contractor or Construction Manager proposed cost cutting recommendations.
 12. Work involved in securing utility company rebates.
 13. Additional time over and above the normal and customary to clarify, negotiate, or otherwise respond to unreasonable or inaccurate interpretations of the code by the code officials including circumstances where we become "caught in the middle" between code interpretations of office reviewers and field reviewers.
 14. Non-Title 24 commissioning of building systems, services related to the development of commissioning plans and services related to support third party commissioning of the building, other than as described above.
 15. Title-24 required Division 01 specifications, functional testing, development of the systems manual, operational training, and the commissioning report.
 16. Design services related to LEED certification of building, studies necessary to determine feasibility of LEED certification and the preparation or coordination of the documentation necessary for LEED certification.
 17. Design services related to CHPS certification of building, studies necessary to determine feasibility of CHPS certification and the preparation or coordination of the documentation necessary for CHPS certification.
 18. Design services related to Green Guide for Health Care certification of building, studies necessary to determine feasibility of Green Guide for Health Care certification and the preparation or coordination of the documentation necessary for Green Guide for Health Care certification.
 19. Changes to Basis of Design if the Owners Project Requirements are changed following completion of the Schematic Design phase or significant changes in physical configuration after Design Development, significant changes in Revit project setup such as but not limited to, change in coordinates, changes in or additional phasing.

20. Redesign required due to a construction cost guarantee by the prime design professional or for other reasons that are not the responsibility of the Consulting Engineer is not included.
21. Prolonged construction administration: We have based our proposal upon the schedule noted earlier. Prolonged support services for construction if initial construction time schedule is exceeded by more than 15% through no fault of the Consulting Engineer would result in a request of additional funding.
22. Unless known during the proposal phase and specifically included in Paragraph A, all effort related to the preparation of bid set design documents prior to AHJ Approval, and the identification (i.e. via clouds & deltas) of subsequent design changes that may have occurred between the Pre-AHJ Approved bid set and the final AHJ Approved set.
23. Engineering work caused from construction that is installed differently from the permitted drawings if work could be installed as shown and permitted.
24. Engineering rework as a result of other trades not coordinating or installing work different from approved coordination drawings.

G. Materials and Services Furnished by Others:

1. Cost Estimating.
2. All reproduction, including drawings, specifications and reports.
3. All as-built drawings and site maps available.
4. Field surveys and collect the following information:
 - a. Age of existing equipment.
 - b. Completion of the equipment inventory for all HVAC equipment.
 - c. Association of individual pieces of equipment with the rooms served, naming convention used shall be reflected on site room maps.
 - d. Existing air filter types (MERV rating) and thickness.
 - e. Mechanical ventilation status. Identification if mechanical ventilation (outdoor air) is provided for each piece of air handling equipment.

- f. Where we have central plant (boiler/chiller) equipment exists the equipment will likely serve multiple rooms, identify those rooms areas.
- g. Rooms with radiators will likely not have air systems which is a COVID related point. Identify those rooms.
- h. A report from the workorder system indicating repairs performed on all HVAC equipment for the prior 5 years.

H. Compensation:

- 1. Basic Services: Compensation for Basic Services outlined under Paragraph B above shall be as follows:

Site visits to determine general system type, configuration, condition, replacement options.	\$ 16,000.00
Narrative report describing existing systems/equipment and their replacement options.	\$ 4,000.00
Populating of cloud database with survey data and replacement options from Capital and District site visits.	\$ 1,500.00
Review of workorder system reports, in concert with District staff to establish a "bias" for weighting of replacement timing	\$ 1,000.00
Prioritized list of replacement based on recommendations in concert with the District and their consultants.	\$ 3,000.00
Review of initial cost estimate prepared by others.	\$ 700.00
Database report-out of parameterized replacement scope and costs, by site. Three iterations assumed.	\$ 1,200.00
Access to online equipment database for one user for a period of six months. At the end of 6 months a CSV file export of each database table.	\$ 600.00
Total	\$ 28,000.00

The fee provided is valid for 180 days from the date of the proposal. If the Project begins after this time Capital may request an adjustment to the fee to reflect the extended start date.

- 2. Extra Services:
 - a. Compensation for authorized Extra Services as defined above shall be hourly at the rates indicated in the attached rate schedule.

- 3. Reimbursable Expenses:

We propose to invoice for reimbursable expenses including travel, mileage, rental car, tolls, lodging, per diem, and plotting based on our cost plus a 10% mark-up. Printing for distribution is not included in this reimbursable expense. We anticipate that deliverables will be in PDF format or the team will have a common reproduction agency, where

documents for major distribution will be sent, and we will be reimbursed directly by the client or the architect.

I. Insurance Coverage:

1. Professional Liability \$1,000,000 per claim

Thank you for the opportunity to offer our services.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Chuck Shinneman PE". The signature is fluid and cursive, with a stylized "H" at the end.

Chuck Shinneman, PE
Associate Principal

CAPITAL ENGINEERING CONSULTANTS, INC.

Capital Engineering Consultants, Inc.

TERMS and CONDITIONS:

[We understand the Terms and Conditions will be based on your standard contract as modified per the Prime Agreement. Since the Prime Agreement has not yet been provided, Capital reserves the right to request additional fees to align the scope of work within this fee proposal with the final contract requirements.]

[INCLUDE PARAGRAPH ABOVE OR PARAGRAPHS 1 AND 2 BELOW. INCLUDE REMAINING PARAGRAPHS WITH EITHER OPTION]

The following Terms and Conditions will govern all services performed on behalf of Client and are hereby incorporated into the Engineering Fee Proposal.

1. **Payment.** *All fees and other charges will be billed to Client monthly and will be due and payable no later than 90 days after the date of invoice. Client will pay Capital, Inc. ("Capital") interest on past due amounts at the rate of 1.5 percent per month or the highest amount permitted by law, whichever is greater. In addition to all other remedies, Capital may withhold delivery of services, reports, plans, specifications, documents or other deliverables if Client fails to pay an invoice when due. Payment to Capital will not be withheld, postponed or made contingent on the construction, completion or success of the project or upon receipt by the Client of project funds, offsetting reimbursements, or credits from other parties. No withholding, deductions or offsets shall be made from Capital's compensation for any reason unless Capital has been found to be legally liable for such amounts. Payment of Capital's fees shall be a condition precedent to bringing any action or suit against Capital.*
2. **Construction Contingency Fund.** *The Client and Capital agree that changes may be required to the plans and specifications during the various phases of design, development, and construction, and therefore the cost of the project may exceed the estimated construction cost. The Client will set aside a reserve in the amount of 10% of the estimated construction cost as a contingency reserve to be used, as required, to pay for any such changes. The Client waives any claim against Capital or Capital's subconsultants with respect to any increased costs to the extent of the contingency reserve due to such changes or due to claims made by the construction Contractors relating to such changes.]*
3. **Additional Services.** *Any services not explicitly described as being performed by Capital or its subconsultants are excluded. If agreed to in writing by Client and Capital, Capital will provide additional services. Client will pay Capital for such additional services in accordance with Capital's current fee schedule or as otherwise agreed by Client and Capital in writing. These Terms and Conditions will apply to all additional services provided by Capital. In the case of additional services added to the Engineering Fee Proposal, Capital's liability shall be limited to the extent of the additional fee for the specific additional services added.*
4. **Professional Standards.** *Subject to all conditions set forth herein, Capital will only be liable for breaching its obligation to perform its services to the level of competency maintained by other practicing engineering professionals in the same or similar community performing the same services at the same time as they were performed by Capital. Capital makes no warranties, either express or implied. Capital does not guarantee the completion or quality of performance of contracts by the construction contractor or subcontractors, or other third parties, nor accepts responsibility for their acts, omissions or any safety precautions.*
5. **Independent Contractor.** *The relationship of Capital to Client shall at all times be that of an independent Contractor. Capital shall not be liable for the acts of Client or its agents in performing Work.*
6. **Document Ownership.** *Capital holds copyright for all drawings, calculations, and other original documents produced by Capital and such documents shall be the property of Capital, except when otherwise provided by law, governmental requirement, or by prior agreement, these documents become public property or the property of the Client. A limited license is granted to use the documents for the specific purposes and project covered by the Agreement. Reproduction of these documents either in hard copy or soft copy (including posting on the web) is prohibited without copyright permission. No right to create modifications or derivatives of Capital documents is granted pursuant to this limited license. Any product, process, or technology described in the documents may be the subject of other Intellectual Property rights reserved by Capital. The drawings, specifications, and reproductions thereof are instruments of service to be used only for the specific project covered by the Agreement between the Client and Capital. Capital assumes no liability for misinterpretation, modification, or misuse by others of any instruments of service prepared by Capital in accordance with its services.*

7. **Electronic Documents.** *If Capital provides Client any design documents, including but not limited to plans and specifications, in electronic form ("Electronic Documents"), acceptance and use of the Electronic Documents by Client shall be at Client's sole risk and Client will: (a) Waive and covenant not to sue Capital alleging any inaccuracy or defect in the Electronic Documents; (b) Agree that Capital makes no representation with regard to the compatibility of the Electronic Documents with Client's software or hardware; and (c) to the fullest extent permitted by law, indemnify, hold harmless, reimburse and defend Capital from, for and against any alleged claim, damage, liability, or cost, including but not limited to attorneys' fees, that may arise from Client's use of the Electronic Documents or any subsequent modification of the Electronic Documents by any person or entity.*
8. **Schedule.** *Capital will perform its services with reasonable diligence consistent with sound professional practice as ordinarily provided by engineers practicing in the same or similar locality under the same or similar circumstances. Client will require its other consultants and Contractors to incorporate into their schedules reasonable periods of time for Capital to perform its services and will require that they coordinate their services with Capital's services. Client is aware that many factors outside Capital's control may affect Capital's ability to timely perform and complete its services and Client agrees that Capital is not responsible for damages arising directly or indirectly from any delays, including but not limited to liquidated damages.*
9. **Termination for Convenience.** *Either Capital or Client may terminate this Agreement at any time with or without cause upon giving the other party ten (10) calendar days' prior written notice. Client will pay Capital for all services rendered and all costs incurred up to the date of termination, along with all other reasonable termination costs, including but not limited to expenses directly attributable to termination for which the Architect is not otherwise compensated, plus an amount for the Capital's anticipated profit on the value of the services not performed by Capital. If no notice of termination is given, Capital's obligations created by this Agreement will be terminated upon completion of the services.*
10. **Notice of Deficiencies.** *Client shall provide prompt written notice within thirty (30) days of when Client becomes aware or should have reasonably been aware of any fault or defect in the project, including errors, omissions or inconsistencies in the services and work product provided by Capital.*
11. **Waiver of Subrogation.** *Client and Capital waive all rights against each other for damages or loss to the extent covered by any available insurance. Client will require all of Client's insurers to waive subrogation against Capital and Client will contractually require all of its Contractors, consultants, and agents of any tier to have their respective insurers waive subrogation against Capital.*
12. **Indemnity.** *Subject to all provisions of this Agreement and to the fullest extent permitted by law, Client shall indemnify, hold harmless, reimburse and defend (with counsel of Capital's choice) Capital, its employees, officers, directors and agents from, for and against all actual or alleged claims, losses, damages, costs and expenses arising from or related to the work, the Project, or this Agreement (with the sole exception that Client will have no duty to indemnify Capital from claims or losses to the extent those claims or losses are caused by the fault or negligence of Capital or its employees as adjudicated by a court of competent jurisdiction). Under no circumstances shall Capital be liable for any actual or alleged claims, losses, damages, costs and expenses arising from or related to the work, fault, or negligence of its subconsultants.*
13. **Modifications.** *No change, modification, or amendment to this Agreement will be valid unless agreed to by both of the parties hereto in writing.*
14. **Successors and Assigns.** *This Agreement shall inure to the benefit of and shall be binding upon each of the parties hereto and such parties' partners, successors, executors, administrators and assigns.*
15. **Arbitration.** *Client agrees that any claim, damage, or dispute arising out of these Terms and Conditions or any services performed by Capital will be resolved by binding and confidential arbitration before a single arbitrator in the state where the project is located. The parties shall mutually select the arbitrator and the rules applicable to the arbitration process. Unless the parties mutually agree otherwise, the arbitration shall be administered by the American Arbitration Association in accordance with its Construction Industry Arbitration Rules in effect on the date of this Agreement. As a condition precedent to serving a demand for arbitration, Client agrees that it will obtain a written certificate executed by an independent design professional with similar experience on similar projects and licensed in the jurisdiction in which the project is located certifying that Capital failed to meet the applicable standard of care. Client will provide Capital with a copy of the certificate and all written analysis supporting the certificate's findings at least 30 days before serving a demand for arbitration. Client and Capital agree that any party hereto shall commence all claims and causes of action within the period specified by applicable law but in any case, not more than ten (10) years after the date of substantial completion of the project. Client and Capital waive all claims and causes of action not commenced or noticed in accordance with the time periods in this section.*

16. **Governing Law.** *The laws of the State that the project is constructed will govern the validity of this Agreement, its interpretation and performance. Any dispute arising in any way from this Agreement shall be subject to the jurisdiction of the courts of that State.*
17. **Client's Terms.** *Any terms and conditions set forth or referenced in Client's purchase order, requisition, or other notice of authorization to proceed are inapplicable to the services provided under this proposal or any related agreement, except when specifically accepted or confirmed in writing and signed by Capital.*
18. **Limitation of Liability.** *Client agrees that, in recognition of the relative risks and benefits of the project, Capital's aggregate joint, several and individual liability, whether for breach of contract, breach of warranty, negligence, professional malpractice, strict liability or otherwise will be limited to an amount no greater than \$1 million or Capital's fee, whichever amount is lesser. This provision will survive the termination or expiration of this Agreement.*
19. **Limitation of Remedy.** *Client covenants that it will not, under any circumstances, bring a lawsuit, arbitration demand, or claim of any kind against Capital's individual employees, officers, directors, or agents and that Client's sole remedy will be against Capital, Inc.*
20. **Entire Agreement.** *This Agreement contains all terms and conditions agreed on by the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement, shall be deemed to exist, or bind any of the parties hereto.*

2022 Billing Rates

Sr. Principal	\$240.00 / hour
Principal	\$220.00 / hour
Director	\$210.00 / hour
Sr. Project Manager	\$203.00 / hour
Project Manager	\$195.00 / hour
Field Services	\$190.00 / hour
Senior Engineer	\$172.00 / hour
Engineer	\$158.00 / hour
Senior Designer	\$148.00 / hour
Designer	\$135.00 / hour
Technician / CADD	\$125.00 / hour
Intern	\$117.00 / hour
Project Administrator	\$105.00 / hour
Sr. Admin.	\$70.00 / hour
Clerical / Admin.	\$58.00 / hour

Reimbursable Expenses

Reimbursable expenses include: Postage other than for general correspondence; plan check permit and inspection fees required by governing bodies; plotting of CADD originals; printing and reproduction costs applicable to project submissions to client or review agencies; toll calls; mileage to and from site meetings at IRS allowed rate; overnight or daily delivery service when required to meet a need of the client not the fault of the Engineer or to meet a previously agreed to submission date.

Reimbursable expenses will be billed at actual cost plus a service charge of 10%.

CECI Tax ID No. 94-1492674

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Katherine Wright, Superintendent

Item Number: 19

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

SUBJECT:

Request to Approve the First Reading of the Updated or New Board Policies, Administrative Regulation and or Exhibits Due to New Legislation or Mandated Language and Citation Revisions as of December 2021, as well as the Policy Relating to Travel Expenses to reflect the policies and procedures of the District.

BACKGROUND:

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

STATUS:

Attached are Board Policies, Administrative Regulations and Exhibits which have been affected by changes in law effective prior to December 2021 which need to be approved for first reading.

These Board Policies, Administrative Regulations and Exhibits will be submitted for a second and final reading and approval at the March 8, 2022 Board meeting.

PRESENTER:

Katherine Wright, Superintendent and Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

Jennifer Gaston, Recorder

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approves the first reading of these Board Policies, Administrative Regulations and Exhibits as submitted resulting from legislation effective prior to December 2021, as well as policies and/or regulations relating to travel expenses.

Time allocated: 3 minutes

CSBA POLICY GUIDE SHEET

December 2021

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 0420.42 - Charter School Renewal

Policy updated to reflect **NEW LAW (AB 130, 2021)** which extends the term by two years for all charter schools whose term expires on or between January 1, 2022 and June 30, 2025 and requires, for renewals and denials, that the most recent years for which state data is available preceding the renewal or denial decision be used in determining whether specified criteria are met if the two consecutive years preceding the renewal or denial include the 2019-20 or 2020-21 school year. Policy also updated for clarity and consistency with law.

Board Policy 1312.3 - Uniform Complaint Procedures

Policy updated to reflect **NEW LAW (AB 131, 2021)** which renumbers the license-exempt California State Preschool Program code sections, ensure consistency with the California Department of Education's 2021-22 federal program monitoring instrument, clarify that districts may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student, add Item #3 to the section regarding "Non-UCP Complaints" that any complaint alleging that a student, while in an education program or activity as specified, was subjected to sexual harassment as defined in 34 CFR 106.30 be addressed through federal Title IX complaint procedures, and clarify in Item #5 that complaints alleging a physical safety concern that interferes with a free appropriate public education is a non-UCP complaint.

Administrative Regulation 1312.3 - Uniform Complaint Procedures

Regulation updated to delete outdated and/or repealed U.S. Department of Education's Office for Civil Rights (OCR) references and where appropriate add current OCR material, ensure consistency with the California Department of Education's 2021-22 federal program monitoring instrument, clarify posting requirements for the annual notification, compliance officer contact information and information related to Title IX, add material regarding the requirement for an administrator who is not designated as a compliance officer who receives a complaint to notify the compliance officer, clarify that districts may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student, add descriptions to the OPTION headings for districts that do or do not allow complainants to appeal to the governing board, delete material regarding respondent being sent the investigation report at the same time it is provided to complainant as this simultaneous exchange is not required by law, amend language in regard to pursuing civil law remedies in the notice to complainants included in investigation reports for allegations of unlawful discrimination, harassment, intimidation, and bullying based on state law, clarify when either party may request reconsideration of an appeal by the Superintendent of Public Instruction, and reflect **NEW LAW (AB 131, 2021)** which renumbers the license-exempt California State Preschool Program code sections.

Exhibit(1) 1312.3 - Uniform Complaint Procedures

Exhibit updated to reflect **NEW LAW (AB 131, 2021)** which renumbers the license-exempt California State Preschool Program code sections.

Exhibit(2) 1312.3 - Uniform Complaint Procedures

Exhibit updated to reflect **NEW LAW (AB 131, 2021)** which renumbers the license-exempt California State Preschool Program code sections.

Administrative Regulation 3515.6 - Criminal Background Check for Contractors

Regulation updated to reflect **NEW LAW (AB 130, 2021)** which requires any entity, including a sole proprietor, that has a contract with a district to ensure that employees who interact with students outside of the immediate supervision and control of the student's parent/guardian or school staff have a valid criminal

records summary and to immediately provide any subsequent arrest and conviction information received pursuant to the subsequent arrest service. Regulation also updated to delete the list of service providers as the services in Items #1-5 are no longer listed in law and the services in Item #6 regarding the construction, reconstruction, rehabilitation, or repair of a school facility are considered in another portion of the regulation, delete material regarding an exception for employees with limited contact with students as it is no longer provided for in law, generalize information regarding steps that may be taken to protect the safety of students who may come in contact with employees of contracting entities, and rearrange placement of material for clarity and context.

Administrative Regulation 4217.3 - Layoff/Rehire

Regulation updated to add descriptions to the OPTION headings for the determination of "length of service" for order of layoff purposes, reflect **NEW LAW (AB 438, 2021)** which, for both merit and non-merit districts, specifies notice requirements and hearing rights districts must provide to permanent classified employees, as defined, who are subject to layoff due to lack of work or lack of funds, including that notice be given no later than March 15, and that classified staff may be reduced due to lack of work or lack of funds when the governing board determines during the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies that the district's local control funding formula apportionment per unit of average daily attendance for the fiscal year of the Budget Act has not increased by at least two percent. Regulation also updated to provide material regarding a permanent classified employee's request for a hearing, including a hearing before an administrative law judge in which the board makes the final decision regarding the sufficiency of the cause and disposition of the layoff, provide material regarding final notice before May 15 to employees affected by the layoff unless a continuance is granted, add material regarding notice to affected employees when classified positions are eliminated as a result of the expiration of a specifically funded program, and include that districts may release probationary classified employees without notice or hearing for reasons other than lack of work or lack of funds.

Administrative Regulation 5125 - Student Records

Regulation updated to enhance clarity by separating administrative guidance for requests involving changes to student records of current students and guidance related to requests for changes to gender or legal name of former students. Regulation also updated to move materials related to former students to end of regulation in new section - "Updating Name and/or Gender of Former Students."

Administrative Regulation 5145.3 - Nondiscrimination/Harassment

Regulation updated to clarify how district employees should handle requests by or on behalf of transgender and gender-nonconforming students when changing gender and legal name on student records. Regulation also updated to broaden the section on "Transgender and Gender-Nonconforming Students" to include support for intersex and nonbinary students and related definitions.

Board Policy 5148 - Child Care and Development

Policy updated to reflect **NEW LAW (AB 131, 2021)** which repealed the Child Care and Development Services Act from the Education Code and reenacted the laws in the Welfare and Institutions Code with responsibility for administering child care programs transferring to the California Department of Social Services (CDSS). Policy also updated to reflect **NEW LAW (AB 130, 2021)** pursuant to which a child's eligibility for transitional kindergarten may not impact family eligibility for a child care program and which requires, as a condition of funding, that a child care program that is physically closed by local or state public health order or guidance due to the COVID-19 pandemic, but funded to be operational, provide distance learning services as specified by CDSS.

Administrative Regulation 5148 - Child Care and Development

Regulation updated to reflect **NEW LAW (AB 131, 2021)** which (1) repealed the Child Care and Development Services Act from the Education Code and reenacted the laws in the Welfare and Institutions Code, (2) waives fees for families receiving subsidized child care services for 2021-22, and (3) requires a California State Preschool Program or child care program to provide a parent/guardian of a child transferring to a public school with specified information.

Board Policy 5148.2 - Before/After School Programs

Policy updated to reflect **NEW LAW (AB 130, 2021)** which (1) establishes the Expanded Learning Opportunities (ELO) Program, (2) allocates ELO funding to districts under a formula based on a district's percentage of unduplicated students and average daily attendance, (3) requires districts receiving funds to, for the 2021-22 school year, offer access to ELO programs to all unduplicated students in grades TK-6, provide access to such programs to at least 50 percent of enrolled unduplicated students and, commencing in the 2022-23 school year, offer access to all students in grades TK-6 inclusive and ensure that access is provided to any student whose parent/guardian requests their placement in an ELO program, and (4) requires After School Education and Safety, 21st Century Community Learning Center, and ELO programs that charge family fees to schedule fees on a sliding scale that considers family income and ability to pay and to waive the cost of such fees for a student who is eligible for free or reduced-price meals.

Administrative Regulation 5148.2 - Before/After School Programs

Regulation updated to reflect **NEW LAW (AB 130, 2021)** which (1) establishes the Expanded Learning Opportunities (ELO) Program, (2) requires districts receiving ELO funds to, for the 2021-22 school year, offer access to ELO programs to all unduplicated students in grades TK-6 and to provide access to such programs to at least 50 percent of enrolled unduplicated students, (3) commencing in the 2022-23 school year, offer access to all students in grades TK-6 inclusive and ensure that access is provided to any student whose parent/guardian requests placement in an ELO program, (4) requires districts receiving grants through the California Prekindergarten Planning and Implementation Grant Program to develop a plan for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten, (5) requires ELO programs serving transitional kindergarten and/or kindergarten students to maintain a student-to-staff member ratio of no more than 10 to 1, and (6) requires that ELO programs, for school days, provide in-person before- or after-school expanded learning opportunities that, when added to daily instructional minutes, are not less than nine hours of combined instructional time and, for intersession periods, provide in-person expanded learning opportunities of no less than nine hours per day for at least 30 non-school days. Regulation also updated to include definition of expanded learning opportunities and unduplicated student and to reflect the expectation that ELO programs will comply with all requirements for the After School Education and Safety program.

Board Policy 5148.3 - Preschool/Early Childhood Education

Policy updated to reflect **NEW LAW (AB 131, 2021)** which amended and renumbered the statutes governing the California State Preschool Program (CSPP) within the Education Code, and to reflect **NEW LAW (AB 130, 2021)** which (1) revised the timespans for mandatory transitional kindergarten (TK) admittance requirements to be phased in starting in the 2022-23 school year to the 2025-26 school year, (2) created a grant program for the construction or modernization of new preschool classrooms pursuant to the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program, (3) requires, in combination with **NEW STATE GUIDANCE**, as a condition of funding, that a CSPP program that is physically closed by local or state public health order or guidance due to the COVID-19 pandemic, but funded to be operational, provide distance learning services as specified by the California Department of Education, (4) requires districts receiving grants through the California Prekindergarten Planning and Implementation Grant Program to develop a plan for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten, and (5) prohibits TK eligibility from impacting family eligibility for a preschool or childcare program. Policy also updated to reflect that a CSPP program may be a part-day or full-day program and that a child under four years of age must be served in a CSPP facility licensed in accordance with Title 22 of the California Code of Regulations. Additionally, policy updated to reflect **NEW LAW (AB 1363, 2021)** which requires the quality indicators for CSPP programs to include activities and services that meet the needs of dual language learners for support in the development of their home language and English.

Administrative Regulation 5148.3 - Preschool/Early Childhood Education

Regulation updated to include definitions of three- and four-year-old children and to reflect **NEW LAW (AB 131, 2021)** which (1) amended and renumbered the statutes governing the California State Preschool Program (CSPP) within the Education Code, (2) clarifies that four-year-old children who are eligible to participate in a CSPP program include those children whose fifth birthday occurs after September 1 of the fiscal year in which they are enrolled in a CSPP program and whose parent/guardian has opted to retain or enroll the child

in a CSPP program, (3) requires CSPP programs to include certain components including minimum days per year for a full-day CSPP program, (4) repeals applicable code sections, (5) revises the eligibility criteria and enrollment priorities for part-day CSPP programs, (6) adds eligibility criteria and enrollment priorities for full-day CSPP programs, (7) waives fees for families receiving subsidized child care services for the 2021-22 school year, and (8) revises the order by which families must be disenrolled from CSPP programs if disenrollment is necessary. Policy also updated to delete section on "Wraparound Child Care Services" to reflect the repeal of code sections as stated above.

Board Policy 6112 - School Day

Policy updated to reflect clarification in the California Department of Education's Frequently Asked Questions about Independent Study that minimum school day requirements for regular school attendance apply to traditional independent study programs.

Administrative Regulation 6112 - School Day

Regulation updated to reflect **NEW LAW (AB 131, 2021)** which exempts activities related to the Expanded Learning Opportunity program from the calculation of the maximum school day for kindergarten and transitional kindergarten. Regulation also updated to specify when the school day may begin for students in middle and high schools, and to move material to enhance clarity.

Board Policy 6143 - Courses of Study

Policy updated to (1) expand student characteristics for which districts may not provide any course separately or require or refuse participation, (2) include that the district's course of study may provide for a rigorous academic curriculum that integrates academic and career skills, includes applied learning across all disciplines, and prepares students for high school graduation and career entry, and (3) clarify that the a-g requirements for the University of California and California State University system is 15 yearlong or 30 semesters.

Administrative Regulation 6143 - Courses of Study

Regulation updated to clarify that optional instruction in prenatal care is for pregnant individuals, to reflect **NEW LAW (AB 101, 2021)** which, subject to funding in the annual Budget Act or other statute, requires a one-semester course in ethnic studies beginning in the 2025-26 school year and as a requirement for graduation beginning with students who graduate in the 2029-30 school year, clarify that the a-g requirements for the University of California and California State University system is 15 yearlong or 30 semesters, and add a new section "Financial Aid Requirements for Students in Grade 12 that reflects **NEW LAW (AB 132, 2021)** which (1) requires, starting in the 2022-23 school year, districts to confirm that each student in grade 12 completes and submits a Free Application for Federal Student Aid (FAFSA) to the U.S. Department of Education and/or if a student is exempt from paying nonresident tuition, a California Dream Act Application (CADAA) to the Student Aid Commission unless the student's parent/guardian, emancipated minor, or student age 18 years or older submits an opt-out form to the district, or the district, in specified circumstances, exempts the student or the student's parent/guardian from completing the FAFSA, CADAA, or opt-out form and completes and submits an opt-out form on the student's behalf, (2) requires districts to ensure that each high school student in Grade 12, and if applicable the student's parent/guardian, be directed to any support and assistance necessary to complete the FAFSA and/or CADAA, and (3) that information shared by students and parents/guardians in completing and submitting the FAFSA and CADAA is handled in compliance with the federal Family Rights and Privacy Act and applicable state law, regardless of any person's immigration status or other personal information.

Board Policy 6158 - Independent Study

Policy updated to reflect **NEW LAW (AB 167, 2021)** which relaxes certain independent study (IS) requirements with respect to any student who is unable to attend in-person instruction due to a quarantine or school closure during the 2021-22 school year and to incorporate California Department of Education program clarifications, including that a district is permitted to (1) require students who cannot participate in classroom-based instruction during the school year due to quarantine or school closure because of infection with or exposure to COVID-19 to participate in IS, (2) claim apportionment credit for such students' participation in IS for fewer than the minimum three consecutive days generally required for IS, and (3)

obtain a signed written agreement from each participating student not later than 30 days after IS begins, rather than before a student may participate in IS.

Administrative Regulation 6158 - Independent Study

Regulation updated to reflect **NEW LAW (AB 167, 2021)** which permits districts to offer Independent Study (IS) to students who are unable to attend in-person instruction due to a quarantine pursuant to local or state public health guidance because of exposure to or infection with COVID-19. Regulation also revised to clarify that a student must be enrolled in school in order to participate in IS.

Board Policy 6170.1 - Transitional Kindergarten

Policy updated to reflect **NEW LAW (AB 130, 2021)** which (1) gradually revises the timespans for mandatory transitional kindergarten (TK) admittance such that, by the 2025-26 school year, children who turn four by September 1 will be eligible for TK, (2) establishes the California Prekindergarten Planning and Implementation Grant Program as an early learning initiative with the goal of expanding access to classroom-based prekindergarten programs at districts, including but not limited to TK programs, and which requires districts to develop a plan for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten, (3) establishes the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program to provide one-time grants to school districts to construct new school facilities or retrofit existing school facilities including for the purpose of providing TK classrooms, (4) prohibits TK eligibility from impacting family eligibility for a preschool or childcare program, and (5) requires districts to maintain an average TK class enrollment of not more than 24 students for each school site and which, commencing with the 2022–23 school year, requires districts to maintain an average of at least one adult for every 12 students for TK classrooms and, contingent upon an appropriation of funding, maintain an average of at least one adult for every 10 students commencing with the 2023-24 school year. Policy also updated to reflect requirements for programs that commingle preschool-age and TK students.

Board Bylaw 9150 - Student Board Members

Bylaw updated to reflect **NEW LAW (AB 824, 2021)** which specifies circumstances under which a governing board may adjust the term of a student board member. Bylaw also updated to enhance legal accuracy and clarity.

Board Bylaw 9320 - Meetings and Notices

Bylaw updated to clarify that it is discussion among themselves, via technology, of a majority of the governing board regarding an item within the subject matter jurisdiction of the board that can result in a violation of the Brown Act, and that agenda materials are required to be made available for public inspection at the time the materials are distributed to all or a majority of the board when agenda materials relating to an open session of a regular meeting are distributed to the board less than 72 hours before the meeting. Bylaw also updated to add a new section "Teleconferencing During a Proclaimed State of Emergency" which reflects **NEW LAW (AB 361, 2021)** that (1) authorizes boards, until January 1, 2024, to conduct board meetings by teleconference, as specified, without meeting certain requirements otherwise required of teleconference meetings when holding a board meeting during a proclaimed state of emergency when state or local officials have imposed or recommend measures to promote social distancing; to determine whether, as a result of an emergency, meeting in person would present imminent risks to the health or safety of attendees; or when it has been determined, as a result of an emergency, that meeting in person would present imminent risks to the health or safety of attendees, (2) includes that the district may, in its discretion, provide a physical location from which the public may attend or comment and, (3) provides that the board may continue to conduct meetings by teleconference during proclaimed states of emergency by a majority vote finding within 30 days after teleconferencing for the first time and every 30 days thereafter that either the state of emergency continues to directly impact the ability of the board to meet safely in person or that state or local officials continue to impose or recommend measures to promote social distancing.

CSBA Sample Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.42(a)

CHARTER SCHOOL RENEWAL

Note: When the term of a charter granted by the Governing Board pursuant to Education Code 47605 is due to expire, the charter school must submit a petition for renewal to the Board in accordance with Education Code 47607.

For a charter that was granted by the State Board of Education (SBE) on appeal after being denied by the district pursuant to Education Code 47605, the renewal petition must first be submitted to the chartering authority designated by SBE the district board that denied the charter, pursuant to in accordance with Education Code 47605. For charters granted by SBE on appeal pursuant to Education Code 47605, as that section read on January 1, 2019, the charter school may continue operating until it is up for renewal, at which point it must submit a renewal petition to the board in the geographic boundaries where the charter school is located, pursuant to Education Code 47605.9.

A petition for the renewal of a charter that was originally granted by the County Board of Education on appeal after being denied by the district must be submitted directly to the County Board as the chartering authority pursuant to 5 CCR 11966.5.

Pursuant to Education Code 47607.4, as added by AB 130 (Ch. 44, Statutes of 2021), notwithstanding the renewal process established in Education Code 47605.9, 47607, 47607.2, or any other law, all charter schools whose term expires on or between January 1, 2022 and June 30, 2025 shall have their term extended by two years.

The Governing Board believes that the ongoing operation of a charter school should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner, consistent with the timelines set out in the Education Code. The Board shall consider renewal petitions only of charters originally authorized by the Board itself or by the State Board of Education (SBE) on appeal after initial denial by the Board.

(cf. 0420.4 - Charter School Authorization)

(cf. 0420.41 - Charter School Oversight)

(cf. 0420.43 - Charter School Revocation)

(cf. 0500 - Accountability)

The Board shall deny the renewal petition of any charter school operated as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Education Code 47604)

When a charter school, concurrently with its renewal petition, proposes to expand operations to one or more additional sites or grade levels, the charter school shall request a material revision to its charter. The material revision may be made only with the approval of the Board and in accordance with the standards and criteria in Education Code 47605 for material revisions. (Education Code 47607)

CHARTER SCHOOL RENEWAL (continued)

Note: The following **optional** paragraph may be revised to reflect district timelines for the submission of charter renewal petitions. Education Code 47605 requires that the Board grant or deny the renewal petition within 90 days of receiving the petition; see section entitled "Timelines for Board Action" below. However, it is recommended that charter schools submit their petition sufficiently early (e.g., as much as nine months before the term of the charter is due to expire) so that, in the event that the Board denies the renewal, the charter school may be able to appeal to the County Board and then to SBE and, if the school closes, to allow students of the charter school to transfer to another school.

The Board recommends that a charter school submit its petition for renewal to the Board sufficiently early before the expiration of the term of the charter to allow the Board's deliberations and decision on the renewal petition to be completed with minimal disruption to the charter school's educational program in the renewal year.

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Education Code 47607; 5 CCR 11966.4)

Criteria for Granting or Denying Renewal

Note: Education Code 47607 and 47607.2 authorize different lengths of renewals for high-performing, middle-performing, and low-performing charter schools.

Pursuant to Education Code 47607, charter renewals are subject to the same standards and criteria as initial charter authorizations as specified in Education Code 47605, except that the Board may not deny the renewal of an existing charter school based on a finding that (1) the district has a negative or qualified interim certification, **or is under state receivership**, and is not positioned to absorb the fiscal impact of the proposed charter school or (2) the charter school is **demonstrably** unlikely to serve the interests of the entire community in which the school will be located (i.e., the school would substantially undermine or duplicate existing district services or programs). However, these two criteria may be used to deny a proposed expansion of an existing charter school **constituting a material revision**. See **BP/AR 0420.4 - Charter School Authorization** for more information regarding the standards and criteria for initial charter authorizations and renewals.

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. However, a charter renewal shall not be denied based on the fiscal impact of the charter school on the district or a finding that the charter school is **demonstrably** unlikely to serve the interests of the entire community in which the school is located, as described in Education Code 47605. (Education Code 47607)

The signature requirement for charter authorization petitions is not applicable to petitions for renewal. (Education Code 47607; **5 CCR 11966.4**)

Note: Pursuant to Education Code 47607.2, the review of the charter school's academic performance must be based on "verified data" from assessments and other indicators, **including in certain instances measures of postsecondary outcomes**, approved by SBE. In November 2020, SBE approved a list of valid and

CHARTER SCHOOL RENEWAL (continued)

reliable indicators of academic progress and postsecondary outcomes that may be used to demonstrate a charter school's academic performance. Such indicators are available on **the California Department of Education's CDE's** web site.

In determining whether to grant a charter renewal, the Board shall review both schoolwide performance and the performance of numerically significant student subgroups on the state and local indicators included in the California School Dashboard, giving greater weight to performance on measurements of academic performance. If the Dashboard indicators are not yet available for the most recently completed academic year before renewal, the Board shall consider verifiable data provided by the charter school related to the Dashboard indicators, such as data from the California Assessment of Student Performance and Progress, or any successor system, for the most recent academic year. The Board shall only consider data from sources adopted by SBE. (Education Code 47607, 47607.2)

Following the Board's review, a renewal of the charter petition may be granted in accordance with a three-tiered system based on school performance, as follows:

Note: Pursuant to Education Code 47607, as amended by **AB 130 SB 98 (Ch. 24, Statutes of 2020)**, the criteria described in item #1 below may be achieved for two of the **most recent years for which state data is available** ~~three years immediately~~ preceding the renewal **decision**, rather than for the two consecutive years immediately preceding the renewal, if the two consecutive years immediately preceding the renewal **decision** include the 2019-20 **or 2020-21** school year.

1. **Renewal of Five to Seven Years**

- a. A charter school that is not eligible for technical assistance pursuant to Education Code 47607.3 shall be granted renewal for a period of five to seven years when, for two consecutive years immediately preceding the renewal, or for two of the **most recent years for which state data is available** ~~three years immediately~~ preceding the renewal **if the two consecutive years immediately preceding the renewal decision include the 2019-20 or 2020-21 school year,** ~~for any renewal submitted in the 2020-21 or 2021-22 school year,~~ the charter school achieved either of the following: (Education Code 47607)
 - (1) Received the two highest performance levels schoolwide on all the state indicators included in the Dashboard for which the charter school receives performance levels, provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years
 - (2) For all measurements of academic performance, received performance levels schoolwide that are the same or higher than the state average

CHARTER SCHOOL RENEWAL (continued)

and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average, provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups

- b. If the charter school satisfies the above criteria, it shall only be required to update the renewal petition to include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed and, as necessary, to reflect the current program offered by the charter school. (Education Code 47607)

2. Renewal of Five Years

- a. A renewal shall be granted for five years if clear and convincing evidence, demonstrated by verified data, shows either of the following: (Education Code 47607.2)
 - (1) Measurable increases in academic achievement, as defined by at least one year's progress for each year in school
 - (2) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers
- b. For any such charter school, the Board may deny the renewal petition **only** upon making written factual findings that the charter school failed to meet or make sufficient progress toward meeting standards that provide a benefit to students at the school, that the closure of the charter school is in the best interest of students, and that the Board's decision provided greater weight to performance on measurements of academic performance. (Education Code 47607.2)

Note: Education Code 47607.2, as amended by **AB 130 SB 98**, authorizes the Board to deny renewal of a charter if the criteria described in item #3 below apply in two of the **most recent years for which state data is available three years immediately** preceding the renewal **decision**, rather than for two consecutive years immediately preceding the renewal **decision**, if the two consecutive years immediately preceding the renewal include the 2019-20 **or 2020-21** school year.

3. Denial/Two-Year Renewal

- a. The Board shall generally not renew a charter if, for two consecutive years immediately preceding the renewal decision, or for two of the **three most recent** years **for which state data is available** immediately preceding the

CHARTER SCHOOL RENEWAL (continued)

renewal **if the two consecutive years immediately preceding the renewal decision include the 2019-20 or 2020-21 school year, for any renewal submitted in the 2020-21 or 2021-22 school year,** either of the following applies: (Education Code 47607.2)

- (1) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the Dashboard for which it receives performance levels, provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years
 - (2) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average, provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups
- b. However, the Board may grant a two-year renewal to any such charter school if the Board makes written factual findings, setting forth specific facts to support the findings, that: (Education Code 47607.2)
- (1) The charter school is taking meaningful steps to address the underlying cause(s) of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school.
 - (2) There is clear and convincing evidence, demonstrated by verified data, showing achievement of the criteria specified in item #2a above

In addition to all the grounds stated above for denial of a charter renewal, the Board may deny renewal of a charter upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors or a finding that the school is not serving all students who wish to attend. When denying a charter renewal for either of these reasons, the Board shall provide the charter school at least 30 days' notice of the alleged violation and a reasonable opportunity to cure the violation, including the submission of a proposed corrective action plan. The Board may deny the renewal for these reasons only upon a finding that either the corrective action

CHARTER SCHOOL RENEWAL (continued)

proposed by the charter school has been unsuccessful or that the violations are sufficiently severe and pervasive as to render a corrective action plan unviable. Any finding that a school is not serving all students who wish to attend shall specifically identify the evidence supporting the finding. (Education Code 47607)

Note: Charter schools that serve high-risk students may qualify for the state's Dashboard Alternative School Status (DASS) program, which uses modified methods of measurement for accountability indicators when appropriate. Charter schools that participate in the DASS are subject to the following criteria specified in Education Code 47607.

A charter school that qualifies for the state's Dashboard Alternative School Status shall not be subject to any of the above criteria. Instead, in determining whether to grant a charter renewal for such a charter school, the Board shall consider, in addition to the charter school's performance on the state and local indicators included in the Dashboard, the charter school's performance on alternative metrics applicable to the charter school based on the student population served. The Board shall meet with the charter school during the first year of the charter school's term to mutually agree to discuss alternative metrics to be considered and shall notify the charter school of the alternative metrics to be used within 30 days of this meeting. The Board may deny a charter renewal only upon making written findings, setting forth specific facts to support the findings, that the closure of the charter school is in the best interest of students. (Education Code 47607)

Timelines for Board Action

Note: State law does not expressly provide a timeline for a public hearing on the renewal petition or for the Board's final decision on the renewal. However, pursuant to Education Code 47607, renewals are generally subject to the same standards and criteria applicable to initial charter authorizations, as specified in Education Code 47605. The following section reflects the timelines established for initial charter authorizations.

Within 60 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school, determine the level of support for the petition, and obtain public input. A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. (Education Code 47605)

The Board shall either grant or deny the charter renewal within 90 days of receiving the petition. The date may be extended by an additional 30 days if both the petitioner and the Board agree to the extension. (Education Code 47605)

At least 15 days before the public hearing at which the Board will grant or deny the charter petition, the Board shall publish all staff recommendations and recommended findings

CHARTER SCHOOL RENEWAL (continued)

regarding the petition. During the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony to respond to the staff recommendations and findings. (Education Code 47605)

Note: Though 5 CCR 11966.4 provides that an "automatic renewal" results when the Board does not make a written factual finding on which a denial may be based within 60 days of receiving the renewal petition, the timelines specified in Education Code 47605 and described above should be followed, as they supersede the inconsistent regulation. The district should consult legal counsel in the event of a question regarding the timelines.

If the Board fails to make a written factual finding when required for denial of the petition pursuant to the section "Criteria for Granting or Denying Renewal" above within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition. ~~(5 CCR 11966.4)~~

The Superintendent or designee shall provide notification to **the California Department of Education CDE**, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied. (Education Code 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board **of Education** within 30 days of the Board's written factual findings supporting the denial. (Education Code 47605, 47607.5)

School Closure

If a charter is not renewed and the charter school ceases operation, the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962 shall be implemented. (Education Code 47604.32, 47605)

*Legal Reference:*EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992

52052 Definition of numerically significant student subgroup

56145-56146 Special education services in charter schools

60600-60649 Assessment of academic achievement

CODE OF REGULATIONS, TITLE 5

11962-11962.1 Definitions

11966.4 Submission of charter renewal petition

11966.5 Charter petitions that have not been renewed; submission to county board of education

UNITED STATES CODE, TITLE 20~~7223-7225 Charter schools~~ 7221-7221j **Expanding opportunity through quality charter schools**

Management Resources: (see next page)

CHARTER SCHOOL RENEWAL (continued)

Management Resources:

CSBA PUBLICATIONS

~~The Role of the Charter School Authorizer, Online Course~~

Charter Schools: A Guide for Governance Teams, rev. **June 2021** ~~2016~~

WEB SITES

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

California Charter Authorizing Professionals: <https://calauthorizers.org>

California Charter Schools Association: <https://www.ccsa.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/ch>

National Association of Charter School Authorizers: <https://www.qualitycharters.org>

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

(3/20 3/21) 12/21

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. **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, and Education Code 8212, as renumbered by AB 131 (Ch. 116, Statutes of 2021) 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, 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 policies and procedures to address discrimination on the basis of sex and age. See the section "Complaints Subject to UCP" below for The following policy contains a list of programs and activities subject to these procedures pursuant to state law; See the section "Complaints Subject to UCP", below.**

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). Whether a complaint of sexual harassment is addressed through the UCP or the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as added by 85 Fed. Reg. 30026, is dependent on whether the alleged conduct meets the more stringent federal definition or the state definition of sexual harassment. See the **section "Non-UCP Complaints" below, the** accompanying administrative regulation, BP/AR **5145.7 5147** - Sexual Harassment, and AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

The following policy and accompanying administrative regulation reflect all components required by law, 5 CCR 4600-4670, as amended by Register 2020, No. 21, and the **2021-22 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 **the** early resolution of complaints whenever possible. To

UNIFORM COMPLAINT PROCEDURES (continued)

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 #1-23 list all programs and activities identified in the FPM instrument. 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.

For further information regarding requirements for the following programs and activities, see the **law cited and/or** related CSBA policy and/or administrative regulation.

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

1. Accommodations for pregnant and parenting students (Education Code 46015)

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

2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)

(cf. 6200 - Adult Education)

3. After School Education and Safety programs (Education Code 8482-8484.65)

(cf. 5148.2 - Before/After School Programs)

4. Agricultural career technical education (Education Code 52460-52462)

5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

6. Child care and development programs (Education Code 8200-**8488 8498**)

(cf. 5148 - Child Care and Development)

7. Compensatory education (Education Code 54400)

(cf. 6171 - Title I Programs)

UNIFORM COMPLAINT PROCEDURES (continued)

8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content, ~~when students in grades 9-12 are assigned to such courses more than one week in any semester or in a course the student has previously satisfactorily completed, unless specified conditions are met~~ (Education Code 51228.1-51228.3)

(cf. 6152 - Class Assignment)

10. Discrimination, 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 ~~a 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)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

11. Educational and graduation requirements for students in foster care, homeless students, students from military families, **and** students formerly in a juvenile court school, ~~migrant students, and immigrant students participating in a newcomer program~~ (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(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)

12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)

13. Local control and accountability plan (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

14. Migrant education (Education Code 54440-54445)

(cf. 6175 - Migrant Education Program)

UNIFORM COMPLAINT PROCEDURES (continued)

15. Physical education instructional minutes (Education Code 51210, 51222, 51223)

(cf. 6142.7 - Physical Education and Activity)

16. Student fees (Education Code 49010-49013)

(cf. 3260 - Fees and Charges)

17. Reasonable accommodations to a lactating student (Education Code 222)

18. Regional occupational centers and programs (Education Code 52300-52334.7)

(cf. 6178.2 - Regional Occupational Center/Program)

19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)

(cf. 0420 - School Plans/Site Councils)

20. School safety plans (Education Code 32280-32289)

(cf. 0450 - Comprehensive Safety Plan)

21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)

(cf. 0420 - School Plans/Site Councils)

22. State preschool programs (Education Code ~~8235-8239.1~~ **8207-8225**)

(cf. 5148.3 - Preschool/Early Childhood Education)

Note: Pursuant to Education Code ~~8235.5~~ **8212**, as renumbered by AB 131, and CDE's ~~2021-22 2020-21~~ FPM instrument, the district must use the UCP, with modifications as necessary, to resolve complaints alleging deficiencies **related to health and safety issues** in license-exempt **CSPPs California State Preschool Programs related to health and safety issues**.

Pursuant to 5 CCR 4610, such complaints must be addressed through the procedures described in 5 CCR 4690-4694, as added by Register 2020, No. 21. See the section "Health and Safety Complaints in License-Exempt Preschool Programs" in the accompanying administrative regulations.

23. State preschool health and safety issues in license-exempt programs (Education Code **8212 8235.5**)

UNIFORM COMPLAINT PROCEDURES (continued)

Note: 5 CCR 4621 **mandates** that district policy ensure that complainants are protected from retaliation as specified in item #24 below.

24. 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
25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

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. **Districts may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student; see AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.**

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 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)

UNIFORM COMPLAINT PROCEDURES (continued)

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)

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

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)

(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. (5 CCR 4611)

3. **Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.**

UNIFORM COMPLAINT PROCEDURES (continued)

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.

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

Note: 5 CCR 4610, as amended by Register 2020, No. 21, limits the applicability of the UCP for complaints regarding special education and child nutrition, as provided in ~~items #4-6~~ **Items #5-7** below.

- 54.** Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), ~~or failure or refusal to implement~~ a due process hearing order **to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE** shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)

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

- 65.** Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)
- 76.** Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)

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.

- 87.** 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

UNIFORM COMPLAINT PROCEDURES (continued)

students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
8200-~~8488~~ ~~8498~~ Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32280-32289.5 School safety plan, uniform complaint procedures
35186 Williams uniform complaint procedures
46015 Parental leave for students
48645.7 Juvenile court schools
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
52059.5 Statewide system of support
52060-52077 Local control and accountability plan, especially:
52075 Complaint for lack of compliance with local control and accountability plan requirements
52300-52462 Career technical education
52500-~~52617~~ ~~52616.24~~ Adult schools
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process; school plan for student achievement
65000-65001 School site councils

GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act

Legal Reference continued: (see next page)

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference: (continued)

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*

PENAL CODE

422.55 *Hate crime; definition*

422.6 *Interference with constitutional right or privilege*

CODE OF REGULATIONS, TITLE 2

11023 *Harassment and discrimination prevention and correction*

CODE OF REGULATIONS, TITLE 5

3200-3205 *Special education compliance complaints*

4600-4670 *Uniform complaint procedures*

4680-4687 *Williams uniform complaint procedures*

4690-4694 *Complaints regarding health and safety issues in license-exempt preschool programs*

4900-4965 *Nondiscrimination in elementary and secondary education programs*

15580-15584 *Child nutrition programs complaint procedures*

UNITED STATES CODE, TITLE 20

1221 *Application of laws*

1232g *Family Educational Rights and Privacy Act*

1681-1688 *Title IX of the Education Amendments of 1972*

6301-6576 *Title I Improving the Academic Achievement of the Disadvantaged*

6801-7014 *Title III language instruction for limited English proficient English Learners and immigrant students*

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*

11431-11435 *McKinney-Vento Homeless Assistance Act*

12101-12213 *Title II equal opportunity for individuals with disabilities*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 *Nondiscrimination on basis of disability; complaints*

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 *Family Educational Rights and Privacy Act*

100.3 *Prohibition of discrimination on basis of race, color or national origin*

104.7 *Designation of responsible employee for Section 504*

106.1-106.82 *Nondiscrimination on the basis of sex in education programs, especially:*

106.8 *Designation of responsible employee and adoption of grievance procedures for Title IX*

106.9 *Notification of nondiscrimination on basis of sex*

106.30 Definitions

106.44 Response to notice of sexual harassment

106.45 Titles IX sexual harassment complaint procedures

110.25 *Notification of nondiscrimination on the basis of age*

Management Resources: (see next page)

UNIFORM COMPLAINT PROCEDURES (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Sample UCP Board Policies and Procedures

Uniform Complaint Procedure 2021-22 ~~2020-21~~ Program Instrument

Sample UCP Board Policies and Procedures

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

Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021

Part 1: Questions and Answers Regarding the Department's Title IX Regulations, January 2021

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

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

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, 2007 ~~2002~~

WEB SITES

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

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

California Department of Fair Employment and Housing: <https://www.dfeh.ca.gov>

California Department of Social Services: <https://www.cdss.ca.gov>

Student Privacy Policy Office: <http://www2.ed.gov/about/offices/list/opepd/sppo>

U.S. Department of Agriculture: <https://www.usda.gov>

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

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

(5/20 12/20) 12/21

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~~ **8212, as renumbered by AB 131 (Ch. 116, Statutes of 2021)** **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, 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 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 **be** specifically provided **d** in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Board policy.

(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, 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 following paragraph specifies that the compliance officer will be the same person designated to serve as the Title IX Coordinator for addressing complaints of sexual harassment pursuant to AR 5145.7 - Sexual Harassment and AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Districts may modify this regulation to designate different district employees to serve these functions.

The district designates the individual(s), position(s), or unit(s) identified below as responsible for **receiving, coordinating, and investigating 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, harassment, intimidation, or bullying and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment. ~~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)

(cf. 5145.71 - Title IX Sexual Harassment Complaints Procedures)

Superintendent or Designee
River Delta USD – District Office
445 Montezuma Street
Rio Vista, CA 94571
(707) 374-1700
Contactus@rdusd.org

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 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.

UNIFORM COMPLAINT PROCEDURES (continued)

Note: 5 CCR 4621 **mandates** that the district's policy requires employees responsible for compliance and/or for investigating and resolving complaints 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.~~ Compliance officers must also have training or experience in handling discrimination complaints, including appropriate investigative techniques and understanding of the applicable legal standards.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program; applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination, 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, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. 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)

UNIFORM COMPLAINT PROCEDURES (continued)

(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. The following list reflects those required components and additional content of the notice listed in CDE's FPM instrument.

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 a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. 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

(cf. 3260 - Fees and Charges)

6. 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)

UNIFORM COMPLAINT PROCEDURES (continued)

7. A statement that the district will post a standardized notice of the educational **and graduation requirements** rights of foster youth, homeless students, **children of military families, and** 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 **48645.7**, 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)

8. 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
9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision
10. 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 laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable
11. 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, **a districts and district school** 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 **school or** district that does not maintain a web site may comply by posting the information on the web site of its **district or** county office of education **(COE), however a school, district, or COE is not required to establish a web site if it does not maintain one.** 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.~~

UNIFORM COMPLAINT PROCEDURES (continued)

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.6 shall be posted on the district **and district school** web sites 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 **2007 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 the balancing of four factors: (1) the number or proportion of LEP individuals likely to encounter the program, (2) the frequency with which LEP individuals come in contact with the program, (3) the nature and importance of the services provided by the program, and (4) the resources available to the recipient. State law is more specific than federal law: Education Code 48985 requires translation of certain information and documents if 15 percent or more of students enrolled in the school speak a single primary language other than English.

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

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's UCP policy, regulation, forms, and notices 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, 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.

UNIFORM COMPLAINT PROCEDURES (continued)

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. **If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.**

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 may be filed by any individual, public agency, or organization. (5 CCR **4600 4630**)

Note: Education Code 49013 and 52075 **mandate** 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.

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.

Note: Pursuant to 5 CCR 4630, complaints related to the LCAP must be filed within a year of the date that the **County Superintendent of Schools, the** reviewing authority **for districts,** approves the district's LCAP. ~~Pursuant to Education Code 52070, the County Superintendent of Schools is the reviewing authority for district LCAPs.~~

3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the **Governing** Board. (5 CCR 4630)
4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)

UNIFORM COMPLAINT PROCEDURES (continued)

5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying 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)
6. When a complaint alleging unlawful discrimination, 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, **as this may affect the district's ability to conduct a thorough investigation or provide supportive measures to the victim. In OCR's Part 1: Questions and Answers Regarding the Department's Title IX Regulations, it is stated that, "Title IX regulations balance a complainant's desire for confidentiality (in terms of, for instance, the complainant's identity not being disclosed to the respondent) with a school's discretion to pursue an investigation where factual circumstances warrant an investigation even though the complainant does not desire to file a formal complaint or participate in a grievance process."**

These guiding principles would also apply to harassment on the basis of race, gender, disability, or other protected characteristic.

7. When a complainant of unlawful discrimination, 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.

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 (ADR) procedures such as mediation; see the accompanying Board policy. **The following section may be modified to specify the ADR method and timelines used within the district.**

UNIFORM COMPLAINT PROCEDURES (continued)

Districts may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student; see AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation to resolve the complaint. 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, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to permit the mediator access to all 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 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.

UNIFORM COMPLAINT PROCEDURES (continued)

Note: **During** the investigation, the compliance officer should consider all relevant circumstances, such as how the alleged 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 the parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offender(s), 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 any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or 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)

Timeline for Investigation Report

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

UNIFORM COMPLAINT PROCEDURES (continued)

Pursuant to 5 CCR 4631, only a complainant has the right to receive the investigation report and to file a complaint with the Board if dissatisfied with the compliance officer's decision. **However, under certain circumstances, some of the same rights should be extended to a respondent in order to make the process equitable. For example, since the respondent to a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is usually an individual, the respondent should be notified when the complainant has agreed to an extension of timelines.** ~~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. **When questions arise as to what rights to provide to a respondent, the district should consult legal counsel accordingly.**

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.

(Districts that allow complainants to appeal to the Board)

Note: The remainder of this section is for use by districts that select Option 2.

Unless extended by written agreement with the complainant, the investigation report 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 "Investigation Report" 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.

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.

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 9321 - Closed Session)

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, 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 investigation report,~~ and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Investigation Report

Note: 5 CCR 4631 specifies components that are required to be part of the district's investigation report. 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 investigation report shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law
3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600
4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

The investigation report 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

UNIFORM COMPLAINT PROCEDURES (continued)

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), now the Student Privacy **Policy Protection** Office, 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 respondent 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 respondent (e.g., an order that the respondent 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 respondent.

In consultation with district legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination, harassment, intimidation, and bullying, notice of the investigation report 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 that UCP complaint procedures pertaining to CSPP health and safety issues include a statement that the district response and the investigation report must, whenever Education Code 48985 is applicable, be written in English and the primary language in which the complaint was filed; see the section "Health and Safety Complaints in License-Exempt Preschool Programs" below. The following paragraph extends this provision to all types of complaints to ensure compliance with Education Code 48985. In addition, 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 **(LEP)** student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

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, harassment, intimidation, and bullying based on state law, the investigation report 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, **but not limited to, injunctions, restraining orders**

UNIFORM COMPLAINT PROCEDURES (continued)

or other remedies or orders, 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, harassment, intimidation, or bullying, appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
- (cf. 6164.2 - Guidance/Counseling Services)*
2. Academic support
 3. Health services
 4. Assignment of an escort to allow the victim to move safely about campus
 5. Information regarding available resources and how to report similar incidents or retaliation

UNIFORM COMPLAINT PROCEDURES (continued)

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 of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student 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, 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.

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

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

UNIFORM COMPLAINT PROCEDURES (continued)

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, 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,~~ required instructional minutes for physical education pursuant to Education Code 51222 and 51223, ~~and~~ course periods without educational content pursuant to Education Code 51228.3, **and the LCAP requirements pursuant to Education Code 52075.** Districts that do not maintain elementary schools should delete the 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 law regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, 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, 51228.3, 52075)

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

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the district's investigation report. (5 CCR 4632)

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following: (5 CCR 4632)

1. The district failed to follow its complaint procedures.

UNIFORM COMPLAINT PROCEDURES (continued)

2. Relative to the allegations of the complaint, the district's investigation report lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the district's investigation report are not supported by substantial evidence.
4. The legal conclusion in the district's investigation report is inconsistent with the law.
5. In a case in which the district found noncompliance, the corrective actions fail to provide a proper remedy.

Note: 5 CCR 4633 requires the district to submit the following documents to CDE within 10 days after the district has been notified that an appeal has been filed. The district's failure to provide a timely and complete response may result in CDE ruling on the appeal without considering information from the district.

Upon notification by CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the district's investigation report
3. 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
4. A report of any action taken to resolve the complaint
5. A copy of the district's UCP
6. Other relevant information requested by CDE

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

Note: Pursuant to 5 CCR 4633, CDE is required to issue a written decision regarding the appeal within 60 days of CDE's receipt of the appeal, unless extended by written agreement with the appellant or documentation by CDE of exceptional circumstances. **Pursuant to 5 CCR 4635, if CDE's decision was issued based on evidence in the investigation file CDE received from the district or evidence**

UNIFORM COMPLAINT PROCEDURES (continued)

uncovered after further investigation of the allegations that were the basis of the appeal, either party may request reconsideration by the Superintendent of Public Instruction or designee within 30 days of the appeal decision, either party may request reconsideration by the Superintendent of Public Instruction or designee.

Pursuant to 5 CCR 4650, 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 investigation report; (2) the complainant **requests 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; or (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.

Health and Safety Complaints in License-Exempt Preschool Programs

Note: The following section is for use by districts that operate any license-exempt CSPP program. Education Code **8235.5 8212, as renumbered by AB 131 (Ch. 116, Statutes of 2021)**, mandates districts to adopt policies and procedures for resolving complaints regarding specified health and safety issues in a license-exempt CSPP program. Pursuant to Education Code **8235.5 8212**, the district must use the UCP, with modifications as necessary, to resolve such complaints. Pursuant to 5 CCR 4610, such complaints must be addressed through the procedures described in 5 CCR 4690-4694.

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

Any complaint regarding health or safety issues in a license-exempt **California State Preschool Program (CSPP) program** shall be addressed through the procedures described in 5 CCR 4690-4694.

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district 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. For this purpose, the Superintendent or designee may download and post a notice available from the CDE web site. (Education Code **8212 8235.5**; 5 CCR 4691)

The district's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

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, contain

UNIFORM COMPLAINT PROCEDURES (continued)

a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (Education Code **8212 8235.5**; 5 CCR 4690)

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. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code **8212 8235.5**; 5 CCR 4692)

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 **8212 8235.5**; 5 CCR 4692)

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, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code **8212 8235.5**; 5 CCR 4692)

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 a complaint regarding health or safety issues in a license-exempt CSPP program involves an **LEP limited English proficient** student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

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 **hearing meeting** and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632. (Education Code **8212 8235.5**; 5 CCR 4693, 4694)

All complaints and responses are public records. (5 CCR 4690)

(cf. 1340 - Access to District Records)

UNIFORM COMPLAINT PROCEDURES (continued)

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**. (5 CCR 4693)

(12/20 6/21) 12/21

CSBA Sample Exhibit

Community Relations

E(1) 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: Education Code ~~8235.5~~ **8212, as renumbered by AB 131 (Ch. 116, Statutes of 2021)**, requires that the following notice be posted in each classroom with a license-exempt California State Preschool Program (CSPP) (Education Code ~~8235-8239.4~~ **8207-8225, as renumbered by AB 131**). 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 **8212** ~~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~~ **8212, as renumbered by AB 131**, 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.

UNIFORM COMPLAINT PROCEDURES (continued)

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 copy of the California Department of Education complaint form **when available** 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~~ **8212, as renumbered by AB 131 (Ch. 116, Statutes of 2021)**, uniform complaint procedures **should be required to** 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~~ **8212** 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.

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 8212, as renumbered by AB 131**, 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:

River Delta USD – Educational Services Department
 Chief Educational Services Officer
 445 Montezuma Street
 Rio Vista, CA 94571
Contactus@rdusd.org

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)

(5/20) 12/21

CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3515.6(a)

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS

Note: Education Code 45125.1, as amended by AB 130 (Ch. 44, Statutes of 2021), and 45125.2 require any entity that has a contract with the district to ensure that employees who interact with students outside of the immediate supervision and control of the student's parent/guardian or school staff, have a valid criminal records summary as described in Education Code 44237. ~~certain employees of entities contracting to provide services to the district, as specified below, to obtain a criminal background check. Pursuant to Education Code 45125.1, as amended by AB 949 (Ch. 84, Statutes of 2017), the requirement for a criminal background check also applies to any individual operating as a sole proprietor who contracts with the district. In the case of a sole proprietor, Education Code 45125.1, as amended, provides that it is the responsibility of the district to prepare and submit the employee's fingerprints to the Department of Justice (DOJ) for processing.~~

~~When the employees of~~ **Except** in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable, any entity contracting with the district to provide specified **for** services that may require the entity's employees to interact will have contact with students, outside of the immediate supervision and control of parents/guardians or school staff, the entity shall certify to the district that each of its in writing to the Superintendent or designee that none of those employees who may interact with students has a valid criminal records summary as described in Education Code 44237 and that neither the entity nor any of those employees has been convicted of a violent or serious felony as defined in Education Code 45122.1. **Such contracting entity shall also be required to immediately provide the district with any subsequent arrest and conviction information received pursuant to the subsequent arrest service.** ~~In the case of a sole proprietor, the Superintendent or designee shall prepare and submit the employee's fingerprints to the Department of Justice. If any contracting employee who may have contact with students has been convicted of a violent or serious felony as defined, a certificate of rehabilitation and a pardon as required pursuant to Education Code 45125.1 shall be submitted to the Superintendent or designee before the contracting employee is authorized to perform the work for the district.~~ (Education Code **44237**, 45125.1)

On a case-by-case basis, the Superintendent or designee may require a contracting **any** entity with which the district has a contract providing school site services other than those listed above to comply with these same requirements. (Education Code 45125.1)

Note: Pursuant to Education Code 45125.1, as amended by AB 130, ~~as amended by AB 949 (Ch. 84, Statutes of 2017),~~ the requirement for a criminal **records summary** ~~background check~~ also applies to any individual operating as a sole proprietor who contracts with the district. In the case of a sole proprietor, Education Code 45125.1, ~~as amended,~~ provides that it is the responsibility of the district to prepare and submit the **sole proprietor's** ~~employee's~~ fingerprints to the Department of Justice (DOJ) for processing.

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

~~In the case of~~ **For an individual who is operating as the a sole proprietor of an entity**, the Superintendent or designee shall **treat the individual as an employee of the entity and shall** prepare and submit the **individual's employee's** fingerprints to the Department of Justice (DOJ). (Education Code 45125.1)

~~If a~~ Any contracting **entity's** employee who ~~may have contact with students~~ has been convicted of a violent or serious felony, as defined **in Education Code 45122.1**, **shall not be permitted to interact with students unless** a certificate of rehabilitation and a pardon as required pursuant to **Penal Code 4852.01-4852.22** ~~Education Code 45125.1 shall be~~ **has been** submitted to the Superintendent or designee ~~before the contracting employee is authorized to perform the work for the district.~~ (Education Code 45125.1)

~~These requirements shall apply to a sole proprietor or entity contracting with the district to provide any of the following services:~~ (Education Code 45125.1, 45125.2)

- ~~1. School and classroom janitorial services~~
- ~~2. School site administrative services~~
- ~~3. School site grounds and landscape maintenance services~~
- ~~4. Student transportation services~~
- ~~5. School site food-related services~~
- ~~6. Construction, reconstruction, rehabilitation, or repair of a school facility~~

~~(cf. 3540 Transportation)~~

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

~~(cf. 3600 Consultants)~~

~~(cf. 7140 Architectural and Engineering Services)~~

~~On a case-by-case basis, the Superintendent or designee may require a contracting entity providing school site services other than those listed above to comply with these requirements.~~ (Education Code 45125.1)

The Superintendent or designee may determine that criminal background checks will not be required if: ~~F~~ **the contract is for the construction, reconstruction, rehabilitation, or repair of a school facility and either item #1 or #2 above applies the contracting entity is providing services in an emergency or exceptional situation,** or the district uses one or more of the following methods to ensure student safety: (Education Code 45125.2)

- 1a.** The installation of a physical barrier at the worksite to limit contact with students

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

2b. Continual supervision and monitoring of all employees of the entity by an employee of the entity whom **DOJ the Department of Justice** has ascertained has not been convicted of a violent or serious felony

3e. Surveillance of employees of the entity by school personnel

~~1. The contracting entity is providing services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable. (Education Code 45125.1)~~

~~2. The employees of the contracting entity will have limited contact with students. In determining whether a contract employee has limited contact with students, the Superintendent or designee shall consider the totality of the circumstances, including factors such as the length of time the contractors will be on school grounds, whether students will be in proximity with the site where the contractors will be working, and whether the contractors will be working by themselves or with others. (Education Code 45125.1)~~

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

~~Upon a determination that an employee will have limited contact with students, t~~The Superintendent or designee ~~shall~~**may** take appropriate steps to protect the safety of any students who may come in contact with ~~this employee's of contracting entities, including, but are not limited to, ensuring that the employee's of such entities perform is working during nonschool hours, providing for regular patrols or supervision of the site from district security or personnel, ensuring that the employee is do not working alone when students are present, limiting the employee's have limited access to school grounds, and/or are provided~~ **providing the employee with a visible means of identification, and/or that there are for regular patrols or supervision of the site from district security or personnel. (Education Code 45125.1)**

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

~~These steps may include, but are not limited to, ensuring that the employee is working during nonschool hours, providing for regular patrols or supervision of the site from district security or personnel, ensuring that the employee is not working alone when students are present, limiting the employee's access to school grounds, and/or providing the employee with a visible means of identification.~~

(cf. 3515.3 - District Police/Security Department)

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

3. ~~The contract is for the construction, reconstruction, rehabilitation, or repair of a school facility and either item #1 or #2 above applies or the district uses one or more of the following methods to ensure student safety: (Education Code 45125.2)~~
 - a. ~~The installation of a physical barrier at the worksite to limit contact with students~~
 - b. ~~Continual supervision and monitoring of all employees of the entity by an employee of the entity whom the Department of Justice has ascertained has not been convicted of a violent or serious felony~~
 - c. ~~Surveillance of employees of the entity by school personnel~~

Legal Reference:

EDUCATION CODE

41302.5 School districts, definition

44237 Applicants for employment; fingerprints for purpose of criminal record summary

45122.1 Classified employees, conviction of a violent or serious felony

45125.1 Criminal background checks for contractors; **criminal records summary**

45125.2 Criminal background checks for construction

PENAL CODE

667.5 Prior prison terms, enhancement of prison terms

1192.7 Plea bargaining limitation

4852.01-4852.22 Procedure for restoration of rights and application for pardon

Management Resources:

WEB SITES

Department of Justice: <https://oag.ca.gov/fingerprints>

(10/98 10/17) 12/21

CSBA Sample Administrative Regulation

Classified Personnel

AR 4217.3(a)

LAYOFF/REHIRE

Note: The following **optional** regulation is subject to collective bargaining, and may be deleted by those districts whose agreements fully cover the provisions specified below.

Education Code 45114, 45117, 45298 and 45308 establish the procedures by which the Governing Board may lay off and reemploy classified employees.

Because of the complexity of related Education Code provisions and the interaction with collective bargaining agreements, it is strongly recommended that the district consult with legal counsel before instituting layoff proceedings.

Classified employees shall be subject to layoff for lack of work or lack of funds. (Education Code 45114, 45308)

A classified employee shall not be laid off if a short-term employee is retained to render a service that the classified employee is qualified to render. (Education Code 45117)

(cf. 4121 - Temporary/Substitute Personnel)

Order of Layoff Within a Classification/Determination of Seniority

Within each class, the order of layoff shall be determined by length of service. (Education Code 45114, 45308)

Note: For any district whose average daily attendance (ADA) is under 400,000, Education Code 45308 defines "length of service" as employees' hours in paid status (Option 1 below). However, such a district may instead choose to enter into an agreement with the exclusive representative of classified employees to determine "length of service" based on an employee's date of hire (Option 2 below).

For any district with an ADA of 400,000 or higher, Education Code 45308 requires length of service to be based on the date of hire; such districts should select Option 2 below.

"Date of hire" is not defined in the law and could refer to the employee's first date of hire in the district or **his/her the employee's** date of hire in the classification or higher classification. Districts selecting Option 2 below may revise ~~that~~ **the applicable** paragraph to reflect the definition determined by the district or by agreement with the exclusive representative of classified employees, as applicable.

LAYOFF/REHIRE (continued)

OPTION 2: (For districts with ADA under 400,000 that have an agreement with the exclusive representative of classified employees to determine length of service as employee's date of hire, and for districts with ADA over 400,000)

Length of service shall be determined by the date of hire. The employee who has been employed the shortest time by the district shall be laid off first. (Education Code 45308)

Note: The following paragraph applies to both Options 1 and 2. Pursuant to Education Code 45105 and 45259, persons employed in "restricted positions" are classified employees. However, they do not acquire permanent status or seniority credits unless they satisfy the conditions specified below.
--

For an employee in a "restricted position" under Education Code 45105 or 45259, the original date of employment in the restricted position shall be used to determine **his/her** the length of service, provided **he/she the employee** has completed six months of satisfactory service and has successfully passed the qualifying examination required for service in the class. (Education Code 45105)

(cf. 4200 - Classified Personnel)

LAYOFF/REHIRE (continued)**Notice of Layoff and Hearing Rights**

Note: Education Code 45117 applies to both districts that have adopted the merit system and those that have not. Education Code 45117, as amended by AB 438 (Ch. 665, Statutes of 2021), specifies notice requirements and hearing rights the district must provide to permanent classified employees, as defined, who are subject to layoff due to lack of work or lack of funds, including that notice be given no later than March 15. If a permanent classified employee is not given the required notice and a right to a hearing in accordance with law, the employee is deemed reemployed for the next school year. Education Code 45117 requires that classified employees be given prior written notice when they are subject to layoff due to lack of work or lack of funds. AB 1908 (Ch. 860, Statutes of 2012) amended Education Code 45117 to extend the timeline for such notice to 60 days, as provided below.

Pursuant to Education Code 45117, as amended by AB 438, a "permanent employee" is defined as an employee who was permanent at the time the notice or right to a hearing was required and an employee who became permanent after the date of the required notice.

Whenever a permanent classified employee is to be laid off for lack of work or lack of funds, the Superintendent or designee shall, no later than March 15 and before the employee is given formal notice by the Governing Board, give to the employee written notice of the recommendation, shall be given to the employee informing him/her of the layoff, the reasons that the employee's services will not be required for the ensuing year, the date the layoff goes into effect, any displacement rights, and reemployment rights, and the employee's right to a hearing. The district shall adhere to the notice, hearing, and layoff procedures in Education Code 45117, Government Code 11503 and 11505, and other applicable provisions of law. The notice shall be given: (Education Code 45117)

An employee who is so notified may request a hearing to determine if there is cause for not reemploying the employee for the ensuing year. The request shall be in writing and shall be delivered to the person who sent notice to the employee, on or before March 15 but not less than seven days after the date the notice is served on the employee. Failure of an employee to request a hearing on or before the date specified shall constitute a waiver of the employee's right to a hearing. (Education Code 45117)

The Superintendent or designee shall serve an employee who timely requests a hearing with the District Statement of Reduction in Force documents. The employee has five calendar days from service of the District Statement of Reduction in Force documents to timely file a notice of participation with the district. The parties are entitled to discovery, if requested within 15 days of service of the District Statement of Reduction in Force documents. (Education Code 45117)

Note: Education Code 45117, as amended by AB 438, allows permanent classified employees given notice of a layoff to request a hearing before an administrative law judge. On or before May 7, the administrative judge is required to submit the proposed decision, containing a determination as to the sufficiency of the cause and a recommendation as to disposition regarding the layoff, to the Board for consideration and to affected employee(s).

LAYOFF/REHIRE (continued)

If a hearing is requested by a permanent classified employee, the proceeding shall be conducted and a decision made by an administrative law judge in accordance with Government Code 11500-11529. The Board shall make a final decision regarding the sufficiency of the cause and disposition of the layoff upon receipt of the administrative law judge's proposed decision. None of the findings, recommendations, or determinations in the proposed decision prepared by the administrative law judge shall be binding on the Board. (Education Code 45117)

Following the Board's decision, the Superintendent or designee shall give final notice of termination to the affected employee(s) before May 15 unless a continuance was granted after a request for hearing was made, in which case such date may be extended by the number of days of the continuance. (Education Code 45117)

Note: Pursuant to Education Code 45117, as amended by AB 438, the district may reduce classified staff due to lack of work or lack of funds when the Board determines, during the time between five days after the enactment of the Budget Act and August 15, that the district's total local control funding formula apportionment per unit of ADA for the fiscal year of the Budget Act has not increased by at least two percent.

If during the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies, the Board determines that the district's local control funding formula apportionment per unit of ADA for that fiscal year has not increased by at least two percent, and that it is therefore necessary to decrease the number of classified employees due to lack of work or lack of funds, the Board may issue a District Statement of Reduction in Force to those employees in accordance with a schedule of notice and hearing adopted by the Board, and layoff proceedings shall be carried out as required by law. (Education Code 45117)

- 1. ~~At least 60 days prior to the effective date of the layoff, if the layoff is for lack of work resulting from a bona fide reduction or elimination of service being performed.~~**
- 2. ~~No later than April 29, if the layoff is for lack of funds due to the expiration of a specially funded program at the end of any school year. However, if the termination date of the specially funded program is other than June 30, the employee shall be given notice at least 60 days from the effective date of the layoff.~~**

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

The district is not required to provide the 60-day notice in the event of an actual and existing financial inability to pay the salaries of classified employees or if the layoff is due to a lack of work resulting from conditions not foreseeable or preventable by the district. (Education Code 45117)

LAYOFF/REHIRE (continued)

When classified positions are eliminated as a result of the expiration of a specifically funded program, the district shall give written notice to the affected employee(s) not less than 60 days prior to the effective date of the layoff informing the employee(s) of the layoff date, any displacement rights, and employment rights. (Education Code 45117)

The district ~~also~~ is not required to provide **a layoff notice** ~~the 60-day notice~~ to any person hired as a short-term employee for a period not exceeding 60 days whose service may not be extended or renewed. (Education Code 45117)

Additionally, the district may release probationary classified employees without notice or hearing for reasons other than lack of work or lack of funds. (Education Code 45117)

Reemployment

Note: The following **optional** section specifies the rights of employees who are laid off or who take voluntary demotion or reduction in assigned time in lieu of layoff. Pursuant to Education Code 45308, laid-off classified employees have reemployment rights which are enforced in order of seniority rather than reverse order of layoff. In Tucker v. Grossmont Union High School District, a California appellate court ruled that a laid-off employee's reemployment right entitled **him the employee** to preference over any new applicant to available positions for which **he the employee** is qualified, **including positions in different classes from which the employee was laid off.**

Classified employees laid off because of lack of work or lack of funds shall be eligible for reemployment for a period of 39 months and shall be reemployed in preference to new applicants. Reemployment shall be in order of seniority. Persons so laid off also have the right to apply and establish their qualification for vacant promotional positions within the district during the 39-month period. (Education Code 45114, 45298, 45308)

Note: Pursuant to San Mateo City School District v. Public Employment Relations Board, districts may adopt procedures which implement Education Code 45113 and 45114 as long as such procedures do not replace or set aside mandatory Education Code provisions. These procedures may be adopted pursuant to Board policy and/or collective bargaining agreement.

The following **optional** paragraph should be **deleted** by districts with a collective bargaining agreement that contains reemployment procedures, unless the district also has unrepresented classified employees.

When a vacancy occurs, the district shall give the employee with the most seniority an opportunity to accept or reject the position, by first calling the employee at **his/her the employee's** last known telephone number to notify **him/her the employee** of the vacancy and then sending written notice by certified and standard mail to **his/her the employee's** last known address. The employee shall advise the district of **his/her the** decision by any means

LAYOFF/REHIRE (continued)

no later than 10 calendar days from the date the notice was sent. If the employee accepts, **he/she the employee** shall report to work no later than two calendar weeks from the vacancy notification date or on a later date specified by the district.

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

In order to be reemployed, the employee must be capable of performing the essential duties of the job with or without reasonable accommodations. When an otherwise eligible employee is unable to perform the essential duties of the job, **he/she the employee** shall be kept on the reemployment list until another opportunity becomes available or the period of reemployment eligibility expires, whichever occurs first.

(cf. 4032 - Reasonable Accommodation)

Note: An argument can be made that, absent a collective bargaining provision to the contrary, once a district has offered a laid-off classified employee a position pursuant to the employee's reemployment rights under Education Code 45298 and that employee has refused the position, the district has discharged its duty to that employee. Whether ~~or not~~ such action conflicts with an employee's statutory right to reemployment is unclear.

The following two **optional** paragraphs should be used only with the approval of the district's legal counsel; the number of refusals that will trigger the removal of the employee's name from the district's **reemployment** list should be modified accordingly.

Upon rejecting two offers of reemployment, the employee's name shall be removed from the reemployment list and **he/she the employee** will forfeit all reemployment rights to which **he/she the employee** would otherwise be entitled.

When an employee is notified of a vacancy and fails to respond or report to work within time limits specified by district procedures, **his/her the employee's** name shall be removed from the reemployment list and all reemployment rights to which **he/she the employee** would otherwise be entitled shall be forfeited.

~~Note: AB 2307 (Ch. 586, Statutes of 2012) amended Education Code 45298 to provide that laid-off classified employees who are reemployed in a new position but fail to complete the probationary period for the new position shall be returned to the reemployment list for the remainder of the 39-month period, as provided below.~~

~~Although Education Code 45298 applies to districts using the merit system, pursuant to Education Code 45114, other districts are also required to lay off and reemploy classified employees in accordance with Education Code 45298.~~

If an employee is **re**employed in a new position and fails to complete the probationary period in the new position, **he/she the employee** shall be returned to the reemployment list for the

LAYOFF/REHIRE (continued)

remainder of the 39-month period. The remaining time period shall be calculated as the time remaining in the 39-month period as of the date of reemployment. (Education Code 45114, 45298)

Reinstatement of Benefits

Note: The following **optional** section should be **deleted** by districts that do not reinstate laid-off employee benefits upon reemployment and those whose collective bargaining agreements address the issue.

When a laid-off employee is reemployed, all accumulated sick leave credit shall be restored.

A laid-off permanent employee shall be reemployed with all rights and benefits accorded **to him/her** at the time of layoff.

A laid-off probationary employee shall be reemployed as a probationary employee, and the previous time served toward the completion of the required probationary period shall be counted. **He/she The employee** shall also be reemployed with all rights and benefits accorded to a probationary employee at the time of layoff.

A laid-off employee, when reemployed, shall be placed on the salary step held at the time of layoff. An employee who was bumped into a lower class shall, when reinstated to the previous class, be placed on the salary step to which **he/she the employee** would have progressed had **he/she the employee** remained there. An adjusted anniversary date shall be established for step increment purposes so as to reflect the actual amount of time served in the district.

Voluntary Demotion or Reduction of Hours

Classified employees who take voluntary demotion or voluntary reduction in assigned time in lieu of layoff, or in order to remain in their present position rather than be reclassified or reassigned, shall be granted the same rights as employees who are laid off. In addition, such employees shall retain eligibility to be considered for reemployment in their previously held class or position with increased assigned time, for an additional period of time up to 24 months as determined by the **Governing** Board on a class-by-class basis, provided that the same test of fitness under which they qualified for appointment to that class shall still apply. (Education Code 45114, 45298)

Employees who take voluntary demotion or voluntary reduction in assigned time in lieu of layoff shall have the option of returning to a position in their former class or to positions with increased assigned time as vacancies become available and without limitation of time. If there is a valid reemployment list, they shall be ranked on that list in accordance with their proper seniority. (Education Code 45114, 45298)

LAYOFF/REHIRE (continued)

Legal Reference:

EDUCATION CODE

45101 Definitions

45103 Classified service in districts not incorporating the merit system

45105 Positions under various acts not requiring certification qualifications; classification

45113 Rules and regulations for classified service in districts not incorporating the merit system

45114 Layoff and reemployment procedures; definitions

45115 Layoff; ~~Re~~ reinstatement from service retirement

45117 Notice of layoff **and hearing rights**

45286 Limited term employees

45297 Right to take equivalent examination while employee in military service

45298 Reemployment of persons laid off; voluntary demotions or reductions in time; ~~districts adopting merit system~~

45308 Order of layoff and reemployment; length of service

45309 Reinstatement of permanent noncertified employees after resignation

GOVERNMENT CODE

11500-11529 Administrative adjudication; formal hearings

UNITED STATES CODE, TITLE 38

~~4301-4307~~ 4335 **Veterans' Reemployment Rights Employment and reemployment rights of members of the uniformed services**

COURT DECISIONS

Tucker v. Grossmont Union High School District (2008) 168 Cal.App.4th 640

San Mateo City School District v. Public Employment Relations Board (1983) 33 Cal.3d 850, ~~866~~

Management Resources:

WEB SITES

California School Employees Association: <http://www.csea.com>

(11/11 11/12) 12/21

CSBA Sample Administrative Regulation

Students

AR 5125(a)

STUDENT RECORDS

Definitions

Student means any individual who is or has been in attendance at the district and regarding whom the district maintains student records. (34 CFR 99.3)

Attendance includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom, and the period during which a person is working under a work-study program. (34 CFR 99.3)

Note: Guidance issued by the U.S. Department of Education (USDOE) and U.S. Department of Health and Human Services clarifies that a student's immunization and health record maintained by the district is a "student record" subject to the Family Educational Rights and Privacy Act (FERPA).

Student records are any items of information (in handwriting, print, tape, film, computer, or other medium) gathered within or outside the district that are directly related to an identifiable student and maintained by the district, required to be maintained by an employee in the performance of the employee's duties, or maintained by a party acting for the district. Any information maintained for the purpose of second-party review is considered a student record. Student records include the student's health record. (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)

Student records do not include: (Education Code 49061, 49062; 34 CFR 99.3)

1. Directory information

(cf. 5125.1 - Release of Directory Information)

2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute employee

Note: USDOE guidance, Balancing Student Privacy and School Safety, clarifies that records created by the district's law enforcement unit, such as student images appearing on security videotapes, are not considered student records under FERPA as long as the records are created for a law enforcement purpose.

3. Records of the law enforcement unit of the district, subject to 34 CFR 99.8

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

STUDENT RECORDS (continued)

4. Records created or received by the district after an individual is no longer a student and that are not directly related to the individual's attendance as a student
5. Grades on peer-graded papers before they are collected and recorded by a teacher

Mandatory permanent student records are those records which are maintained in perpetuity and which schools have been directed to compile by state law, regulation, or administrative directive. (5 CCR 430)

Mandatory interim student records are those records which the schools are directed to compile and maintain for specified periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430)

Permitted student records are those records having clear importance only to the current educational process of the student. (5 CCR 430)

Disclosure means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in student records to any party, except the party that provided or created the record, by any means including oral, written, or electronic. (34 CFR 99.3)

Access means a personal inspection and review of a record or an accurate copy of a record, or receipt of an accurate copy of a record or an oral description or communication of a record, and a request to release a copy of any record. (Education Code 49061)

Personally identifiable information includes, but is not limited to: (34 CFR 99.3)

1. The student's name
2. The name of the student's parent/guardian or other family members
3. The address of the student or student's family

<p>Note: Pursuant to 34 CFR 99.3, the definition of "personally identifiable information" includes a personal identifier such as a student's social security number. Education Code 49076.7 prohibits districts from collecting or soliciting social security numbers, or the last four digits of social security numbers, from students or their parents/guardians unless otherwise required to do so by state or federal law. If a social security number is collected under such circumstances, it must be classified as personally identifiable information and is subject to the restrictions related to access or de-identification of records specified in 34 CFR 99.30-99.39 and this administrative regulation.</p>
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4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)

STUDENT RECORDS (continued)

5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
7. Information requested by a person who the district reasonably believes knows the identity of the student to whom the student record relates

Adult student is a person who is or was enrolled in school and who is at least 18 years of age. (5 CCR 430)

Parent/guardian means a natural parent, an adopted parent, legal guardian, surrogate parent, or foster parent. (Education Code 49061, 56050, 56055)

Note: Education Code 49063 requires districts to include the criteria for defining "legitimate educational interest" and "school officials and employees" in their annual notification; see section "Notification of Parents/Guardians" below.

Legitimate educational interest is an interest held by any school official, employee, contractor, or consultant whose official duties, responsibilities, or contractual obligations to the district, whether routine or as a result of special circumstances, require access to information contained in student records.

Note: 34 CFR 99.31 defines "school officials and employees" for purposes of determining who may be given personally identifiable information from student records, as provided below. In 73 Fed. Reg. 74815 (2008), USDOE stated that local agencies are in the best position to determine the types of parties who may serve as school officials. Examples cited include school transportation officials (including bus drivers), school nurses, practicum and fieldwork students, unpaid interns, consultants, contractors, volunteers, and other outside parties providing institutional services and performing institutional functions, provided that each of the requirements in 34 CFR 99.31 has been met.

School officials and employees are officials or employees, including teachers, whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require access to student records. (34 CFR 99.31)

Contractor or consultant is anyone with a formal written agreement or contract with the district regarding the provision of services or functions outsourced by the district. Contractor or consultant shall not include a volunteer or other party. (Education Code 49076)

Custodian of records is the employee responsible for the security of student records maintained by the district and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)

STUDENT RECORDS (continued)

County placing agency means the county social service department or county probation department. (Education Code 49061)

Persons Granted Absolute Access

In accordance with law, absolute access to any student records shall be granted to:

1. Parents/guardians of students younger than age 18 years, including the parent who is not the student's custodial parent (Education Code 49069.7; Family Code 3025)
2. An adult student, or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to the student's records and grant consent for the release of records (34 CFR 99.3, 99.5)

Note: Pursuant to Education Code 56041.5, all the rights accorded to the parent/guardian of a student with disabilities, including the right to access student records, are transferred to the student at 18 years of age except when the student has been declared incompetent under state law.
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3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law (Education Code 56041.5)

(cf. 6159 - Individualized Education Program)

Access for Limited Purpose/Legitimate Educational Interest

The following persons or agencies shall have access to those particular records that are relevant to their legitimate educational interest or other legally authorized purpose:

Note: Education Code 49076 and 34 CFR 99.31 require that access to relevant records be given to parents/guardians of a dependent child, defined by 26 USC 152 as one who lives with a parent/guardian for more than half the taxable year, meets the specified age requirements, has not provided more than half of one's own support during that year, and has not filed a joint tax return with a spouse.

1. Parents/guardians of a **student 18 years of age or older who is a** dependent child as defined in 26 USC 152 (Education Code 49076; 34 CFR 99.31)
2. Students who are age 16 or older or who have completed the 10th grade (Education Code 49076)
3. School officials and employees, consistent with the definition provided in the section "Definitions" above (Education Code 49076; 34 CFR 99.31)

STUDENT RECORDS (continued)

4. Members of a school attendance review board (SARB) appointed pursuant to Education Code 48321 who are authorized representatives of the district and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student (Education Code 49076)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.12 - District School Attendance Review Board)

5. Officials and employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer (Education Code 49076; 34 CFR 99.31)

Note: 34 CFR 99.34 requires the district to make a reasonable attempt to notify the parent/guardian or adult student when the district discloses certain information as described in the following paragraph. However, if the district includes a statement in its annual parental notification that the district may forward education records under such circumstances, it is not obligated to individually notify parents/guardians or adult students. The following **optional** paragraph may be deleted by districts that include such a statement in their annual parental notification. See section below entitled "Notification of Parents/Guardians."

Unless the annual parent/guardian notification issued pursuant to Education Code 48980 includes a statement that the district may disclose students' personally identifiable information to officials of another school, school system, or postsecondary institution where the student seeks or intends to enroll, the Superintendent or designee shall, when such a disclosure is made, make a reasonable attempt to notify the parent/guardian or adult student at the last known address, provide a copy of the record that is disclosed, and give the parent/guardian or adult student an opportunity for a hearing to challenge the record. (34 CFR 99.34)

Note: Item #6 below is for use by districts that maintain high schools. Education Code 69432.9 provides that all students in grade 12 will be considered Cal Grant applicants and will have their grade point average (GPA) submitted to the Student Aid Commission, unless they opt out or are permitted under Commission rules to submit test scores in lieu of the GPA. Education Code 69432.9 requires that the report be submitted on a standardized form provided by the Commission. Pursuant to Education Code 69432.92, the Commission may also require that districts submit verification of high school graduation or its equivalent for all students who graduated in the prior academic year, except for students who have opted out.

Education Code **69432.9 49432.9** requires that parents/guardians be notified that their child's GPA will be forwarded unless they opt out within the time period specified in the notice. This notification could be included in the annual parental notification issued pursuant to Education Code 48980.

STUDENT RECORDS (continued)

6. The Student Aid Commission, to provide the grade point average (GPA) of all district students in grade 12 and, when required, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program. However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)

No later than January 1 each year, the Superintendent or designee shall notify each student in grade 11, and the student's parents/guardians if the student is under age 18 years, that the student's GPA will be forwarded to the Student Aid Commission by October 1 unless the student opts out within a period of time specified in the notice, which shall not be less than 30 days. (Education Code 69432.9)

Students' social security numbers shall not be included in the submitted information unless the Student Aid Commission deems it necessary to complete the financial aid application and the Superintendent or designee obtains permission from the student's parent/guardian, or from the adult student, to submit the social security number. (Education Code 69432.9)

7. Federal, state, and local officials, as needed for an audit or evaluation of, or compliance with, a state or federally funded education program and in accordance with a written agreement developed pursuant to 34 CFR 99.35 (Education Code 49076; 34 CFR 99.3, 99.31, 99.35)

Note: Pursuant to Education Code 49076, county placing agencies authorized to assess the effectiveness of a state or federally funded program on behalf of federal, state, or local officials and agencies may be allowed access to student records. Education Code 49076 also authorizes districts, county offices of education, and county placing agencies to develop cooperative agreements to facilitate confidential access to and exchange of student information by email, facsimile, electronic format, or other secure means, provided the agreement complies with the requirements of 34 CFR 99.35.

8. Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to item #7 above (Education Code 49076)
9. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

STUDENT RECORDS (continued)

10. Any district attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition (Education Code 49076)
11. A district attorney's office for consideration against a parent/guardian for failure to comply with compulsory education laws (Education Code 49076)
12. Any probation officer, district attorney, or counsel of record for a student who is a minor for the purposes of conducting a criminal investigation or an investigation in regards to declaring the minor a ward of the court or involving a violation of a condition of probation, subject to evidentiary rules specified in Welfare and Institutions Code 701 (Education Code 49076)

When disclosing records for these purposes, the Superintendent or designee shall obtain written certification from the recipient of the records that the information will not be disclosed to another party without prior written consent of the student's parent/guardian or the holder of the student's educational rights, unless specifically authorized by state or federal law. (Education Code 49076)

13. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681 (Education Code 49076)

In such cases, the judge or probation officer shall certify in writing to the Superintendent or designee that the information will be used only for truancy purposes. Upon releasing student information to a judge or probation officer, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

14. A foster family agency with jurisdiction over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined (Education Code 49076)

Such individuals shall have access to the student's current or most recent records of grades, transcripts, attendance, discipline, online communication on platforms established by schools for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by the district (Education Code 49069.3)

STUDENT RECORDS (continued)

(cf. 6173.1 - Education for Foster Youth)

15. A student age 14 years or older who is both a homeless student and an unaccompanied minor as defined in 42 USC 11434a (Education Code 49076)

(cf. 6173 - Education for Homeless Children)

16. An individual who completes items #1-4 of the caregiver's authorization affidavit pursuant to Family Code 6552 and signs the affidavit for the purpose of enrolling a minor in school (Education Code 49076)
17. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility in accordance with state or tribal law for the care and protection of a student, provided that the individual is authorized by the agency or organization to receive the records and the information requested is directly related to providing assistance to address the student's educational needs (Education Code 49076; 20 USC 1232(g))
18. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that the district provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245 (Education Code 48902, 49076)

When disclosing such records, the Superintendent or designee shall obtain written certification by the recipient of the records as described in item #12 above. (Education Code 49076)

19. Designated peace officers or law enforcement agencies in cases where the district is authorized by law to assist law enforcement in investigations of suspected criminal conduct or kidnapping and a written parental consent, lawfully issued subpoena, or court order is submitted to the district, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals (Education Code 49076.5)

In such cases, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district in California or any other state or to a California private school. (Education Code 49076.5)

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

STUDENT RECORDS (continued)

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

In addition, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be released. (Education Code 49061, 49075)

Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent/guardian may grant consent if both parents/guardians notify the district, in writing, that such an agreement has been made. (Education Code 49061)

(cf. 5021 - Noncustodial Parents)

Discretionary Access

At the discretion of the Superintendent or designee, information may be released from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in an emergency if the health and safety of the student or other persons are at stake (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)

When releasing information to any such appropriate person, the Superintendent or designee shall record information about the threat to the health or safety of the student or any other person that formed the basis for the disclosure and the person(s) to whom the disclosure was made. (Education Code 49076; 34 CFR 99.32)

Note: The following optional paragraph may be revised to reflect district practice.
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Unless it would further endanger the health or safety of the student or other persons, the Superintendent or designee shall inform the parent/guardian or adult student within one week of the disclosure that the disclosure was made, of the articulable and significant threat to the health or safety of the student or other individuals that formed the basis for the disclosure, and of the parties to whom the disclosure was made.

2. Accrediting associations in order to carry out their accrediting functions (Education Code 49076; 34 CFR 99.31)
3. Under the conditions specified in Education Code 49076 and 34 CFR 99.31,

STUDENT RECORDS (continued)

- organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that: (Education Code 49076; 34 CFR 99.31)
- a. The study is conducted in a manner that does not permit personal identification of students or parents/guardians by individuals other than representatives of the organization who have legitimate interests in the information.
 - b. The information is destroyed when no longer needed for the purposes for which the study is conducted.
 - c. The district enters into a written agreement with the organization that complies with 34 CFR 99.31.
4. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to the rights of parents/guardians as provided in Education Code 49068 and in compliance with 34 CFR 99.34 (Education Code 49076; 34 CFR 99.31, 99.34)
 5. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, unless the parent/guardian has requested that no disclosures of this type be made (Health and Safety Code 120440)

Note: Education Code 49076 includes "contractors" and "consultants," as defined in the section "Definitions" above, among the categories of individuals to whom a student's personally identifiable information may be disclosed under certain circumstances. Unlike 34 CFR 99.31, however, Education Code 49076 prohibits disclosure of such information to volunteers and other parties.

6. Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract with the district, excluding volunteers or other parties (Education Code 49076)

(cf. 3600 - Consultants)

Note: Items #7 and 8 below are for use by districts that maintain high schools.

7. Agencies or organizations in connection with the student's application for or receipt of financial aid, provided that information permitting the personal identification of a student or the student's parents/guardians for these purposes is disclosed only as may

STUDENT RECORDS (continued)

be necessary to determine the eligibility of the student for financial aid, determine the amount of financial aid, determine the conditions which will be imposed regarding the financial aid, or enforce the terms or conditions of the financial aid (Education Code 49076; 34 CFR 99.31)

8. County elections officials for the purpose of identifying students eligible to register to vote or offering such students an opportunity to register, subject to the limits set by 34 CFR 99.37 and under the condition that any information provided on this basis shall not be used for any other purpose or transferred to any other person or agency (Education Code 49076; 34 CFR 99.37)

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

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

De-identification of Records

Note: 20 USC 1232(g) and Education Code 49076 authorize the district to release student records for specified purposes (e.g., to federal and state officials conducting program audits or to organizations conducting studies) without parent/guardian consent after the removal of all "personally identifiable information" as defined in the section entitled "Definitions" above and provided that the district has made a reasonable determination that a student's identity will not be personally identifiable through single or multiple releases. Education Code 49074 further authorizes the district to provide de-identified statistical data to public or private agencies, postsecondary institutions, or educational research organizations when such actions would be "in the best educational interests of students."

34 CFR 99.31 lists objective standards under which districts may release information from de-identified records. These standards are applicable to both requests for individual, redacted records and requests for statistical information from multiple records.

When authorized by law for any program audit, educational research, or other purpose, the Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information. Prior to releasing such information, the Superintendent or designee shall make a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information. (Education Code 49074, 49076; 20 USC 1232g; 34 CFR 99.31)

STUDENT RECORDS (continued)**Process for Providing Access to Records**

Note: Education Code 49069 **mandates** procedures for notifying parents/guardians of the location of student records if not centrally located. The following paragraph may be expanded to include notification procedures.

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained at different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians and adult students shall be notified of the location of student records if not centrally located. (Education Code 49069; 5 CCR 433)

The custodian of records shall be responsible for the security of student records and shall ensure that access is limited to authorized persons. (5 CCR 433)

Note: 5 CCR 431 **mandates** districts to establish written procedures to ensure the security of student records. The following three paragraphs reflect this mandate and should be modified to reflect any specific physical, technological, or administrative controls developed by the district.

34 CFR 99.31 requires districts to use "reasonable methods" to (1) ensure that school officials, employees, and outside contractors obtain access to only those records, both paper and electronic, in which they have a legitimate educational interest and (2) identify and authenticate the identity of parents/guardians, students, school officials, and any other party to whom the district discloses personally identifiable information from education records. In addition, 34 CFR 99.31 specifies that a district which does not use physical or technological access controls (e.g., a locked file cabinet or computer security limiting access) must ensure that its administrative policy for controlling access is effective and remains in compliance with the "legitimate educational interest" requirement.

The Analysis to Comments and Changes (73 Fed. Reg. 237, page 74817) suggests a balance of physical, technological, and administrative controls to prevent unauthorized access and to ensure that school officials do not have unrestricted access to the records of all students. The Analysis also clarifies that the reasonableness of the method depends, in part, on the potential harm involved. For example, high-risk records, such as social security numbers or other information that could be used for identity theft, should receive greater and more immediate protection.

In addition, as a condition of participation in an interagency data information system (e.g., California Longitudinal Pupil Achievement Data System), Education Code 49076 requires that the district develop security procedures or devices by which unauthorized personnel cannot access data in the system and procedures or devices to secure privileged or confidential data from unauthorized disclosure.

The custodian of records shall develop reasonable methods, including physical, technological, and administrative policy controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

STUDENT RECORDS (continued)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records. Prior to granting the request, the custodian of records shall authenticate the individual's identity. For any individual granted access based on a legitimate educational interest, the request shall specify the interest involved.

Note: 34 CFR 99.30 specifies information that must be included in the parent/guardian consent form, as provided below. The provisions in the following two paragraphs are required pursuant to the California Attorney General's model policy developed pursuant to Education Code 234.7. See the Office of the Attorney General's publication Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues.

When required by law, a student's parent/guardian or an adult student shall provide written, signed, and dated consent before the district discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The district's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian or adult student, the district shall provide a copy of the records disclosed. (34 CFR 99.30)

If the parent/guardian or adult student refuses to provide written consent for the release of student information, the Superintendent or designee shall not release the information, unless it is otherwise subject to release based on a court order or a lawful subpoena.

Note: Education Code 49069 and 5 CCR 431 **mandate** that the district adopt procedures for granting parent/guardian requests to inspect, review, and obtain copies of records.

Within five business days following the date of request, the authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069)

Note: Education Code 49069 **mandates** procedures for the availability of qualified certificated personnel to interpret records when requested. The following paragraph may be expanded to include specific procedures for persons to request and receive the assistance of certificated personnel.

Qualified certificated personnel shall be available to interpret records when requested. (Education Code 49069)

The custodian of records or the Superintendent or designee shall prevent the alteration, damage, or loss of records during inspection. (5 CCR 435)

Access Log

A log shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate educational interest of the requester. (Education Code 49064)

STUDENT RECORDS (continued)

In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name of the person granted access, the reason access was granted, and the time and circumstances of inspection. (5 CCR 435)

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

The custodian of records shall also make an entry in the log regarding any request for record(s) that was denied and the reason for the denial.

Note: Although Education Code 49064 does not require the district to record access by individuals specified in items #1-5 below, the district may consider recording access by all individuals as part of the reasonable administrative controls required by 34 CFR 99.31; see section above entitled "Process for Providing Access to Records."

The log shall include requests for access to records by:

1. Parents/guardians or adult students
2. Students who are 16 years of age or older or who have completed the 10th grade
3. Parties obtaining district-approved directory information
4. Parties who provide written parental consent, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. School officials and employees who have a legitimate educational interest

Note: Pursuant to Education Code 234.7, any request for student information by a law enforcement agency for the purpose of enforcing immigration laws must be reported to the Superintendent and the Board; see the accompanying Board policy. Therefore, it is recommended that the custodian of records make an entry in the log regarding any such requests, as provided in item #6 below.

6. Law enforcement personnel seeking to enforce immigration laws

The log shall be open to inspection only by the parent/guardian, adult student, dependent adult student, custodian of records, and certain state or federal officials specified in Education Code 49064. (Education Code 49064; 5 CCR 432)

Duplication of Student Records

Note: Education Code 49069 **mandates** that the district adopt procedures for granting parent/guardian requests for copies of student records pursuant to Education Code 49065.

STUDENT RECORDS (continued)

To provide copies of any student record, the district may charge a reasonable fee not to exceed the actual cost of providing the copies. No charge shall be made for providing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record. (Education Code 49065)

(cf. 3260 - Fees and Charges)

Changes to Student Records

Only a parent/guardian having legal custody of a student or **an adult a student who is 18 years of age or is attending an institution of postsecondary education** may challenge the content of a record or offer a written response to a record. (Education Code 49061)

(cf. 5125.3 - Challenging Student Records)

No additions or change shall be made to a student's record after high school graduation or permanent departure, other than routine updating, unless required by law or with prior consent of the parent/guardian or adult student. (Education Code **49062.5**, 49070; 5 CCR 437)

Note: In CALPADS' "Update FLASH #158, Guidance for Changing a Student's Legal Name in CALPADS", the California Department of Education states that a request to change a student's legal name must be supported by legal documentation such as a court record, birth certificate, or passport.

Any request to change a student's legal name in the student's mandatory permanent student record shall be accompanied with appropriate documentation.

Any challenge to the content of a student's record shall be filed in accordance with the process specified in AR 5125.3 - Challenging Student Records. (Education Code 49070)

(cf. 5125.3 - Challenging Student Records)

~~Note: AB 711 (Ch. 179, Statutes of 2019) added Education Code 49062.5 and amended Education Code 49070 to require districts to update a student's or former student's records to change the student's name and/or gender, as specified below.~~

~~When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, the district shall update the former student's records to reflect the updated legal name and/or gender. Upon request by the former student, the district shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents. The district is not required to modify records that the former student has not requested for modification or reissuance. (Education Code 49062.5)~~

STUDENT RECORDS (continued)

~~(cf. 5145.3—Nondiscrimination/Harassment)~~

~~If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (Education Code 49062.5)~~

- ~~1. The date of the request~~
- ~~2. The date the requested records were reissued to the former student~~
- ~~3. A list of the records that were requested by and reissued to the former student~~
- ~~4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender~~
- ~~5. The name of the employee who completed the request~~
- ~~6. The current and former names and/or genders of the student~~

~~Any former student who submits a request to change the legal name or gender on the student's records but is unable to provide any government issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070 and AR 5125.3—Challenging Student Records.~~

Retention and Destruction of Student Records

All anecdotal information and assessment reports maintained as student records shall be dated and signed by the individual who originated the data. (5 CCR 431)

The following mandatory permanent student records shall be kept indefinitely: (5 CCR 432, 437)

1. Legal name of student
2. Date and place of birth and method of verifying birth date

(cf. 5111 - Admission)

3. Sex of student
4. Name and address of parent/guardian of minor student

STUDENT RECORDS (continued)

- a. Address of minor student if different from the above
- b. Annual verification of parent/guardian's name and address and student's residence

(cf. 5111.1 - District Residency)

5. Entrance and departure dates of each school year and for any summer session or other extra session
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given towards graduation

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

7. Verification of or exemption from required immunizations

(cf. 5141.31 - Immunizations)

8. Date of high school graduation or equivalent

Mandatory interim student records, unless forwarded to another district, shall be maintained subject to destruction during the third school year after the school year in which they originated, following a determination that their usefulness has ceased or the student has left the district. These records include: (Education Code 48918, 51747; 5 CCR 432, 437, 16027)

1. Expulsion orders and the causes therefor

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

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

2. A log identifying persons or organizations who request or receive information from the student record
3. Health information, including verification or waiver of the health screening for school entry

(cf. 5141.32 - Health Screening for School Entry)

4. Information on participation in special education programs, including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge

STUDENT RECORDS (continued)

(cf. 6159 - Individualized Education Program)

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

5. Language training records

(cf. 6174 - Education for English Learners)

6. Progress slips/notices required by Education Code 49066 and 49067
7. Parental restrictions/stipulations regarding access to directory information
8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action
9. Parent/guardian authorization or prohibition of student participation in specific programs
10. Results of standardized tests administered within the past three years

(cf. 6162.51 - State Academic Achievement Tests)

11. Written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student's best interest to remain in independent study

(cf. 6158 - Independent Study)

Permitted student records may be destroyed six months after the student completes or withdraws from the educational program and their usefulness ceases, including: (5 CCR 432, 437)

1. Objective counselor and/or teacher ratings
2. Standardized test results older than three years
3. Routine disciplinary data

(cf. 5144 - Discipline)

4. Verified reports of relevant behavioral patterns
5. All disciplinary notices
6. Supplementary attendance records

STUDENT RECORDS (continued)

Records shall be destroyed in a way that assures they will not be available to possible public inspection in the process of destruction. (5 CCR 437)

Transfer of Student Records

When a student transfers into this district from any other school district or a private school, the Superintendent or designee shall inform the student's parent/guardian of rights regarding student records, including a parent/guardian's right to review, challenge, and receive a copy of student records. (Education Code 49068; 5 CCR 438)

Note: Education Code 48201 requires districts to request records of a transferring student regarding acts that resulted in the student's suspension or expulsion from the previous school, as specified below. Once the record is received, the Superintendent or designee must inform the student's teachers of the acts; see AR 4158/4258/4358 - Employee Security.

When a student transfers into this district from another district, the Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in the student's suspension or expulsion. (Education Code 48201)

(cf. 4158/4258/4358 - Employee Security)

(cf. 5119 - Students Expelled From Other Districts)

Note: Pursuant to Education Code 49068, a district is required to transfer a copy of a student's records to another school in which the student is enrolled or intends to enroll within 10 school days of receiving a request for the records. However, this is not applicable in circumstances where a more restrictive timeline is required. For example, a district is required to transfer the records of a student who is a foster youth to the new school within two business days, pursuant to Education Code 48853.5.

When a student transfers from this district to another school district or to a private school, the Superintendent or designee shall forward a copy of the student's mandatory permanent record within 10 school days of the district's receipt of the request for the student's records. The original record or a copy shall be retained permanently by this district. If the transfer is to another California public school, the student's entire mandatory interim record shall also be forwarded. If the transfer is out of state or to a private school, the mandatory interim record may be forwarded. Permitted student records may be forwarded to any other district or private school. (Education Code 48918, 49068; 5 CCR 438)

Upon receiving a request from a county placing agency to transfer a student in foster care out of a district school, the Superintendent or designee shall transfer the student's records to the next educational placement within two business days. (Education Code 49069.5)

STUDENT RECORDS (continued)

All student records shall be updated before they are transferred. (5 CCR 438)

Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent/guardian. (5 CCR 438)

If the district is withholding grades, diploma, or transcripts from the student because of damage or loss of school property, this information shall be sent to the requesting district along with the student's records.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

Notification of Parents/Guardians

Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. If 15 percent or more of the students enrolled in the district speak a single primary language other than English, then the district shall provide these notices in that language. Otherwise, the district shall provide these notices in the student's home language insofar as practicable. The district shall effectively notify parents/guardians or eligible students with disabilities. (Education Code 48985, 49063; 34 CFR 99.7)

(cf. 5145.6 - Parental Notifications)

The notice shall include: (Education Code 49063; 34 CFR 99.7, 99.34)

1. The types of student records kept by the district and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records
4. District criteria for defining school officials and employees and for determining legitimate educational interest
5. District policies for reviewing and expunging student records
6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights

STUDENT RECORDS (continued)

8. The cost, if any, charged for duplicating copies of records
9. The categories of information defined as directory information pursuant to Education Code 49073
10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
11. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school

(cf. 5020 - Parent Rights and Responsibilities)

12. Any other rights and requirements set forth in Education Code 49060-49085, and the right of parents/guardians to file a complaint with the U.S. Department of Education concerning an alleged failure by the district to comply with 20 USC 1232g

Note: Pursuant to 34 CFR 99.34, if the district's annual parental notification contains the information described in optional item #13 below, the district does not need to attempt to individually notify a parent/guardian or adult student when the district discloses an education record to officials of another school, school system, or postsecondary institution (see item #5 in the list of persons/agencies with legitimate educational interests in the section entitled "Access for Limited Purpose/Legitimate Educational Interest" above).
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13. A statement that the district forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment

Note: The following paragraph reflects the Attorney General's model policy developed pursuant to Education Code 234.7.
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In addition, the annual parental notification shall include a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

STUDENT RECORDS (continued)

Updating Name and/or Gender of Former Students

Note: ~~AB 711 (Ch. 179, Statutes of 2019) added Education Code 49062.5 and amended Education Code 49070 to~~ requires a districts to update a student's or former student's records to **reflect a change to the former** student's name and/or gender, as specified below.

STUDENT RECORDS (continued)

When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, the district shall update the former student's records to ~~reflect~~ **include** the updated legal name and/or gender. Upon request by the former student, the district shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents. ~~The district is not required to modify records that the former student has not requested for modification or reissuance.~~ (Education Code 49062.5)

If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (Education Code 49062.5)

1. The date of the request
2. The date the requested records were reissued to the former student
3. A list of the records that were requested by and reissued to the former student
4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender
5. The name of the employee who completed the request
6. The current and former names and/or genders of the student

Any former student who submits a request to change the legal name **and/or** gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070 and AR 5125.3 - Challenging Student Records. **(Education Code 49062.5)**

(5/18 12/19) 12/21

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 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 paragraph identifies the employee(s) designated to coordinate the district's efforts to comply with state and federal civil rights laws 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 different 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.

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.

NONDISCRIMINATION/HARASSMENT (continued)

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 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)

Title IX Coordinator
445 Montezuma Street
Rio Vista, CA 94571
(707) 374-1700
Contactus@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:

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.

NONDISCRIMINATION/HARASSMENT (continued)

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 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. 5145.9 - 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 221.61 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.

NONDISCRIMINATION/HARASSMENT (continued)

4. Post in a prominent location on the district 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
 - 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, 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)

NONDISCRIMINATION/HARASSMENT (continued)

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.
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.

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.

NONDISCRIMINATION/HARASSMENT (continued)

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.
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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

NONDISCRIMINATION/HARASSMENT (continued)

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 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.

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.

NONDISCRIMINATION/HARASSMENT (continued)

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 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 notify the student or parent/guardian of the right to file a formal complaint in accordance with AR 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the 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)

Issues Unique to Intersex, Nonbinary, Transgender and Gender-Nonconforming Students

NONDISCRIMINATION/HARASSMENT (continued)

Note: The terms and definitions used below are consistent with California law, case law, and generally accepted terms within academia and in publications issued by state and federal agencies such as CDE and OCR, including provisions in the California Gender Recognition Act that recognize three gender options, female, male, and nonbinary, and define "nonbinary" and other related terms such as "intersex" and "transgender". In addition to consistency with the above, the definition of "gender identity" below 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, OCR 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."

The following section is also consistent with OCR's fact sheet "Supporting Intersex Students: A Resource for Students, Families, and Educators," issued in October 2021 and CDE's "Update FLASH #158, Guidance for Changing a Student's Gender in CALPADS," which provides guidance on changing a student's gender and/or legal name on the student's mandatory permanent record.

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.

***Intersex student* means a student with natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with female and male bodies.**

***Nonbinary student* means a student whose gender identity falls outside of the traditional conception of strictly either female or male, regardless of whether or not the student identifies as transgender, was born with intersex traits, uses gender-neutral pronouns, or uses agender, genderqueer, pangender, gender nonconforming, gender variant, or such other more specific term to describe their gender.**

NONDISCRIMINATION/HARASSMENT (continued)

Transgender student means a student whose gender identity is different from the gender assigned at birth.

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~~ **gender identity** 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 **intersex, nonbinary,** 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~~ **gender identity**, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

NONDISCRIMINATION/HARASSMENT (continued)

To ensure that **intersex, nonbinary,** 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.

Pursuant to state and federal law, a district has the responsibility to ensure a safe, nondiscriminatory school environment for all students and equal access to the educational program for intersex, nonbinary, transgender, or gender non-conforming students. As part of its obligation, the district must keep a student's private information, including a student's gender, gender identity, or gender expression, confidential. CDE's "School Success and Opportunity Act (Assembly Bill 1266) Frequently Asked Questions," references a transgender student's informational privacy right under Article I, Section I of the California Constitution as protecting the student's gender identity from disclosure. However, CDE specifies that, pursuant to 34 CFR 99.36, disclosure of such information to appropriate parties is permitted in connection with an emergency, as necessary to protect the health or safety of the student or other individuals. Therefore, a district is required to take measures such as those specified in the following paragraph, to prevent unintentional release of students' private information and should contact legal counsel before disclosing a student's gender identity without the student's consent.

1. Right to privacy: A student's **intersex, nonbinary,** 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. **The district shall develop strategies to prevent unauthorized disclosure of students' private information. Such strategies may include, but are not limited to, collecting or maintaining information about student gender only when relevant to the educational program or activity, protecting or revealing a student's gender identity as necessary to protect the health or safety of the student, and keeping a student's unofficial record separate from the official record.**

NONDISCRIMINATION/HARASSMENT (continued)

~~and the~~ 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 **intersex, nonbinary**, 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 an **intersex, nonbinary**, 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 intersex, nonbinary**, 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 **intersex, nonbinary**, 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

NONDISCRIMINATION/HARASSMENT (continued)

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 an **intersex, nonbinary,** 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 **intersex, nonbinary,** 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. Pursuant to 5 CCR 432, a district is required to maintain for each student a mandatory permanent student record that includes the student's legal name, sex, and other specified details. While 5 CCR 4910 refers to "sex" as the "biological condition or quality of being a female or male human being," it also defines "gender" to mean "sex," which includes "a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth." When responding to a request to change the gender or legal name of intersex, nonbinary, transgender, or gender non-conforming students, districts should be mindful of laws prohibiting gender-based discrimination. In CALPADS' "Update FLASH #158, Guidance for Changing a Student's Gender in CALPADS", CDE distinguishes the process for updating a student's legal name from the process for updating a student's gender. According to CDE, a district must receive formal documentation that a student's name has been legally changed before the student's recorded legal name may be changed in the student's mandatory permanent student record (official record). When documentation is not provided, CDE states the district should nonetheless update all other school records (unofficial records such as attendance sheets, report cards, and school identification) to reflect the name change. On the other hand, to change a student's gender in the student's official records, CDE states that there is no specific requirement regarding formal documentation or process that a district should review or require in determining the gender to be recorded in the official records. Pursuant to Education Code 49061, only a parent/guardian may authorize a change to a student's gender in the student's official record. The district should consult legal counsel in developing a policy in this regard.

5. Student Records: Upon each student's enrollment, the district is required to maintain a mandatory permanent student record (official record) that includes the student's gender and legal name.

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) A student's gender as entered on the student's official record required pursuant to 5 CCR 432 shall only be changed with written authorization of a parent/guardian having legal custody of the student. (Education Code 49061)

However, when proper documentation or authorization, as applicable, is not submitted with a request to change a student's legal name or gender, any change to the student's record shall be limited to the student's unofficial records such as attendance sheets, report cards, and school identification.

(cf. 5125 - Student Records)
 (cf. 5125.1 - Release of Directory Information)
 (cf. 5125.3 - Challenging Student Records)

NONDISCRIMINATION/HARASSMENT (continued)

6. **Names and Pronouns:** If a student so chooses, district personnel shall be required to address the student by a name and the 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)

(5/20 7/20) 12/21

CSBA Sample Board Policy

Students

BP 5148.2(a)

BEFORE/AFTER SCHOOL PROGRAMS

Note: The following **optional** policy is for use by districts providing before-school and/or after-school programs and should be revised to reflect the program(s) offered by the district. For eligible programs in grades K-9, the district may apply for funding from the state's After School Education and Safety Program (ASES) (Education Code 8482-8484.65) and/or the federal 21st Century Community Learning Center Program (21st CCLC) (Education Code 8484.7-8484.9; 20 USC 7171-7176). The federal 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) (Education Code 8420-8428; 20 USC 7171-7176) provides funding for eligible programs in grades 9-12.

Education Code 46120, as added by AB 130 (Ch. 44, Statutes of 2021), establishes the Expanded Learning Opportunities (ELO) Program and allocates funding to districts under a formula based on a district's percentage of unduplicated students and average daily attendance. For the 2021-22 school year, districts receiving funds are required to offer access to ELO programs to all unduplicated students in grades TK-6 and to provide access to such programs to at least 50 percent of enrolled unduplicated students. Commencing in the 2022-23 school year, districts receiving funds are required to offer access to all students in grades TK-6 inclusive, and to ensure that access is provided to any student whose parent/guardian requests placement in an ELO program. Pursuant to Education Code 46120, on school days, ELO programs must include in-person before or after school programs and, on non-school days, intersession programs of specified lengths of time as described below and in the accompanying administrative regulation. Student participation in an ELO program is optional.

See the accompanying administrative regulation for major requirements of each program.

The following policy is applicable to all **four** programs, unless otherwise noted, and may be adapted by districts that offer other programs through district funding or alternative sources. If the district does not offer both a before-school and after-school program, it may modify the following policy as appropriate.

The Governing Board desires to provide before-school and/or after-school enrichment programs that support the regular education program in a supervised environment. In order to increase academic achievement of participating students, the content of such programs shall be coordinated with the district's vision and goals for student learning, local control and accountability plan, curriculum, and academic standards.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0470 - COVID-19 Mitigation Plan)

(cf. 5147 - Dropout Prevention)

(cf. 5148 - Child Care and Development)

(cf. 6011 - Academic Standards)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Note: The following paragraph reflects a requirement for collaborative planning for both ASES (Education Code 8482.5) and ASSETs (Education Code 8422). 21st CCLC programs must be developed in collaboration with the school(s) the students attend, but collaboration with other entities is at the discretion of the district. Districts offering only 21st CCLC programs may revise the following paragraph to reflect district practice.

The district's program shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies including city and county parks and recreation departments, local law enforcement, community organizations, and, if appropriate, the private sector. (Education Code 8422, 8482.5, **46120**)

Note: **The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 46120, as added by AB 130, districts are required to prioritize ELO programs at school sites in the lowest income communities, as determined by prior year percentages of students eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with expanded learning opportunities programs across their attendance area. In addition, pursuant to Education Code 8482.5, in awarding funding for ASES programs, the state gives priority to schools with at least 50 percent of students eligible for free or reduced-price meals. Pursuant to 20 USC 7174, funding for the 21st CCLC and ASSETs programs is restricted to schools receiving federal Title I funding. In addition, 20 USC 7174 and Education Code 8422 and 8484.8 give competitive priority for these federal programs to applications jointly submitted by school districts and community organizations for programs that (1) are located in schools that are implementing comprehensive or targeted support and improvement activities pursuant to 20 USC 6311 or other schools determined by the district to be in need of intervention and support to improve student academic achievement and other outcomes; (2) serve students at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or lacking strong positive role models; (3) provide activities not otherwise accessible to participating students or expand accessibility to high-quality services that may be available in the community; (4) continue or expand existing grants; and (5) for 21st CCLC programs, provide year-round expanded learning programming. For a further description of competitive priority for funding, see the California Department of Education's (CDE) "21st CCLC and ASSETs FAQs" and "Request for Applications for Programs Proposing to Serve High School Students."**

To the extent feasible, the district shall give priority to establishing before-school and/or after-school programs in low-performing schools and/or programs that serve low-income and other at-risk students.

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 6020 - Parent Involvement)

Any **After School Education and Safety Program (ASES), 21st Century Community Learning Center Program (21st CCLC), 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs), or other program** to be established pursuant to Education Code 8421, 8482.3 or 8484.75 shall be approved by the Board and the principal of each participating school.

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Note: The following **optional** paragraph is applicable to all programs. Pursuant to Education Code 8483.4 (applicable to both ASES and 21st CCLC), the program administrator is required to establish qualifications for each staff position that, at a minimum, ensure that all staff members who directly supervise students meet the minimum qualifications for an instructional aide pursuant to district policies; see the accompanying administrative regulation. A district offering an ASSETs program must establish its expectations for staff qualifications.

The Superintendent or designee shall ensure that all staff who directly supervise students in the district's before-school and/or after-school program possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities.

(cf. 1240 - Volunteer Assistance)
(cf. 4131 - Staff Development)
(cf. 4222 - Teacher Aides/Paraprofessionals)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Each program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, each program may include support services that reinforce the educational component and promote student health and well-being.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 6142.7 - Physical Education and Activity)

Note: Education Code 8482.6 (applicable to ASES, 21st CCLC, and ELO programs) and Education Code 8422 (applicable to ASSETs programs), **authorize** the district **to** charge fees to participating families **with certain exceptions as described below.**

Option 1 below is for use by districts that choose not to charge family fees. Option 2 is for use by districts that will charge a permissible family fee to cover unfunded costs of the program.

No fee shall be charged for participation in the program.

Note: The following paragraph is for use by districts selecting Option 2 that offer an ASSETs program, and may be modified to reflect program(s) offered by the district. Pursuant to Education Code 8422, ASSETs programs that charge fees to participating families are required to waive or reduce the fees for families with students who are eligible for free or reduced-price meals.

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Note: The following paragraph is for use by districts selecting Option 2 that offer an ASES, 21st CCLC program, **and/or ELO program**, and may be modified to reflect program(s) offered by the district. Pursuant to Education Code 8482.6, **as amended by AB 130**, family fees may **not** be charged for these programs **for a student who is eligible for free or reduced-price meals or** if the district knows the participating student is a homeless youth or in foster care. **In addition, a program that charges such fees is required to schedule fees on a sliding scale that considers family income and ability to pay.**

For ASES, 21st CCLC, and/or Expanded Learning Opportunities programs, no fee shall be charged for a student who is eligible for free or reduced-price meals, or a student who the district knows is a homeless youth or in foster care. In addition, family fees shall be calculated on a sliding scale that considers family income and ability to pay. (Education Code 8482.6, **46120**)

(cf. 3260 - Fees and Charges)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

To the extent consistent with state and federal privacy laws, Education Code 8484.1 authorizes the district to share specified student data (i.e., school day attendance data, statewide assessment scores English language development test placement or reclassification scores, California Healthy Kids Survey results in aggregate form, student engagement and behavioral data, and other academic measures, including grades and course completion) with the operator of an after-school program with which the district has a contract that includes a confidentiality agreement. The district should consult with legal counsel if it has any questions regarding the sharing of student data.

In addition, Education Code 8427 and 8484 require the after-school program to submit data on school and program attendance and program quality to the CDE; see the section "Reports" in the accompanying administrative regulation.

The Board and the Superintendent or designee shall monitor student participation rates and shall identify multiple measures that shall be used to evaluate program effectiveness. Such measures may include, but are not limited to, student outcome data; program self-assessments; feedback from staff, participating students, and parents/guardians; and observations of program activities.

(cf. 0500 - Accountability)

Note: The following paragraph is for use by districts that offer an ASES, 21st CCLC, and/or ELO program, and may be adapted by districts that offer ASSETs or other programs. Pursuant to Education Code 8482.3 and 46120, as added by AB 130, require districts offering an ASES, 21st CCLC, and/or ELO program to review program goals, program content, and outcome measures, selected from among those listed in Education Code 8484, every three years and to retain documentation for five years.

Every three years, the Superintendent or designee shall review the after-school program plan, including, but not limited to, program goals, program content, and outcome measures. Documentation of the program plan shall be maintained for a minimum of five years.

(cf. 3580 - District Records)

Legal Reference: (see next page)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Legal Reference:

EDUCATION CODE

8281.5 California Prekindergarten Planning and Implementation Grant Program

8295-8305 Child development program personnel qualifications

8420-8428 21st Century After-School Program for Teens

8482-8484.65 After School Education and Safety Program

8484.7-8484.9 21st Century Community Learning Centers

17264 New construction; accommodation of before- and after-school programs

35021.3 After-school physical recreation instructors

45125 Criminal record check

45330 Paraprofessionals; instructional aides

45340-45349 Paraprofessionals; instructional aides

46120 Expanded Learning Opportunities Program

49024 Criminal background check; Activity Supervisor Clearance Certificate

49430-49434 Nutrition standards

49540-49546 Child Care Food Program

49553 Free or reduced-price meals

69430-69460 Cal Grant program

WELFARE AND INSTITUTIONS CODE

10207-10490 Child Care and Development Services Act, especially:

10273 Preferred placement for otherwise eligible children ages 11 or 12

UNITED STATES CODE, TITLE 20

6311 State plans

6314 Title I schoolwide programs

7171-7176 21st Century Community Learning Centers

UNITED STATES CODE, TITLE 42

1766-1766a Child and Adult Care Food Program

11434a Education for homeless children and youths

CODE OF FEDERAL REGULATIONS, TITLE 7

226.17 Child care center nutrition standards

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Expanded Learning Opportunities Program FAQs, October 2021

Request for Applications: 21st Century Community Learning Centers Elementary/Middle Schools, September 2020

Request for Applications: 21st Century High School After School Safety and Enrichment for Teens, September 2020

21st CCLC and ASSETs FAQs, September 2020

Quality Program Improvement Plan Instructions: Instructions for Completing a Quality Program Improvement Plan for Expanded Learning Programs in California, August 2020

A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014

Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, 2014

California After School Physical Activity Guidelines, 2009

Management Resources continued: (see next page)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Management Resources continued:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

21st Century Community Learning Centers, Nonregulatory Guidance, February 2003

WEB SITES

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

California Department of Education, **Expanded Learning:** <https://www.cde.ca.gov/ls/ex>

California Healthy Kids Survey: <https://chks.wested.org>

California School-Age Consortium: <http://calsac.org>

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

Partnership for Children and Youth: <http://partnerforchildren.org>

U.S. Department of Agriculture: <http://www.fns.usda.gov/cnd/care/afterschool.htm>

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

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CSBA Sample Administrative Regulation

Students

AR 5148.2(a)

BEFORE/AFTER SCHOOL PROGRAMS

Note: The district should revise the following administrative regulation to reflect the before and/or after school program(s) it offers and the grade levels at which the programs are offered. In addition to the program requirements described below, before-school and after-school programs may be subject to other district policies such as BP/AR 5148 - Child Care and Development, AR 3514.2 - Integrated Pest Management, and BP/AR 3550 - Food Service/Child Nutrition Program. The district should consult legal counsel if it has questions regarding the applicability of other laws to the district's programs.

Definitions

***Expanded learning opportunities* means before school, after school, summer, or intersession learning programs that focus on developing the academic, social, emotional, and physical needs and interests of students through hands-on, engaging learning experiences. *Expanded learning opportunities* does not mean an extension of instructional time, but rather, opportunities to engage students in enrichment, play, nutrition, and other developmentally appropriate activities. (Education Code 8482.1, 46120)**

***Unduplicated student* means a student enrolled in a district who is either classified as an English learner, eligible for a free or reduced-price meal, or is a foster youth. (Education Code 42238.02, 46120)**

Grades K-6

Note: The following section is for use by districts providing before-school and/or after-school programs funded by the state After School Education and Safety Program (ASES) (Education Code 8482-8484.65), the federal 21st Century Community Learning Center program (21st CCLC) (Education Code 8484.7-8484.9; 20 USC 7171-7176), **or the Expanded Learning Opportunities (ELO) program (Education Code 46120).**

ASES and 21st CCLC programs serve students who are in grades K-9 in an elementary, middle, or junior high school.

The district's After School Education and Safety (ASES) program shall serve students in any of grades K-6 as the district may determine based on local needs. (Education Code 8482.3, 8484.7, 8484.75, 8484.8)

The program shall primarily serve students in Title I schoolwide programs. (Education Code 8484.8; 20 USC 7173)

(cf. 6171 - Title I Programs)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Note: Education Code 46120, as added by AB 130 (Ch. 44, Statutes of 2021), establishes the Expanded Learning Opportunities (ELO) Program and allocates funding to districts under a formula based on a district's percentage of unduplicated students and average daily attendance. For the 2021-22 school year, districts receiving funds are required to offer access to ELO programs to all unduplicated students in grades TK-6 and to provide access to such programs to at least 50 percent of enrolled unduplicated students. For the 2022-23 school year, districts receiving funds are required to offer all students in grades TK-6 access to ELO programs, and ensure that access is provided to any student whose parent/guardian requests placement in a program. Districts are required to prioritize services at school sites in the lowest income communities, as determined by prior year percentages of students eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with ELO programs across their attendance area.

The following paragraph is for districts that receive ELO funds and should be deleted by districts that do not receive such funds.

The district's Expanded Learning Opportunities (ELO) program shall serve students in grades TK-6. For the 2021-22 school year, the district shall offer access to ELO programs to all unduplicated students in grades TK-6 and provide access to such programs to at least 50 percent of enrolled unduplicated students. Commencing with the 2022-23 school year, the district shall offer all students in grades TK-6 access to ELO programs, and ensure that access is provided to any student whose parent/guardian requests placement in a program. (Education Code 46120)

Education Code 8281.5, as added by AB 130 and amended by AB 167 (Ch. 252, Statutes of 2021), requires districts receiving grants through the California Prekindergarten Planning and Implementation Grant Program to develop a plan for consideration by the Board at a public meeting on or before June 30, 2022 for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten that meet the needs of parents/guardians, including through partnerships with the district's ELO program, ASES Program, California state preschool program, Head Start programs, and other community-based early learning and care programs. See BP 6170.1 - Transitional Kindergarten.

The Superintendent or designee shall ensure that the plan to provide access to full-day learning programs the year before kindergarten addresses the needs of children and their families as specified in BP 6170.1 - Transitional Kindergarten. (Education Code 8281.5)

Note: Pursuant to Education Code 8484.75, programs funded through the 21st CCLC program are generally subject to the same program requirements applicable to ASES programs, with the exception of specified provisions primarily related to allocation of funds. In contrast, ELO programs are explicitly subject to some but not all of the ASES requirements pursuant to Education Code 46120. However, the California Department of Education's (CDE) Expanded Learning Opportunities FAQs emphasizes that districts are expected to uniformly apply the stricter ASES requirements to all programs since ASES, 21st CCLC, and ELO programs should be considered a single, comprehensive program. As such, the following section reflects the expectation that ELO programs will comply with all the requirements for ASES and 21st CCLC programs.

BEFORE/AFTER SCHOOL PROGRAMS (continued)

The following section applies to ASES, 21st CCLC, and ELO programs, except where otherwise noted, and should be revised to reflect the program(s) offered by the district.

The district's ASES and ELO program(s) shall be operated in accordance with the following:

1. Program Elements

- a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code 8482.3, 8484.75, 46120)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6154 - Homework/Makeup Work)

(cf. 6163.4 - Student Use of Technology)

Note: Education Code 8482.3 requires that the program include an educational enrichment component which may include physical fitness. Pursuant to Education Code 8483.55 and 8484.8, the n (CDE has developed voluntary California After School Physical Activity Guidelines which are available on its web site.

- b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code 8482.3, 8484.75, 46120)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

(cf. 6142.6 - Visual and Performing Arts)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6178 - Career Technical Education)

Note: Pursuant to Education Code 8482.3, after-school programs may offer snacks or meals that conform to applicable state or federal nutrition standards. Reimbursement for providing snacks is available through the National School Lunch Program and the Child and Adult Care Food Program (CACFP) for participating districts. Pursuant to the Healthy, Hunger-Free Kids Act of 2010 (42 USC 1766-1766a), after-school programs participating in the at-risk after-school care component of the CACFP may be reimbursed for serving full meals. Further information is available on the web sites of the CDE and U.S. Department of Agriculture.

2. Nutrition

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- a. If snacks or meals are made available in the program, they shall conform to nutrition standards specified in Education Code 49430-49434 or 42 USC 1766 as applicable. (Education Code 8482.3, **8484.75, 46120**; 42 USC 1766-1766a; 7 CFR 226.17)
- b. The district's before-school program shall offer a breakfast meal as described in Education Code 49553 for all program participants. (Education Code 8483.1, **8484.75**)

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

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

Note: Education Code 8482.3 provides that a program may be offered at one or multiple school sites. Program applications and U.S. Department of Education (USDOE) nonregulatory guidance, 21st Century Community Learning Centers, state that programs may be located off campus as long as the facility is as available and accessible to students as if it were located at a school.

3. Location of Program

- a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code 8482.3, **8484.75**)
- b. When there is a significant barrier to student participation in either the before-school or after-school component of a program at the school of attendance, the Superintendent or designee may, with the approval of the Superintendent of Public Instruction, provide services at another school site. Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school. A significant barrier includes any of the following: (Education Code 8482.8, **8484.75**)
 - (1) Fewer than 20 students participating in the program component
 - (2) Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation
 - (3) A reduction in the program grant of an existing school due to its merging into a new school opened by the district or the splitting of its students with a new school

BEFORE/AFTER SCHOOL PROGRAMS (continued)

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code 8482.8, **8484.75**)

(cf. 3540 - Transportation)

4. Staffing

- a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4, **8484.75**, 45330, 45344, 45344.5)

(cf. 4222 - Teacher Aides/Paraprofessionals)

Note: Pursuant to Education Code 8483.4, program staff and volunteers are required to meet health screening and fingerprint clearance requirements. Education Code 49024 provides that the requirement to obtain an Activity Supervisor Clearance Certificate prior to beginning a paid or volunteer position is satisfied by clearing a Department of Justice and Federal Bureau of Investigation criminal background check.

- b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code 8483.4, **8484.75**)

(cf. 1240 - Volunteer Assistance)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

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

- c. The student-to-staff ratio shall be no more than 20 to 1, **except that programs serving transitional kindergarten or kindergarten students shall maintain a student-to-staff member ratio of no more than 10 to 1** (Education Code 8483.4, **8484.75, 46120**)

5. Hours of Operation

- a. A before-school program shall not operate for less than one and one-half hours per regular school day. (Education Code 8483.1, **8484.75**)

Note: Pursuant to Education Code 8483, as amended by AB 2622 (Ch. 265, Statutes of 2018), ASES programs that operate at a school site located in an area that has a population density of less than 11 persons per square mile may end operating hours not earlier than 5 p.m. The following paragraph can be revised to reflect district programs.

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code 8483, **8484.75**)

Note: Pursuant to Education Code 46120, as added AB 130 and amended by AB 167, ELO programs must provide in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, are no less than nine hours of combined instructional time and expanded learning opportunities per instructional day.

- c. **An ELO program shall provide in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, shall not be less than nine hours of combined instructional time and expanded learning opportunities per instructional day. (Education Code 46120)**

6. Admissions

- a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code 8482.6, **8484.75**)

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

- b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:
 - (1) First priority for enrollment shall be given to students who are identified as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC 11434a), at the time they apply for enrollment or at any time during the school year, to students who are identified by the program as being in foster care, **and to students who are eligible for free or reduced-price meals.** (Education Code 8483, 8483.1, **8484.75**)

The district is not required to disenroll a current student in order to secure the enrollment of a student who has priority for enrollment. (Education Code 8483, 8483.1)

The district shall inform the parent/guardian of a homeless or foster youth of the right of the child to receive priority enrollment and how to request priority enrollment. (Education Code 8483, **8484.75**)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

(cf. 5145.6 - Parental Notifications)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)

Note: Item #(2) below is for use by districts that maintain middle or junior high schools.

- (2) Second priority for enrollment of middle or junior high school students shall be given to students who attend daily. (Education Code 8483, 8483.1, **8484.75**)

Note: Items #(3)-(5) are **optional** and may be revised or expanded to include enrollment priorities established by the district.

- (3) Third priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulation.

(cf. 6179 - Supplemental Instruction)

- (4) Any remaining capacity shall be filled by students selected at random.
- (5) A waiting list shall be established to accommodate additional students if space becomes available.

7. Attendance/Early Release

Note: Education Code 8483 and 8483.1 express legislative intent that elementary students attend the full program day of either the before-school or after-school program every day in which they participate. Education Code 8483 and 8483.1 allow districts to implement a flexible attendance schedule for students in middle or junior high school. Education Code 8483.1 specifies that, for before-school programs, students who attend less than one-half of the daily program hours may not be counted for attendance purposes.

Pursuant to Education Code 8483, districts offering an after-school program are **mandated** to establish a policy regarding reasonable early daily release of students from the after-school program. Education Code 8483.1 **mandates** districts offering a before-school program to establish a policy regarding reasonable late daily arrival of students. The following items should be revised to reflect district practice.

- a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that **the student** participates.
- b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival for the before-school program or the reasonable early daily release from the after-

BEFORE/AFTER SCHOOL PROGRAMS (continued)

school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

Note: Item #8 below is for use by districts that offer a program during summer, intersession, or vacation periods. Pursuant to Education Code 8483.76, a school that establishes a before-school or after-school program is eligible to receive a supplemental grant to operate the program in excess of 180 regular school days or during any combination of summer, weekends, intersession, or vacation periods for a maximum of 30 percent of the total grant amount awarded, per school year, to the school.

Pursuant to Education Code 46120, ELO programs are required to offer no less than nine hours of in-person expanded learning opportunities per day for at least 30 non-school days during intersessional periods.

8. Summer/Intersession/Vacation Programs
 - a. **ELO programs shall offer no less than nine hours of in-person expanded learning opportunities per day for at least 30 non-school days, during intersessional periods.**
 - b. A before-school program operating during summer, intersession, and/or vacation days shall be offered for a minimum of two hours per day. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with Education Code 8483.76. When both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code 8483, 8483.1, 8483.2, 8483.76)
 - c. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code 8483.76)
 - d. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to Education Code 8484.6. (Education Code 8483.76)
 - e. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code 8483.76)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Note: Education Code 8483.76 **mandates** that a district operating a six-hour program adopt an attendance and early release policy for the program that is consistent with the district's early release policy for the regular school day; see item #7 above. This policy must be included in the program plan submitted to CDE.

- f. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (Education Code 8483.76)

(cf. 6177 - Summer Learning Programs)

Grades 9-12

Note: The following section is for use by districts providing before-school and/or after-school programs funded through 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program (Education Code 8420-8428; 20 USC 7171-7176).

Pursuant to Education Code 46120, districts may, but are not required to, serve students in grades 7-12 in ELO programs.

The district's 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program shall serve students in any of grades 9-12 as the district may determine based on local needs. (Education Code 8421)

The program shall be operated in accordance with the following guidelines:

1. Program Elements
 - a. The program shall include an academic assistance element that is coordinated with the regular academic program and includes, but is not limited to, at least one of the following: (Education Code 8421)
 - (1) Tutoring
 - (2) Career exploration, including activities that help students develop the knowledge and skills that are relevant to their career interests and reinforce academic content
 - (3) Homework assistance
 - (4) College preparation, including information about the Cal Grant program pursuant to Education Code 69430-69460
 - b. The program shall include an enrichment element that may include, but is not limited to: (Education Code 8421)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- (1) Community service
- (2) Career and technical education
- (3) Job readiness
- (4) Opportunities for mentoring and tutoring younger students
- (5) Service learning
- (6) Arts
- (7) Computer and technology training
- (8) Physical fitness
- (9) Recreation activities

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

Note: Education Code 8423 requires the ASSETs program to include a physical activity element. See CDE's California After School Physical Activity Guidelines , available on its web site.

- c. The program shall include a nutritional snack and/or meal and a physical activity element. (Education Code 8423)
 - d. The program shall provide for access to, and availability of, computers and technology. (Education Code 8423)
 - e. The Superintendent or designee shall assess students' preferences for program activities. (Education Code 8423)
2. Location of Program
- a. The district's program may operate on one or multiple school sites or at another location approved by CDE. (Education Code 8421)
 - b. If applying for a location off school grounds, the Superintendent or designee shall ensure that safe transportation is available for students, if necessary, and the program is at least as available and accessible as similar programs conducted on school sites. (Education Code 8421)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

3. Hours of Operation

- a. The district's program shall operate for a minimum of 15 hours per week. (Education Code 8421)
- b. The district's program may be operated either after school only or for any combination of after school, before school, weekends, summer, intersession, and vacations. (Education Code 8422)

Reports

Note: The following section applies to ASES, 21st CCLC, and ASSETs programs.

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Pursuant to Education Code 8426 and 8484, CDE may terminate a grant if, for three consecutive years, the program fails to demonstrate measurable program outcomes or fails to attain 75 percent of its proposed attendance levels. For this purpose, CDE may consider a comparison of participating and nonparticipating students at the same school site or other factors.

The Superintendent or designee shall annually submit to CDE outcome-based data, including, but not limited to: (Education Code 8427, 8482.3, 8484)

1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis

Note: Education Code 8427 requires programs to submit evidence of a program quality improvement process that is based on standards developed by CDE. CDE's program quality standards, Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, are available on its web site.

2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

(cf. 0500 - Accountability)

(3/17 12/17) 12/21

CSBA Sample Board Policy

Students

BP 5148.3(a)

PRESCHOOL/EARLY CHILDHOOD EDUCATION

Note: The following **optional** policy may be used by districts that operate their own preschool/early childhood education programs and/or collaborate to provide preschool opportunities within the community. CSBA's publication [What Boards of Education Can Do about Kindergarten Readiness](#) provides information about characteristics of effective preschool programs and actions that the district and Governing Board can take to encourage and/or provide high-quality preschool education.

Pursuant to AB 131 (Ch. 116, Statutes of 2021), the statutes that govern the California State Preschool Program (CSPP) were renumbered within the Education Code. In addition, pursuant to AB 131, the statutes that govern child care programs under the Child Care and Development Services Act were repealed from the Education Code and reenacted in the Welfare and Institutions Code. Education Code 8207, as added by AB 131, clarifies that the Superintendent of Public Instruction (SPI) and the California Department of Education (CDE) retain administrative supervision of the CSPP.

In December 2020, the SPI initiated the rulemaking process for revised implementing regulations for the CSPP. Once final, these regulations may affect this policy and the accompanying administrative regulation.

Education Code 8281.5, as added by AB 130 (Ch. 44, Statutes of 2021), establishes the California Prekindergarten Planning and Implementation Grant Program as an early learning initiative with the goal of expanding access to classroom-based prekindergarten programs at districts. The program allocates funding to all districts that operate kindergarten programs through minimum base grants, enrollment grants based on a district's kindergarten enrollment, and supplemental grants based on a district's percentage of unduplicated students. Grant funds may be used for costs associated with creating or expanding CSPP programs or transitional kindergarten (TK) programs, or to establish or strengthen partnerships with other providers of prekindergarten education within the district, including Head Start programs, to ensure that high-quality options for prekindergarten education are available for four-year-old children. Allowable costs include, but are not necessarily limited to, planning costs, hiring and recruitment costs, staff training and professional development, classroom materials, and supplies.

Pursuant to AB 131, the Legislature allocated additional funds to provide subsidized child care and CSPP programs with COVID-19 pandemic-related assistance. Education Code 8252, as amended and renumbered by AB 131, requires districts to waive family fees for all families receiving subsidized child care services from CSPP programs during the 2021-22 school year. See the accompanying administrative regulation for more information regarding waiver of fees.

The Governing Board recognizes the value of high-quality preschool experiences to enhance children's social-emotional development, knowledge, skills, **and abilities,** ~~and attributes necessary for a successful transition into the elementary education program.~~ The Board desires to provide a supervised, and cognitively rich environment **designed to facilitate the transition to kindergarten for three- and four-year-old children.**

Note: The following **optional** paragraphs may be used by all districts, regardless of whether they provide their own preschool programs, and may be revised to reflect district practice.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

~~Education Code 8499-8499.7~~ **Welfare and Institutions Code 10480-10487** establish county-level child care and development planning councils, with members selected by the County Board of Supervisors and County Superintendent of Schools, to identify local priorities for child care, including preschool programs, and to develop policies to meet identified needs; see BP 5148 - Child Care and Development. Such councils may also develop centralized student eligibility lists; see section on "Enrollment Priority" in the accompanying administrative regulation.

The Superintendent or designee shall collaborate with the local child care and development planning council, the county office of education, other public agencies, organizations, and/or private preschool providers to assess the availability of preschool programs in the community and the extent to which the community's preschool needs are being met. The Board encourages the development of a comprehensive districtwide and/or countywide plan to increase children's access to high-quality preschool programs.

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148 - Child Care and Development)

The Superintendent or designee shall provide information about preschool options in the community to parents/guardians upon request.

District Preschool Programs

Note: The following **optional** section is for use by districts that choose to provide preschool/early childhood education programs for **three-year-old and four-year-old** children ~~ages 3-4 years~~ and should be revised to reflect district practice.

The district may contract with ~~the California Department of Education (CDE)~~ to offer a program through the ~~California State Preschool Program (CSPP)~~ pursuant to Education Code ~~8235-8239.1~~ **8200-8340**. ~~The CSPP consolidates a number of state programs that serve children ages 3-4, including state preschool programs (Education Code 8235-8237), family literacy programs (Education Code 8238-8238.4), and general child care and development programs to the extent that they serve children ages 3-4 (Education Code 8240-8244). Children ages 3-4 years~~ **Three-year-old and four-year-old children** from low-income or otherwise disadvantaged families may be eligible for subsidized services. See the accompanying administrative regulation for major program requirements for CSPP.

Pursuant to Education Code 8207, as amended by AB 131, CSPP programs may be part-day or full-day programs that are age and developmentally appropriate. See the accompanying administrative regulation for details.

Preschool programs may also receive funding through the state migrant child care and development program (~~Education Code 8230-8233~~ **Welfare and Institutions Code 10235-10238**), child care and development services for children with special needs program (~~Education Code 8250-8252~~ **Welfare and Institutions Code 10260-10263**), federal Head Start program (42 USC 9831-9852), Title I preschool program (20 USC 6311-6322), or other funding sources available to the district.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

When the Board determines that it is feasible, the district may contract with the California Department of Education (CDE) to provide preschool services in facilities at or near district schools, either directly or through a subcontract with a public or private provider.

Note: Pursuant to Health and Safety Code 1596.792, CSPP programs that are operated in a school building by a school district under contract with CDE are exempted from licensure and regulation requirements of Health and Safety Code 1596.70-1597.21. However, such CSPP programs are required to comply with other specified health and safety requirements, including the Field Act, California Building Standards Code, requirements for kindergarten classrooms specified in 5 CCR 14001-14306, and requirements for CSPP programs specified in 5 CCR 18000-18308.

Pursuant to Education Code 8205, as amended and renumbered by AB 131, any child under four years of age shall be served in a CSPP facility licensed in accordance with Title 22 of the California Code of Regulations.

District preschool programs shall comply with all health and safety laws and regulations, including, when applicable, licensure requirements pursuant to 22 CCR 101156.

Note: 5 CCR 18130 specifies the state regulations for child care and development programs that are applicable to CSPP programs, including the requirement in 5 CCR 18271 that the Board approve a written philosophical statement, goals, and objectives addressing each program component specified in 5 CCR 18272-18281. See the accompanying administrative regulation and AR 5148 - Child Care and Development for further information about these required program components.

The Board shall approve, for the district's preschool program, a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

The Board shall set priorities for establishing or expanding services as resources become available, giving consideration to the benefits of providing early education programs for at-risk children and/or children residing in the attendance areas of the lowest performing district schools.

(cf. 6171 - Title I Programs)

Note: Pursuant to Education Code 17375, as amended by AB 130 and AB 167 (Ch. 252, Statutes of 2021), districts may be awarded grants for the construction of new preschool classrooms or the modernization of existing preschool classrooms pursuant to the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program.

Preschool classroom needs shall be addressed in the district's facilities master plan, including an assessment as to whether adequate and appropriate space exists on school sites. As necessary, the Superintendent or designee shall provide information to the Board regarding facilities financing options for preschool classrooms and/or facilities available through partnering organizations or agencies.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

(cf. 1330.1 - Joint Use Agreements)

(cf. 7110 - Facilities Master Plan)

(cf. 7210 - Facilities Financing)

Because parents/guardians are essential partners in supporting the development of their children, the Superintendent or designee shall involve them in program planning.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

Note: The following **optional** paragraph provides for coordination of the preschool program with the **transitional kindergarten (TK)** program and may be revised to reflect district practice. Pursuant to Education Code 48000, **as amended by AB 130 and AB 167, children whose fifth birthday is between September 2 and December 2 must be offered a TK program which operates as the first year of a two-year kindergarten requires districts receiving TK apportionment to offer to any child whose fifth birthday is between September 2 and December 2 a TK program as the first year of a two-year kindergarten program and revises the timespans for mandatory admittance requirements to be phased in starting in the 2022-23 school year to the 2025-2026 school year**; see BP 6170.1 - Transitional Kindergarten.

The Superintendent or designee shall coordinate the district's preschool program, transitional kindergarten program (TK), and elementary education program to provide a developmental continuum that builds upon children's growing skills and knowledge.

Note: Pursuant to Education Code 48000, as amended by AB 130 and AB 167, a child's eligibility for TK enrollment may not impact family eligibility for a preschool or childcare program. Education Code 8205, as renumbered and amended by AB 131, clarifies that four-year-old children who are eligible to participate in a CSPP program include those children whose 5th birthday occurs after September 1 of the fiscal year in which they are enrolled in a CSPP program and whose parent or guardian has opted to retain or enroll them in a CSPP program.

A child's eligibility for TK enrollment shall not impact family eligibility for a preschool or child care program. (Education Code 8205, 48000)

(cf. 6011 - Academic Standards)

(cf. 6170.1 - Transitional Kindergarten)

Note: CDE has developed voluntary "preschool learning foundations" which describe the knowledge, skills, and competencies that children are expected to exhibit as they complete their first or second year of preschool. These standards address essential skills in the subject areas listed below. The standards and companion preschool curriculum frameworks are available on CDE's web site.

The district's program shall be aligned with preschool learning foundations and curriculum frameworks developed by CDE which identify the knowledge, skills, and competencies that children typically attain as they complete their first or second year of preschool. The program shall be designed to facilitate children's development in essential skills in the areas

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

of language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

Note: Education Code 8203, as amended by AB 1363 (Ch. 498, Statutes of 2021), requires the quality indicators for CSPP programs to include activities and services that meet the needs of dual language learners for support in the development of their home language and English, and is reflected in the following paragraph.

The district's preschool program shall include activities and services that meet the needs of dual language learners for support in the development of their home language and English. (Education Code 8203)

The district's preschool program shall provide appropriate services to support the needs of at-risk children.

(cf. 0415 - Equity)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)

Note: Pursuant to Education Code 8207, as amended and renumbered by AB 131, CSPP programs must include certain required components, as reflected in the accompanying administrative regulation.

To maximize the ability of children to succeed in the preschool program, the program shall support children's health through proper nutrition and physical activity and shall provide or make referrals to available health and social services as needed.

(cf. 3550 - Food Services/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)
(cf. 5141.6 - School Health Services)

The district shall encourage volunteerism **by families participating** in the program and shall communicate frequently with parents/guardians of enrolled children regarding their child's progress.

(cf. 1240 - Volunteer Assistance)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Note: The Commission on Teacher Credentialing issues permits for child development program directors, site supervisors, master teachers, teachers, associate teachers, and assistants pursuant to criteria established in Education Code ~~8360-8370~~ **8205 and 8298, as renumbered and amended by AB 131**, and 5 CCR 80105-80125. The district may request from CDE a waiver of the qualification requirements for a site supervisor upon demonstration of a compelling need, in accordance with Education Code ~~8208(aa)~~ **8205** and 5 CCR 18295.

Health and Safety Code 1596.7995 requires that employees and volunteers at a day care center be immunized against influenza, pertussis, and measles, with specified exemptions. In addition, Health and Safety Code 1597.055 requires that teachers in a day care center obtain a tuberculosis clearance. See the accompanying administrative regulation.

~~Education Code 8450 authorizes the district to create a reserve fund and use 10 percent of it for purposes of professional development for CSPP instructional staff. Professional development resources pertaining to preschool/early childhood education are available through CDE and organizations such as the California Preschool Instructional Network.~~

The Superintendent or designee shall ensure that administrators, teachers, and paraprofessionals in district preschool programs possess the appropriate permit(s) issued by the Commission on Teacher Credentialing, meet any additional qualifications established by the Board, and participate in professional development opportunities designed to continually enhance their knowledge and skills.

(cf. 4112.2 - Certification)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

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

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: Pursuant to 5 CCR 18130, CSPP programs are subject to the requirements of 5 CCR 18105. 5 CCR 18105 **mandates** that districts offering a CSPP program develop written admissions policies and procedures that conform to the requirements of 22 CCR 101218, as provided in the following paragraph. See the accompanying administrative regulation for additional language that fulfills this mandate.

Preschool admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and a health examination requirement. (CCR 18105; 22 CCR 101218)

Note: Education Code ~~8263-8208~~, **8210, and 8211, as amended and renumbered by AB 131**, and 5 CCR 18106 establish eligibility criteria and priorities for subsidized preschool services, as provided below and in the accompanying administrative regulation.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Eligibility is generally limited to children who reside within district boundaries. However, Education Code ~~8322~~ **8267, as amended and renumbered by AB 131**, and 5 CCR 18107 authorize the Board to enter into an agreement with the boards of other districts to serve children who reside within those districts. The district may revise the following paragraph to reflect any such agreement approved by the Board.

The Superintendent or designee shall ensure that subsidized preschool is provided to eligible families to the extent that state and/or federal funding is available and shall establish enrollment priorities in accordance with Education Code ~~8263~~ **8208, 8210, and 8211** and 5 CCR 18106.

Note: Education Code 8281.5, as added by AB 130 and amended by AB 167, requires districts receiving grants through the California Prekindergarten Planning and Implementation Grant Program to develop a plan for consideration by the board at a public meeting on or before June 30, 2022 for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten that meet the needs of parents/guardians, including through partnerships with the local educational agency's expanding learning offerings, the After School Education and Safety Program, the CSPP, Head Start programs, and other community-based early learning and care programs. See BP 6170.1 - Transitional Kindergarten.

The Superintendent or designee shall ensure that the plan to provide access to full-day learning programs the year before kindergarten addresses the needs of preschool children and their families as specified in BP 6170.1 - Transitional Kindergarten. (Education Code 8281.5)

Note: Pursuant AB 131, the Legislature allocated additional funds to provide subsidized child care and CSPP programs with COVID-19 pandemic-related assistance. To receive the additional funding, a CSPP program that is funded to be operational, but which is physically closed by local or state public health order or guidance due to the COVID-19 pandemic, is required to provide distance learning services as specified by CDE in Management Bulletin 21-11, Reopening, Reimbursement, Distance Learning Plans, and Distance Learning Requirements for California State Preschool Program Contractors.

When a district CSPP program is physically closed by local or state public health order due to the COVID-19 pandemic, the district shall provide distance learning to preschool children when required to do so as a condition of funding or when required by law.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Note: 5 CCR 18279-18281 require an annual evaluation using CDE's standardized "Desired Results for Children and Families" system. The system requires a self-evaluation that includes, but is not limited to, an assessment of the program by staff and the Board, a parent/guardian survey, and an environment rating scale using forms selected by CDE. In addition, every three years, CDE conducts a Federal Program Monitoring/Contract Monitoring Review (FPM/CMR) process with each contract agency which reviews compliance with program requirements. The FPM/CMR instrument is available on CDE's web site.

Education Code 8203.1 establishes the early learning quality rating and improvement system (QRIS) block grant to support continuous local improvement efforts that increase the number of low-income children in high-quality preschool programs. Grant funds may be awarded to eligible local consortia, which then allocate funds to districts and other agencies contracting to provide CSPP programs. Pursuant to Education Code 8203.1, QRIS is based on a tiered rating structure with progressively higher quality standards for each tier. It is designed to (1) provide supports and incentives for programs, teachers, and administrators to reach higher levels of quality; (2) monitor and evaluate program impacts on child outcomes; and (3) disseminate information to parents/guardians and the public about program quality. For further information about the QRIS block grant, see CDE's web site and its publication [Dream Big for Our Youngest Children](#).

The Superintendent or designee shall develop and implement an annual plan of evaluation which conforms to state requirements. (5 CCR 18279)

Note: The following paragraph is for use by districts that offer a CSPP program and may be revised to reflect the type(s) of programs offered by the district. Education Code **8235.5 8212, as renumbered by AB 131**, requires districts to use the uniform complaint procedures, with modifications as necessary, to investigate and resolve health and safety complaints in license-exempt CSPP programs. 5 CCR 4610 requires that such complaints be addressed through the procedures described in 5 CCR 4690-4694, as added by Register 2020, No. 21. See BP/AR 1312.3 - Uniform Complaint Procedures.

The district's uniform complaint procedures, with modifications as necessary, shall be used to investigate and resolve complaints alleging violation of applicable health or safety requirements for license-exempt programs operating under the California State Preschool Program. However, licensed programs shall refer complaints alleging health and safety violations to the California Department of Social Services. (Education Code **8235.5 8212**; 5 CCR 4610, 4611, 4690-4694)

(cf. 1312.3 - Uniform Complaint Procedures)

The Superintendent or designee shall regularly report to the Board regarding enrollment in district preschool programs and the effectiveness of the programs in preparing preschoolers for transition into the elementary education program.

(cf. 0500 - Accountability)

Legal Reference: (see next page)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)*Legal Reference:*EDUCATION CODE

~~8200-8499.10 Child Care and Development Services Act, especially:~~
~~8200-8209 General provisions for child care and development services~~
~~8230-8233 Migrant child care and development program~~
~~8235-8239.1 California State Preschool Program~~
~~8240-8244 General child care and development programs~~
~~8250-8252 Programs for children with special needs~~
~~8263 Eligibility and priorities for subsidized child development services~~
~~8263.3 Disenrollment of families due to reduced funding levels~~
~~8264.8 Center-based child care programs, staffing ratios~~
~~8273.1 Family fees~~
~~8400-8409 Contracts, administrative appeal procedure~~
~~8493-8498 Facilities, capital outlay~~
~~8499.3-8499.7 Local child care and development planning councils~~
8200-8340 California State Preschool Program, especially:
8203.5 Contracts to provide child care and development services
8205 Definitions
8207 Administration; operation of programs; services
8208 Eligibility of three- or four-year-old child for state preschool program
8209 Physical examination and immunizations
8210 Priority for part-day programs
8211 Priority for full-day programs
8212 Complaints related to preschool health and safety issues
8213 Income eligibility
8214 Order of disenrollment
8217 Enrollment of four-year-old children in state preschool programs
8220-8221 Family literacy services
8241 Staffing ratios for center-based program
8252-8254 Family fees
8281.5 California Prekindergarten Planning and Implementation Grant Program
8298 Program director qualifications
17375 California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program
44065 Interchange between certificated and classified positions
44256 Credential types
48000 Transitional kindergarten
48985 Notification, primary language other than English
HEALTH AND SAFETY CODE
1596.70-1596.895 California Child Day Care Act
1596.90-1597.21 Day care centers
120325-120380 Immunization requirements

Legal Reference continued: (see next page)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Legal Reference: (continued)

WELFARE AND INSTITUTIONS CODE

10207-10490 Child Care and Development Services Act, especially:

10207-10215 General provisions

10217-10224.5 Resource and referral programs

10225-10234 Alternative payment programs

10235-10238 Migrant child care and development programs

10240-10243 General child care and development programs

10250-10252 Family child care home education networks

10260-10263 Child care and development services for children with special needs

10480-10487 Local planning councils

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4690-4694 Health and safety complaints in license-exempt preschool programs

18000-18434 Child care and development programs, especially:

18130-18136 California State Preschool Program

18272-18281 General Program Requirements

18295 Waiver of qualifications for site supervisor

80105-80125 Permits authorizing service in child development programs

CODE OF REGULATIONS, TITLE 22

101151-101239.2 General requirements, licensed child care centers, especially:

101151-101163 Licensing and application procedures

101212-101231 Continuing requirements

101237-101239.2 Facilities and equipment

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

6311-6322 Title I, relative to preschool

6371-6376 Early Reading First

6381-6381k Even Start family literacy programs

6391-6399 Education of migratory children

UNITED STATES CODE, TITLE 42

9831-9852c Head Start programs

9857-9858r Child Care and Development Block Grant

CODE OF FEDERAL REGULATIONS, TITLE 45

1301.1-1305.2 Head Start

Management Resources: (see next page)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Management Resources:

CSBA PUBLICATIONS

What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Management Bulletin 21-13, Guidance on Implementation of the California State Preschool Program Quality Requirements During the COVID-19 Pandemic, September 29, 2021

Management Bulletin 21-12, Guidance on Family Fees for Fiscal Year (FY) 2021-22, September 17, 2021

Management Bulletin 21-11, Reopening, Reimbursement, Distance Learning Plans, and Distance Learning Requirements for California State Preschool Program Contractors, September 17, 2021

California Preschool Learning Foundations

Dream Big for Our Youngest Children: Final Report of the California Early Learning Quality Improvement System Advisory Committee, 2010

Preschool English Learners: Principles and Practices to Promote Language, Literacy, and Learning, 2nd ed., 2009

Prekindergarten Learning Development Guidelines, 2000

First Class: A Guide for Early Primary Education, 1999

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016

Good Start, Grow Smart, April 2002

WEB SITES

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

California Association for the Education of Young Children: <http://www.caeyc.org>

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

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

California Department of Social Services: <https://www.cdss.ca.gov/>

California Head Start Association: <http://caheadstart.org>

California Preschool Instructional Network: <http://www.cpin.us>

Child Development Policy Institute: <http://www.cdpi.net>

Cities, Counties, and Schools Partnership: <http://www.ccspartnership.org>

First 5 Association of California: <http://www.cf5c.ca.gov>

National Institute for Early Education Research: <http://nieer.org>

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

(10/18 12/20) 12/21

CSBA Sample Administrative Regulation

Students

AR 5148.3(a)

PRESCHOOL/EARLY CHILDHOOD EDUCATION

Note: The following administrative regulation reflects the major requirements of the California State Preschool Program (CSPP) pursuant to Education Code ~~8235-8239.1~~ **8200-8340, as renumbered and amended by AB 131 (Ch. 116, Statutes of 2021)**. The CSPP consolidates state preschool programs (Education Code 8235-8237), family literacy programs (Education Code 8238-8238.4), and general child care and development programs to the extent that they serve children 3-4 years of age (Education Code 8240-8244).

The following administrative regulation does not reflect all requirements for other state and federally funded preschool program(s). The district may revise this administrative regulation to reflect other preschool program(s) it offers, such as the state migrant child care and development program (~~Education Code 8230-8233~~ **Welfare and Institutions Code 10235-10238, as renumbered and amended by AB 131**), child care and development services for children with special needs program (~~Education Code 8250-8252~~ **Welfare and Institutions Code 10260-10263, as renumbered and amended by AB 131**), federal Head Start program (42 USC 9831-9852), Title I preschool program (20 USC 6311-6322), or preschool program developed and funded by the district.

In addition to the program requirements described below, **other district policies may be applicable to preschool programs** ~~as may be subject to other policies~~ contained throughout the district's policy manual. ~~(e.g. See~~ BP/AR 1240 - Volunteer Assistance, AR 3514.2 - Integrated Pest Management, BP/AR 3550 - Food Service/Child Nutrition Program, and BP/AR 5148 - Child Care and Development. Districts should consult legal counsel if they have questions regarding the applicability of other laws to the district's preschool program.

Education Code 8205, as amended by AB 131, clarifies that four-year-old children who are eligible to participate in a CSPP program include those children whose fifth birthday occurs after September 1 of the fiscal year in which they are enrolled in a California State Preschool Program (CSPP) and whose parent/guardian has opted to retain or enroll such child in a CSPP program.

***Three-year-old children* means children who will have their third birthday on or before December 1 of the fiscal year in which they are enrolled in a program approved by the California Department of Education (CDE) under the California State Preschool Program (CSPP). Children who have their third birthday on or after December 2 of the fiscal year, may be enrolled in a CSPP program on or after their third birthday. (Education Code 8205)**

***Four-year-old children* means children who will have their fourth birthday on or before December 1 of the fiscal year in which they are enrolled in a CSPP program, or a child whose fifth birthday occurs after September 1 of the fiscal year in which they are enrolled in a CSPP program and whose parent or guardian has opted to retain or enroll them in a CSPP program. (Education Code 8205)**

When approved by ~~the California Department of Education (CDE)~~ under the ~~California State Preschool Program (CSPP)~~, the district may operate one or more part-day **or full-day** preschool programs in accordance with law and the terms of its contract with CDE.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

(cf. 5148 - Child Care and Development)

Note: Pursuant to Education Code 8207, as amended and renumbered by AB 131, CSPP programs must include certain required components, as reflected in Items 1-7 below. Item 8 is a recommended practice that may be revised to reflect the district's program.

The district's CSPP program shall include all of the following: (Education Code 8207)

- 1. Age and developmentally appropriate activities for children**
- 2. Supervision**
- 3. Parenting education and parent engagement**
- 4. Social services that include, but are not limited to, identification of child and family needs and referral to appropriate agencies**
- 5. Health services**
- 6. Nutrition**
- 7. Training and career ladder opportunities, documentation of which shall be provided to CDE**
- 8. Physical activity to support children's health**

Note: 5 CCR 18130 specifies the state regulations for child care and development programs that are applicable to CSPP programs. These requirements include, but are not limited to, the program components listed in 5 CCR 18272-18281. See AR 5148 - Child Care and Development for details regarding these required program components.

Pursuant to Education Code 8203.5, as amended and renumbered by AB 131, contracts between the California Department of Education (CDE) and districts for CSPP programs must include a requirement that a developmental profile be maintained for each child.

The district's preschool program shall include all required program components, ~~as described in 5 CCR 18272-18281 and AR 5148 - Child Care and Development,~~ for the educational program, the creation of a developmental profile for each child, staff development, parent involvement and education, community involvement, health and social services, nutrition, and program evaluation, **as described in 5 CCR 18272-18281 and AR 5148 - Child Care and Development. (5 CCR 18271-28281)**

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Minimum Hours/Days of Operation

Note: Pursuant to Education Code 8207, as amended and renumbered by AB 131, CSPP programs may be part-day or full-day. The following section may be revised to reflect district programs.

The district's part-day preschool program shall operate a minimum of three hours per day, excluding time for home-to-school transportation, and for a minimum of 175 days per year unless otherwise specified in the program's contract. **(Education Code 8207; 5 CCR 18136)**

The district's full-day program shall operate for a minimum of 246 days per year, unless the contract specifies a lower number of days of operation. (Education Code 8207)

Staffing

Note: Education Code 8241, as amended and renumbered by AB 131, provides staffing ratios that apply until the Superintendent of Public Instruction (SPI) promulgates regulations to establish such ratios for center-based programs. Pursuant to Education Code 8241, CSPP programs must maintain a ratio of at least one adult to every eight children and at least one teacher to every 24 children.

The preschool program shall maintain an adult-child ratio of at least one adult for every eight children and a teacher-child ratio of at least one teacher for every 24 children. ~~If the district cannot recruit a sufficient number of parents/guardians or volunteers to meet the required adult-child ratio, teacher aides shall be hired as necessary.~~ **(Education Code 8241, 5 CCR 18135, 18290)**

(cf. 1240 - Volunteer Assistance)

(cf. 6020 - Parent Involvement)

Note: Health and Safety Code 1596.7995 requires employees and volunteers at a day care center to be immunized against influenza, pertussis, and measles, with specified exemptions. Health and Safety Code 1597.055 adds a requirement for such teachers to obtain a tuberculosis clearance. Pursuant to Health and Safety Code 1596.76, a day care center includes a preschool. See AR 5148 - Child Care and Development for further information regarding immunization requirements for staff and volunteers. Districts that have not adopted AR 5148 - Child Care and Development may revise the following paragraph accordingly and expand it to include the exemptions specified in Health and Safety Code 1596.7995.

Any person employed at a district preschool and any volunteer who provides care and supervision to children at a preschool shall, unless exempted by law, be immunized against influenza, pertussis, and measles in accordance with Health and Safety Code 1596.7995 and AR 5148 - Child Care and Development. Documentation of required immunizations, or applicable exemptions, shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)***(cf. 0470 - COVID-19 Mitigation Plan)****(cf. 4112.4/4212.4/4312.4 - Health Examinations)**(cf. 4112.6/4212.6/4312.6 - Personnel Files)*

In addition, preschool teachers shall present evidence of a current tuberculosis clearance and meet other requirements as specified in Health and Safety Code 1597.055.

~~Wraparound Child Care Services~~

Note: The following section is **optional**. Because preschool programs operated under the CSPP are part day programs only, Education Code 8329 encourages districts to contract with the California Department of Education (CDE) to offer "wraparound child care services" which combine preschool and general child care services to provide a full day of services for eligible families. Such programs must be consistent with requirements for general child care and development programs offered pursuant to Education Code 8240-8244; see BP/AR 5148 – Child Care and Development.

~~In accordance with its contract with CDE, the district may offer full day services to meet the needs of eligible families through a combination of part day preschool and wraparound child care services that are offered for the remaining portion of the day or year following completion of the preschool services. Child care and development services offered through this program shall meet the requirements of general child care and development programs pursuant to Education Code 8240-8244. (Education Code 8239)~~

~~Wraparound services shall operate a minimum of 246 days per year unless otherwise specified in the contract. Within this period of time, the part day preschool program shall operate 175-180 days. After the completion of the preschool program, a part time general child care and development program may operate a full day for the remainder of the year. (Education Code 8239)~~

Family Literacy Services

Note: The following section is **optional**. Contingent upon funding in the state Budget Act, Education Code 8238 and 8238.4 **8220 and 8221, as renumbered by AB 131**, provide for the **Superintendent of Public Instruction SPI** to distribute family literacy supplemental grant funds to qualifying CSPP contractors for the purposes described below.

When any district preschool program receives funding for family literacy services pursuant to Education Code ~~8238.4~~ **8221**, the Superintendent or designee shall coordinate the provision of: (Education Code ~~8238~~ **8220**)

1. Opportunities for parents/guardians to work with their children on interactive literacy activities, including activities in which parents/guardians actively participate in facilitating their children's acquisition of prereading skills through guided activities such as shared reading, learning the alphabet, and basic vocabulary development

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

2. Parenting education for parents/guardians of children in participating classrooms to support their child's development of literacy skills, including, but not limited to, parent education in:
 - a. Providing support for the educational growth and success of their children
 - b. Improving parent-school communications and parental understanding of school structures and expectations
 - c. Becoming active partners with teachers in the education of their children
 - d. Improving parental knowledge of local resources for the identification of and services for developmental disabilities, including, but not limited to, contact information for the district special education referral
3. Referrals to providers of adult education and instruction in English as a second language as necessary to improve academic skills of parents/guardians

(cf. 6200 - Adult Education)

4. Staff development for teachers in participating classrooms that includes, but is not limited to:
 - a. Development of a pedagogical knowledge, including, but not limited to, improved instructional and behavioral strategies
 - b. Knowledge and application of developmentally appropriate assessments of the prereading skills of children in participating classrooms
 - c. Information on working with families, including the use of on-site coaching, for guided practice in interactive literacy activities
 - d. Providing targeted interventions for all young children to improve kindergarten readiness upon program completion

(cf. 4131 - Staff Development)

Eligibility and Enrollment Priorities for Part-Day CSPP Programs

Note: Education Code 8208, as amended and renumbered by AB 131, revises the eligibility criteria and enrollment priorities for part-day CSPP programs and adds eligibility criteria and enrollment priorities for full-day CSPP programs. The following section reflects eligibility criteria and enrollment

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

priorities for the **part-day CSPP programs** pursuant to state law and regulations. **See the section on "Eligibility and Enrollment Priorities for Full-Day CSPP Programs" below for full-day program requirements.**

5 CCR 18105 **mandates** that a district operating a CSPP program develop written admissions policies and procedures that conform to the requirements of 22 CCR 101218, including, but not limited to, criteria designating those children whose needs can be met by the program and services and the ages of children who will be accepted.

~~Children eligible for the district's CSPP program include those who will have their third or fourth birthday on or before December 1 of the fiscal year that they are being served. Children who have their third birthday on or after December 2 may be enrolled on or after their third birthday. (Education Code 8208, 8235, 8236)~~

A three-year-old or four-year-old child is eligible for a part-day CSPP program if the child's family is one of the following: (Education Code 8208)

- 1. A current aid recipient**
- 2. Income eligible**
- 3. Homeless**
- 4. One whose children are recipients of child protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected or exploited**

After all eligible three- and four-year-old children have been enrolled as provided above, a part-day CSPP program may provide services to children in families whose income is no more than 15 percent above the income eligibility threshold, as described in Education Code 8213. No more than 10 percent of all the children enrolled in the CSPP program shall be from families above the income eligibility threshold. (Education Code 8208)

In addition, after all otherwise eligible children have been enrolled as provided in the paragraphs above, a part-day CSPP program may provide services to three- and four-year-old children in families whose income is above the income eligibility threshold if those children are children with disabilities. Such children with disabilities enrolled in part-day CSPP program shall not count towards the 10-percent limit described above. (Education Code 8208)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

A CSPP program operating within the attendance boundary of a school where at least 80 percent of students are eligible for free and reduced price lunch may enroll four-year-old children after all otherwise eligible children have been enrolled as provided in the paragraphs above. (Education Code 8208 and 8217)

The district shall certify eligibility and enroll families into their program within 120 calendar days prior to the first day of the beginning of the new preschool year. Subsequent to enrollment, a child shall be deemed eligible for a part-day CSPP program for the remainder of the program year. (Education Code 8208)

The district shall give priority for part-day CSPP programs as follows: (Education Code 8210)

- 1. The first priority for services shall be given to three-year-old or four-year-old children who are recipients of child protective services or who are at risk of being neglected, abused, or exploited and for whom there is a written referral from a legal, medical, or social service agency. If the district is unable to enroll a child in this first priority category, the district shall refer the child's parent/guardian to local resources and referral services so that services for the child can be located.**
- 2. The second priority for services shall be given to eligible four-year-old children who are not enrolled in a state-funded transitional kindergarten (TK) program. Within this priority category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent of Public Instruction (SPI) at the time of enrollment, shall be enrolled first.**

If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, a child with disabilities shall be enrolled first. If there are no families with a child with disabilities, the child that has been on the waiting list for the longest time shall be admitted first.

- 3. The third priority shall be given to eligible three-year-old children. Within this priority category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.**
- 4. The fourth priority, after all otherwise eligible children have been enrolled, shall be children from families whose income is no more than 15 percent above the**

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

- eligibility income threshold, as described in Education Code 8213. Within this priority category, priority shall be given to four-year-old children before three-year-old children.
5. The fifth priority, after all otherwise eligible children have been enrolled, shall be a child with disabilities whose family's income is above the income eligibility threshold, as described in Education Code 8213. Within this priority category, priority shall be given to four-year-old children before three-year-old children.
 6. After all otherwise eligible children have been enrolled in the first through fifth priority categories, as described in Items #1-5 above, a CSPP program site operating within the attendance boundary of a school where at least 80 percent of students are eligible for free and reduced price lunch as described in Education Code 8217 may enroll any four-year-old children whose families reside within the attendance boundary of the qualified elementary school. These children shall, to the extent possible, be enrolled by lowest to highest income according to the most recent schedule of income ceiling eligibility table.

Eligibility and Enrollment Priorities for Full-Day CSPP Programs

<p>Note: Pursuant to Education Code 8208, as amended and renumbered by AB 131, districts may operate full-day CSPP programs. Education Code 8211, as added by AB 131, sets eligibility criteria and enrollment priorities for full-day CSPP programs.</p>

A three-year-old or four-year-old child is eligible for a full-day CSPP program if the family meets both of the following requirements: (Education Code 8208)

1. The child's family is a current aid recipient, income eligible, homeless, or one whose children are recipients of child protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected, or exploited.
2. The child's family needs the childcare services because of either the following:
 - a. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services; as being or at risk of being neglected, abused, or exploited; or as being homeless
 - b. The parents/guardians are participating in vocational training leading directly to a recognized trade, paraprofession, or profession; are engaged

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

in an educational program for English language learners or to attain a high school diploma or general educational development certificate; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated

After all families meeting the criteria specified in Items #1 and 2 above have been enrolled, a full-day CSPP program may provide services to three- and four-year-old children in families who do not meet at least one of the criteria in Item #2 above. (Education Code 8208)

After all otherwise eligible children have been enrolled as provided above, a CSPP program operating within the attendance boundary of a school where at least 80 percent of students are eligible for free and reduced price lunch as described in Education Code 8217 may enroll any four-year-old child. (Education Code 8208)

Upon establishing initial eligibility or ongoing eligibility for a full-day CSPP program, a family shall be considered to meet all eligibility and need requirements for those services for not less than 12 months, shall receive those services for not less than 12 months before having eligibility or need recertified, and shall not be required to report changes to income or other changes for at least 12 months. However, a family that establishes initial eligibility or ongoing eligibility on the basis of income shall report increases in income that exceed the threshold for ongoing income eligibility, as described in Education Code 8213, and the family's ongoing eligibility for services shall at that time be recertified. In addition, a family may, at any time, voluntarily report income or other changes. This information shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of the family's eligibility before recertification. (Education Code 8208)

To be eligible for subsidized services, families shall meet at least one requirement in each of the following areas: (Education Code 8235, 8239, 8263, 8263.1)

1. The family is a current aid recipient, income eligible, homeless, and/or one whose children are recipients of protective services or have been identified as being, or at risk of being, abused, neglected, or exploited.
2. The family needs child care services due to either of the following circumstances:
 - a. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services, as being or at risk of being neglected, abused, or exploited, or as being homeless.

(cf. 6173—Education for Homeless Children)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

- b. The parents/guardians are engaged in vocational training leading directly to a recognized trade, paraprofession, or profession; are engaged in an educational program for English language learners or for the attainment of a high school diploma or general educational development certificate; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated.

Note: Pursuant to Education Code 8263, as amended by SB 75 (Ch. 51, Statutes of 2019), a family may be eligible for a full day CSPP program without meeting the requirements related to the need for child care services if all families meeting those requirements have been enrolled.

If all families meeting at least one of the criteria specified in item #2 have been enrolled, a full day CSPP program may provide services to families who do not meet any of those criteria, provided the criteria in item #1 are met. (Education Code 8263)

Enrollment Priority

Note: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the "centralized eligibility list" established in each county pursuant to Education Code 8499.5 **Welfare and Institutions Code 10231**, such lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to 5 CCR 18106.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment in a preschool program shall be given to neglected or abused children ages 3-4 who are recipients of child protective services or who, based upon written referral from a legal, medical, or social service agency, are at risk of being neglected, abused, or exploited. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8236, 8236.3; 5 CCR 18131)

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

(cf. 1700—Relations Between Private Industry and the Schools)

After all children with first priority are enrolled, the district shall give second priority to eligible children 4 years of age who are not enrolled in a transitional kindergarten (TK) program prior to enrolling eligible children 3 years of age. (Education Code 8236, 8236.3)

Note: Education Code 8236.3 **8217**, as added by SB 75, establishes enrollment priorities for schools where at least 80 percent of students are eligible for free or reduced price meals. First and second priority for enrollment in such programs is the same as for other programs as described in the preceding two paragraphs.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

If a CSPP program is operating within the attendance boundaries of a school where at least 80 percent of the students are eligible for free or reduced price meals, third priority for enrollment shall be for families who meet the criteria of Education Code 8263 specified in items #1-2 in the section "Eligibility" above. Any remaining slots may be open to any families not otherwise eligible, provided that the families prove residency within the attendance boundary of the school and priority is given to families with the lowest income. (Education Code 8236.3)

Note: Education Code 8235 allows CSPP programs to provide services to children with disabilities whose family income is above the income eligibility threshold. Such children do not count towards the 10 percent limitation for otherwise ineligible children as described below.

After all otherwise eligible children have been enrolled, the program may provide services to children with disabilities who are ages 3-4 and whose family income is above the income eligibility threshold. (Education Code 8235)

In addition, after enrolling all eligible children, up to 10 percent of the program's enrollment, calculated throughout the entire contract, may be filled with children who exceed the age limitations and children whose family income exceeds the income eligibility threshold by no more than 15 percent. (Education Code 8235; 5 CCR 18133)

The district may certify eligibility and enrollment up to 120 calendar days prior to the first day of the beginning of the preschool year. After establishing eligibility at the time of initial enrollment, a child shall remain eligible for the remainder of the program year. (Education Code 8237; 5 CCR 18082)

Note: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the "centralized eligibility list" established in each county pursuant to Education Code 8499.5 **Welfare and Institutions Code 10231**, such lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to 5 CCR 18106.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

Notice of Action

Note: Pursuant to 5 CCR 18082-18083, the parent/guardian must submit an application for services which contains specified information and documentation. The application form is available on CDE's web site. Upon receiving an application, a person designated by the district must certify the family's or child's eligibility.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Upon receiving a parent/guardian's application for services, the Superintendent or designee shall review the application and documentation and shall certify the eligibility of the family or child.

Note: Pursuant to 5 CCR 18130, CSPP programs are subject to 5 CCR 18094 and 18118, which require the district to provide written notification to parents/guardians as to whether their application for subsidized services has been approved or denied. For this purpose, the district should use the Notice of Action form available on CDE's web site. If the services are denied, the parent/guardian may appeal the decision in accordance with 5 CCR 18120-18122; see section "Parent Hearing" below.

The district's decision to approve or deny a child's enrollment shall be communicated to the family through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18095, 18118)

(cf. 5145.6 - Parental Notifications)

Note: 5 CCR 18095 and 18119 require the district to notify a parent/guardian of any change in services or fees as described below. For such notification, the district should use the Notice of Action form available on CDE's web site. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122; see section "Parent Hearing" below.

Subsequently, the Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination during recertification or update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that the parent/guardian no longer wants the service
4. The death of a parent/guardian or child
5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

For each child enrolled in the district's preschool program, the Superintendent or designee shall maintain a family data file including, but not limited to, a completed and signed application for services, documentation of income eligibility, and a copy of all Notices of Action. For each child not receiving subsidized services, the family data file shall also include records of the specific reason(s) for enrolling each child, the child's family income, and evidence that the district has made a diligent search for children eligible for subsidized services. (5 CCR **18081, 18084**, 18130, 18133, ~~18081, 18084~~)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

Combined Preschool/Transitional Kindergarten Classroom

Note: Education Code ~~8235-8207~~, **as amended and renumbered by AB 131**, and 48000 allow districts to place 4-year-old children enrolled in a CSPP program into a TK program and to commingle children from both programs in the same classroom as long as all of the requirements of each program are met and the district adheres to the requirements listed in the following section. See BP 6170.1 - Transitional Kindergarten for eligibility requirements pertaining to the TK program pursuant to Education Code 48000.

When a child is eligible for both the preschool program and the district's TK program, the district may place the child in a classroom which is commingled with children from both programs as long as the commingled program meets all of the requirements of each program as well as the following requirements: (Education Code **8235 8207**, 48000)

1. An early childhood environment rating scale, as specified in 5 CCR 18281, shall be completed for the classroom.
2. All children enrolled for 10 or more hours per week shall be evaluated using the Desired Results Developmental Profile, as specified in 5 CCR 18272.
3. The classroom shall be taught by a teacher who holds a credential issued by the Commission on Teacher Credentialing in accordance with Education Code 44065 and 44256.
4. The classroom shall comply with the adult-child ratio specified in Education Code 8264.8.
5. Contractors of the district shall report the services, revenues, and expenditures for children in the preschool program in accordance with 5 CCR 18068.
6. The classroom shall not include children enrolled in TK for a second year or children enrolled in a regular kindergarten classroom.

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)*(cf. 5111 - Admission)**(cf. 6170.1 - Transitional Kindergarten)***Fees and Charges**

Fees for participation in the district's **full-day CSPP preschool** program shall be assessed and collected in accordance with the fee schedule established by the **Superintendent of Public Instruction (SPI) in conjunction with the California Department of Social Services.** (Education Code **8273-8252**; 5 CCR 18078)

Note: Pursuant to AB 131, the Legislature allocated additional funds to provide subsidized child care to families and to provide CSPP programs with COVID-19 pandemic-related assistance. Education Code 8252, as amended by AB 131, provides that family fees may not be collected for families receiving subsidized child care services from CSPP programs administered by CDE for the 2021-2022 school year.

According to CDE Management Bulletin 21-12, Guidance on Family Fees for Fiscal Year (FY) 2021-22, families must promptly receive a refund for any fees collected for the month of July 2021 and any families disenrolled due to delinquent family fees for fiscal year 2021-22 must be promptly reenrolled if the family so desires.

However, for the 2021-2022 school year, family fees shall not be collected as specified in Education Code 8252.

(cf. 3260 - Fees and Charges)

However, In addition, no fee shall be charged to an **income**-eligible family whose child is enrolled in a part-day preschool program or a family that is receiving CalWORKs cash aid. (Education Code **8273.1-8253**; 5 CCR 18110)

A family may be exempt from the fees for up to 12 months if the child qualifies for preschool on the basis of being the recipient of child protective services or as being, or at risk of being, abused or neglected. (Education Code **8253**)

Note: Education Code 8273.3-8254, as amended and renumbered by AB 131, authorizes a district offering a CSPP program to charge a fee for field trips and/or to require parents/guardians to provide diapers, but **mandates that the district adopt policy to include parents/guardians in the decision-making about such fees, as provided below. Pursuant to Education Code **8273.3-8254**, the fees cannot exceed \$25 per child in the contract year. The following paragraph may be modified to delete diapers as appropriate for the age of the children served.**

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers and/or whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code ~~8273.3~~ **8254**)

Disenrollment Based on Reduced Funding

Note: Education Code ~~8263.3~~ **8214**, as amended and renumbered by AB 131, specifies the order by which families will be disenrolled from **subsidized preschool services** ~~child care and development services~~ when funding levels are reduced. ~~The following list applies that order of disenrollment to CSPP programs but takes into account the priority specified in Education Code 8236 to enroll children 4 years of age before enrolling children 3 years of age.~~

When necessary to disenroll families from subsidized preschool services, When necessary due to a reduction in state reimbursements, families shall be disenrolled in reverse priority order for services as specified in Education Code 8210 and 8211 and as described above in the sections "Eligibility and Enrollment Priority for Part-Day CSPP Programs" and "Eligibility and Enrollment Priority for Full-Day CSPP Programs." (Education Code 8214)

~~the following order: (Education Code 8236, 8263.3)~~

- ~~1. Children 3 years of age whose families have the highest income in relation to family size shall be disenrolled first, followed by children 4 years of age whose families have the highest income in relation to family size.~~

~~At each age level, if two or more families have the same income ranking, the child with disabilities shall be disenrolled last. If there are no families that have a child with disabilities, the child who has received services the longest shall be disenrolled first.~~

- ~~2. Families of children 3 or 4 years of age who are receiving child protective services or who have been documented to be at risk of being neglected or abused, regardless of income, shall be disenrolled last.~~

Expulsion/Unenrollment Based on Behavior

A district preschool program shall not expel or unenroll a child based on the child's behavior, unless the district first takes the following actions to address the child's behavior: (Education Code ~~8239.1~~ **8222**)

1. Inform the parents/guardians of the child's persistent and serious challenging behaviors and consult with the parents/guardians and teacher in an effort to maintain the child's safe participation in the program

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

2. If the child has an individualized family service plan (IFSP) or individualized education program (IEP), with written parent/guardian consent, contact the agency or district employee responsible for such plan or program to seek consultation in regard to serving the child

(cf. 6159 - Individualized Education Program)

3. If the child does not have an IFSP or IEP, consider if it is appropriate to complete a universal screening of the child, including, but not limited to, screening the child's social and emotional development, referring the parents/guardians to community resources, implementing behavior supports within the program, and considering an IEP for the child

If the district has taken the actions specified in items #1-3 above and the child's continued enrollment would present a serious safety threat to the child or other enrolled children, the district shall refer the parents/guardians to other potentially appropriate placements, the local child care resource and referral agency, or any other referral service available in the local community. **The district may then unenroll the child. The district shall have up to 180 days to complete the actions described above. Within 180 days of the start of the process, the district may unenroll the child.** (Education Code ~~8239.1~~ **8222**)

Note: A joint statement by the U.S. Department of Education and U.S. Department of Health and Human Services, Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, clarifies that preschool children with disabilities who are eligible for services under the Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482) are entitled to the same disciplinary protections that apply to all other IDEA-eligible students with disabilities, may not be subjected to impermissible disciplinary changes of placement for misconduct that is caused by or related to their disability, and must continue to receive educational services consistent with their right to a free appropriate public education. The statement indicates the need for the child's individualized education program (IEP) team to consider the use of positive behavioral interventions and supports when developing or modifying the IEP to reduce the need for discipline of a child with disabilities and avoid suspension or expulsion from a preschool program.

Children with disabilities may only be suspended or expelled in conformance with the procedures and limitations of the Individuals with Disabilities Education Act.

Parent Hearing

Note: Pursuant to 5 CCR 18130, districts are subject to the requirements of 5 CCR 18120-18122 to provide due process to parents/guardians who disagree with certain district actions, such as when services are denied, there is a change in services or fees, or their child is disenrolled.

If a parent/guardian disagrees with any district action to deny the child's eligibility for subsidized preschool services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

change the level of services, the parent/guardian may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, the parent/guardian may, within 14 calendar days, appeal the decision to CDE. (5 CCR 18120-18122)

(10/18 12/20) 12/21

CSBA Sample Board Policy

Instruction

BP 6112(a)

SCHOOL DAY

Note: The following **optional** policy may be revised to reflect district practice. California law specifies the minimum length of the school day for elementary and secondary schools; see the accompanying administrative regulation. **In its Frequently Asked Questions about independent study, the California Department of Education (CDE) has clarified that the same minimum school day requirements apply to traditional independent study as for students attending in-person instruction.**

The Governing Board shall fix the length of the school day **subject to the provisions of in accordance with** law. (Education Code 46100)

(cf. 6111 - School Calendar)

At each school, the length of the school day shall apply equally to students with disabilities unless otherwise be the same for all students, except as otherwise permitted by law. For any student with a disability, the length of the school day shall be as specified in the student's individualized education program or Section 504 plan.

(cf. 6158 - Independent Study)

(cf. 6159 - Individualized Education Program)

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

Note: The following **optional** paragraph is for use by districts that maintain elementary schools and may be modified to reflect district practice. Pursuant to Education Code 33350, **the California Department of Education CDE** encourages districts to provide daily recess periods for elementary students, featuring time for unstructured but supervised play. The Superintendent of Public Instruction's Task Force on Obesity, Type 2 Diabetes, and Cardiovascular Disease recommends that students in grades K-6 be provided with recess or other physical activity breaks at least once per 120 minutes of instruction. The National Association for Sport and Physical Education recommends daily recess breaks of at least 20 minutes each day.

The **daily** schedule for elementary schools shall include at least one **daily** period of recess of at least 20 minutes **in length in order to provide, during which** students **with unstructured but shall be provided** supervised **opportunities to engage in unstructured** physical activity.

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

Note: The remainder of this policy applies to districts that maintain secondary schools and may be modified to reflect district practice.

In establishing the daily instructional schedule for each secondary school, the Superintendent or designee shall give consideration to course requirements and curricular demands, availability of school facilities, and applicable legal requirements.

SCHOOL DAY (continued)

The Board encourages flexibility in scheduling so as to provide longer time blocks or class periods when appropriate and desirable to support student learning, provide more intensive study of core academic subjects or extended exploration of complex topics, and reduce transition time between classes.

Prior to implementing a block **or alternative** schedule ~~program in which~~ **that will allow** secondary students **to** attend ~~class school~~ for fewer school days **than the total number of school days for which the school is in session**, the Board shall consult ~~with the certificated and classified employees of the school~~ **in good faith, in a good faith an** effort to reach agreement ~~with the certificated and classified employees of the school, and shall also consult with~~ parents/guardians of the students who would be affected by the change, and the community at large. Such consultation shall include at least one public hearing for which the Board ~~has given~~ **shall give** adequate notice to the employees and to the parents/guardians of affected students. (Education Code 46162)

(cf. 9320 - Meetings and Notices)

Legal Reference: (see next page)

SCHOOL DAY (continued)

Legal Reference:

EDUCATION CODE

8970-8974 Early primary program, including extended-day kindergarten

37202 Equal time in all schools

37670 Year-round schools

46010 Total days of attendance

46100 Length of school day

46110-46119 Kindergarten and elementary schools, day of attendance

46120 Kindergarten and elementary schools, expanded learning opportunity program

46140-46147 Junior high school and high school, day of attendance

46148 School day for middle and high school

46160-46162 Alternative schedule - junior high and high school

46170 Continuation schools, minimum day

46180 Opportunity schools, minimum day

46190-46192 Adult education classes, day of attendance

46200-46206 Minimum instructional time

48200 Compulsory attendance for minimum school day

48663 Community day school, minimum school day

48800-48802 Concurrent enrollment in community college

51222 Physical education, instructional minutes

51760-51769.5 Work experience education

52325 Regional occupational center, minimum day

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

2021-22 AA & IT Independent Study FAQs, 2021

Clarifications for Student Learning in Quarantine, 2021

Conducting Individualized Determinations of Need, 2021

NATIONAL ASSOCIATION FOR SPORT AND PHYSICAL EDUCATION POSITION STATEMENTS

Recess for Elementary School Students, 2006

STATE BOARD OF EDUCATION POLICY STATEMENTS

99-03 Physical Education (PE) Requirements for Block Schedules, July 2006

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Extending Learning Time for Disadvantaged Students, August 1995

WEST ED PUBLICATIONS

Full-Day Kindergarten: Expanding Learning Opportunities, Policy Brief, April 2005

WEB SITES

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

National Association for Sport and Physical Education: <http://www.aahperd.org/naspe>

State Board of Education: <http://www.cde.ca.gov/re/lr/wr/waiverpolicies.asp>

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

WestEd: <http://www.wested.org>

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CSBA Sample Administrative Regulation

Instruction

AR 6112(a)

SCHOOL DAY

Note: The following **optional** administrative regulation specifies minimum and maximum school days for each grade level as provided by law. The district may revise this regulation to reflect district practice.

Pursuant to Education Code 46114, the minimum school day in grades K-8 may be computed by determining the average number of minutes over 10 consecutive school days (i.e., the number of minutes of attendance in any 10 consecutive school days, divided by 10). Education Code 46142 authorizes the minimum school day in junior high and high schools to be computed by averaging the number of minutes over two consecutive school days. The district will be in compliance if the average is at least the minimum day required by law, even if the number of minutes in any one school day is less than the minimum required school day specified below. However, Education Code 46114 and 46142 provide that no single school day may be less than 60 minutes for kindergarten, 170 minutes for grades 1-3, or 180 minutes for grades 4-12.

Education Code 46201 and 46207 require districts that have reached their local control funding formula (LCFF) funding target, as well as districts that received longer day or longer year funding prior to the implementation of the LCFF, to offer at least the following instructional minutes per school year: 36,000 minutes for kindergarten, 50,400 for grades 1-3, 54,000 for grades 4-8, and 64,800 for grades 9-12. Pursuant to Education Code 46201 and 46207, if this requirement is not met for any grade level, a portion of the district's LCFF allocation will be withheld.

Kindergarten/Transitional Kindergarten

Note: The following section is for use by districts that maintain kindergarten and transitional kindergarten (TK) classes. Education Code 37202, ~~as amended by AB 99 (Ch. 15, Statutes of 2017)~~, permits districts to maintain kindergarten or TK classes for different lengths of time during the school day, either at the same or different school sites. Districts offering kindergarten or TK classes for different lengths of time are still required to meet the minimum and maximum length of school day described below.

Kindergarten and transitional kindergarten (TK) classes in district schools may be maintained for different lengths of time, either at the same or different school sites. (Education Code 37202)

Note: Education Code 46117 establishes a minimum school day of three hours (180 minutes) for kindergarten students. However, pursuant to Education Code 46119, if a district has fewer than 40 kindergarten students, the Governing Board may apply to the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each, including recesses, taught on the same day by the same teacher.

~~Except as otherwise permitted by law, the~~ **The** average school day ~~established~~ for kindergarten and TK students shall be at least three hours, including recesses but excluding noon intermissions, ~~but not longer than four hours, excluding recesses.~~ **If fewer than 40 students are enrolled in kindergarten classes, the district may request approval of the**

SCHOOL DAY (continued)

Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each. (Education Code ~~46111~~, 46114, 46115, 46117, **46119**)

Note: Education Code 46111 limits the maximum length of the school day for kindergarten to four hours, not counting recesses, except where the school is operating an early primary program pursuant to Education Code 8970-8974 or an expanded learning opportunity program established pursuant to Education Code 46120, as added by AB 130 (Ch. 44, Statutes of 2021).

In any school day, kindergarten and/or TK students shall not be kept in school for longer than four hours, excluding recesses, except where the school is operating an early primary program pursuant to Education Code 8970-8974 or an expanded learning opportunity program pursuant to Education Code 46120. (Education Code 46111, 46115, 46120)

Note: The following **optional** paragraph is for use by districts that have established an early primary program pursuant to Education Code 8970-8974 in order to provide an integrated, experiential, and developmentally appropriate educational program with specified components for students in prekindergarten through grade 3. Education Code 8973 provides that the kindergarten school day in such programs may exceed four hours under the conditions described below, although districts do not receive additional apportionment funds **for the excess time.**

In any district school operating an early primary program pursuant to Education Code 8970-8974, the kindergarten school day may exceed four hours, excluding recess, if both of the following conditions are met: (Education Code 8973)

1. The Governing Board has declared that the extended-day kindergarten program does not exceed the length of the primary school day.
2. The extended-day kindergarten program includes ample opportunity for both active and quiet activities within an integrated, experiential, and developmentally appropriate educational program.

Note: The following paragraph is **optional**. Although Education Code 46111 provides that recess shall be excluded from determining the maximum school day, it is the interpretation of the California Department of Education (CDE) that recess time may be counted as instructional minutes, at the district's discretion, if teacher supervision occurs.

Under an extended day kindergarten program, Recess may be counted as instructional minutes for purposes of determining the maximum school day if it occurs under teacher supervision.

Note: The following **optional** paragraph is for use by districts that maintain multitrack year-round schools pursuant to Education Code 37670.

SCHOOL DAY (continued)

In any multitrack year-round school operating pursuant to Education Code 37670, the kindergarten school day may be up to 265 minutes, excluding recesses. (Education Code 46111)

(cf. 6117 - Year-Round Schedules)

Note: The following **optional** paragraph is for use by districts that have established an early primary program pursuant to Education Code 8970-8974 in order to provide an integrated, experiential, and developmentally appropriate educational program with specified components for students in prekindergarten through grade 3. Education Code 8973 provides that the kindergarten school day in such programs may exceed four hours under the conditions described below, although districts do not receive additional apportionment funds.

In any district school operating an early primary program pursuant to Education Code 8970-8974, the kindergarten school day may exceed four hours, excluding recess, if both of the following conditions are met: (Education Code 8973)

1. The Governing Board has declared that the extended-day kindergarten program does not exceed the length of the primary school day.
2. The extended-day kindergarten program includes ample opportunity for both active and quiet activities within an integrated, experiential, and developmentally appropriate educational program.

Note: Pursuant to Education Code 48003, districts are required to provide an annual report to CDE regarding the type of kindergarten program offered by the district, including part day, full day, or both, by completing the School Information Form 2017 located on CDE's web site. The form also includes the type(s) of TK program offered.

The Superintendent or designee shall annually report to the California Department of Education as to whether the district's kindergarten and TK programs are offered full day, part day, or both. (Education Code 48003)

Grades 1-8

Note: The following section is for use by districts that maintain any of grades 1-8 and should be modified to reflect the grade levels offered by the district.

Except as otherwise provided by law, the school day for elementary and middle school students shall be:

1. At least 230 minutes for students in grades 1-3, unless the Board has prescribed a shorter school day because of lack of school facilities requiring double sessions, in which case the minimum school day shall be 200 minutes (Education Code 46112)

SCHOOL DAY (continued)

2. At least 240 minutes for students in grades 4-8 (Education Code 46113, 46142)

In determining the number of minutes for purposes of compliance with the minimum school day for students in grades 1-8, both noon intermissions and recesses shall be excluded. (Education Code 46115)

Note: The following optional paragraph is for any district maintaining a middle school, except a rural school district. Pursuant to Education Code 46148, the school day for a middle school is required to begin no earlier than 8:00 am.

The school day for a middle school shall begin no earlier than 8:00 a.m. (Education Code 46148)

Note: In its "Frequently Asked Questions" about independent study, CDE has clarified that the same minimum school day requirements apply to traditional independent study as for students attending in-person instruction.

The school day for students in grades 9-12, **including students in the traditional independent study program**, shall be at least 240 minutes. (Education Code 46141, 46142)

(cf. 6158 - Independent Study)

Note: The following list should be revised to reflect programs offered by the district.

However, the school day may be less than 240 minutes when authorized by law. Programs that have a minimum school day of 180 minutes include, but are not necessarily limited to:

1. Continuation high school or classes (Education Code 46141, 46170)

(cf. 6184 - Continuation Education)

2. Opportunity school or classes (Education Code 46141, 46180)

3. Regional occupational center (Education Code 46141, 52325)

(cf. 6178.2 - Regional Occupational Center/Program)

SCHOOL DAY (continued)

4. Work experience education program approved pursuant to Education Code 51760-51769.5 (Education Code 46141, 46144)

A student in grade 12 who is enrolled in work experience education and is in **his/her the** last semester or quarter before graduation may, **upon written request by the student's parent/guardian or the student, if 18 years of age or over,** be permitted to attend school for less than 180 minutes per school day if ~~he/she would complete~~ all requirements for graduation **would be completed**, except physical education courses, in less than 180 minutes each day. (Education Code 46147)

(cf. 6178.1 - Work-Based Learning)

5. Concurrent enrollment in a community college pursuant to Education Code 48800-48802 or, for students in grades 11-12, part-time enrollment in classes of the California State University or University of California, provided academic credit will be awarded upon satisfactory completion of enrolled courses (Education Code 46146)

(cf. 6172.1 - Concurrent Enrollment in College Classes)

6. An early college high school or middle college high school, provided the students are enrolled in community college or college classes in accordance with item #5 above (Education Code 46141, 46146.5)
7. Special day or Saturday vocational training program conducted under a federally approved plan for career technical education (Education Code 46141, 46144)

(cf. 6178 - Career Technical Education)

8. Adult education classes (Education Code 46190)

(cf. 6200 - Adult Education)

Note: The following optional paragraph is for use by districts that operate an evening high school pursuant to Education Code 51720-51724.

For an evening high school operated pursuant to Education Code 51720-51724, the number of days, specific days of the week, and number of hours during which the program shall be in session may be determined by the Board. (Education Code 46141, 51721)

Students in grade 12 shall be enrolled in at least five courses each semester or the equivalent number of courses each quarter. This requirement shall not apply to students enrolled in regional occupational centers or programs, courses at accredited postsecondary institutions,

SCHOOL DAY (continued)

independent study, special education programs in which the student's individualized education program establishes a different number of courses, continuation education classes, work experience education programs, or any other course of study authorized by the Board that is equivalent to the approved high school course of study. (Education Code 46145)

(cf. 6158 - Independent Study)

(cf. 6159 - Individualized Education Program)

Alternative Block Schedule for Secondary Schools

Note: The following **optional** section is for use by districts that choose to create a block schedule pursuant to Education Code 46160-46162; see the accompanying Board policy. In establishing a block schedule, the district should be aware of state law (Education Code 51222) that requires secondary students to attend physical education courses for at least 400 minutes each 10 school days; see AR 6142.7 - Physical Education and Activity. Although the daily alternating block schedule, often referred to as the A/B block schedule, does fulfill the requirement for physical education minutes, other block schedules do not and thus require a waiver from the State Board of Education (SBE). See SBE Waiver Policy #99-03 for waiver criteria.

In order to establish a block or other alternative schedule or to accommodate career technical education and regional occupational center/program courses, the district may authorize students to attend fewer than the total number of days in which school is in session provided that students attend classes for at least 1,200 minutes during any five school day period or 2,400 minutes during any 10 school day period. (Education Code 46160)

Note: The following **optional** paragraph is for use by districts that maintain an early college high school or middle college high school. Pursuant to Education Code 46160, **as amended by AB 99 (Ch. 15, Statutes of 2017)**, such districts may schedule classes in these schools so that students who satisfy the provisions of Education Code 46146.5 in regard to part-time enrollment at community college, the California State University, or the University of California attend classes for at least 900 minutes during any five-school day period or 1,800 minutes during any 10-school day period.

An early college high school or middle college high school may be scheduled so that students attend classes for at least 900 minutes during any five-school day period or 1,800 minutes during any 10-school day period. (Education Code 46160)

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CSBA Sample Board Policy

Instruction

BP 6143(a)

COURSES OF STUDY

The Governing Board recognizes that a well-aligned sequence of courses fosters academic growth and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful academically, professionally, and personally.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

Note: The following **optional** paragraph should be revised to reflect the grade levels offered by the district. For example, unified school districts need to be concerned about articulation of courses within the district and with postsecondary institutions, whereas elementary districts and high school districts will need to address articulation with each other.

The Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels within the district. As necessary, the Superintendent or designee shall work with representatives of appropriate area districts and postsecondary institutions to ensure articulation of courses with other institutions to which district students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, only utilizes prerequisites that are essential to success in a given program or course, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

The district shall not provide any course separately **or require or refuse participation by any student** on the basis of **the student's actual or perceived** sex, sexual orientation, gender, **gender expression, gender identity,** ethnic group identification, **immigration status,** race, ancestry, national origin, religion, color, ~~or~~ mental or physical disability, **or any other characteristic listed in Education Code 200 and 220, Government Code 11135, or Penal Code 422.55, or the student's association with a person or group with one or more of such actual or perceived characteristics** ~~or require or refuse participation by any of its students on any such basis.~~ **(Education Code 200, 220; Government Code 11135; Penal Code 422.55; 5 CCR 4940)**

(cf. 0415 - Equity)

(cf. 5145.3 - Nondiscrimination/Harassment)

Elementary Grades

Note: The following section is for use by districts offering elementary grades and may be revised to reflect district practice. Education Code 51225.4 **mandates** elementary school districts to certify to the

COURSES OF STUDY (continued)

Superintendent of Public Instruction that they have adopted a policy to implement a course of instruction that sufficiently prepares students for the secondary courses required for graduation pursuant to Education Code 51225.3.

The Board shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary course of study.

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

Secondary Grades

Note: Education Code 51228 requires districts to offer students in grades 7-12 a course of study that fulfills the requirements and prerequisites for admission to California **public** colleges. Education Code 51228 also requires districts to offer such students the opportunity to attain entry-level employment skills. Pursuant to Education Code 51228, districts that adopt a course of study that meets or exceeds the state model curriculum standards in career technical education will be deemed to have satisfied the requirement.

Education Code 66204 prohibits a public school from establishing any policy or practice that directs any student away from choosing programs that prepare a student academically for college, especially for cultural or linguistic reasons.

The following paragraph is for use by districts maintaining any of grades 7-12 and should be revised to reflect the grade levels offered by the district.

The district shall offer all otherwise qualified students in grades 7-12 a course of study that prepares them, upon graduation from high school, to meet the requirements and prerequisites for admission to California public colleges and universities and to attain entry-level employment skills in business or industry. **The district's course of study may provide for a rigorous academic curriculum that integrates academic and career skills, includes applied learning across all disciplines, and prepares all students for high school graduation and career entry.** (Education Code 51228)

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

(cf. 6141.5 - Advanced Placement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6178 - Career Technical Education)

Note: The remainder of this policy is for use by districts maintaining any of grades 9-12.

In addition, the course of study for students in grades 9-12 shall include instruction in skills and knowledge for adult life, career technical training, and a timely opportunity for all otherwise qualified students to enroll, within four years, in each course necessary to fulfill the requirements and prerequisites for admission to California public colleges and universities prior to graduation. (Education Code 51224, 51228)

COURSES OF STUDY (continued)

Note: Among the criteria for admission to the University of California (UC) or California State University system is a requirement that high school students satisfactorily complete 15 **yearlong/30 semesters units** of specified courses ("a-g" courses). These include a growing number of career technical education courses that connect knowledge of academic content with practical or work-related applications.

In order to qualify as an "a-g" course, the course must first be submitted to and approved by UC. Education Code 51229 requires that districts annually provide the list of certified courses to students in grades 9-12 and their parents/guardians; see the accompanying administrative regulation and E 5145.6 - Parental Notifications.

The Superintendent or designee shall develop a process by which courses that meet California college admission criteria (referred to as "a-g" course requirements) are submitted to the University of California for review and certification. The Superintendent or designee shall maintain an accurate list of all current high school courses that have been so certified, shall ensure that the list is provided annually to all students in grades 9-12 and their parents/guardians, and shall make updated lists readily available. (Education Code 51229, 66204)

*Legal Reference:*EDUCATION CODE**200 Educational equity****220 Prohibition of discrimination****234.1 Categorical program monitoring and prohibition of discrimination, harassment, intimidation, and bullying****234.7 Student protections relating to immigration and citizenship status**

33319.3 Driver education; CDE materials on road rage

33540 Government and civics instruction in interaction with government agencies

48980 Parental notifications

49060-49079 Student records

51202 Instruction in personal and public health and safety

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51204 Course of study designed for student's needs

51204.5 Social science instruction; history of California; contributions of various groups

51210-51212 Course of study for grades 1-6

51220-**51230** ~~51229~~ Course of study for grades 7-12

51241 Exemption from physical education

51911-51921 Comprehensive health education

51930-51939 **California Healthy Youth Act Comprehensive sexual health and HIV/AIDS prevention instruction**

51940 Curriculum for brain and spinal cord injury prevention

60040-60052 Requirements for instructional materials

66204 Certification of high school courses as meeting university admission criteria

Legal Reference continued: (see next page)

COURSES OF STUDY (continued)

Legal Reference: (continued)

GOVERNMENT CODE

7282-7282.5 Standards for responding to U.S. Immigration and Customs enforcement holds

7283-7283.2 Standards for participation in U.S. Immigration and Customs enforcement programs

7284-7284.12 Cooperation with immigration authorities

11135 Discrimination

HEALTH AND SAFETY CODE

11032 Definitions of dangerous drugs

PENAL CODE

422.55 Hate crime

CODE OF REGULATIONS, TITLE 5

430-438 Student Records

4940 Nondiscrimination; course access

10020-10043 Automobile driver education and training

10060 Physical education program

UNITED STATES CODE, TITLE 20

6111-6251 School to Work Opportunities Act of 1994

1232g Family Educational Rights and Privacy Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

Management Resources:

WEB SITES

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

American **Heart Health** Association: <https://www.heart.org>

American Red Cross, Hands-Only CPR: <https://www.redcross.org/take-a-class>

California Career Resource Network: <http://www.californiacareers.info>

California Colleges.edu: <http://www.californiacolleges.edu>

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

California State University, Admission Requirements: http://www.csumentor.edu/planning/high_school

California Student Aid Commission: <https://www.csac.ca.gov>

Federal Student Aid: <https://studentaid.gov>

University of California, a-g Course Submissions:

<https://hs-articulation.ucop.edu/guide/update-your-a-g-list/submitting-courses>

University of California, List of Approved a-g Courses: <https://hs-articulation.ucop.edu/agcourselist>

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

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Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Instruction

AR 6143(a)

COURSES OF STUDY

Note: Education Code requirements for courses of study are generally classified into requirements for grades 1-6 and 7-12. Therefore, K-8 districts and high school districts need to collaborate with appropriate area districts to ensure that all required courses are offered sometime during grades 7-12.

The district should select the sections below ("Grades 1-6" and/or "Grades 7-12") that correspond with the grade levels **offered** ~~it offers~~.

Grades 1-6

Note: Items #1-7 below are areas of study required by law for grades 1-6. The Governing Board may add other studies to this list.

Courses of study for grades 1-6 shall include the following:

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Mathematics: concepts, operational skills, and problem solving (Education Code 51210)

(cf. 6142.92 - Mathematics Instruction)

3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (Education Code 51210)

- a. The history, resources, development, and government of California and the United States

Instruction shall include the early history of California and a study of the role and contributions of men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic,

COURSES OF STUDY (continued)

political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (Education Code 51204.5, 60040)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

- b. The development of the American economic system, including the role of the entrepreneur and labor
- c. The relations of persons to their human and natural environments
- d. Eastern and western cultures and civilizations
- e. Contemporary issues
- f. The wise use of natural resources

(cf. 6142.5 - Environmental Education)

- 4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)

(cf. 6142.93 - Science Instruction)

- 5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)

(cf. 6142.6 - Visual and Performing Arts Education)

Note: Education Code 51202 requires that certain health-related topics be addressed at "the appropriate elementary and secondary grade levels" during grades K-12. Districts may revise #6a-e below to indicate topics that will be addressed in grades K-6.

Education Code 51203 requires the Board to adopt regulations specifying the grade(s) and course(s) in which drug and alcohol education will be given. For language fulfilling this mandate, see AR 5131.6 - Alcohol and Other Drugs.

- 6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in: (Education Code 51202, 51210)

COURSES OF STUDY (continued)

- a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation **(CPR)** when appropriate equipment is available

(cf. 6142.8 - Comprehensive Health Education)

- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of the environment
- d. Venereal disease

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

(cf. 5131.6 - Alcohol and Other Drugs)

Note: The following item is **optional** pursuant to Education Code 51202.

- f. Violence as a public health issue
7. Physical education⁵ with emphasis on physical activities conducive to health and vigor of body and mind (Education Code 51210)

(cf. 6142.7 - Physical Education and Activity)

Note: Item #8 below is **optional**. Education Code 51210.5 authorizes age-appropriate instruction on violence awareness and prevention within any area of study listed in items #1-7 above. Pursuant to Education Code 51210.5, such instruction may include personal testimony in the form of oral or video histories that illustrate the economic and cultural effects of violence within a city, the state, and the country. See BP 6142.94 - History-Social Science Instruction.

8. Violence awareness and prevention

Note: **Optional** item #9 below is not required by state law but is a highly recommended component of school-to-career instruction.

9. Career awareness exploration

(cf. 6178 - Career Technical Education)

COURSES OF STUDY (continued)

Grades 7-12

Note: Items #1-11 below are areas of study required by law for grades 7-12. The Board may add other studies to this list.

Courses of study for grades 7-12 shall include the following:

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking (Education Code 51220)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, with instruction in: (Education Code 51220)

- a. The history, resources, development, and government of California and the United States, including instruction in:

- (1) The early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society (Education Code 51204.5)

Note: Education Code 51221.3 and 51221.4 encourage, but do not require, instruction on the topics described in optional subitems #(2)-(4) below. These items may be modified or deleted to reflect district practice.

For districts that choose to offer such instruction, Education Code 51221.3 and 51221.4 encourage that a component be drawn from personal testimony, especially in the form of oral or video history. If oral histories are used, they must conform to the requirements of Education Code 51221.3 and 51221.4. See BP 6142.94 - History-Social Science Instruction.

- (2) World War II, including the role of Americans and Filipino Americans who served in the United States Army during that time

COURSES OF STUDY (continued)

- (3) The Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war
- (4) The Bracero program, in which there was a 1942 agreement between the United States and Mexico authorizing the temporary migration of laborers to the United States
- b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions

Note: The following **optional** paragraph is for use by districts that offer a teen court or peer court program.

This course may include participation in a teen court or peer court program. (Education Code 51220.2)

(cf. 5138 - Conflict Resolution/Peer Mediation)

- c. The development of the American economic system, including the role of the entrepreneur and labor
- d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)

(cf. 6142.5 - Environmental Education)

- e. Eastern and western cultures and civilizations

Note: Pursuant to Education Code 51220, instruction related to human rights issues, as provided in item #2f below, may include the study of the Armenian genocide. Education Code 51226.3 encourages the incorporation of oral testimony into instruction in human rights, **the Holocaust, and genocide**, including the Armenian, Cambodian, Darfur, and Rwandan genocides.

- f. Human rights issues, with particular attention to the study of the inhumanity of genocide (which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides), slavery, and the Holocaust
- g. Contemporary issues

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

COURSES OF STUDY (continued)

3. World language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)

(cf. 6142.2 - World Language Instruction)

4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)

(cf. 6142.7 - Physical Education and Activity)

5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)

(cf. 6142.93 - Science Instruction)

6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra (Education Code 51220, 51224.5)

(cf. 6142.92 - Mathematics Instruction)

7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)

(cf. 6142.6 - Visual and Performing Arts Education)

Note: The reference to "homemaking" within Education Code 51220, as amended by AB 1595 (Ch. 543, Statutes of 2019), has been changed to "family and consumer sciences."

8. Applied arts: consumer education, family and consumer sciences education, industrial arts, general business education, or general agriculture (Education Code 51220)

9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)

(cf. 6178 - Career Technical Education)

COURSES OF STUDY (continued)

Note: Education Code 51934 requires that students be provided comprehensive sexual health and HIV prevention instruction at least once in middle school or junior high school and at least once in high school. See BP/AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction for required components of such instruction.

10. Comprehensive sexual health and HIV prevention (Education Code 51225.36, 51934)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Note: Education Code 51202 requires that certain health-related topics be addressed at "the appropriate elementary and secondary grade levels" during grades K-12. Districts may revise item #11 below to indicate topics that will be addressed in grades 7-12.

Education Code 51203 requires the Board to adopt regulations specifying the grade(s) and course(s) in which drug and alcohol education will be given. For language fulfilling this mandate, see AR 5131.6 - Alcohol and Other Drugs.

11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)
- a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and ~~cardiopulmonary resuscitation (CPR)~~ when appropriate equipment is available

Note: The following paragraph is for use by districts that require a course in health education for high school graduation; see BP 6146.1 - High School Graduation Requirements. Pursuant to Education Code 51225.6, such districts are required to include instruction in performing compression-only cardiopulmonary resuscitation (CPR), as described below. Such instruction must be based on national evidence-based emergency cardiovascular care guidelines for the performance of compression-only CPR, such as those developed by the American Heart Association or the American Red Cross, and must include hands-on practice in compression-only CPR. On its web site, **the California Department of Education CDE** provides guidance on how to implement this requirement.

Education Code 51225.6 also encourages districts to provide students with general information on the use and importance of an automated external defibrillator.

Instruction shall be provided in compression-only CPR based on national guidelines and shall include hands-on practice. (Education Code 51225.6)

- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of the environment
- d. Venereal disease

COURSES OF STUDY (continued)

- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 6142.8 - Comprehensive Health Education)

Note: The following two items are **optional** pursuant to Education Code 51202.

- f. Prenatal care **for pregnant individuals**
- g. Violence as a public health issue

Note: Item #12 is **optional**. Education Code 51220.3 authorizes age-appropriate instruction on violence awareness and prevention within any area of study listed above for grades 7-12.

12. Violence awareness and prevention

Note: **Item #13 is optional. Pursuant to** Education Code 51226.7, ~~as amended by AB 114 (Ch. 413, Statutes of 2019), requires the State Board of Education has adopted to adopt~~ a model curriculum in ethnic studies by March 31, 2021 and encourages **upon which** districts ~~may to offer a course in ethnic studies based on that model curriculum as~~ an elective course in social sciences or English language arts in at least one year grade level during grades 9-12. ~~At their discretion, districts may choose to offer a course in ethnic studies prior to the availability of the model curriculum.~~

Subject to funding in the annual Budget Act or other statute, Education Code 51225.3, as amended by AB 101 (Ch. 661, Statutes of 2021), requires a one-semester course in ethnic studies for high school graduation beginning with students who graduate in the 2029-30 school year.

Item #13 is currently optional, but, if funding is appropriated, districts will be required to offer a one-semester ethnic studies course, as specified, beginning in the 2025-26 school year.

13. Ethnic studies

Commencing in the 2025-26 school year, the district shall offer a one-semester course in ethnic studies as specified in Education Code 51225.3.

Note: Education Code 51220.5 requires the equivalent content of a one-semester course in parenting skills and education in grade 7 and/or 8, subject to funding which was not subsequently appropriated; thus the following paragraph is currently **optional**.

In addition, the course of study for grade 7 and/or 8 may include parenting skills and education, including, but not limited to, child growth and development, parental responsibilities, household budgeting, child abuse and neglect issues, personal hygiene, maintenance of healthy relationships, teen parenting issues, and self-esteem. (Education Code 51220.5)

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

COURSES OF STUDY (continued)

Note: The following paragraph is for use by districts that maintain high schools.

High schools shall offer automobile driver education that includes instruction in: (Education Code 51220, 51220.1, 51220.4)

1. Vehicle Code provisions and other relevant state laws
2. Proper acceptance of personal responsibility in traffic
3. Appreciation of the causes, seriousness, and consequences of traffic accidents
4. Knowledge and attitudes necessary for the safe operation of motor vehicles
5. The safe operation of motorcycles
6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle
7. The rights and duties of a motorist as they pertain to pedestrians and the rights and duties of pedestrians as they pertain to traffic laws and traffic safety

Certification of College Preparatory Courses

Note: The following optional section is for use by districts that maintain grades 9-12 and may be revised to reflect district practice. Among the criteria for admission to the University of California (UC) or California State University system is a requirement that students satisfactorily complete 15 yearlong/30 semesters units of specified courses ("a-g" courses). In order to qualify as an "a-g" course, the course must first be submitted to and approved by UC. The district or school should develop course descriptions using the templates provided by UC and submit them through UC's online system.
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Education Code 51225.37 encourages districts that offer world language courses specifically designed for native speakers to submit those courses to UC for certification and addition to the school's "a-g" course list.
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The following paragraph may be revised to reflect the position in the district or school(s) that is responsible for submitting and updating "a-g" courses.
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The Superintendent or designee shall identify district courses that may qualify for designation as "a-g" college preparatory courses, including courses in history-social science, English, mathematics, laboratory science, languages other than English, visual and performing arts, career technical education, and college preparatory electives. The Superintendent or designee shall submit any necessary information regarding each identified course to the University of California (UC) for "a-g" designation.

COURSES OF STUDY (continued)**Notification and Information to Students in Grades 9-12**

Note: The following section is for use by districts that maintain grades 9-12.

At the beginning of each school year, the Superintendent or designee shall provide written notice to parents/guardians of students in grades 9-12 that, to the extent possible, shall not exceed one page in length and that includes all of the following: (Education Code 51229)

1. A brief explanation of the course requirements for admission to UC and the California State University (CSU)

Note: The UC maintains a searchable web site that lists certified "a-g" courses for all regular California public high schools; see the management resources in the accompanying Board policy.

2. A list of the current UC and CSU web sites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU
3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)
4. The Internet address for the portion of the CDE web site where students can learn more about career technical education
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

Note: Education Code 51225.8 requires districts, beginning with the 2020-21 school year, to provide specified information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the California Dream Act Application application (CADAA), as appropriate, at least once before grade 12. At the district's discretion, the information provided may be disseminated through in-class instruction, an existing program, family information sessions, group or individual sessions with school counselors, or other appropriate means.

The Superintendent or designee shall provide information to students and parents/guardians regarding the completion and submission of the Free Application for Federal Student Aid (FAFSA) and/or the California Dream Act Application application (CADAA) at least once before grade 12. (Education Code 51225.8)

(cf. 5145.6 - Parental Notifications)

(cf. 6164.2 - Guidance/Counseling Services)

COURSES OF STUDY (continued)**Financial Aid Requirements for Students in Grade 12**

Note: Pursuant to Education Code 51225.7, as added by AB 132 (Ch. 144, Statutes of 2021), starting in the 2022-23 school year, the district is required to confirm that each student in grade 12 completes and submits a FAFSA to the U.S. Department of Education and/or, if a student is exempt from paying nonresident tuition, a CADAA to the Student Aid Commission (CSAC), unless there is an exception as specified below.

Pursuant to Education Code 51225.7, as added by AB 132, CSAC is required to, by July 1, 2022, adopt regulations that include model opt-out forms and acceptable use policies for the purpose of providing guidance on the protection of student and parent/guardian data, which will be available on CSAC's web site.

Commencing in the 2022-23 school year, the Superintendent or designee shall ensure that each student in grade 12 completes and submits a FAFSA to the U.S. Department of Education or, if a student is exempt from paying nonresident tuition a CADAA to the Student Aid Commission (CSAC), unless either: (Education Code 51225.7)

- 1. The student's parent/guardian, emancipated minor, or student age 18 years or older submits an opt-out form to the district**
- 2. If the district determines that a student is unable to complete a requirement of Education Code 51225.7, the district shall exempt the student or the student's parent/guardian from completing the FAFSA, CADAA, or opt-out form and shall complete and submit an opt-out form on the student's behalf**

Note: Pursuant to Education Code 51225.7, as added by AB 132, the district shall ensure that each high school student in Grade 12, and if applicable, the student's parent/guardian, is directed to any support and assistance necessary to complete the FAFSA and/or CADAA, as described below.

The Superintendent or designee shall ensure that each high school student in grade 12, and if applicable, the student's parent/guardian, be directed to any support and assistance necessary to complete the FAFSA and/or CADAA that may be available through outreach programs, including, but not limited to, programs operated by CSAC, postsecondary immigration resource centers, college readiness organizations, community-based organizations, and/or legal resource organizations. (Education Code 51225.7)

Information shared by students and parents/guardians in completing and submitting the FAFSA and/or CADAA shall be handled in compliance with the federal Family Rights and Privacy Act and applicable state law, regardless of any person's immigration status or other personal information. (Education Code 51225.7)

COURSES OF STUDY (continued)

- (cf. 1340 - Access to District Records)*
- (cf. 5022 - Student and Family Privacy Rights)*
- (cf. 5125 - Student Records)*
- (cf. 5145.13 - Response to Immigration Enforcement)*
- (cf. 6159 - Individualized Education Program)*

(10/16 12/19) 12/21

CSBA Sample Board Policy

Instruction

BP 6158(a)

INDEPENDENT STUDY

Note: Education Code 51745-51749.6 authorize districts to establish independent study programs to meet the educational needs of students. Pursuant to Education Code 51745, as amended by AB 130 (Ch. 44, Statutes of 2021), for the 2021-22 school year, all districts are required to offer independent study to meet the educational needs of students.

AB 167 (Ch. 252, Statutes of 2021) amended various Education Code provisions related to independent study, as reflected throughout this policy and the accompanying administrative regulation. Education Code 51747, as amended by AB 167, authorizes a district to receive apportionment credit for independent study for any student who is unable to attend in-person instruction due to a quarantine, under a local or state public health guidance, for exposure to or infection with COVID-19 or due to a school closure for COVID-19, pursuant to Education Code 41422.

Education Code 51747, as amended by AB 130, **mandates** that the Governing Board adopt a policy with specified requirements as a condition of receiving state apportionments for independent study students. In addition to meeting the requirements specified by Education Code 51747, board policies must comply with rules and regulations adopted by the Superintendent of Public Instruction (SPI). Boards are encouraged to review independent study policies as the SPI adopts revised rules to reflect the new requirements of AB 130.

~~Commencing with the 2021-22 fiscal year Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting, the State Controller is required to incorporate verification of the adoption of the policies, including loss of apportionment for independent study for districts found to be noncompliant.~~

Education Code 51749.5 **mandates** that the Board adopt policy with specified components as a condition of offering a program of course-based independent study. The mandated components are reflected throughout this policy and the accompanying administrative regulation.

~~Commencing with the 2021-22 fiscal year Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting, the State Controller is required to incorporate verification of the adoption of the policies **and other requirements**, including loss of apportionment for independent study **pursuant to Education Code 51747 and 51749.5** for districts found to be noncompliant.~~

When developing policy on independent study, 5 CCR 11701 requires the Board to consider, in a public hearing, (1) the scope of its existing or prospective use of independent study as an instructional strategy, (2) its purposes in authorizing independent study, and (3) factors bearing specifically on the maximum realistic lengths of assignments and acceptable number of missed assignments for specific populations of students or adult students.

In the event of a school closure necessitated by an emergency condition pursuant to Education Code 46392, districts must develop a plan for offering independent study to affected students pursuant to Education Code 46393, as added by AB 130 **and amended by AB 167**. See BP 3516.5 - Emergency Schedules.

Independent study may be offered as a program within a school, as a charter school, or as an alternative school of choice pursuant to Education Code 58500-58512; see AR 0420.4 - Charter School Authorization, BP 6146.11 - Alternative Credits Toward Graduation; and BP/AR 6181 - Alternative Schools/Programs of Choice.

INDEPENDENT STUDY (continued)

The Governing Board authorizes independent study as an optional alternative instructional strategy for students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered on a full-time basis or on a part-time basis and in conjunction with part- or full-time classroom study.

The Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, a charter school, and an online course.

(cf. 0420.4 - Charter School Authorization)

(cf. 6181 - Alternative Schools/Programs of Choice)

Note: Education Code 51747, as amended by AB 167, relaxes certain independent study requirements for the 2021-22 school year as to students who are unable to participate in classroom-based instruction due to a quarantine order or school closure due to COVID-19, including the requirement that participation in independent study be voluntary.

The California Department of Education (CDE), in its 2021-22 AA & IT Independent Study FAQs, interpreted Education Code 51747 as permitting a district to require a student to participate in independent study under circumstances specified in the following paragraph.

Except for students who, during the 2021-2022 school year, cannot participate in classroom-based instruction due to quarantine or school closure for exposure to or infection with COVID-19, A student's participation in independent study shall be voluntary. (Education Code 51747, 51749.5, 51749.6)

Independent study for each student shall be under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (Education Code 51747.5)

Note: Pursuant to Education Code 46300, as amended by AB 130, the attendance of students participating in independent study for three or more consecutive school days will be included in computing average daily attendance (ADA) for apportionment purposes.

However, for the 2021-22 school year, districts are permitted pursuant to Education Code 51747, as amended by AB 167, to claim apportionment for fewer than three consecutive school days for students who cannot participate in classroom-based instruction due to a quarantine order or school closure due to COVID-19.

INDEPENDENT STUDY (continued)

The following **optional** paragraph is for use by districts that wish to limit independent study to periods of three or more consecutive school days.

With the exception of students who, during the 2021-2022 school year, cannot participate in classroom-based instruction due to a quarantine or school closure for exposure to or infection with COVID-19, The the minimum period of time for any independent study option shall be three consecutive school days. **(Education Code 51747)**

General Independent Study Requirements

Note: Education Code 51745, as amended by AB 130, requires districts to offer independent study for the 2021-22 school year only, **and thereafter to offer independent study at their discretion.** Districts may meet the requirement for the 2021-22 school year by contracting with a county office of education or by entering into an interdistrict transfer agreement with another district pursuant to Education Code 46600. In addition, the requirement to offer independent study for the 2021-22 school year may be waived for districts by the county superintendent of schools in the county in which the district is located if the district demonstrates that (1) offering independent study would create an unreasonable fiscal burden on the district or county office of education due to low numbers of students participating or other extenuating circumstances; and (2) the Board does not have the option to enter into an interdistrict transfer agreement with another district or to contract with a county office of education to provide an independent study option.

For single-district counties, the waiver must be granted by the SPI.

For the 2021-22 school year, the district shall offer independent study, as specified in Education Code 51745, to meet the educational needs of students unless the district has obtained a waiver. (Education Code 51745)

For the 2022-23 school year and thereafter, the Superintendent or designee may **continue to** offer and approve independent study for an individual student upon determining that the student is prepared to meet the district's requirements for independent study and is likely to succeed in independent study as well as or better than the student would in the regular classroom setting.

(cf. 5147 - Dropout Prevention)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6200 - Adult Education)

Note: Pursuant to Education Code 46100, the Board is required to fix the length of the school day for each grade level, in accordance with law. CDE, in its "Frequently Asked Questions," clarifies that independent study is not an alternative curriculum and that students in independent study are required to meet the same number of instructional minutes as their peers who are physically at the school site for their instruction.

INDEPENDENT STUDY (continued)

The minimum instructional minutes for students participating in independent study shall be the same as required for their peers at the school who are receiving in-person instruction, except as otherwise permitted by law. (Education Code 46100)

Note: Education Code 51747 **mandates** that the Board, in a public hearing, adopt a policy on the maximum length of time, by grade level and type of program, which may elapse between the time an independent study assignment is made and the date by which the student must complete the assignment. 5 CCR 11700 defines "type of program" as the statutory program category for purposes of attendance accounting, such as adult education or continuation high school. In addition, 5 CCR 11701 **mandates** that Board policy reflect an awareness that excessive leniency in the duration of independent study assignments can result in a student falling so far behind peers as to increase, rather than decrease, the risk of dropping out of school.

The following paragraph sets one week for all grade levels and types of programs as the maximum length of time an independent study assignment should be completed, and should be revised to reflect the length of time determined by the Board. In order to ensure that apportionments **s credits** are received, the length of time determined by the Board in its policy should be reflected in the **district's student's** written agreement. See the section "Master Agreement" below.

Because excessive leniency in the duration of independent study assignments may result in a student falling behind peers and increase the risk of dropping out of school, independent study assignments shall be completed no more than one week after assigned for all grade levels and types of program. **However, w**When necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due. **However, in no event shall the due date of an assignment be extended beyond up to** the termination date of the agreement.

Note: Education Code 51747 **mandates** that the Board, in a public hearing, adopt a policy which specifies the level of satisfactory educational progress and the number of missed assignments allowed before an evaluation would be required to determine whether it is in a student's best interest to remain in independent study. The following paragraph specifies a maximum of three assignments and should be revised to reflect the Board's determination of the number of missed assignments that will trigger an evaluation.

The number of missed assignments that will trigger an evaluation must be included in the student's written agreement.

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student fails to make satisfactory educational progress and/or misses three assignments. Satisfactory educational progress shall be determined based on all of the following indicators: (Education Code 51747)

1. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in Education Code 52060

INDEPENDENT STUDY (continued)

2. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments
3. Learning **of** required concepts, as determined by the supervising teacher
4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher

Note: Education Code 51747, as amended by AB 130, **mandates** the Board to adopt policy that includes the provision of content aligned to grade level standards that is provided at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this requirement includes access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria. See BP/AR 6143 - Courses of Study.

The Superintendent or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria. (Education Code 51747)

Note: Education Code 51747, as amended by AB 130, **mandates** the Board to adopt policy that includes plans, by grade level, to provide students with specified levels of live interaction and/or synchronous instruction as described below and defined in the accompanying administrative regulation. This requirement only applies to students participating in an independent study program for 15 school days or more.

According to CDE's "2021-22 AA & IT Independent Study FAQs," synchronous instruction for traditional independent study only counts toward meeting the minimum day requirements if students produce a work product that is evaluated for time value as an outcome from their participation in the synchronous instruction.

The Superintendent or designee shall ensure that students participating in independent study for 15 school days or more receive the following throughout the school year: (Education Code 51747)

1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction
2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction
3. For students in grades 9-12, opportunities for at least weekly synchronous instruction

INDEPENDENT STUDY (continued)

Note: Education Code 51747, as amended by AB 130 **and AB 167**, mandates the Board to adopt policy that includes procedures for tiered reengagement strategies for **students who meet the conditions specified in the following paragraph**. ~~all students who are not generating attendance for more than three school days or 60 percent of the instructional days in a school week.~~ This requirement only applies to students participating in an independent study program for 15 school days or more.

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students ~~who are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, or who are in violation of their written agreement.~~ **This requirement only applies to students participating in an independent study program for 15 school days or more** ~~who~~ **The procedures shall include, but are not necessarily limited to, all of the following: (Education Code 51747)**

- 1. Are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, or 10 percent of required minimum instructional time over four continuous weeks of the district's approved instructional calendar**
- 2. Are found to be not participatory pursuant to Section 51747.5 for more than the greater of three schooldays or 60 percent of the scheduled days of synchronous instruction in a school month as applicable by grade span**
- 3. Are in violation of their written agreement**

Tiered reengagement strategies procedures used in district independent study programs shall include, but are not necessarily limited to, all of the following: (Education Code 51747)

1. Verification of current contact information for each enrolled student
2. Notification to parents/guardians of lack of participation within one school day of the ~~absence~~ **recording of a non-attendance day** or lack of participation
3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary

Note: Education Code 51747 requires districts to hold a student-parent-educator conference as defined by Education Code 51745.5, at specified times, as reflected below and in the accompanying regulation.

4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being

INDEPENDENT STUDY (continued)

Note: Education Code 51747, as amended by AB 130, **mandates** the Board to adopt policy that includes a plan to expeditiously, and not longer than five instructional days, transition students whose families wish to return to in-person instruction from independent study. This requirement only applies to students participating in an independent study program for 15 school days or more.

The Superintendent or designee shall develop a plan to transition students whose families wish to return to in-person instruction from independent study expeditiously, and, in no case later, than five instructional days. This requirement only applies to students participating in an independent study program for 15 school days or more. (Education Code 51747)

Note: Education Code 51747, as amended by AB 130, **mandates** the Board to adopt policy providing that a current written agreement (i.e., the "master agreement") will be maintained for each student who participates in independent study and for whom apportionment is claimed. Education Code 51747 provides that no independent study agreement can be valid for longer than one school year. For the 2021-22 school year only, **Education Code 51747, as amended by AB 167, requires** the district **is required** to obtain a signed written agreement for **an independent study program of any length of time** no later than 30 days after the first day of instruction **in an independent study program or October 15, whichever date comes later.**

In addition, Education Code 51749.5 **mandates** the Board to adopt policy providing that a "learning agreement" be maintained for each student participating in course-based independent study.

See the section "Master Agreement" below for required content of these agreements.

The Superintendent or designee shall ensure that a written master agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

Note: For the 2021-22 school year only, the district must provide notice with specified components of the independent study option available through Education Code 51747. Education Code 51747, as amended by AB 130, requires that the written information, in addition to being written in English, be written in the primary language if 15 percent or more of the students enrolled in a district that provides instruction in transitional kindergarten, kindergarten, or any of grades 1 to 12, inclusive, speak a single primary language other than English, as determined from the census data submitted to **CDE the California Department of Education.**

The district shall provide written notice to the parents/guardians of all enrolled students of the option to enroll their child in in-person instruction or independent study during the 2021-22 school year. This notice shall be posted on the district's web site, and shall include, at a minimum, information about the right to request a student-parent-educator conference before enrollment, student rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the instructional time, including synchronous and asynchronous learning, that a student will have access to as part of independent study. (Education Code 51747)

Note: Education Code 51747, as amended by AB 130, requires districts to hold a student-parent-educator conference upon the request of a parent/guardian prior to enrollment or disenrollment in independent study. The term student-parent-educator conference is defined in Education 51745.5, and as reflected in the accompanying regulation.

INDEPENDENT STUDY (continued)

Upon the request of the parent/guardian of a student, **and before making a decision about enrolling or disenrolling in independent study and entering into a signing a** written agreement **to do so as described below in the section "Master Agreement,"** the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, **and, if requested,** their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51747)

Master Agreement

Note: Education Code 51747 **mandates** that, in order to receive apportionments for independent study, the district must adopt and implement policy providing for a signed written independent study agreement which contains the components listed in the following section. Because apportionments are only provided for independent study of three or more consecutive school days pursuant to Education Code 46300, as amended by AB 130, written agreements are required only in such instances.

Education Code 46300.7 states that apportionments shall be received for a student in independent study only if the district receives written permission from the parent/guardian before the independent study begins, specifying the actual dates of participation, methods of study and evaluation, and resources to be made available for the student's independent study. Since all these components are included in the written agreement which the parent/guardian must sign before the commencement of independent study pursuant to Education Code 51747, the parent/guardian's signature on the agreement satisfies the requirement to obtain the parent/guardian's written permission.

For the 2021-22 school year however, the district must obtain a signed written agreement for independent study, **of any length of time**, no later than 30 days after the first day of instruction in independent study **or October 15, whichever date comes later**, pursuant to Education Code 51747, as amended by **AB 130 AB 167. This requirement is also applicable to independent study for a student who is unable to attend classroom-based instruction due to quarantine or school closure for COVID-19.**

A written agreement shall be developed and implemented for each student participating in independent study for three or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)

However, for the 2021-22 school year only, the district shall obtain a signed written agreement **from each student participating in for an** independent study **program for any length of time**, no later than 30 days after the first day of instruction in **the independent study program.**

~~A written agreement shall be developed and implemented for each student participating in independent study for three or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)~~

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

INDEPENDENT STUDY (continued)

The independent study agreement for each participating student also shall include, but are not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The frequency, time, place and manner for submitting the student's assignments, reporting the student's academic progress, and communicating with a student's parent/guardian regarding the student's academic progress
2. The objectives and methods of study for the student's work and the methods used to evaluate that work
3. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work

Note: As described in the section "General Independent Study Requirements" above, pursuant to Education Code 51747, the written agreement must contain statements reflecting Board policy pertaining to (1) the maximum length of time, by grade level and type of program, which may elapse between the time an independent study assignment is made and the date by which the student must complete the assignment and (2) the number of missed assignments allowed before an evaluation would be required to determine whether it is in a student's best interest to remain in independent study. Education Code 51747, as amended by AB 130, also requires that the written agreement contain a statement of the Board's policy regarding the level of satisfactory educational progress for students participating in independent study.

4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion, the level of satisfactory educational progress, and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study
5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year
6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion
7. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.

INDEPENDENT STUDY (continued)

Note: Pursuant to Education Code 51747, as amended by AB 167, a master agreement is not required to include the following statement for any student who, during the 2021-22 school year, cannot participate in classroom-based instruction due to a quarantine order or school closure due to COVID-19.

8. A statement that independent study is an optional educational alternative in which no student may be required to participate

For the 2021-22 school year, this statement shall not be required for a student's participation in independent study if the student is unable to attend in-person instruction because of a quarantine or school closure mandated by a local or state health order or guidance due to the student's exposure to or infection with COVID-19.

9. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction

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

10. Before the commencement of independent study, the agreement shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under age 18 years, the certificated employee responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student.

However, for the 2021-22 school year, the district shall obtain a signed written agreement for independent study from the student, or the student's parent/guardian if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the **pupil student**, no later than 30 days after the first day of instruction **in the independent study program or October 15, whichever date comes later.**

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (Education Code 51747)

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

INDEPENDENT STUDY (continued)**Course-Based Independent Study**

Note: This section is for districts that provide independent study courses to its students. Education Code 51749.5-51749.6, as amended by AB 130, establish a course-based independent study option that may be offered if certain requirements are met, as described below. Education Code 51749.5 **mandates** that boards adopt policies that comply with the legal requirements listed in the following section and any applicable regulations adopted by the State Board of Education.

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

The district's course-based independent study program for students in grades K-12 shall be subject to the following requirements: (Education Code 51749.5)

1. A signed learning agreement shall be completed and on file for each participating student, pursuant to Education Code 51749.6
2. Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject matter credential and are employed by the district or by another district, charter school, or county office of education with which the district has a memorandum of understanding to provide the instruction.

(cf. 4112.2 - Certification)

3. Courses shall be annually certified by Board resolution to be of the same rigor and educational quality and to provide intellectual challenge that is substantially equivalent to in-person, classroom-based instruction, and shall be aligned to all relevant local and state content standards. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria. The certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each school day that student is enrolled, number of equivalent total instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses. The certification shall also include plans to provide opportunities **throughout the school year**, for students in **grades** transitional kindergarten, kindergarten, and grades 1-3 to receive daily synchronous instruction, for students in grades 4-8, to receive both daily live interaction and at least weekly synchronous instruction, and for students in grades 9-12 to receive at least weekly synchronous instruction.
4. Students enrolled in independent study courses shall meet the applicable age requirements established pursuant to Education Code 46300.1, 46300.4, 47612, and 47612.1, and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, 47612, 48204, and 51747.3.

INDEPENDENT STUDY (continued)

5. For each student participating in an independent study course, satisfactory educational progress shall be determined based on the student's achievement and engagement in the independent study program, as indicated by their performance on applicable student-level measures of student achievement and student engagement set forth in Education Code 52060, completion of assignments, assessments, or other indicators that evidence that the student is working on assignments, learning of required concepts, as determined by the supervising teacher, and progress toward successful completion of the course of study or individual course, as determined by the supervising teacher.

If satisfactory educational progress in an independent study class is not being made, the teacher shall notify the student and, if the student is under age 18 years, the student's parent/guardian. The teacher shall conduct an evaluation to determine whether it is in the student's best interest to remain in the course or whether the student should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the evaluation findings shall be a mandatory interim student record maintained for three years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school.

Procedures for tiered reengagement strategies shall be used for all students who are not making satisfactory educational progress in one or more courses or who are in violation of the written learning agreement, as described in the section "Learning Agreement for Course-Based Independent Study" below. These procedures shall include, but are not necessarily limited to, the verification of current contact information for each enrolled student, notification to parents/guardians of lack of participation within one school day of the absence or lack of participation, a plan for outreach from the school to determine student needs, including connection with health and social services as necessary, and a clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being.

(cf. 5125 - Student Records)

6. Examinations shall be administered by a proctor.
7. Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be included in the aggregate results of the district. Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom-based courses.

(cf. 6162.51 - State Academic Achievement Tests)

INDEPENDENT STUDY (continued)

8. A student shall not be required to enroll in courses included in the course-based independent study program.
9. The student-teacher ratio in the courses in this program shall meet the requirements of Education Code 51745.6.
10. For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208.

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

11. Courses required for high school graduation or for admission to the University of California or California State University shall not be offered exclusively through independent study.
12. A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011.

(cf. 3260 - Fees and Charges)

13. A student shall not be prohibited from participating in independent study solely on the basis that the student does not have the materials, equipment, or access to Internet connectivity necessary to participate in the course.
14. A student with disabilities, as defined in Education Code 56026, shall not participate in course-based independent study, unless the student's individualized education program specifically provides for that participation.
15. A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through course-based independent study.
16. The district shall maintain a plan to transition any student whose family wishes to return to in-person instruction from course-based independent study expeditiously, and, in no case, later than five instructional days.

Learning Agreement for Course-Based Independent Study

Note: Education Code 51749.6, as amended by AB 130, requires that, before enrolling a student in course-based independent study, the district provide the student and, if the student is less than 18 years of age, the student's parent/guardian, with a written learning agreement that includes specified components.
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INDEPENDENT STUDY (continued)

Before enrolling a student in a course within this program, the Superintendent or designee shall provide the student and, if the student is under age 18 years, the student's parent/guardian with a written learning agreement that includes all of the following: (Education Code 51749.6)

1. A summary of the district's policies and procedures related to course-based independent study pursuant to Education Code 51749.5
2. The duration of the enrolled course(s) and the number of course credits for each enrolled course, consistent with the Board certifications made pursuant to item #23 of **the Course-Based Independent Study section** above
3. The duration of the learning agreement, which shall not exceed a school year or span multiple school years
4. The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program
5. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
6. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.
7. A statement that enrollment is an optional educational alternative in which no student may be required to participate. In the case of a student who is suspended or expelled, or who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the student through course-based independent study only if the student is offered the alternative of classroom instruction.
8. The manner, time, frequency, and place for submitting a student's assignments, for reporting the student's academic progress, and for communicating with a student's parent/guardian regarding a student's academic progress.

INDEPENDENT STUDY (continued)

9. The objectives and methods of study for the student's work, and the methods used to evaluate that work.
10. A statement of the adopted policies regarding the maximum length of time allowed between the assignment and the completion of a student's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether the student should be allowed to continue in course-based independent study.
11. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the learning agreement, to be earned by the student upon completion.
12. **For 2022-23 school year and thereafter, B**efore the commencement of an independent study course, the learning agreement shall be signed and dated by the student, **and by** the student's parent/guardian or caregiver; if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the student. For purposes of this paragraph "caregiver" means a person who has met the requirements of Family Code 6550-6552.

However, for the 2021-22 school year only, the district shall obtain a signed written agreement for independent study from the student, or the student's parent/guardian if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the pupil no later than 30 days after the first day of instruction.

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the CDE. (Education Code 51749.6)

The A signed learning agreement from a parent/guardian of a student who is less than 18 years of age shall constitute ~~student's or the parent/guardian's signature shall constitute~~ permission for the student to receive instruction through **course-based** independent study. (Education Code 51749.6)

The Superintendent or designee shall retain a physical or electronic copy of the signed learning agreement for at least three years and as appropriate for auditing purposes. (Education Code 51749.6)

INDEPENDENT STUDY (continued)

Upon the request of a student's parent/guardian, and before signing a written agreement as described above, the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference, or other meeting during which the student, parent/guardian, or their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51749.6)

Student-Parent-Educator Conferences

Note: Education Code 51747 and 51749.5, as amended by AB 130, require districts to hold student-parent-educator conferences as defined by Education Code 51745.5, at specified times. See the accompanying regulation for the definition of student-parent-educator conference.

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or, if requested by a parent/guardian, prior to enrollment or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)

Records ~~for Audit Purposes~~

Note: Education Code 51745.6, 51747, 51747.5, and 51749.5, as amended by AB 130, require, commencing in the 2021-22 fiscal year, the State Controller to incorporate verifications of compliance with specified components of the laws into the Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting to the extent that these verifications are not yet included in the audit guide, with loss of apportionment for independent study for districts found to be noncompliant.

The Superintendent or designee shall ensure that records are maintained for audit purposes. These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that the teacher has personally evaluated the work or personally reviewed the evaluations made by another certificated teacher

INDEPENDENT STUDY (continued)

4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons
5. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5 (Education Code 51745.6 and 51749.5)
6. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300 (Education Code 51747.5)

Note: Education Code 51747.5, as amended by AB 130, requires districts to document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which **the student is independent study is provided independent study.** A student who does not participate **in independent study on** a school day **shall must** be documented as nonparticipatory for that school day. In addition, Education Code 51747.5 requires districts to maintain written or computer-based evidence of student engagement that includes, but is not limited to, a grade book or summary document that, for each class, lists all assignments, assessments, and associated grades. Commencing in the 2021-22 fiscal year, the Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting will incorporate compliance reviews of these requirements, **and a finding of noncompliance will result in loss of apportionment in proportion to the impact on ADA from the noncompliance.**

The district shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which **live interaction or synchronous instruction is provided as part of the independent study program is provided.** A student who does not participate in **independent study scheduled live interaction or synchronous instruction on a school day** shall be documented as nonparticipatory for that school day. (Education Code 51747.5)

The Superintendent or designee **also** shall **also** maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for independent study assignments. (Education Code 51747.5)

(cf. 3580 - District Records)

INDEPENDENT STUDY (continued)

Note: Education Code 51747 authorizes specified records to be maintained in an electronic file, as provided in the following paragraph. Pursuant to Education Code 51747, an electronic file includes a computer or electronically stored image of an original document, including, but not limited to, a PDF, JPEG, or other digital file type, that may be sent via fax machine, email, or other electronic means.

The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (Education Code 51747)

Program Evaluation

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

The Superintendent or designee shall annually report to the Board the number of district students participating in independent study, the average daily attendance generated for apportionment purposes, student performance as measured by standard indicators and in comparison, to students in classroom-based instruction, and the number and proportion of independent study students who graduate or successfully complete independent study. Based on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

(cf. 0500 - Accountability)

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

(cf. 6162.5 - Student Assessment)

Legal Reference: (see next page)

INDEPENDENT STUDY (continued)

Legal Reference:

EDUCATION CODE

17289 Exemption for facilities

41020 Audit guidelines

41422 Apportionment credit for student inability to attend in-person or school closure due to COVID-19

41976.2 Independent study programs; adult education funding

42238 Revenue limits

42238.05 Local control funding formula; average daily attendance

44865 Qualifications for home teachers and teachers in special classes and schools

46100 Length of school day

46200-46208 Instructional day and year

46300-46307.1 Methods of computing average daily attendance

46390-46393 Emergency average daily attendance

46600 Interdistrict attendance computation

47612-47612.1 Charter school operation

47612.5 Independent study in charter schools

48204 Residency

48206.3 Home or hospital instruction; students with temporary disabilities

48220 Classes of children exempted

48340 Improvement of pupil attendance

48915 Expulsion; particular circumstances

48916.1 Educational program requirements for expelled students

48917 Suspension of expulsion order

49011 Student fees

51225.3 Requirements for high school graduation

51745-51749.6 Independent study programs

52060 Local control and accountability plan

52522 Adult education alternative instructional delivery

52523 Adult education as supplement to high school curriculum; criteria

56026 Individuals with exceptional needs

58500-58512 Alternative schools and programs of choice

FAMILY CODE

6550-6552 Authorization affidavits

CODE OF REGULATIONS, TITLE 5

11700-11703 Independent study

UNITED STATES CODE, TITLE 20

6301 Highly qualified teachers

6311 State plans

COURT DECISIONS

Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365

Management Resources: (see next page)

INDEPENDENT STUDY (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

2021-22 AA & IT Independent Study FAQs, 2021

Clarifications for Student Learning in Quarantine, 2021

Conducting Individualized Determinations of Need, 2021

Legal Requirements for Independent Study, 2021

Elements of Exemplary Independent Study

California Digital Learning Integration and Standards Guidance, April 2021

EDUCATION AUDIT APPEALS PANEL PUBLICATIONS

Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting

WEB SITES

California Consortium for Independent Study: <http://www.ccis.org>

California Department of Education, Independent Study: <http://www.cde.ca.gov/sp/eo/is>

Education Audit Appeals Panel: <http://www.eaap.ca.gov>

Policy Reference UPDATE Service

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CSBA Sample Administrative Regulation

Instruction

AR 6158(a)

INDEPENDENT STUDY

Definitions

Note: Education Code 51745.5, as added by AB 130 (Ch. 44, Statutes of 2021), defines the terms "live interaction," "student-parent-educator conference," and "synchronous instruction" as provided below.

Live interaction means interaction between the student and classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in person, or in the form of Internet or telephonic communication. (Education Code 51745.5)

Student-parent-educator conference means a meeting involving, at a minimum, all parties who signed the student's written independent study agreement pursuant to Education Code 51747 or the written learning agreement pursuant to Education Code 51749.6. (Education Code 51745.5)

Synchronous instruction means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of Internet or telephonic communications, and involving live two-way communication between the teacher and student. Synchronous instruction shall be provided by the teacher of record for that student pursuant to Education Code 51747.5 **or the certificated employee providing instruction for course-based independent study.** (Education Code 51745.5)

Educational Opportunities

Note: Pursuant to Education Code 51745, as amended by AB 130, the district is required to offer independent study to meet the educational needs of students for the 2021-22 school year unless the district obtains a waiver from such requirement.

For the 2021-22 school year, the district shall offer independent study to meet the educational needs of students as specified in Education Code 51745 unless the district has obtained a waiver. (Education Code 51745)

Note: The following section is **optional**. Education Code 51745 lists educational opportunities that may be provided through independent study. The district may revise or expand items #1-6 below to reflect district practice.

Educational opportunities offered through independent study may include, but are not limited to: (Education Code 51745)

1. Special assignments extending the content of regular courses of instruction
AR 6158(b)

INDEPENDENT STUDY (continued)

(cf. 6143 - Courses of Study)

2. Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum
3. Individualized alternative education designed to teach the knowledge and skills of the core curriculum, but not provided as an alternative curriculum
4. Continuing and special study during travel

(cf. 5112.3 - Student Leave of Absence)

5. Volunteer community service activities and leadership opportunities that support and strengthen student achievement

Note: Education Code 51745, as amended by AB 167, permits districts to provide independent study to students who cannot participate in classroom-based instruction due to a COVID-19 quarantine. See the accompanying board policy.

6. Individualized study for a student whose health, as determined by the student's parent/guardian, would be put at risk by in-person instruction **or for a student who is unable to attend in-person instruction due to a quarantine due to exposure to, or infection with, COVID-19, pursuant to local or state public health guidance**

(cf. 0420.4 - Charter School Authorization)

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

(cf. 6181 - Alternative Schools/Programs of Choice)

In addition, when requested by a parent/guardian due to an emergency or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in the student's regular classes.

(cf. 5113 - Absences and Excuses)

Note: The following paragraph is for use by districts maintaining high schools.

No course required for high school graduation shall be offered exclusively through independent study. (Education Code 51745)

(cf. 6146.1 - High School Graduation Requirements)

INDEPENDENT STUDY (continued)**Equivalency**

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the district's adopted course of study within the customary timeframe. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges. (5 CCR 11700, 11701.5)

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

Students participating in independent study shall have access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work. (Education Code 51747)

The district shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. Providing access to Internet connectivity and local educational agency-owned devices adequate to participate in an independent study program and complete assigned work consistent with Education Code 51747, or to participate in an independent study course, as authorized by Education Code 51749.5, shall not be considered funds or other things of value. (Education Code 46300.6, 51747.3)

Eligibility for Independent Study

Note: Pursuant to Education Code 51748, independent study students must be enrolled in school as a condition of receiving state apportionments.

~~Students are eligible for independent study as authorized in law, and as specified in board policy and administrative regulation.~~ **To participate in independent study, a student shall be enrolled in a district school. (Education Code 51748)**

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

For the 2022-23 school year and thereafter, the Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently provided that experienced certificated staff are available to effectively supervise students in independent study. The Superintendent or designee may also approve the participation of a student whose health would be put at risk by in-person instruction. A student whose academic performance is not at grade level may participate in independent study only if the program is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments, and/or differentiated materials, to enable the student to be successful. For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student.

INDEPENDENT STUDY (continued)

Note: The following paragraph limits eligibility for independent study to those students for whom state apportionments can be claimed. Education Code 46300.2 provides that districts will receive state funding for independent study for students who are residents of the county or an adjacent county. Pursuant to Education Code 51747.3, students whose residency status is based on parent/guardian employment within district boundaries (Education Code 48204(b)) are not eligible for funds apportioned for average daily attendance (ADA).

A student participating in independent study must be a resident of the county or an adjacent county. Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries pursuant to Education Code 48204. (Education Code 46300.2, 51747.3)

(cf. 5111.1 - District Residency)

A student with disabilities, as defined in Education Code 56026, shall not participate in independent study unless the student's individualized education program specifically provides for such participation. (Education Code 51745)

(cf. 6159 - Individualized Education Program)

Note: Education Code 51747, as amended by AB 167, relaxes certain independent study requirements for the 2021-22 school year for students who cannot participate in classroom-based instruction as a result of a quarantine order or school closure due to COVID-19, including the limitation on providing a temporarily disabled student individual instruction pursuant to Education Code 48206.3 by means of independent study.

With the exception of students who, during the 2021-2022 school year, cannot participate in classroom-based instruction due to a COVID-19 quarantine or school closure, A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 by means of independent study. (Education Code ~~51745~~ **51747**)

(cf. 6183 - Home and Hospital Instruction)

Note: Education Code 46300.1 provides that the district may not receive apportionments pursuant to Education Code 42238 for independent study for students age 21 or older, or for students 19 or older who have not been continuously enrolled in grades K-12 since their 18th birthday. However, pursuant to Education Code 46300.4, these students may be eligible for independent study through the adult education program for courses required for high school graduation. See BP/AR 6200 - Adult Education.

Students age 21 or older, and students age 19 or older who have not been continuously enrolled in school since their 18th birthday, may participate in independent study only through the adult education program for the purpose of enrolling in courses required for a high school diploma by Education Code 51225.3 or the Governing Board. (Education Code 46300.1, 46300.4)

(cf. 6200 - Adult Education)

INDEPENDENT STUDY (continued)

Note: The following paragraph limits enrollment in independent study to those students for whom state apportionments can be claimed. Pursuant to Education Code 51745, no more than 10 percent of the students enrolled in a continuation high school or opportunity school or program are eligible for apportionment credit for independent study. A pregnant student or a parenting student who is the primary caregiver for the student's child(ren) is not included in this cap.

No more than 10 percent of the students enrolled in a continuation high school or opportunity school or program, not including pregnant students and parenting students who are primary caregivers for one or more of their children, shall be enrolled in independent study. (Education Code 51745)

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

(cf. 6184 - Continuation Education)

Monitoring Student Progress

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

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of the student's written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian
2. A meeting between the student and the teacher and/or counselor
3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate
4. An increase in the amount of time the student works under direct supervision

When the student has failed to make satisfactory educational progress or missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether or not independent study is appropriate for the student. This evaluation may result in termination of the independent study agreement and the student's return to the regular classroom program or other alternative program.

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation. (Education Code 51747)

INDEPENDENT STUDY (continued)**Responsibilities of Independent Study Administrator**

Note: The following optional section may be revised to reflect district practice.
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The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers at the required teacher-student ratios pursuant to Education Code 51745.6 and supervising staff assigned to independent study functions who are not regularly supervised by another administrator
2. Approving or denying the participation of students requesting independent study
3. Facilitating the completion of written independent study agreements
4. Ensuring a smooth transition for students into and out of the independent study mode of instruction
5. Approving all credits earned through independent study
6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation

Assignment and Responsibilities of Independent Study Teachers

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or emergency credential pursuant to Education Code 44300, registered as required by law, and who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

Note: Pursuant to Education Code 51745.6, the equivalency of teacher-student ratios as described below is a necessary condition for the district to receive apportionments for independent study. The district may exceed these ratios, but those additional units of independent study ADA would not be funded.
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Pursuant to Education Code 51745.6, as amended by AB 130, the <u>Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting</u> must incorporate verification of applicable teacher-student ratios commencing in the 2021-22 fiscal year.
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The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs in the district, unless a new higher or lower ratio for all other educational programs offered is negotiated in a

INDEPENDENT STUDY (continued)

collective bargaining agreement or the district enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio. (Education Code 51745.6)

Note: The remainder of this section is **optional** and may be revised to reflect district practice.

The responsibilities of the supervising teacher shall include, but are not limited to:

1. Completing designated portions of the written independent study agreement and signing the agreement
2. Supervising and approving coursework and assignments
3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due
4. Maintaining a daily or hourly attendance register in accordance with item #4 in the section on "Records for Audit Purpose" in the accompanying Board policy
5. Providing direct instruction and counsel as necessary for individual student success
6. Regularly meeting with the student to discuss the student's progress

Note: Pursuant to Education Code 51747.5, **as amended by AB 167**, the district may only claim apportionment credit for independent study based on the time value of student work products as personally judged in each instance by a certificated teacher **employed by the district**. Education Code 51747.5 specifies that the teacher is not required to sign and date the work products.

7. Determining the time value of assigned work or work products completed and submitted by the student
8. Assessing student work and assigning grades or other approved measures of achievement

Note: Education Code 51747.5, as amended by AB 130 **and AB 167**, requires districts to document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which **live interaction or synchronous instruction is provided as part of the independent study program** ~~is provided~~. A student who does not participate in **scheduled live interaction or synchronous instruction** ~~independent study~~ on a school day shall be documented as nonparticipatory for that school day, **for purposes of student participation reporting and tiered reengagement pursuant to Education Code 51747**.

INDEPENDENT STUDY (continued)

9. Documenting each student's participation in live interaction and/or synchronous instruction pursuant to Education Code 51747 on each school day, **as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study is provided program**

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.

(cf. 4131 - Staff Development)

(7/16 7/21) 12/21

CSBA Sample Board Policy

Instruction

BP 6170.1(a)

TRANSITIONAL KINDERGARTEN

Note: The following policy is for use by districts that maintain kindergarten and may be revised to reflect district practice. Education Code 48000 provides that children are eligible for kindergarten enrollment if they have their fifth birthday on or before September 1 in that school year; see AR 5111 - Admission. Pursuant to Education Code 48000, **as amended by AB 130 (Ch. 44, Statutes of 2021) and AB 167 (Ch. 252, Statutes of 2021), for the 2021-22 school year, districts are required to admit any child whose fifth birthday is between September 2 and December 2 ~~must be offered to~~ a transitional kindergarten (TK) program as a condition of apportionment and revises the timespans for mandatory admittance requirements to be phased in from the 2022-23 school year to the 2025-26 school year as described below.**

In its "Transitional Kindergarten FAQs," the California Department of Education (CDE) provides that the laws governing TK programs apply equally to all districts including basic aid districts. Districts with questions about the application of the TK mandatory admittance requirements to basic aid districts should consult legal counsel.

Education Code 48000 defines TK as the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. Many of the requirements applicable to kindergarten (e.g., class size, minimum school day, facilities) are also applicable to TK. The district will receive funding based on average daily attendance (ADA) for students in a TK program that meets the requirements specified in Education Code 48000.

Education Code 8281.5, as added by AB 130, establishes the California Prekindergarten Planning and Implementation Grant Program as an early learning initiative with the goal of expanding access to classroom-based prekindergarten programs. The program allocates funding to all districts that operate kindergarten programs through minimum base grants, enrollment grants based on a district's kindergarten enrollment, and supplemental grants based on a district's percentage of unduplicated students. Grant funds may be used for costs associated with creating or expanding preschool programs through the California State Preschool Program (CSPP) or TK programs, or to establish or strengthen partnerships with other providers of prekindergarten education within the district, including Head Start programs, to ensure that high-quality options for prekindergarten education are available for four-year-old children. Allowable costs include, but are not necessarily limited to, planning costs, hiring and recruitment costs, staff training and professional development, classroom materials, and supplies.

Education Code 17375, as amended by AB 130 and AB 167, establishes the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program to provide one-time grants to school districts to construct new school facilities or retrofit existing school facilities including for the purpose of providing TK classrooms.

For guidance on implementing TK programs, see the [Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers](#), published by ~~the California Department of Education (CDE)~~.

The Governing Board desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The

TRANSITIONAL KINDERGARTEN (continued)

TK program shall assist students in developing the academic, social, and emotional skills needed to succeed in kindergarten and beyond.

The district's TK program shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in the development, implementation, and evaluation of the district's TK program.

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

Eligibility

Note: Education Code 48000, as amended by AB 130 and AB 167, revises the timespans for mandatory admittance requirements to be phased in from the 2022-23 school year to the 2025-26 school year.

The district's TK program shall admit children **as follows:** (Education Code 48000):

- 1. For the 2021-22 school year, children whose fifth birthday is ~~from~~ between September 2 through December 2**
- 2. For the 2022-23 school year, children whose fifth birthday is between September 2 and February 2**
- 3. For the 2023-24 school year, children whose fifth birthday is between September 2 and April 2**
- 4. For the 2024-25 school year, children whose fifth birthday is between September 2 and June 2**
- 5. For the 2025-26 school year, and in each school year thereafter, children who turn four by September 1**

Note: Pursuant to Education Code 48000, as amended by AB 130 and AB 167, a child's eligibility for TK enrollment may not impact family eligibility for a preschool or childcare program.

A child's eligibility for TK enrollment shall not impact family eligibility for a preschool or childcare program. (Education Code 48000).

TRANSITIONAL KINDERGARTEN (continued)

Note: CDE's "Transitional Kindergarten FAQs" clarify that children are required to have documentation of required immunizations or a valid exemption prior to admission to TK. For information about required immunizations and exemptions, see BP/AR 5141.31 - Immunizations.

Parents/guardians of eligible children shall be notified of the availability of the TK program and of the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

(cf. 5111 - Admission)
(cf. 5111.1 - District Residency)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.3 - Health Examinations)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)

Note: The following paragraph is **optional**. If the district chooses to allow kindergarten-eligible children to enroll in the TK program, CDE recommends that the district establish criteria to determine selection requirements. The parent/guardian of a kindergarten-eligible child who is enrolled in TK must, at the end of the year, sign a Kindergarten Continuance Form verifying agreement with the child enrolling in kindergarten the following year; see section "Continuation in Kindergarten" below.

On a case-by-case basis, a child whose fifth birthday is on or before September 1 may be admitted into the district's TK program upon request of a child's parents/guardians, if the Superintendent or designee determines that it is in the child's best interest.

Note: The following paragraph is **optional**. Pursuant to Education Code 48000, as amended by **AB 130 and AB 167**, the district may, at its discretion, determine whether to allow admittance of children whose fifth birthday is after ~~December 2~~ **the date specified for admittance for the applicable year as described above**. Such students may be admitted at any time during the school year, including at the beginning of the year. Education Code 48000 provides that districts will not receive ADA apportionment for a child whose birthday is after **the date specified for the applicable year** ~~December 2~~ until the child's fifth birthday.

At any time during the school year, the district may admit into the TK program a child whose fifth birthday is after ~~December 2~~ **the date specified for admittance for the applicable year as described above** ~~of that same school year~~, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest and the child's parents/guardians approve. Prior to such enrollment, the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance. (Education Code 48000)

Curriculum and Instruction

The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

TRANSITIONAL KINDERGARTEN (continued)

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Note: Education Code 48000 states the Legislature's intent that the TK curriculum be aligned to the California Preschool Learning Foundations developed by CDE. These standards address essential knowledge and skills in the subject areas listed below. The standards and companion preschool curriculum frameworks are available on CDE's web site.

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education (CDE). It shall be designed to facilitate students' development in essential knowledge and skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6011 - Academic Standards)
(cf. 6174 - Education for English Learners)

Note: The following **optional** paragraph may be revised to reflect district practice. Education Code 37202 permits districts to maintain TK and kindergarten classes for different lengths of time during the school day, either at the same or a different school site. Districts offering TK classes for different lengths of time are still required to meet the minimum and maximum length of school day provided in law. Pursuant to Education Code 46111, **as amended by AB 130**, 46115, and 46117, at the kindergarten and TK level the minimum school day is three hours (180 minutes), including recess but excluding noon intermission, and the maximum school day is four hours (240 minutes), excluding recess, **except for students in expanded learning opportunity programs intended to supplement instructional time provided by a district pursuant to Education Code 46120 or if ~~unless~~** the district has adopted an extended-day kindergarten pursuant to Education Code 8973. However, pursuant to Education Code 46119, if the district has fewer than 40 kindergarten students, the Governing Board may apply to the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each, including recesses, taught on the same day by the same teacher. Also see AR 6112 - School Day.

Pursuant to Education Code 48003, districts are required to provide an annual report to CDE regarding the type of kindergarten program offered by the district, including part day, full day, or both. The California Basic Educational Data System (CBEDS) School Information Form, located on CDE's web site, requires a report on the type of TK program offered.

The Board shall establish the length of the school day in the district's TK program, which shall be at least three hours but no more than four hours long **except for TK students enrolled in expanded learning opportunity programs provided by the district pursuant to Education Code 46120**. If the district has adopted an extended-day kindergarten, the length of the school day for the TK program may be different than the length of the school day for the kindergarten program either at the same or different school sites. The Superintendent or designee shall annually report to CDE as to whether the district's TK programs are offered full day, part day, or both. (Education Code 8973, 37202, 46111, 46115, 46117, 48003)

TRANSITIONAL KINDERGARTEN (continued)

(cf. 5148.2 - Before/After School Programs)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

Note: Education Code 8281.5, as added by AB 130 and amended by AB 167, requires districts receiving grants through the California Prekindergarten Planning and Implementation Grant Program to develop a plan for consideration by the Board at a public meeting on or before June 30, 2022 for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten that meet the needs of parents/guardians, including through partnerships with the district's expanded learning offerings, the After School Education and Safety Program, the CSPP, Head Start programs, and other community-based early learning and care programs.

The Superintendent or designee shall develop a plan for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten that meet the needs of parents/guardians, including through partnerships with the district's expanded learning offerings, the After School Education and Safety Program, the California State Preschool Program (CSPP), Head Start programs, and other community-based early learning and care programs. The Superintendent or designee shall present such plan for consideration by the Board at a public meeting on or before June 30, 2022. (Education Code 8281.5)

Note: The following **optional** paragraph may be revised to reflect district practice. According to CDE's "Transitional Kindergarten FAQs," it is the intent of the law to provide separate and unique experiences for TK and kindergarten students. However, districts have flexibility to determine how best to meet the curricular needs of each child and whether TK and kindergarten students may be enrolled in the same classrooms.

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

TK students may be commingled in the same classroom with four-year-old students from a ~~California State Preschool Program~~ **CSPP program** as long as **the commingled program meets all of the requirements of each program as well as the following requirements:** (Education Code ~~8235~~ **8207, 48000**):

- 1. The** classroom does not include students enrolled in TK for a second year or students enrolled in a regular kindergarten
- 2. An early childhood environment rating scale, as specified in 5 CCR 18281, is completed for the classroom**
- 3. All children enrolled for 10 or more hours per week are evaluated using the Desired Results Developmental Profile, as specified in 5 CCR 18272**

TRANSITIONAL KINDERGARTEN (continued)

- 4. The classroom is taught by a teacher that holds a credential issued by the Commission on Teacher Credentialing in accordance with Education Code 44065 and 44256**
- 5. The classroom is in compliance with the adult-child ratio specified in Education Code 8241**
- 6. Contractors of the district report the services, revenues, and expenditures for children in the preschool program in accordance with 5 CCR 18068 except for contractors of the TK program**

(cf. 5148.3 - Preschool/Early Childhood Education)

Note: Education Code 48000, as amended by AB 130, requires districts to maintain an average TK class enrollment of not more than 24 students for each school site.

The district shall maintain an average TK class enrollment of not more than 24 students for each school site. (Education Code 48000)

Staffing

Note: To be qualified to teach a TK class, the teacher must possess an appropriate multiple subjects or early childhood education credential issued by the Commission on Teacher Credentialing authorizing instruction in TK. Education Code 48000 establishes additional requirements for credentialed teachers who are first assigned to a TK class after July 1, 2015, as provided below.

TK assignments are subject to assignment monitoring and reporting by the County Superintendent of Schools in accordance with Education Code 44258.9.

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

(cf. 4112.2 - Certification)

Note: Education Code 48000, as amended by **SB 98 (Ch. 24, Statutes of 2020) AB 130**, extends until August 1, **2021 2023**, the requirement for credentialed teachers who are first assigned to a **transitional kindergarten TK** class to meet additional qualifications, as described below.

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, **2021 2023**, have at least 24 units in early childhood education and/or child development, comparable **professional** experience in a preschool setting, and/or a child development teacher permit issued by CTC. (Education Code 48000)

TRANSITIONAL KINDERGARTEN (continued)

Note: Education Code 8281.5, as added by AB 130, permits the use of funding from the California Prekindergarten Planning and Implementation Grant Program for the purpose of professional development, including, but not limited to, developing competencies in serving inclusive classrooms and dual language learners.

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children, **including, but not limited to, developing competencies in serving inclusive classrooms and dual language learners.**

Note: Education Code 48000, as amended by AB 130, requires districts to, commencing with the 2022-23 school year, maintain an average of at least one adult for every 12 students for TK classrooms and, contingent upon an appropriation of funding, maintain an average of at least one adult for every 10 students commencing with the 2023-24 school year.

The district shall, commencing with the 2022-23 school year, maintain an average of at least one adult for every 12 students for TK classrooms and, contingent upon an appropriation of funding, maintain an average of at least one adult for every 10 students commencing with the 2023-24 school year. (Education Code 48000)

(cf. 4131 - Staff Development)

Continuation to Kindergarten

Note: The following section is consistent with guidance in CDE's "Transitional Kindergarten FAQs."

Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.

Note: The following optional paragraph is for use by districts that allow kindergarten-eligible children to enroll in TK; see "Eligibility" section above. When such students are subsequently enrolled in kindergarten, the district is required to obtain a signed Kindergarten Continuance Form in order to receive kindergarten ADA for those children since they would otherwise be age-eligible for first grade. CDE recommends that approval for a student to continue in kindergarten not be sought until near the end of the year of TK, since permission obtained unreasonably far in advance could be found invalid.

However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.

Note: Pursuant to Education Code 46300, the district may not include for ADA purposes the attendance of any student for more than two years in kindergarten or for more than two years in a combination of TK and kindergarten.

TRANSITIONAL KINDERGARTEN (continued)

A student shall not attend more than two years in a combination of TK and kindergarten. (Education Code 46300)

(cf. 5123 - Promotion/Acceleration/Retention)

Assessment

Note: The following section may be revised to reflect district practice. One assessment resource for TK students is CDE's Desired Results Developmental Profile, which is designed to assess the developmental progression of all children from early infancy to kindergarten entry.

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. The Superintendent or designee shall monitor and regularly report to the Board regarding program implementation, the progress of students in meeting related academic standards, and student preparedness for future education.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

*Legal Reference:***EDUCATION CODE**

8235 California State Preschool Program

8207 California State Preschool Program administration

8241 Staffing ratios for center-based programs

8281.5 California Prekindergarten Planning and Implementation Grant Program

8970-8974 Early primary programs; extended-day kindergarten

17375 Establishment of California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program

37202 School calendar; equivalency of instructional minutes

44065 Issuance of and functions requiring credentials

44256 Authorization for teaching credentials

44258.9 Assignment monitoring by county superintendent of schools

46111 Kindergarten, hours of attendance

46114-46119 Minimum school day, kindergarten

46120 Expanded Learning Opportunities Program

46300 Computation of ADA, inclusion of kindergarten and transitional kindergarten

48000 Age of admission, kindergarten and transitional kindergarten

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

48003 Kindergarten annual report

48011 Admission on completing kindergarten

48200 Compulsory education, starting at age six

Legal Reference continued: (see next page)

TRANSITIONAL KINDERGARTEN (continued)

Legal Reference: (continued)

CODE OF REGULATIONS, TITLE 5

18000-18434 Child care and development programs, especially:

18068 Attendance and expenditure reports

18272 Developmental profile

18281 Environment rating scales

Management Resources:

CSBA PUBLICATIONS

What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Transitional Kindergarten FAQs

*Desired Results Developmental Profile: **A Developmental Continuum from Early Infancy up to Kindergarten Entry**, 2015*

Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, 2013

California Preschool Curriculum Framework, Vol. 3, 2013

California Preschool Learning Foundations, Vol. 3, 2012

California Preschool Curriculum Framework, Vol. 2, 2011

California Preschool Learning Foundations, Vol. 2, 2010

California Preschool Curriculum Framework, Vol. 1, 2010

California Preschool Learning Foundations, Vol. 1, 2008

WEB SITES

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

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

California Kindergarten Association: <http://www.ckanet.org>

<https://californiakindergartenassociation.org/>

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

Transitional Kindergarten California: <http://tkcalifornia.org>

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CSBA Sample Board Bylaw

Board Bylaws

BB 9320(a)

MEETINGS AND NOTICES

Meetings of the Governing Board are conducted for the purpose of accomplishing district business. In accordance with state open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations.

(cf. 9321 - Closed Session)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

A Board meeting exists whenever a majority of Board members gather at the same time and location, including teleconference location **as permitted by Government Code 54953**, to hear, discuss, deliberate, or take action upon any item within the subject matter jurisdiction of the Board or district. (Government Code 54952.2)

Note: The Brown Act prohibits serial meetings, defined under Government Code 54952.2 as a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of district business.

This prohibition against serial meetings also applies to communications via technology. Email exchanges, chat room threads, or comments posted on a blog or social media account that result in a majority of the **Governing** Board "discussing **among themselves**" an item within the subject matter jurisdiction of the Board could result in a Brown Act violation. Pursuant to Government Code 54952.2, as amended by AB 992 (Ch. 89, Statutes of 2020), Board members may engage in separate conversations or communications with members of the public on an Internet-based social media platform that is open and accessible to the public as long as a majority of the Board does not use the platform to discuss among themselves business within the subject matter jurisdiction of the Board and members do not comment on or use digital icons (e.g., "likes" or emojis) to express reactions to communications made by other Board members. Consequently, a Board member is prohibited from responding directly to any communication from other members of the Board on a social media platform regarding matters that are within the subject matter jurisdiction of the Board. See BB 9012 - Board Member Electronic Communications.

In 84 Ops.Cal.Atty.Gen. 30 (2001), the Attorney General opined that Government Code 54952.2 prohibits a majority of the Board from sending emails to each other to develop a collective concurrence as to action to be taken by the Board even if the emails are (1) sent to the secretary and chairperson, (2) posted on the district's web site, and (3) distributed **(in a printed version)** at the next meeting. Although the Attorney General recognized that those three conditions would allow the deliberations to be conducted, to some extent, "in public," the emails were prohibited by the Brown Act because all debate would be completed before the meeting and members of the public who did not have Internet access would be excluded from the debate.

MEETINGS AND NOTICES (continued)

A majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, including social media and other electronic communications, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

Note: Government Code 54952.2 specifies that briefings between staff and Board members are permissible in order to answer questions or to provide information, as long as the briefing is not used to communicate the comments or position of any other Board member. ~~Thus, Superintendent briefings involving less than a majority of the Board are allowed, but participants must ensure that the comments or positions of one member are not shared with other members.~~

However, an employee or district official may engage in separate conversations **or communications** with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

(cf. 9012 - Board Member Electronic Communications)

Note: Government Code 54953.2 requires that all Board meetings meet the protections of the Americans with Disabilities Act (**ADA**) (42 USC 12132) and implementing regulations (28 CFR 35.160, 36.303). Such protections require the district to ensure that the meeting is accessible to persons with disabilities and, upon request, to provide disability-related accommodations, such as auxiliary aids and services. Auxiliary aids and services may include accommodations at the actual meeting, such as a sign-language interpreter, or accommodations to the supporting documentation, such as Braille translation of the agenda packet. Government Code 54954.2 requires that the agenda specify how, when, and to whom a request for accommodation should be made; see BB 9322 - Agenda/Meeting Materials.

In order to help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1, 54954.2)

Regular Meetings

Note: Education Code 35140 and Government Code 54954 **mandate** the Board to fix the time and place for its regular meetings by rule and regulation.

The Board shall hold one regular meeting(s) each month. Regular meetings shall be held at 5:30 p.m. on the second Tuesday of each month unless noted otherwise on the Board approved meeting schedule and held at various school site throughout the District.

Note: Pursuant to Government Code 54954.2, the agenda for a regular meeting must be posted at least 72 hours prior to the meeting, at a location that is freely accessible to the public. Government Code 54954.2 also requires that the agenda be posted on the district's **Internet** web site, if it has one. Any district that does not have a web site should delete the reference to it in the following paragraph.

MEETINGS AND NOTICES (continued)

The Attorney General has determined in 78 Ops.Cal.Atty.Gen. 327 (1995) that weekend hours may be counted as part of the 72-hour period for posting of the agenda prior to a regular meeting. In the same opinion, the Attorney General found that the term "freely accessible" requires that the agenda be posted in a location where it can be read by the public at any time during the 72 hours immediately preceding the meeting. For example, if a building where the agenda is posted is closed during the evening hours, the agenda must also be posted in a location accessible during evening hours, such as a lighted display case outside of the building. The Attorney General also opined in 88 Ops.Cal.Atty.Gen. 218 (2005) that the agenda may be posted on a touch screen electronic kiosk, in lieu of a paper copy on a bulletin board, as long as the kiosk is accessible without charge to the public 24 hours a day, seven days a week.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public and on the district's **Internet** web site. (Government Code 54954.2)

(cf. 1113 - District and School Web Sites)

Note: Pursuant to Government Code 54957.5, the agenda must list any address where the public can inspect agenda materials that are distributed to Board members less than 72 hours before a regular meeting; see BB 9322 - Agenda/Meeting Materials. In addition, pursuant to the California Public Records Act (Government Code 6252-6270), agenda materials related to an open session of a Board's regular meeting are "public records" and are subject to the inspection of any member of the public. For a list of documents subject to disclosure by the district, see BP/AR 1340 - Access to District Records.

Whenever agenda materials relating to an open session of a regular meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose **at the time the materials are distributed to all or a majority of the Board.** (Government Code 54957.5)

(cf. 1340 - Access to District Records)

Special Meetings

Note: Education Code 35144 and Government Code 54956 allow the Board to hold special meetings to address any matter that requires timely action. For example, the Board may hold a special meeting to discuss the need for an emergency state apportionment when the district is in financial distress; see **BPAR** 3460 - Financial Reports and Accountability. However, pursuant to Government Code 54956, certain specified matters, as described below, may not be addressed in a special meeting.

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members. However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the Superintendent, assistant superintendent, or other management employee as described in Government Code 3511.1. (Government Code 54956)

(cf. 2121 - Superintendent's Contract)

MEETINGS AND NOTICES (continued)

Note: Pursuant to Government Code 54956, written notice of a special meeting may be delivered personally or by other means, including email or fax. Government Code 54956 requires any district that has its own ~~Internet~~ web site to also post the notice on its web site. Any district that does not have its own web site should delete reference to it in the following paragraph.

Written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice also shall be posted on the district's ~~Internet~~ web site. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and location of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (**Education Code 35144**; Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)

Emergency Meetings

Note: Government Code 54956.5 authorizes a closed session during emergency meetings, as long as two-thirds of the members present at the meeting agree on the need for the closed session or, if less than two-thirds of the members are present, by unanimous vote of the members present. See BB 9321 - Closed Session and E(1) 9323.2 - Actions by the Board.

In the case of an *emergency situation* for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

An *emergency situation* means either of the following: (Government Code 54956.5)

1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board

(*cf.* 4141.6/4241.6 - Concerted Action/Work Stoppage)

MEETINGS AND NOTICES (continued)

2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist activity that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification must be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time notification is given to the other members of the Board about the meeting. (Government Code 54956.5)

The minutes of the meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

Adjourned/Continued Meetings

The Board may adjourn/continue any regular or special meeting to a later time and location that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn such a meeting. If no Board members are present, the secretary or the clerk may declare the meeting adjourned to a later time **and place** and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the place where the meeting was held. (Government Code 54955)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

Note: The following section is optional and may be revised to reflect district practice. Pursuant to Government Code 54954.2, the Board must still comply with the public notice requirements when holding a study session, retreat, public forum or other such meeting.

MEETINGS AND NOTICES (continued)

The Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

The Board may also convene a retreat or discussion meeting to discuss Board roles and relationships.

(cf. 2000 - Concepts and Roles)

(cf. 2111 - Superintendent Governance Standards)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9400 - Board Self-Evaluation)

Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within district boundaries. Action items shall not be included on the agenda for these meetings.

Other Gatherings

Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific district business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members
2. An open, publicized meeting organized by a person or organization other than the district to address a topic of local community concern
3. An open and noticed meeting of another body of the district
4. An open and noticed meeting of a legislative body of another local agency
5. A purely social or ceremonial occasion
6. An open and noticed meeting of a standing committee of the Board, provided that the Board members who are not members of the standing committee attend only as observers

(cf. 9130 - Board Committees)

MEETINGS AND NOTICES (continued)

Individual contacts or conversations between a Board member and any other person are not subject to the Brown Act. (Government Code 54952.2)

Location of Meetings

Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135. In addition, meetings shall not be held in a facility which is inaccessible to individuals with disabilities or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

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

Meetings shall be held within district boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the district is a party
2. Inspect real or personal property which cannot conveniently be brought into the district, provided that the topic of the meeting is limited to items directly related to the property
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law
4. Meet in the closest meeting facility if the district has no meeting facility within its boundaries or if its principal office is located outside the district
5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the district over which the state or federal officials have jurisdiction
6. Meet in or near a facility owned by the district but located outside the district, provided the meeting agenda is limited to items directly related to that facility
7. Visit the office of the district's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs
8. Attend conferences on nonadversarial collective bargaining techniques

MEETINGS AND NOTICES (continued)

9. Interview residents of another district regarding the Board's potential employment of an applicant for Superintendent of the district
10. Interview a potential employee from another district

Meetings exempted from the boundary requirements, as specified in items #1-10 above, shall still be subject to the notice and open meeting requirements for regular and special meetings when a quorum of the Board attends the meeting.

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe, meetings shall be held for the duration of the emergency at a location designated by the Board president or designee, who shall so inform all news media who have requested notice of special meetings by the most rapid available means of communication. (Government Code 54954)

Teleconferencing

A teleconference is a meeting of the Board in which Board members are in different locations, connected by electronic means through audio and/or video. (Government Code 54953)

The Board may use teleconferences for all purposes in connection with any meeting within the Board's subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

During the teleconference, at least a quorum of the members of the Board shall participate from locations within district boundaries. (Government Code 54953)

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. (Government Code 54953)

Note: In 84 Ops.Cal.Atty.Gen. 181 (2001), the Attorney General opined that a city is not required under the ~~ADA Americans with Disabilities Act~~ to provide, as an accommodation for city council member with disabilities who was unable to attend a regularly scheduled meeting, a teleconference connection to the member's house where the public would not be permitted to be present. According to the Attorney General, Government Code 54953 requires that members of the public be permitted to be present at any teleconference location.

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board, including the right of the public to address the Board directly at each teleconference location. (Government Code 54953)

MEETINGS AND NOTICES (continued)

Teleconferencing During a Proclaimed State of Emergency

Note: Pursuant to Government Code 54953, as amended by AB 361 (Ch. 165, Statutes of 2021), boards are authorized, until January 1, 2024, to conduct board meetings by teleconference as specified below when holding a board meeting during a proclaimed state of emergency pursuant to Government Code 8625-8629 when any of the following circumstance exist: (1) state or local officials have imposed or recommended measures to promote social distancing; (2) to determine whether, as a result of an emergency, meeting in person would present imminent risks to the health or safety of attendees; or (3) when it has been determined, as a result of an emergency, that meeting in person would impose such risks.

While a resolution is not required by law to make findings required by Government Code 54953, as amended by AB 361, CSBA offers sample resolutions available on its web site for (1) recognizing a state of emergency and authorizing teleconferenced meetings and (2) recognizing a state of emergency and re-authorizing teleconferenced meetings. CSBA recommends that if resolutions are not utilized, the motion and findings to authorize or reauthorize emergency teleconferenced meetings are included in the meeting minutes.

The Board may conduct Board meetings by teleconference without posting agendas at all teleconference locations, identifying teleconference locations in meeting notices and agendas, allowing public access to each teleconference location, providing an opportunity for members of the public to address the Board directly at each teleconference location, and ensuring that at least a quorum of the Board participate from locations within district boundaries, during a proclaimed state of emergency pursuant to Government Code 8625-8629 in any of the following circumstances: (Government Code 54953)

1. State or local officials have imposed or recommended measures to promote social distancing
2. For the purpose of determining, by majority vote, whether as the result of the emergency meeting in person would present imminent risks to the health or safety of attendees
3. When it has been determined, by majority vote as described in Item #2 above, that as a result of the emergency meeting in person would present imminent risks to the health or safety of attendees

To conduct a teleconference meeting for these purposes the following requirements shall be satisfied: (Government Code 54953)

1. The notice and agenda shall be given and posted as otherwise required by the Brown Act

MEETINGS AND NOTICES (continued)

- 2. The notice and agenda of the meeting shall specify the means by which members of the public may access the meeting and offer public comments, including via a call-in or internet-based service option**

Members of the public may be required to register to log in to a meeting when making public comments through an internet web site or other online platform that is operated by a third-party and not under the control of the Board.

- 3. Members of the public shall be allowed to access the meeting, and the agenda shall provide an opportunity for members of the public to address the Board directly pursuant to Government Code 54954.3**

- 4. Members of the public shall not be required to submit public comments in advance of a Board meeting and shall be provided an opportunity to address the Board and offer comments in real time**

- 5. Public comment periods shall not be closed until the timed public comment period, if such is offered by the Board, has elapsed or, if not timed, until a reasonable amount of time per agenda item has been allowed**

- 6. If during a Board meeting a disruption occurs which prevents the district from broadcasting the meeting to members of the public or for members of the public to offer public comments, the Board shall take no further action on any agenda item until public access via the call-in or internet-based service option to the meeting is restored**

(cf. 9323.2 - Actions by the Board)

The district may, in its discretion, provide a physical location from which the public may attend or comment. (Government Code 54953)

The Board may continue to conduct meetings by teleconference, as specified above for teleconferencing during proclaimed states of emergency, by a majority vote finding within 30 days after teleconferencing for the first time, and every 30 days thereafter, that either: (Government Code 54953)

- 1. The state of emergency continues to directly impact the ability of the Board to meet safely in person**
- 2. State or local officials continue to impose or recommend measures to promote social distancing**

MEETINGS AND NOTICES (continued)

All Board policies, administrative regulations, and bylaws shall apply equally to meetings that are teleconferenced. The Superintendent or designee shall facilitate public participation in the meeting at each teleconference location.

Legal Reference:

EDUCATION CODE

- 35140 Time and place of meetings
- 35143 Annual organizational meeting, date, and notice
- 35144 Special meeting
- 35145 Public meetings
- 35145.5 Agenda; public participation; regulations
- 35146 Closed sessions in connection with a student
- 35147 Open meeting law exceptions and applications

GOVERNMENT CODE

- 3511.1 Local agency executives
- 6252-6270 California Public Records Act**
- 8625-8629 California Emergency Services Act**
- 11135 State programs and activities; prohibition of discrimination
- 54950-54963 The Ralph M. Brown Act, especially:
 - 54953 Meetings to be open and public; attendance; **teleconference**
 - 54954 Time and place of regular meetings
 - 54954.2 Agenda posting requirements, board actions
 - 54956 Special meetings; call; notice
 - 54956.5 Emergency meetings

UNITED STATES CODE, TITLE 42

- 12101-12213 Americans with Disabilities Act
- CODE OF FEDERAL REGULATIONS, TITLE 28
- 35.160 Effective communications for individuals with disabilities
- 36.303 Auxiliary aids and services for individuals with disabilities

COURT DECISIONS

- Garnier v. Poway Unified School District; **(S.D. Cal. September 26, 2019)** No. 17-cv-2215-W (JLB), 2019 WL 4736208 **(S.D. Cal. September 26, 2019)**
- Knight First Amendment Institute at Columbia University v. Trump; **(2019)** 928 F.3d 226 **(2019)**
- Wolfe v. City of Fremont; (2006) 144 Cal.App. 4th **533 54433**

ATTORNEY GENERAL OPINIONS

- 88 Ops.Cal.Atty.Gen. 218 (2005)
- 84 Ops.Cal.Atty.Gen. 181 (2001)
- 84 Ops.Cal.Atty.Gen. 30 (2001)
- 79 Ops.Cal.Atty.Gen. 69 (1996)
- 78 Ops.Cal.Atty.Gen. 327 (1995)

Management Resources: (see next page)

MEETINGS AND NOTICES (continued)

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2019

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

The ABCs of Open Government Laws

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public ~~VH~~: A Guide to the Ralph M. Brown Act, 2016 2nd Ed., 2019

WEB SITES

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

CSBA, GAMUT Meetings:

<http://www.csba.org/ProductsAndServices/AllServices/GamutMeetingsPolicy>

California Attorney General's Office: <http://oag.ca.gov/home>

Institute for Local Government: <http://www.ca-ilg.org>

League of California Cities: <http://www.cacities.org>

(11/11 12/20) 12/21

CSBA Sample Board Policy

Travel Expenses

BP 3350(a)

The Governing Board recognizes that district employees may incur expenses in the course of performing their assigned duties and responsibilities. To ensure the prudent use of public funds, the Superintendent or designee shall establish rules to keep such expenses to a minimum while affording employees a reasonable level of safety and convenience.

The Board shall authorize payment for actual and necessary travel expenses incurred by any employee performing authorized services for the district, whether within or outside district boundaries. (Education Code 44032)

The Superintendent or designee shall establish procedures for the approval of travel requests and the submission and verification of expense claims. He/she also shall establish reimbursement rates in accordance with law and Board policy.

An employee shall obtain approval from the Superintendent or designee prior to traveling. The Superintendent or designee may approve travel requests in accordance with the adopted budget and upon determining that the travel is authorized or assigned by the employee's supervisor, is necessary to attend a conference or other staff development opportunity that will enhance employee performance, and/or is otherwise necessary to the performance of the employee's duties. Travel expenses not previously budgeted may be approved on a case-by-case basis by the Superintendent or designee if he/she determines that the travel is essential and that resources may be obtained or redirected for this purpose.

All out-of-state travel for which reimbursement will be claimed shall be approved in advance by the Board.

Reimbursable travel expenses may include, but are not limited to, costs of transportation, parking fees, bridge or road tolls, lodging when district business reasonably requires an overnight stay, registration fees for seminars and conferences, telephone and other communication expenses incurred on district business, and other necessary incidental expenses.

The district shall not reimburse personal travel expenses including, but not limited to, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the employee on district-related business, personal use of an automobile, and personal losses or traffic violation fees incurred while on district business.

Except as otherwise provided, reimbursement of travel expenses shall be based on actual expenses as documented by receipts.

Authorized employees shall be reimbursed for the use of their own private vehicles in the

Travel Expenses

BP 3350(b)

performance of assigned duties, on either a mileage or monthly basis as determined by the Superintendent or designee. (Education Code 44033)

The mileage allowance provided by the district for employees' use of their private vehicles shall be equal to the rate established by the Internal Revenue Service.

Vehicles should be shared whenever possible to minimize travel costs. No employee shall be entitled to reimbursement for automobile travel when he/she is transported free of charge or by another employee who is entitled to the expense reimbursement.

The Superintendent or designee shall establish a per diem allowance for meal costs incurred while traveling on district business based on the location and hours of travel. The per diem allowance shall not exceed the standard meal allowance for business-related travel prescribed for federal income tax purposes.

Any expense that exceeds the maximum rate of reimbursement established by the district shall be reimbursed only with the approval of the Superintendent or designee.

All expense reimbursement claims shall be submitted on a district form, within 10 working days following return from travel when possible. The form shall be accompanied by receipts and any explanation necessary to document that the expenses meet district criteria for reimbursement.

The Superintendent or designee shall approve expense claims only upon verifying that all necessary documentation is provided and that all expenses are appropriate and related to district business. If an expense claim is disallowed due to lack of documentation or inappropriate expenses, the employee may be personally responsible for any improper costs incurred.

When approved by the Superintendent or designee, an employee may be issued a district credit card for use while on authorized district business. Receipts documenting the expenses incurred on a district credit card shall be submitted promptly following return from travel. Under no circumstances shall personal expenses be charged on a district credit card, even if the employee intends to subsequently reimburse the district for the personal charges.

When necessary, the Superintendent or designee may approve a cash advance, not to exceed the estimated out-of-pocket reimbursable expenses, to an employee authorized to travel on district business. Within 10 working days following return from travel, the employee shall submit a final accounting with all necessary supporting documentation. He/she shall refund to the district any amount of cash advance exceeding the actual approved reimbursable expenses.

Administrative Regulation

Travel Expenses

AR 3350(a)

Advancement of Funds

District funds may be issued in advance of travel for official business trips. An advance made shall be deducted from the subsequent travel claim. If an advance exceeds actual cost, the claimant shall file a claim showing amounts expended and reimburse the district for the excess amount within 15 days after return from the trip. District personnel with outstanding advances will not be entitled to further advances until all previous advances have been cleared.

Non-employees, such as parents or community board members, may be authorized to perform travel as representatives of the Board. Advances for such non-employees are not authorized from district funds.

When employees are authorized to attend the same meeting, advances to employees can be authorized by the Board to cover expenses of non-employees providing all expenses for such non-employees are paid for by the employee and are claimed accordingly on the employee's claim. If federal or other non-district funds are involved, advances are authorized to non-employees, provided the Board approval cites the source of funds. Any expenses incurred as a result of non-employee travel shall have been budgeted by the Board.

Itemized Expense Account

In all authorized activities the following procedure shall be followed:

Upon return from a trip each person shall submit to the Board an itemized expense account of travel and living expenses. Allowances shall be made as detailed below.

Expense Allowances

Transportation

1. Prior approval is required.
2. When possible, a school car or public transportation shall be used.
3. When private transportation is authorized, the shortest possible route shall be used.

Auto Allowance

1. For authorized use of an employee's automobile in the performance of assigned duties and when no public transportation is available, the employee shall be reimbursed at the rate approved by the Internal Revenue Service.

2. Transportation required for local travel (i.e., in district, in county, etc.), shall be reported on district form.

a. The employee shall submit the claim to the district office monthly.

b. The employee shall certify as to the accuracy of the claim.

3. Economy, standard, tourist, or similar air fare rates are allowed. First class fare will be allowed only in emergency situations with prior approval of the Superintendent. The option for use of a private vehicle or air transportation or other mode may be allowed except that the district shall make reimbursement for transportation resulting in the least cost of the district, considering all other costs.

Lodging

1. Actual cost of room. If spouse is in attendance, reimbursement shall not exceed the rate for single occupancy lodging.

2. Receipted bills must be submitted.

Registration

Registration fees are authorized.

Conference Fees

Conference fees for specific events shall be reimbursed, excepting the cost of conference-sponsored or unsponsored activities which are essentially entertainment or non-business, shall not be reimbursed.

Car Rental

1. Actual cost of rental.

2. Receipted bills must be submitted.

Parking

Actual cost of parking with receipt.

Meals

1. Expenses for meals consumed while attending approved meetings or conferences that do not required an overnight stay, will not be reimbursed.

2. Actual cost of meals will be paid up to \$50.00 per day. (See #4 for limitations)

3. Gratuities may be paid if the total payment of the meal and gratuity do not exceed the limit for meal reimbursement.

4. Itemized statements are required. Receipted bills must be submitted.

5. The following are approved meal limitations for meals only when the employee is on travel status for conferences that require an overnight stay.

a. Breakfast \$10.00

b. Lunch \$15.00

c. Dinner \$25.00

These limits have been established based on the type of meal: i.e.: If dinner exceeds \$25.00 and no other meal costs were incurred, the limit remains \$25 for that dinner.

6. Banquets, Conferences and Workshops

A banquet breakfast, luncheon or dinner, which is an official part of a conference or workshop and for which there is a prescribed fee, may exceed a meal limitation amount as previously designated and may be reimbursed at actual cost.

Bridge Tolls, Taxis, Limousines, and Telephone Calls

1. Actual cost of bridge tolls, taxis, limousines, and telephone calls will be paid up to \$15.00 per day.

2. Itemized statements are required. Receipted bills must be submitted.

Travel Claims

Whenever travel is properly authorized and costs are incurred, the employee shall be required to prepare a claim which shows in detail all expenditures incurred. Original invoices or receipts shall also be provided for air, bus, or train fare, lodging, registration or conference fees, car rental, parking and meals

The claimant shall certify by signature that all amounts claimed were actual and necessary.

Claims approved by the Superintendent or designee shall be deemed to be actual and necessary.

Out-of-State Travel

Notwithstanding any other provision of this policy, all out-of-state or out-of-country travel shall be presented to the Board of Trustees for prior approval with a complete explanation of the school business purpose to be served.

Delegation of Authority to Superintendent or Designee

1. The authority to authorize employee travel is hereby delegated to the Superintendent or designee.

2. All restrictions and limitations within this policy shall apply.

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Katherine Wright, Superintendent

Item Number: 20

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

SUBJECT:

Request to approve the 2022 Districtwide Comprehensive Safety Plan (Safety Plan)

BACKGROUND:

Districts with an enrollment of under 2,500 students are authorized to prepare a Districtwide Comprehensive Safety Plan. RDUSD's Safety Committee held a meeting on December 6, 2021 inviting law enforcement, fire departments and other first responders. The Safety Plan was reviewed and suggestions and edits were made. The Safety Committee updated Board Policies and made revisions to reflect the changes in procedures and action steps. The each school site had the opportunity to review and provide input on the revised Safety Plan.

Each school site has inserted site specific information such as: Incident Commander Flowcharts, Staff Job Assignments, Phone Trees, and Staff Lists, which are located in the confidential materials section. All School Site Councils (SSC) approved the Safety Plan for 2022 prior to February 1, 2022.

STATUS:

The Safety Plan must be approved by the Board prior to the first of March of each year.

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

No cost to the District to review and update the Safety Plan

RECOMMENDATION:

That the Board approves the Districtwide Comprehensive Safety Plan as submitted

Time allocated: 5 minutes



River Delta Unified School District



2022

Comprehensive District Safety Plan

Bates Elementary School - 180 Primasing, Courtland
D.H. White Elementary School - 500 Elm Way, Rio Vista
Isleton Elementary School - 412 Union Street, Isleton
Walnut Grove Elementary School - 14181 Grove Street, Walnut Grove
Clarksburg Middle School - 52870 Netherlands, Clarksburg
Riverview Middle School - 525 South 2nd Street, Rio Vista
Delta High School - 52810 Netherlands, Clarksburg
Rio Vista High School - 410 South 4th Street, Rio Vista
River Delta High/Elementary School - 400 Elm Way, Rio Vista
River Delta Community Day School - 160 Courtland High School Ln, Courtland
Mokelumne High School - 160 Courtland High School Ln, Courtland

This Comprehensive School Safety Plan was developed by the district's safety planning committee, reviewed by district employees, School Site Councils (SSC), local law enforcement, fire districts and adopted by the River Delta Unified School District Governing Board on February 15, 2022

RDUSD Board Approval Confirmed by:

Name	Title	Signature	Date
<i>Jennifer Stone</i>	<i>Board President</i>		<i>February 15, 2022</i>
<i>Katherine Wright</i>	<i>Superintendent</i>		<i>February 15, 2022</i>

This document is to be maintained for public inspection in the district office during regular business hours or on the district's website www.riverdelta.org

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Comprehensive Safety Plan Purpose & Compliance

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans must include the following elements:

- Assessment of school crime committed on school campuses and at school-related functions
- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March of each year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

Small school districts (with an enrollment of 2,500 students or less) may develop a comprehensive district safety plan to encompass all schools within the district, which would fulfill each individual school's comprehensive safety plan requirement. It is not required that small school districts have their safety plans developed or approved by site councils or designated safety committees; the plans must only be approved by the district board of trustees. However, a district plan should be developed in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and others who may be interested in the prevention of campus crime and violence.

As defined in **RDUSD Board Policy 0450**, the Board of Trustees recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and creating a positive learning environment that teaches strategies for violence prevention and emphasizes high expectations for student conduct, responsible behavior, and respect for others.

The Board shall review the comprehensive district wide and/or school safety plan(s) in order to ensure compliance with state law, Board policy and administrative regulation. Approval of the plan shall occur at a regularly scheduled meeting.

A copy of the comprehensive district safety plan shall be available for review without the confidential sections at the River Delta Unified School District office.

Declaration regarding RDUSD board policy and administrative regulation references:

Except when specifically quoted, the RDUSD Board Policies and Administrative Regulations included in this safety plan are for reference only and may include only a summarized version of the official policy language. To review these policies and regulations in their entirety, please see the district office during regular business hours.

RDUSD Vision, Mission and Core Values

Vision

In a diverse community, rich in agricultural and family traditions, the River Delta Unified School District will provide a safe, supportive, rigorous, student-centered education in which all students are prepared to achieve their maximum potential and become productive members of society.

Mission

Our Mission is to develop a professional learning community devoted to student success in the 21st century by:

- Providing a safe, respectful, and nurturing school environment
- Providing exemplary, standards-based, fiscally sustainable programs
- Fostering the development of each individual through enrichment, extra-curricular, and other support programs
- Employing, training, and retaining highly qualified professional staff
- Forging partnerships and collaboration opportunities with community shareholders

Core Values

We work together every day in the spirit of:

- **Curriculum**
We will implement curriculum and instruction aligned with state and local standards and assessment to ensure articulated K-12 continuous learning.
- **Facilities**
We will utilize and update all of our resources and facilities to their fullest potential for the educational benefits and safety of our students and for our community.
- **Growth and Update**
We will address the needs of each community and take appropriate action based on anticipation of growth and updates of existing structures.
- **School Efficiency**
We will design and implement a strategic plan which addresses planning and communication among teachers, students, parents, administrators and community.
- **Social Issues**
We will implement age-appropriate programs that will educate students and parents about physical, emotional and social development and responsibility.
- **Technology**
We will utilize technology to enhance student learning; improve communication with families, communities and district staff and manage data and equipment.

Safety Plan Vision

To support the Vision, Mission and Core Values of the River Delta Unified School District, we strive for a safe, respectful and nurturing learning environment where students are empowered to achieve through strong connectedness to their school and community.

Working together with our community partners, we will provide a safe campus environment by effectively identifying and addressing issues that deteriorate our schools' social and physical climate.

Components of the Comprehensive School Safety Plan

As a small school district (enrollment of 2,500 or below), the RDUSD Comprehensive District Safety Plan encompasses all eleven schools. Site-specific procedures to implement the components of this plan will be included within the body or appendices of this document. The Plan is reviewed and approved by site councils prior to Board Approval.

RDUSD Safety Planning Committee

- Katherine Wright, District Superintendent
- Nicole Latimer, Chief Educational Services Officer
- Jamie Quirino Bautista, Director of Special Education
- Jennifer Gaston, District Executive Assistant
- Ken Gaston, Director of MOT
- Gaby Chavez, MOT Secretary
- Marcy Rossi, Site Principal

Assessment of School Safety

Education Code, Section 32282 (a) 1

In the 2019-2020 California Healthy Kids Survey, conducted among district 7th graders - 51%, 9th graders – 46%, and 11th grade – 68% of students reported they feel safe at school all of the time. The same survey also showed that more than half of the students reported high levels of caring relationships with a teacher or other adult at their school and high levels of personal school connectedness. Each of these elements are key indicators of school safety, and these results show that RDUSD has developed for their students, a safe social and physical climate. The only concern that has arisen recently based on discipline data is an increase in drug offenses at the upper grades, which site administrators and counselors are addressing.

A review of school suspension and expulsion data, campus policies and procedures, and interviews with school administration showed an overall safe campus climate and a district commitment to student safety. Site security assessments conducted at each location found facilities to be in good repair and safe. Recommendations made following site security assessments conducted at schools in the district included: replacing door handles with handles lockable from the inside; adding fencing and lockable gates; posting additional signs to guide visitors to each school office; and strengthening lockdown procedures in emergency plans.

District/Campus Safety Strategies and Programs

Education Code 32282 (a) 2 (A)-(J)

As written in **RDUSD Board Policy 5142**, The Board of Trustees recognizes the importance of providing a safe school environment that is conducive to learning and helps ensure student safety and the prevention of student injury. The Superintendent or designee shall implement appropriate practices to minimize the risk of harm to students, including, but not limited to, practices relative to school facilities and equipment, the outdoor environment, educational programs, and school-sponsored activities.

(A) Child Abuse Reporting Procedures

Additional code references: Education Code 35294.2 (a) (2); Penal Code 11166

According to **RDUSD Board Policy 5141.4** The Board of Trustees is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school- based mental health services or other support services and/or may refer the student to resources available within the community as needed.

The district's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, include instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, inform students of available support resources, and teach students how to obtain help and disclose incidents of abuse.

The district's program may also include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction.

The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The Superintendent or designee shall provide training regarding the duties of mandated reporters.

(B) Emergency Preparedness and Crisis Response Plan

Additional code references: Educational Code 35295-35297; Government Code 8607 and 3100

In **RDUSD Board Policy 3516**, the Governing Board recognizes that all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster. The Superintendent or designee shall develop and maintain a disaster preparedness plan which details provisions for handling emergencies and disasters, and which shall be included in the district's comprehensive school safety plan. In developing the district and school emergency plans, the Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators. The Superintendent or designee shall use state-approved Standardized Emergency Management System guidelines and the National Incident Command System when updating district and site-level emergency and disaster preparedness plans.

The River Delta Unified School District Crisis Response Plan is included in the appendices and accomplishes the following: providing emergency preparedness guidelines and the district crisis response plan, which incorporates strategies of the Incident Command System (ICS), SEMS and NIMS; as well as emergency contact information and site-specific procedures.

(i) Earthquake and Multi-hazard Emergency Response Procedure System

RDUSD has defined emergency response procedures for earthquakes and other hazards in the Crisis Response Plans described in the appendices of this plan. This district follows the recommended “drop, cover and hold on” procedures for earthquake response. The plans also align with standards established by NIMS and SEMS and call for response actions to be coordinated using ICS. Additional details on the implementation of these plans, including roles and responsibilities for school personnel, are included as part of the District Emergency Operations Plan and School Emergency Response Procedures flipcharts. These additional supporting plans are provided to school personnel as references and are not included as part of this public document.

(ii) Use of School Buildings for Emergency Shelters

The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services they deem necessary to meet the community’s needs.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Additional code reference: Education Code 48900, 48915 (d) and (c)

As stated in **RDUSD Board Policy 5144** The Board of Trustees is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/guardian involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

Through **RDUSD Board Policy 5144.1 and 5144.2**, The Board of Trustees desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

The policy also describes the guidelines in accordance with state and federal law, Student Due Process, On-Campus Suspension Program, Required Parental Attendance and the Decision to Not Enforce Expulsion Order available to the school board.

For campus-specific guidelines for suspension and expulsion of students, including behavior that may result in suspension or expulsion on the first offense, please refer to student and parent handbook distributed to all students at the start of each school year. Current versions will be available for review alongside this comprehensive safety plan in the district office.

(D) Procedures to Notify Employees of Dangerous Pupils

Additional code reference: Education Code 49079

As described in **RDUSD Board Policy 4158**: the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace.

The Superintendent or designee shall ensure that employees receive training in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

(E) Discrimination and Harassment Policies

Additional code reference: Education Code 200-262.4

A comprehensive prohibition of discrimination and harassment across all district programs and activities is identified in **RDUSD Board Policy 0410**, which states that the Board of Trustees is committed to providing equal opportunity for all individuals in district programs and activities. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

Among the policies included in this comprehensive set of anti-discrimination and harassment policies are two that clearly define the expectations and procedures regarding occurrences of discrimination and sexual harassment:

RDUSD Board Policy 5145.3 states that district's academic, extracurricular, and other educational support programs and activities prohibit unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

The Board of Trustees desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive.

As written in **RDUSD Board Policy 5145.7**, The Board of Trustees is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone.

The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The Superintendent or designee shall ensure that all district students receive age-appropriate information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

As written in **RDUSD Board Policy 5131.2** the Board of Trustees recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

(F) School-wide Dress Code

Additional code reference: Education Code 35183

As described in **RDUSD Board Policy 5132**, The Board of Trustees believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to wear clothing that is suitable for the school activities in which they participate. Students shall not wear clothing that presents a health or safety hazard or is likely to cause a substantial disruption to the educational program.

The principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code.

For campus-specific detailed dress code requirements, please refer to the student and parent handbook that are distributed to all students at the start of each school year. Current versions will be available for review alongside this comprehensive safety plan in the district office.

(G) Procedure for Safe Ingress and Egress to and from School

Through a collection of Board Policies, River Delta Unified School District has established procedures to ensure the Safe Ingress and Egress of students, parents, and school employees to and from school. The list below shows applicable board policies and administrative regulations and how they contribute to this safety component:

- BP 5142: “To assist students in safely crossing streets adjacent to or near school sites, the Board may employ crossing guards and/or establish a safety patrol at any district school. The Superintendent or designee shall periodically examine traffic patterns within school attendance areas in order to identify locations where crossing assistance may be needed.”
- AR 3543: provides a framework for school bus transportation safety plans and procedures including, student and parent education, bus evacuation exercises, limitations on school bus operation in limited visibility conditions and exceptions to school bus capacity limits in emergency situations where students must be moved immediately to ensure safety.
- BP 5131: holds students accountable for conduct not only on campus but also on their way to and from school.
- BP 5131.7: prohibits the possession of weapons, imitation firearms or other dangerous instruments, as defined in law and administrative regulation, in school buildings, on school ground or buses, at school-related or school-sponsored activities away from school, or while going to or coming from school.

Each school site will also identify emergency evacuation routes identifying locations where students may assemble in response to fire, earthquake, bomb threats or other similar hazards. A map showing emergency evacuation procedures for each campus is included in Appendix B.5: District/Campus Emergency Evacuation Plans.

In addition to the safety measures defined above, student safety will also be ensured through the control of the ingress and egress of campus visitors as defined in **RDUSD Board Policy 1250**:

All outsiders, as defined in law and administrative regulation, shall register immediately upon entering any school building or grounds when school is in session (Penal Code 627.2).

The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

Additional code references: Education Code 32210-32211, Penal Code 627

(H) A Safe and Orderly School Environment Conducive to Learning

As intended by Educational Code 32282 (b) the action plans shown in the tables on the following pages were developed using strategies presented in the handbook developed and distributed by the School/Law Enforcement Partnership Program entitled “Safe Schools: A Planning Guide for Action”.

Each goal is supported by objectives, which will be accomplished through the defined action steps, using designated resources available, and coordinated or reported on by the designated lead person. Outcome measures are also listed and may be used to assess the progress in achieving the objectives.

Safe Physical Climate Goal:	Our schools are a source of pride in our community with safe, clean, and healthy facilities where our students can learn, achieve and thrive.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
1) Identify and address security vulnerabilities and hazards	Maintain visibility from the building and surrounding environment by pruning landscape and moving potential obstacles (All Sites)	District	Gardener	M&O Supervisor will conduct regular site checks to ensure visibility is maintained
	Staff will keep classroom doors of the building locked at all times (All Sites). District will provide magnet strips to sites for doorways.	District, site	Site Administrators, M&O	Policy is enforced by the principal and door remain locked
	Security cameras at D.H. White Elementary School, Isleton Elementary School, Riverview Middle School and Bates Elementary	Site funds	Site Administrators, M&O	Cameras are installed, maintained and operational by site. Must be approved by MOT department.
2) Identify and address communication issues within the district and community that affect the safety and wellbeing of students	District will continue to utilize CatapultEMS Safety management system districtwide.	Donations District	Site Administrators District Office	Provide an emergency communication system for the safety of the students and staff.
	All sites and programs are connected to and have the ability to send out messages via Parent Square	District	Ed Services, site principals	Integrated communication system for all programs

Safe Physical Climate Goal:	Our schools are a source of pride in our community with safe, clean and healthy facilities where our students can learn, achieve and thrive.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
	All sites will develop and maintain a current phone tree		Site Administrators	Current contact information for all site personnel
	Meet with community in a site/district forum annually to address school and community safety		District, Site Administrators	Identify and address safety concerns connected with the schools
	Provide each site with a Red Emergency Analog Phone to be used when experiencing power loss and the VOIP phones are disabled	District	Director of MOT, Site Administrators	Phone number will be left unlisted and private so outbound calls can be made during an emergency.
3) Identify and address traffic flow, pedestrian safety and visitor influence concerns	Crossing guards will safely cross students and families across the street to school (Where applicable)		Staff	Staff will ensure pedestrian safety
	Provide staff to: Supervise students being picked-up at dismissal time Supervise students before school on the main playground, including lining up in specific places		Administrators, staff	Students are supervised during pick-up times Reduction in the amount of parents/students walking through campus before school
	Ensure visitors (non-district employees), have and wear site-issued badges		Site Administrators	All visitors can be easily identified on school campuses

Safe Physical Climate Goal:	Our schools are a source of pride in our community with safe, clean and healthy facilities where our students can learn, achieve and thrive.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
	Provide signage to all sites – Office sign is clear, dusk to Dawn and alcohol/drug free	M&O funds	M&O, Ed Services	Physical spaces are clearly defined and policies are clearly communicated to the public
	Continue to use a digital sign-in system at D.H. White Elementary, Rio Vista High and Bates Elementary for the 2021-22 school year	District LCAP and site funds	Site Administrator	All visitors to DH White, Riverview, Rio Vista High will sign in digitally and receive a visitor badge, decreasing unidentified individuals on campus and signaling security risks.
4) Practice the activation of crisis response plans and tools	Work with local emergency response partners to conduct and monitor drills and to advise on access issues (all schools)	Local sheriff/police/fire	Site Administrators, District Safety Coordinator	Drills will be conducted regularly and emergency response partners will be informed/invited to all
	Train all staff and students on standard response protocols: 1. Evacuate 2. Shelter 3. Lockdown 4. Lockout and practice per Ed Code 5. Active Shooter	Standard Response Protocol, district, local sheriff/police/fire	Site Administrator	Students and staff have common and easy to remember protocols for crisis responses

Use CatapultEMS to notify and monitor staff and student status during emergency situations and drills	District Donations	Site Administrators	Students and Staff have a communication and efficient protocols for crises responses
Classrooms will be equipt with emergency supplies such as a lockdown toilet, privacy tent or equivalent, a LED lantern and a two way radio.	District funds	District Office and M & O	Provide necessary supplies for the health, safety and welfare of students and staff members during an emergency.
Each school site will participate In a Great Shake-Out Earthquake Drill each school year.	No cost to the district to participate	Site Administrators	Staff and students will be prepared in the event of an earthquake.

Safe Physical Climate Goal:	Our schools are a source of pride in our community with safe, clean and healthy facilities where our students can learn, achieve and thrive.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
	Develop a mental health response protocol and train all staff	Crisis response organizations (fire, police, etc.)	Ed Services & Site Administrator	Consistent response to mental health crises that are based on best practices

Safe Social Climate Goal:	Our students and staff thrive together in an environment of mutual respect, self-discipline and a commitment to excellence.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
1) Promote social emotional learning and decrease behaviors that affect student safety	Continue implementation of Student Success Teams and Second Step (4-6)	District funds	Site administrator or designee	# of students referred to, and served by Student Success Teams and Second Step services Classroom referrals connected with harassment will decrease Definition of Bullying will be defined in the student handbook.

Safe Social Climate Goal:	Our students and staff thrive together in an environment of mutual respect, self-discipline and a commitment to excellence.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
	Maintain 1 part-time counselor for each elementary site and 1 FTE for each high school.	District funds, SCOE Bullying Prevention grant	Ed Services, site administrator	Counselors will educate and support students in social emotional learning and anti-bullying behavior
	Provide parents education annually on bullying behavior	SCOE Bullying prevention program	Ed Services, site administrator	Parents will have clearer understanding of what is and isn't bullying Parents will understand and use complaint procedures to address potential bullying
	Monitor and address bullying behavior; staff will intervene on ALL bullying behavior		Site administrator, supported by all school personnel	All staff will be trained in bullying prevention and use strategies and supports in classroom, as well as investigate all bullying claims

Safe Social Climate Goal:	Our students and staff thrive together in an environment of mutual respect, self-discipline and a commitment to excellence.			
Objectives	Action Steps	Resources	Project Lead	Outcomes
2) Strengthen staff resources available for prevention programs	Site administration will continue to serve as the district’s liaison and prevention coordinator in addition to the services already in place	Tools and resources from SCOE safety plan training	Site administration team	Staff are trained in current research on bullying and provide a safe and supportive classroom and school climate
	Prevention program will be provided at middle school to address drug and alcohol use		District, site administrator	Reduction of drug and alcohol use as reported in California Healthy Kids Survey
3) Strengthen administrative knowledge around current disciplinary practices and legal requirements around school safety	Provide annual training to district administrators on discipline, investigative process and expulsions	District	Ed Services	Consistent application of district and state disciplinary policies
	Identify and train district expulsion officers	SCOE, district	Ed Services	Ensure due process for all students and all paperwork is completed and presented to district and/or school board

(I) School Discipline Rules and Consequences

Additional code references: Education Code 35291 and 35291.5

RDUSD Board Policy 5131 identifies district-wide standards for student conduct:

The Board of Trustees believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on district transportation.

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes but is not limited to:

1. Conduct that endangers students, staff or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats
2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written or physical conduct that causes or threatens to cause violence, bodily harm, or substation disruption
 - a. “Cyberbullying” includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person’s electronic account and assuming that person’s identity in order to damage that person’s reputation.
3. Conduct that disrupts the orderly classroom or school environment
4. Willful defiance of staff’s authority for grades 7-12.
5. Damage to or theft of property belonging to students, staff or the district
6. Obscene acts or use of profane, vulgar or abusive language
7. Possession, use, or being under the influence of alcohol, tobacco, cannabis, smokeless tobacco products, and electronic cigarettes or other prohibited drug in violation of school rules
8. Possession or use of laser pointers, unless used for a valid instructional or other school-related purpose
 - a. Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, students shall obtain permission from the principal or designee.
9. Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time
 - a. Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a district employee. Any device with a camera, video or voice recording shall not be used in any manner which infringes on the privacy rights of any other person.
 - b. No student shall be permitted from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student’s health and the use of which is limited to purposes related to the student’s health.

10. Plagiarism or dishonesty in schoolwork or on tests
11. Inappropriate attire
12. Tardiness or unexcused absence from school
13. Failure to remain on school premises in accordance with school rules

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The superintendent or designee shall notify law enforcement as appropriate.

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during non-school hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

For campus-specific rules and comprehensive description of conduct and student behavior expectations, please refer to student and parent handbook distributed to all students at the start of each school year. Current versions will be available for review alongside this comprehensive safety plan in the district office.

RDUSD Board Policy 5144 describes standards for discipline and provides administrative guidance for the consequences of misconduct:

The Board of Trustees is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/guardian involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

The Superintendent or designee shall develop effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

In addition, the Superintendent or designee's strategies for correcting student misconduct shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed.

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

Additional Board Policies are listed below, which describe overarching discipline standards for specific areas of concern. Violation of these items will result in student referral to campus administration at the minimum and may lead to suspension or expulsion. These include:

- **Weapons:** The Board prohibits any student from possessing weapons, imitation firearms, or other dangerous instruments, as defined in law, and administrative regulation, in school buildings, on school grounds or buses, at school-related or school-sponsored activities away from school, or while coming to or coming from school. Under the power granted to the Board to protect the safety of students, staff and others on district property and to maintain order and discipline in the schools, any school employee is authorized to confiscate any prohibited weapon, imitation firearm, or dangerous instrument from any student on school grounds. **RDUSD Board Policy 5131.7**

(J) Hate Crime Reporting Procedures and Policies

Additional code references: Penal Code 628

As stated in **RDUSD Board Policy 5145.9**, The Board of Trustees is committed to providing a safe learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents if they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Such collaborative efforts shall focus on ensuring an efficient use of district and community resources, developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction that includes the development of social-emotional learning, promotes their understanding of and respect for human rights, diversity, and acceptance in a multicultural society, and provides strategies to manage conflicts constructively.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff member. Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the principal or the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, he/she shall also contact law enforcement.

Safety Plan Review, Evaluation and Amendment Procedures

The River Delta Unified School District comprehensive safety plan will be reviewed, evaluated and amended (if necessary) in November of each school year.

Pursuant to Education Code Section 35294.6(a), the River Delta Unified School District adopted this annual comprehensive school safety plan at the regular meeting of the Governing Board as noted on the cover page. An opportunity for public comment was provided during this meeting, prior to the plan's adoption. Documentation of this meeting, which may include the meeting agenda, minutes and copies of materials provided for the plan presentation, will be filed alongside the plan at the district office.

An updated file containing all appropriate or required safety related plans and materials are available for public inspection in the River Delta Unified School District Office.

Safety Plan Appendices

Protected Information

The preceding Comprehensive School Safety Plan is a public document to be available for review in the district office at any time during regular business hours, as mandated by Education Code 32282 (e). However, some appendices within this section may include proprietary information that shall not be released to the general public including personal contact information for staff members, detailed security procedures for campus crisis response and campus vulnerability assessment information.

As protected under the California Public Records Act (Government Code 6254 parts *c* and *aa*) and prescribed by RDUSD Administrative Regulation 1340, the following items will be identified as “**Confidential**”, reviewed only in a closed session of the RDUSD Governing Board and withheld from public release of the Comprehensive District Safety Plan:

- Any appendices containing personnel information that the disclosure of which would constitute an unwarranted invasion of personal privacy.
(Further detail on protected information is also defined in GC 6254.3.)
- Any appendices prepared to assess district and/or school site vulnerabilities to terrorist or other criminal acts intended to disrupt student instruction or safety.

According to the procedures developed by the Department of Homeland Security and defined in DHS Management Directive 11042.1, the following items will be designated “**For Official Use Only (FOUO)**”, will be reviewed only in a closed session of the RDUSD Governing Board and released only for official safety assurance or crisis response use:

- Any appendices containing detailed crisis response information that, if disclosed, would undermine plans or procedures designed to protect students from harm by revealing safety strategies such as but not limited to critical communications systems, crisis response facilities (i.e. command post, staging areas, etc.), and supplies storage.

Appendix A: Emergency Preparedness Guidelines

Please see attached flip chart, which includes emergency preparedness guidelines followed by the school district.

Appendix B: District Crisis Response Plan

The following sections provide key information for crisis response for RDUSD. While this information represents the basic tools needed for an effective crisis response, RDUSD will continue to assess, revise, and expand on the plan for continuous improvement in student safety. Additional documentation, including a stand-alone emergency operations plan will be referenced in this Comprehensive District Safety Plan as it is developed and implemented. Also, site-specific information is attached for use by site personnel and district personnel.

(FOR OFFICIAL USE ONLY)

Appendix B.1: District Staff Emergency Contacts – Confidential

(FOR OFFICIAL USE ONLY)

Appendix B.2: Parent Square Use Procedures – Confidential

(FOR OFFICIAL USE ONLY)

Appendix B.3: Crisis Response/Community Emergency Contacts

For all emergencies, call 911!

Public Health and Safety

Number	Purpose/Subject
Emergency - 911	
916-876-8309	Non-emergency
1-800-TELL-CHPP	Non-emergency
916-875-5437	Regular hours reports
916-875-5437	After hours reports
1-800-544-8596	Regular hours reports
1-800-544-8596	After hours reports
530-669-2345	Regular hours reports
1-888-400-0022	After hours reports
916-874-4670	Natural & Man-made disaster services coordination, procedures, resources and preparedness programs
707-784-1600	After hours reports
530-406-4930	Natural & Man-made disaster services coordination, procedures, resources and preparedness programs
916-875-5881	
707-784-8070	
	Health and public safety resources
530-666-8645	Health and public safety resources David Gordon
916-228-2410 dgordon@scoe.net	
916-875-1055	
800-547-0495	General Access Line
707-428-1131	24 hour Crisis Line
916-666-8645	Regular Hours

Number	Purpose/Subject
800-733-2767	Customer Service
800-876-4766	24 hr. HOTLINE
800-876-4766	24 hr. HOTLINE
800-876-4766	24 hr. HOTLINE

Communications – Media

Agency	Number	Purpose/Subject
Radio Stations		
KRVH	(707) 374-6336	Emergency Broadcast
Newspapers		
The Fairfield Recorder	(903) 389-3334	General
The Sacramento Bee	(916) 321-1000	General
Television		

Transportation and Utilities

Agency	Number	Purpose/Subject
Cal Trans	(800) 427-7623	Highway Conditions
Delta Breeze	(707) 374-2878	Public transportation
River Delta USD Transportation	(707) 374-2494	South Transportation Office
River Delta USD Transportation	(916) 775-1491	North Transportation Office
PG&E	(800) 743-5000	24-hour contact
SMUD	(888) 742-7683	

Appendix B.4: RDUSD Incident Command System

Standardized Emergency Management System/ Incident Command System Overview

The California Standardized Emergency Management System (SEMS) uses the Incident Command System (ICS) to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency.

ICS consists of five functions:

Management

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response.

Planning & Intelligence

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

Operations

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

In the organizational structure described on the preceding page, the Operations Chief supervises five teams: First Aid and Student Health, Student Evacuation Transportation, Critical Incident Stress Response, Parent Coordination and Reunification and Student Accountability.

Logistics

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

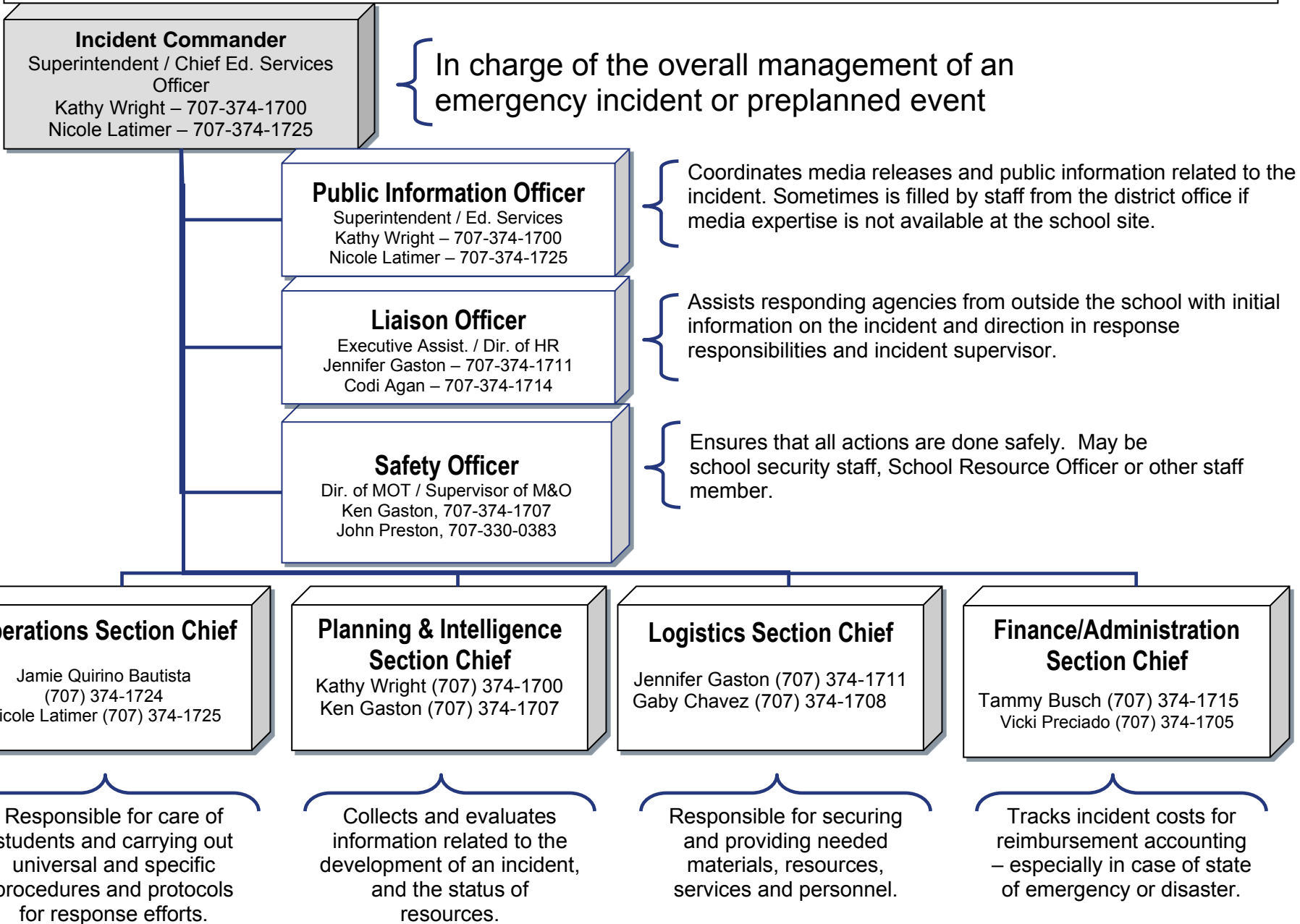
Finance & Administration

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

RDUSD DISTRICT OFFICE Incident Response Team

Last Updated: 11/01/2021

Updated by: Gaby Chavez (707) 374-1708



Appendix B.5: District/Campus Emergency Evacuation Plans

(FOR OFFICIAL USE ONLY)



RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street

Rio Vista, California 94571-1651

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

<http://riverdelta.org>

STUDENT START & RELEASE TIMES 2021-2022

	START	RELEASE	WED	MINI
		M-T-T-F		
D.H. WHITE	8:30 AM	2:30 PM	1:36	12:35
RIVERVIEW	8:20 AM	3:00 PM	1:45	12:45
R.V.H.S.	8:10 AM	3:10 PM	2:05	1:10
ISLETON	8:20 AM	3:00 PM	1:45	12:45
WALNUT GROVE	7:55 AM	2:30 PM	1:15	12:18
MOKELUME H.S.	8:45 AM	2:15 PM	1:00	12:00
BATES	8:30 AM	3:00 PM	1:40	12:40
CLARKSBURG	8:15 AM	3:12 PM	2:02	1:05
DELTA H.S.	8:15 AM	3:12 PM	2:02	1:05
Community Day	8:00 AM	3:00 PM	2:00	3:00

Appendix C: Emergency Response Guidelines

STEP ONE: IDENTIFY THE TYPE OF EMERGENCY

The first response to an emergency is to determine the type of emergency that has occurred. Procedures for 18 different types of emergencies are listed in the following section.

STEP TWO: IDENTIFY THE LEVEL OF EMERGENCY

The second step in responding to an emergency is to determine the level of the emergency. For schools, emergency situations can range from a small fire to a major earthquake. To assist schools in classifying emergency situations, there is a three-tiered rating below:

- **Level 1 Emergency:** A *minor* emergency that is handled by school personnel without the assistance from outside agencies, e.g., a temporary power outage, a minor earthquake, or a minor injury in the play yard.
- **Level 2 Emergency:** A *moderate* emergency that requires assistance from outside agencies, such as a fire or a moderate earthquake, or a suspected act of terrorism involving a potentially hazardous material, e.g., “unknown white powder.”
- **Level 3 Emergency:** A *major* emergency event that requires assistance from outside agencies such as a major earthquake, civil disturbance or a large-scale act of terrorism. For Level 3 emergencies, it is important to remember that the response time of outside agencies may be seriously delayed.

STEP THREE: DETERMINE THE IMMEDIATE RESPONSE ACTION

Once the type and extent of an emergency have been identified, school personnel can determine if an *immediate response action* is required. The most common immediate response actions initiated during school emergencies are:

- **Duck & Cover:** Students and staff protect themselves by crouching under a table, desk, or chair until the danger passes.
- **Shelter in Place:** Students and staff are kept indoors in order to isolate them from the outdoor environment. The heating and air conditioning system is also shut down.
- **Lock Down:** Students and staff are kept in a designated locked area until a danger has passed, such as an intruder being on campus.
- **Evacuate Building:** Students and staff are escorted outside to an assembly area if it has been determined that it is too dangerous to remain indoors.
- **Evacuate Campus:** Students and staff are escorted to an off-site assembly area if it has been determined that it is too dangerous to remain on campus.
- **All Clear:** Notification is given that normal school operations should resume.

STEP FOUR: COMMUNICATE THE APPROPRIATE RESPONSE ACTION (CatapultEMS)

Once the type of *immediate response action* is determined, the incident commander must inform the site’s staff which response action to take, using CatapultEMS, paging systems, or any other means necessary. The most appropriate method of communication depends on the response action selected. When announcing what response to take, avoid codes, jargon, or any other potentially confusing vocabulary. Be calm, direct, and clear in your announcements.

- **Duck & Cover:** Immediately use the site’s school-wide communication system to instruct students and staff to protect themselves by moving into a “duck & cover” position by crouching under a table, desk, or chair until the danger passes. Time is the most urgent matter with this response action as the emergency may take place before the announcement can be made. However, do not assume that all members of the site are already in a “duck & cover” position. Make the announcement even if the immediate crisis has passed.
- **Shelter in Place:** Immediately use the site’s school-wide communication system to instruct students and staff that they are to stay indoors until further notice, even if the heating and air conditioning system is disabled.
- **Lock Down:** Immediately use the site’s school-wide communication system to instruct staff to lock all exterior doors, to close any open windows, and to keep students as far away as possible from any windows until further notice
- **Lockout:** Immediately use the site’s school-wide communication system to instruct staff to lock all exterior doors, to close any open windows. Business as usual inside classroom.
- **Evacuate Building:** Immediately use the site’s fire alarm bell system to notify students and staff that they are to proceed to the site’s outside assembly area.
- **Evacuate Campus:** Immediately use the site’s fire alarm bell system to notify students and staff that they are to proceed to the site’s outside assembly area. From there, notify staff and students using a bullhorn that it has been determined that it is too dangerous to remain on campus. Provide instructions on how staff and students will be relocated.
- **All Clear:** Use the site’s school-wide communication system to notify staff and students that normal school operations should resume.



STANDARD RESPONSE PROTOCOL FLYER

IN AN EMERGENCY WHEN YOU HEAR IT, DO IT FLYER

Appendix D: Types of Emergencies & General Procedures

AIRCRAFT CRASH

The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Shelter-in-Place, Evacuate Building, or Evacuate Campus depending on the nature of the accident, the location of damage, and the existence of any chemical and/or fuel spills.

ANIMAL DISTURBANCE

This procedure should be implemented when the presence of a coyote, mountain lion, or any other wild animal threatens the safety of students and staff. The administrator or designee will initiate appropriate actions, which may include Lock Down or Evacuate Building.

ARMED ASSAULT ON CAMPUS

This involves one or more individuals who attempt to take hostages or cause physical harm to students and staff. Such an incident may involve individuals who possess a gun, a knife or other harmful item. The administrator or designee will decide the appropriate response, which may include Shelter-in-Place, Lock Down, Evacuate Building, or Evacuate Campus.

BIOLOGICAL OR CHEMICAL RELEASE

This is an incident involving the discharge of a biological or chemical substance in a solid, liquid, or gaseous state. Such incidents may also include the release of radioactive materials. Common chemical threats within or adjacent to schools include the discharge of acid in a school laboratory, an overturned truck of hazardous materials in proximity of the school, or an explosion at a nearby oil refinery or other chemical plant. The following indicators may suggest the release of a biological or chemical substance: Multiple victims suffering from watery eyes, twitching, choking or loss of coordination, or having trouble breathing. Other indicators may include the presence of distressed animals or dead birds. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place or Evacuate Building.

BOMB THREAT / THREAT OF VIOLENCE

This occurs upon the discovery of a suspicious package on campus grounds or receipt of a threatening phone call that may or may not present a risk of an explosion. If the threat is received by telephone, the person receiving the call should attempt to keep the caller on the telephone as long as possible and alert someone else to **call 911**. The person answering the threat call should ask the questions listed on the “Bomb Threat Checklist”. In coordination with law enforcement, the administrator or designee will initiate appropriate actions, which may include Duck & Cover, Lock Down, or Evacuation.

DISORDERLY CONDUCT

This involves a student or staff member exhibiting threatening or irrational behavior who does not have a weapon. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place, Lock Down, Evacuate Building, or Evacuate Campus.

EARTHQUAKE

Earthquakes occur without warning and may cause minor to serious ground shaking, damage to buildings, and injuries. It is important to note that even a mild tremor can create a potentially hazardous situation. The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Evacuate Building, or Evacuate Campus.

EXPLOSION OR RISK OF EXPLOSION

This involves an explosion on school property, the risk of an explosion on school property, an explosion or risk of explosion near the school, or a nuclear explosion involving radioactive materials. The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Shelter-in-Place, Evacuate Building, or Evacuate Campus.

FIRE IN SURROUNDING AREA

This procedure addresses the situation where a fire is discovered in an area adjoining the school. The initiated response actions should take into consideration the location and size of the fire, its proximity to the school and the likelihood that the fire may affect the school. After calling the local fire department in an effort to determine the seriousness of the fire, the administrator or designee will initiate appropriate actions, which may include Shelter-in-Place, Lock Down, Evacuate Building, or Evacuate Campus.

FIRE ON SCHOOL GROUNDS

This procedure addresses situations where a fire is discovered on school grounds. A quick response to this situation is very important to prevent injuries and further property damage. Upon discovery of a fire, teachers or staff will direct all occupants out of the building, signal the fire alarm, and report the fire to the administrator or designee. The administrator or designee will immediately initiate the Evacuate Building action. If the size of the fire is beyond the control of staff on site, call 911 for immediate assistance from the fire department.

FLOODING

This applies whenever storm water or other sources of water inundate or threaten to inundate school grounds or buildings. Flooding may occur as a result of prolonged periods of rainfall, where the school would have sufficient time to prepare. Alternatively, flooding may occur without warning, as a result of damage to water distribution systems, or a failure of a nearby man-made dam. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place, Evacuate Building, or Evacuate Campus.

LOSS OR FAILURE OF UTILITIES

This addresses situations involving a loss of water, power or other utility on school grounds. This procedure should also be used in the event of the discovery of a gas leak, an exposed electrical line, or a break in sewer lines. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place or Evacuate Building.

MOTOR VEHICLE CRASH

This procedure addresses situations involving a motor vehicle crash on or immediately adjacent to school property. Given the nature of the crash, there may also be a danger from a fuel spill, which should be considered when deciding which action(s) to take. The administrator or

designee will initiate appropriate actions, which may include Duck & Cover, Shelter-in-Place, Evacuate Building, or Evacuate Campus.

PSYCHOLOGICAL TRAUMA

When the administrator or designee feels that there has been an event that causes a psychological impact on students and/or staff, such as an act of violence; the death of a student or staff member; an earthquake or other natural disaster; a serious environmental problem; or ethnic and racial tensions, he or she should contact the local law enforcement office to request support in conducting a critical incident stress debriefing. Emergencies like these usually produce one or more of the following conditions: temporary disruption of regular school functions and routines, significant interference with the ability of students and staff to focus on learning, physical and/or psychological injury to students and staff, and concentrated attention from the community and news media. As a result of such emergencies, students and staff may exhibit a variety of psychological reactions. As soon as the physical safety of those involved has been insured, attention must turn to meeting emotional and psychological needs of others.

SUSPECTED CONTAMINATION OF FOOD OR WATER

This procedure applies where there is evidence of tampering with food packaging, observation of suspicious individuals in proximity to food or water supplies, or if notified of possible food/water contamination by central District staff or local agencies. Indicators of contamination may include unusual odor, color, taste, or multiple employees with unexplained nausea, vomiting, or other illnesses. The administrator or designee will isolate the suspected contaminated food/water to prevent consumption, and will restrict access to the area. Second, the administrator or designee will notify the district safety coordinator of the problem and await further instructions. Meanwhile, a list will be made of all potentially affected students and staff, which will be provided to responding authorities. Law enforcement should be contacted if there is evidence of individuals purposefully contaminating the food or water source.

UNLAWFUL DEMONSTRATION OR WALKOUT

An unlawful demonstration or walkout is any unauthorized assemblage on or off campus by staff or students for the purpose of protest or demonstration. Upon indication that an unlawful demonstration or walkout is about to begin, personnel should immediately notify the administrator or designee. The administrator or designee will initiate the Shelter-in-Place action. Students who ignore this action and leave campus shall be asked to sign his or her name and record address, telephone number and time entered or departed. If students leave the campus, the administrator or designee will designate appropriate staff members to accompany them. These staff members will attempt to guide and control the actions of students while offsite. The administrator or designee should proceed in good judgment on the basis of police or other legal advice, in taking action to control and resolve the situation.

Appendix E: Power Failure / Outage Procedures

Power Failure/Outage Procedures

During any given day, schools may experience a power failure at various locations ranging from a few minutes to several days. Typically, we do not close school unless there is a compelling reason to do so. Classrooms are equipped with emergency supplies, including lanterns, flashlights and walkie talkies. In most short-term power outage situations, there is adequate light from windows and emergency lighting, as well as warm enough conditions for instruction to continue. Teachers are prepared to cope with a short-term power failure and will continue their regular curriculum and/or appropriate substitute assignments.

In the case of a power failure at a school site, River Delta Unified School District will follow these procedures:

- The first day of the power failure/outage, the school will be open, and classes held unless otherwise directed by the Superintendent.
 - If power failure/outage lasts for more than four hours,
 - the parents will receive a phone call from the District authorizing them to check their child out of school for the day.
 - District transportation will still be provided based on regularly scheduled routes.
 - All school staff will remain on site to supervise students who have not been check out of school.
- Food will be prepared by our Food Services Department and served to our students.
- If the school operates on a water well system, portable restrooms and hand sanitizing stations will be ordered and delivered to the site(s). If a generator is available to power the water well(s), it will be connected as soon as possible to restore the water supply.
- If the power is not on by 4:00 a.m. on the second consecutive day, the Superintendent and Director of Maintenance, Operations and Transportation will decide together whether the closing of the school site is necessary. Only the Superintendent can order the closing of a school site.
- If the Superintendent decides to close a school for the day, the Superintendent's office will communicate the information to the community via:
 - District's All-Call System
 - District Website
 - School Website
 - Notices posted at the school site(s):
 - Local Radio Station (if possible)
- Sites not directly affected by a power failure/outage will remain open.

River Delta Unified School District may update these procedures periodically. Please check with your child's school to be sure you are aware of the most current procedures in place.

Appendix F: Catapult EMS Initiated Procedures

THE 4 TYPES OF EMERGENCY DRILLS/PROCEDURES:

Each drill will be initiated in the Catapult EMS

- 1) **EVACUATE! Drill/Procedure** – This is essentially the Fire Drill that we have often practiced in school. Signal is the “fire alarm” buzzer (repeated in all rooms). **TEACHER WILL ASSESS DANGER IN AND AROUND THE CLASSROOM ~ HOLDING STUDENTS IN THE CLASSROOM UNLESS DANGER IS IMMINENT.** Admin will make PA system announcement to remain in class, conduct full evacuation, or conduct partial evacuation. If evacuating, all classes exit QUIETLY and in a single file line from the classroom to the designated area for evacuation. Students wait in a single file line in the evacuation area for the duration of the drill/emergency - - OR they wait for additional instructions to be given if buildings cannot be re-entered. Teachers confirm that all students are present and hold up a GREEN card or a RED card to communicate that there is a problem or someone is missing. **Communicate problems via text message, phone tree, or Catapult.** Everyone re-enters the building @ the “all clear” signal (a regular bell).
- 2) **LOCKDOWN! Drill/Procedure** – This procedure is to be used if there is a need to secure classrooms from an outside threat. **Lockdown will be initiated with Catapult EMS.** You will then hear a voice announcement by the principal over the PA system: **“Lockdown! Locks, lights, out of sight.” This will be repeated 2 times.** All doors should be secured and blinds closed (if applicable). Students should move away from windows and sit on the floor out of view. Teacher utilizes Catapult EMS to declare status and account for all students. Teacher puts a GREEN card up in the window to signify all is well, RED card if there is a problem; NO CARD indicates a teacher has a problem that may require law enforcement entry. Phone lines are to be kept clear for administrative calls into the room. **Communicate problems via Catapult.** Wait for Catapult and PA announcement that the lock down has ended or to receive further information.
- 3) **LOCKOUT! (“All In”) Drill/Procedure** – This procedure is to be used for any purpose in which we need to bring students in from outside to keep them safe indoors with the doors locked. **Catapult EMS is activated by a staff member.** You will then hear the PA message: **“Lockout! Secure the perimeter,” repeated 3 times.** All staff/personnel will open exterior doors and direct students to the nearest open door for entry; staff will blow whistles to alert students to available doors for entry. Classroom is then locked down, as described above, with door locked and students out of view. Teacher utilizes Catapult EMS to declare status and account for all students. A GREEN card is put up if all is well, a RED card is put up if there is a problem, and NO CARD indicates a problem that may require law enforcement entry. **Communicate problems via text message phone tree.**
- 4) **SHELTER!/Shelter in Place Drill** - In case of a hazard evacuation **OR** when students need to be secured in their current location for a period of time for any reason. **Shelter drill will be initiated with Catapult EMS.** You will then hear a voice announcement by the principal over the PA system: **“Shelter in place. Seal your classroom.” This will be repeated 2 times.** All doors should be secured and students should remain in the classroom. Phone lines are to be kept clear for administrative calls into the room. **Communicate problems and account for students via Catapult.** Wait for Catapult and PA announcement that the “Shelter in Place” has ended or to receive further information.

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Nicole Latimer, Chief Educational Services Officer

Item Number: 21

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

SUBJECT:

Request to Approve the Final Draft of the Proposed Supplement to the Annual Update to the 2021-2022 Local Control and Accountability Plan.

BACKGROUND:

California's 2021–22 Budget Act, the federal American Rescue Plan Act of 2021, and other state and federal relief acts have provided Local Educational Agencies (LEAs) with a significant increase in funding to support students, teachers, staff, and their communities in recovering from the COVID-19 pandemic and to address the impacts of distance learning on students. The following is a one-time mid-year report to the local governing board or body and educational partners related to engagement on, and implementation of, these Acts. The River Delta Unified School District is presenting the Final Draft of the Proposed Supplement to the Annual Update, for the 2021–22 Local Control and Accountability (LCAP) Plan, for review and approval by the Board of Trustees at the regularly scheduled meeting of the Board, held on February 15, 2022.

STATUS:

This is an action item pending approval from the Board of Trustees to be submitted to the

PRESENTER: Nicole Latimer, Chief Educational Services Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES: No cost to the district.

RECOMMENDATION:

That the board approve the supplement for the annual update to the 2021-2022 Local Control and Accountability Plan.

Time allocated: 2 minutes

Attachment 6: Final Draft of the Proposed Template and Instructions for the Supplement to the Annual Update to the 2021–22 Local Control and Accountability Plan

All proposed additions are highlighted throughout this attachment. Codes are used to signify the beginning of a highlighted section (<bh>) and the end of a highlighted section (<eh>).

Supplement to the Annual Update to the 2021–22 Local Control and Accountability Plan

Local Educational Agency (LEA) Name	Contact Name and Title	Email and Phone
River Delta Unified School District	Kathy Wright, Superintendent	kwright@rdusd.org/707-374-1711

<bh>California’s 2021–22 Budget Act, the federal American Rescue Plan Act of 2021, and other state and federal relief acts have provided Local Educational Agencies (LEAs) with a significant increase in funding to support students, teachers, staff, and their communities in recovering from the COVID-19 pandemic and to address the impacts of distance learning on students. The following is a one-time mid-year report to the local governing board or body and educational partners related to engagement on, and implementation of, these Acts.<eh>

A description of <bh>how and when<eh> the LEA <bh>engaged, or plans to engage, its educational partners on<eh> the use of funds provided through the Budget Act of 2021 that were not included in the 2020–21 Local Control and Accountability Plan (LCAP).

The district’s supplemental and concentration grant add-ons went down from the original budget according to the LCFF calculator. We don’t need to answer this prompt.

description of how the LEA used, <bh>or plans to use, <eh> the <bh>additional<eh> concentration grant add-on funding it received to increase the number of staff who provide direct services to students on school campuses with an enrollment of students who are low-income, English learners, and/or foster youth that is greater than 55 percent.

RDUSD schools have enrolled students who are English Learners, low income and/or foster youth at 55% or greater have been identified to receive direct services for their students from newly hired staff in the area of physical education and health services. Two fully credentialed physical education teachers will be hired and will provide physical education instruction at our elementary schools. Our schools identified an overall need for our students to have a consistent opportunity to increase their physical activities by at least 60 minutes per week. Their isolation at home during the Stay-At-Home Orders of the pandemic had a negative effect on many of their physical health. These physical education teachers will be expected to provide the students' parents/guardians with home-based physical activities for the family to engage in together. Two more Health Assistant will be hired, in addition to the three Health Assistant that are already hired. Each of the identified schools will have a full-time Health Assistant to monitor health and safety protocols in the classroom and in non-classroom based areas of the campuses. Additionally, they will perform thorough contact tracing, administer Covid tests to students on a daily basis, provide basic medical attention to the students and initiate and maintain open communication lines with the students' parents.

A description of <bh>how and when<eh> the LEA <bh>engaged its educational partners on<eh> the use of one-time federal funds received that are intended to support recovery from the COVID-19 pandemic and the impacts of distance learning on pupils.

RDUSD made efforts to support meaningful consultation with its educational partners in the development of plans to support students and learning loss. Feedback opportunities have been available at all District Board of Trustee meetings since the beginning of the onset of the pandemic. Through these meetings, RDUSD has been provided feedback and ideas for how to support students and families as well as ideas regarding how to continue to provide opportunities for engagement.

Additional opportunities for educational partners to provide feedback specific to ESSER III Expenditure Plans were held on October 14, 2022, and October 18, 2021, respectively. Educational partners were provided the opportunity to learn about all district opportunities funded currently as well as provide ideas for ways to continue to support students. These meetings were held in both English and Spanish to support equity and access.

As a result of meaningful feedback provided, RDUSD plans to continue the additional focus placed on Mental Health and Trauma informed practices to support building a foundation where students can feel safe to learn academics while also having their social-

emotional and mental health needs met. Parents expressed support for the RDUSD health and wellness campaign. RDUSD will continue these efforts district-wide, surrounding overall wellness for students, staff and families.

As a direct result of parent and staff feedback, RDUSD will support additional growth in the areas of visual and performing arts (VAPA) as well as field experience opportunities to support Social Emotional Learning for students. RDUSD will seek partnerships with community-based agencies and businesses to support providing opportunities for students to continue to receive field experiences even though the COVID-19 pandemic has limited availability in many instances. RDUSD will contract with agencies to support bringing experiences and opportunities into the District where COVID-19 protocols and guidance can be followed safely.

A description of how the LEA is implementing the federal American Rescue Plan Act and federal Elementary and Secondary School Emergency Relief expenditure plan, and the successes and challenges experienced during implementation.

River Delta Unified School District intends to support continued efforts to address student's academic, social, emotional and mental health needs, as well as any opportunity gaps that existed before, and were worsened by the COVID-19 pandemic. RDUSD will continue to provide targeted professional development to support implementation of the CCSS, NGSS and ELD standards district wide. RDUSD will continue to provide training opportunities to support needs expressed by teachers throughout the district to best serve students. Training opportunities include Academic Conversations, GLAD, Lesson Planning, Number Talks, Picture Talks, Question Formulation Technique, Smarter Balanced Digital Library Training, and professional development specific to combination classes regarding how to support differentiated instruction with a combination class.

As a result of feedback from educational partners including staff, student and community input, additional focus has also been placed on Mental Health and Trauma informed practices to support building a foundation where students can feel safe to learn academics while also having their social emotional and mental health needs met. RDUSD began the school year with professional development surrounding Social Emotional Learning and how to support students in the classroom. Additionally, RDUSD contracted with Kevin Bracy and the Reach One Alliance to support district-wide needs in the areas of campus culture, positive school climate, self-esteem, self-efficacy, bullying and kindness. RDUSD began a district wide Health and Wellness campaign, surrounding overall wellness for students, staff, and families. The campaign has been broken into four domains: mental health, social health, body health, and inner body health which focuses on nutrition. This campaign provides both students, staff and families with resources to support overall health and wellness including family and community engagement opportunities, training, education and resources. RDUSD provided a Social Emotional and Academic Development Coordinator (SEAD) to oversee this campaign as well as provide district-wide support to students and staff. RDUSD will provide site-based community building and engagement opportunities to support Social Emotional Learning.

RDUSD will support additional growth in the areas of visual and performing arts as well as field experience opportunities to support Social Emotional Learning for students. RDUSD will seek partnerships with community-based agencies and business to support providing opportunities for students to continue to receive field experiences even though the COVID-19 pandemic has limited availability in many instances. RDUSD will

contract with agencies to support bringing experiences and opportunities into the District where COVID-19 protocols and guidance can be followed safely.

As of February 2022, RDUSD has experienced success in implementing the ability to provide parents and families with opportunities to connect and engage remotely so that we may continue to build and foster a sense of community within our schools and district. Technological resources including SWIVI technology, laptops, itouches, tripods, hot spots and audio equipment have been necessary to support this effort.

Additionally, RDUSD has had success with efforts to provide expanded learning opportunities for elementary, secondary and special education students to support gaps in learning and overall learning loss as a result of school closure and the COVID-19 pandemic. Special Education students were provided the opportunity to attend an extension of the Extended School Year (ESY) Summer program. Elementary school students were provided the opportunity to attend a Summer Bridge intervention program supporting learners who are 1.5 to 2 grade levels below standard in the areas of Mathematics and English Language Arts. Secondary students were provided the opportunity to attend Summer Learning Academies with focus in the areas of mathematics and English language arts. RDUSD plans to offer all 3 of these summer programs again in the summer of 2022.

RDUSD also offers before and after school tutoring and targeted academic support through our Academic Resource Center (ARC) programs on secondary campuses. These programs provide students with an opportunity to connect and gain support in areas of need including all subject areas. RDUSD would like to extend these programs district-wide and continue to offer the programs as needed.

RDUSD has hired additional staff to support the school sites needs as a result of COVID-19 including on site health needs, contact tracing testing and medical support. RDUSD continues to provide site-based testing for staff and students as well as a weekly community testing center in partnership with Sacramento County.

As of February 2022, we have experienced challenges from the Omicron variant surge in consistent staff and student attendance, implementing in-person instruction and community engagement opportunities at school sites. This action has been difficult to implement because of continued changes and guidance regarding COVID-19 and in-person events, along with surges in reported cases in various counties.

A description of how the LEA is using its fiscal resources received for the 2021–22 school year in a manner that is consistent with the applicable plans and is aligned with the LEA’s 2021–22 LCAP and Annual Update.

River Delta has developed plans for Safe Return to In-Person Instruction, Continuity of Services Plan and the ESSER III Expenditure Plan. All fiscal resources are allocated in alignment with these plans. The district maintains having students on campus as a priority and is utilizing funding to ensure staff and students are safe to stay on campus. The district is utilizing one-time funding to ensure facilities are maintained to reinforce our goal of in-person instruction and we continue to provide free Covid testing for students who have been exposed, as well as all staff and all student athletes, in alignment with our county health official’s guidance. The alignment with the district’s LCAP goals is to bridge the gap from distance learning during the pandemic. The district continues to

fund a behavioral specialist, staff for tutoring, mental health maintenance and intervention, and curriculum that supports our students to enable them to continue to pursue their educational goals. The district is offering increased credit recovery opportunities and summer school. The district has invested in several programs such as Parent Square, School Loop, and Aeries Communication to ensure constant communication between the district and parents.

Instructions for the Supplement for the Annual Update for the 2021–22 Local Control and Accountability Plan Year

For additional questions or technical assistance related to the completion of the Supplement for the Annual Update to the 2021–22 Local Control and Accountability Plan (LCAP), please contact the local <bh>county office of education (COE),<eh> or the California Department of Education’s (CDE’s) Local Agency Systems Support Office, by phone at 916-319-0809 or by email at lcff@cde.ca.gov.

Introduction

California’s 2021–22 Budget Act, the federal American Rescue Plan Act of 2021, and other state and federal relief acts have provided Local Educational Agencies (LEAs) with a significant increase in funding to support students, teachers, staff, and their communities in recovering from the COVID-19 pandemic and to address the impacts of distance learning on students. Section 124(e) of Assembly Bill 130 requires LEAs to present an update on the annual update to the 2021–22 LCAP and Budget Overview for Parents on or before February 28, 2022, at a regularly scheduled meeting of the governing board or body of the LEA. At this meeting the LEA must include all of the following:

- The Supplement for the Annual Update for the 2021–22 LCAP <bh>(2021–22 Supplement)<eh>;
- All available mid-year outcome data related to metrics identified in the 2021–22 LCAP; and -
- Mid-year expenditure and implementation data on all actions identified in the 2021–22 LCAP. -

<bh>When reporting available mid-year outcome, expenditure and implementation data LEAs have flexibility to provide this information as best suits the local context, provided that it is succinct and contains a level of detail that is meaningful and accessible for the LEAs educational partners.<eh>

The <bh>2021–22 Supplement<eh> is considered part of the 2022–23 LCAP for the purposes of adoption, review, and approval, and must be included with the LCAP as follows:

- The 2022–23 Budget Overview for Parents
- The <bh>2021–22 Supplement<eh>
- The 2022–23 LCAP
- The Summary Tables for the 2022–23 LCAP
- The Instructions for the LCAP Template

Draft – For Review and Feedback

<bh>As such, the 2021–22 Supplement will be submitted for review and approval as part of the LEAs 2022–23 LCAP.<eh>

Instructions

Respond to the following prompts, as required. In responding to these prompts, LEAs <bh>must, to the greatest extent practicable,<eh> to provide succinct response and a level of detail that will be meaningful and accessible for the LEA’s <bh>educational partners<eh> and the broader public and must, to the greatest extent practicable, use language that is understandable and accessible to parents.

<bh>In responding to these prompts, the LEA has flexibility to reference information provided in other planning documents. An LEA that chooses to reference information provided in other planning documents must identify the plan(s) being referenced, where the plan(s) are located (such as a link to a web page), and where in the plan the information being referenced may be found.<eh>

Prompt 1: “A description of <bh>how and when<eh> the LEA <bh>engaged, or plans to engage, its educational partners on<eh> the use of funds provided through the Budget Act of 2021 that were not included in the <bh>2020–21<eh> Local Control and Accountability Plan (LCAP).”

<bh>In general, LEAs have flexibility in deciding what funds are included in the LCAP and to what extent those funds are included. If the LEA received funding through the Budget Act of 2021 that it would have typically included within its LCAP, the funds provided in the Budget Act of 2021 that were not included in the LCAP and provide a description of how the engage has engaged its educational partners on the use of funds. If an LEA included the applicable funds in its adopted 2021–22 LCAP, provide this explanation. <eh>

Prompt 2: “A description of how <bh>LEA used, or plans to use,<eh> the concentration grant add-on funding it received to increase the number of staff who provide direct services to students on school campuses with an enrollment of students who are low-income, English learners, and/or foster youth that is greater than 55 percent.”

<bh>An LEA that does not receive a concentration grant may indicate that this prompt is not applicable.<eh>

Describe how the LEA <bh>is using, or plans to use,<eh> the concentration grant add-on funds received consistent with California Education Code Section 42238.02, as amended, to increase the number of certificated staff, classified staff, or both, including custodial staff, who provide direct services to students on school campuses with greater than 55 percent unduplicated pupil enrollment, <bh>as compared to schools with an enrollment of unduplicated students that is equal to or less than 55 percent.<eh>

In the event that the additional concentration grant add-on is not sufficient to increase the number of staff providing direct services to students at a school with an enrollment of unduplicated students that is greater than 55 percent, describe how the LEA is using the funds to retain staff providing direct services to students at a school with an enrollment of unduplicated students that is greater than 55-percent.

Prompt 3: “A description of *how and when* the LEA *engaged* its *educational partners on* the use of one-time federal funds received that are intended to support recovery from the COVID-19 pandemic and the impacts of distance learning on pupils.”

If the LEA did not receive one-time federal funding to support recovery from the COVID-19 pandemic and the impacts of distance learning on students, provide this explanation.

Describe *how and when* the LEA *engaged* its *educational partners on* the use of one-time federal funds it received that are intended to support recovery from the COVID-19 pandemic and the impacts of distance learning on students. See the [COVID-19 Relief Funding Summary Sheet web page](#) for a listing of COVID-19 relief funding and the [Federal Stimulus Funding web page](#) for additional information on these funds. The LEA is not required to describe engagement that has taken place related to state funds.

Prompt 4: “A description of how the LEA is implementing the federal American Rescue Plan Act and federal Elementary and Secondary School Emergency Relief expenditure plan, and the successes and challenges experienced during implementation.”

Describe the LEA’s implementation of its efforts to maintain the health and safety of students, educators, and other staff and ensure the continuity of services, as required by the federal American Rescue Plan Act of 2021, and its implementation of the federal Elementary and Secondary School Emergency Relief (ESSER) expenditure plan to date, including successes and challenges.

If an LEA does not receive ESSER III funding, provide this explanation.

Prompt 5: “A description of how the LEA is using its fiscal resources received for the 2021–22 school year in a manner that is consistent with the applicable plans and is aligned with the LEA’s 2021–22 LCAP and Annual Update.”

Summarize how the LEA is using its fiscal resources received for the 2021–22 school year to implement the requirements of applicable plans in a manner that is aligned with the LEA’s 2021–22 LCAP. For purposes of responding to this prompt “applicable plans” include the Safe Return to In-Person Instruction and Continuity of Services Plan and the ESSER III Expenditure Plan.

California Department of Education
October 2021

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Codi Agan, Director of Personnel

Item Number: 22

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

SUBJECT:

Request to Approve Resolution #827 the Reduction or Elimination of Particular Kinds of Certificated Services for the 2022-2023 School Year

BACKGROUND:

Resolution #827 Elimination of 2.50 FTE of certificated services for the 2022-2023 school year.

STATUS:

It is necessary to eliminate at the end of the 2021-2022 school year the employment of 2.50 FTE vacant certificated staff.

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approves Resolution #827 Elimination of 2.50 FTE Certificated Staff.

Time allocated: 2 minutes

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

RESOLUTION NO. 827

**RESOLUTION OF THE RIVER DELTA UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES RELATIVE TO THE REDUCTION OR ELIMINATION OF
PARTICULAR KINDS OF CERTIFICATED SERVICES**

WHEREAS, the Superintendent has recommended to the Board of Trustees of the River Delta Unified School District (“District”) that it shall be necessary to reduce or eliminate the particular kinds of services of the District described below not later than the beginning of the 2022-23 school year; and

WHEREAS, Education Code sections 44949 and 44955 require action by the Board of Trustees to reduce or eliminate particular kinds of services of the District not later than the beginning of the next school year; and

WHEREAS, the Board of Trustees has determined it shall be necessary and in the best interest of the District to reduce or eliminate the particular kinds of services described below and to decrease a corresponding number of certificated employees in the District not later than the beginning of the 2022-23 school year; and

WHEREAS, the Board of Trustees is required by law to give written notice to all certificated employees to be laid off as a result of a decision to reduce or eliminate particular kinds of certificated services by no later than March 15; and

WHEREAS, the Board of Trustees has considered all positively assured attrition, including deaths, resignations, retirements, and other permanent vacancies, for 2022-23 which has occurred to date in determining the needed services to be reduced or eliminated; and

WHEREAS, the Board of Trustees is authorized by Education Code section 44955 to establish criteria based upon the needs of the District and the students thereof for determining the order of termination as between certificated employees who first rendered paid service to the District on the same date; and

WHEREAS, Education Code section 44955 provides that the services of no permanent employee may be terminated while any probationary or any other employee with less seniority is retained to render a service which the permanent employee is certificated and competent to render; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the River Delta Unified School District:

1. That all of the foregoing recitals are true and correct.
2. The particular kinds of certificated services to be reduced or eliminated not later than the beginning of the 2022-23 school year are as follows:

Math Teacher	0.50 FTE
ELA	1.00 FTE
Art/AVID Teacher	1.00 FTE
TOTAL	2.50 FTE

3. That as a result of the foregoing elimination or reduction of particular kinds of certificated services it is necessary to terminate the employment of a corresponding number of probationary and/or permanent certificated employees of the District no later than the end of the 2021-22 school year.

4. That “competency” for the purposes of Education Code section 44955, 44956 and 44957 shall be determined solely upon current possession of a preliminary or clear credential for the subject matter or grade level to which the employee will be assigned at the beginning of the 2022-23 school year, plus at least one completed year of experience within the preceding ten (10) years teaching the subject matter at the applicable elementary, middle, or high school level in a public school district. Further, that due to the specific need of the District to hire and retain only highly qualified teachers in academic subject areas, “competency” shall require current confirmation of qualification of academic subject competency (highly qualified), or verifiable eligibility for competency if not previously reviewed by the District, in all subjects of a proposed assignment. In order to ensure maximum flexibility in departmentalized assignments, “competency” shall also require that a less senior employee providing a service on the basis of a single subject credential shall only be bumped by a more senior employee who holds a single subject credential for the subject matter of the assignment.

5. That as between employees who first rendered paid service on the same date, the order of termination shall be based solely on the needs of the District and the students thereof, as determined by the point system described herein. This system shall be applied only where the implementation of layoffs or rehire actually impacts two or more employees with the same first date of paid service and is applied only to those employees. In the case of each tie, points shall be granted to each affected employee based upon all the following criteria:

- a. Possession of a currently valid preliminary or clear California teaching credential – *1 point*;
- b. Possession of multiple valid preliminary or clear California teaching credentials – *1 point*;

- c. Possession of an undergraduate major or minor in: Elementary education – *1 point*;
- d. Possession of one or more post graduate degree(s) – *1 point*;
- e. Highest current placement on the certificated salary schedule – *1 point*;
- f. Spanish bilingual competency as evidenced by any CTC credential authorization, major or minor in Spanish – *1 point*;
- g. In any case where a tie results after calculating the cumulative points for each the above criteria, then the tie shall be broken by lot.

6. That the Superintendent and/or her designee is directed to send appropriate notices to all employees to be affected by virtue of this action in accordance with the provisions of the California Education Code and to afford all such employees all rights to which they are entitled under law.

7. That the Superintendent and/or her designee is directed to make such assignments and reassignments in such manner that certificated employees are retained to render any service which their seniority and qualifications entitle them to render.

PASSED AND ADOPTED by the Board of Trustees of the River Delta Unified School District on February 15, 2022 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. 827 adopted by the said Board at a regular public place of meeting and the resolution is on file in the office of said Board.

 Marilyn Riley, Clerk
 Board of Trustees
 River Delta Unified School District

 Date

CERTIFICATION

STATE OF CALIFORNIA)
)
COUNTY OF SOLANO) ss.

I certify the above is a true copy of a resolution adopted by the Board of Trustees of the River Delta Unified School District at a meeting held on February 15, 2022.

DATED: February 15, 2022

BOARD OF TRUSTEES OF THE
RIVER DELTA UNIFIED SCHOOL DISTRICT,
COUNTY OF SOLANO, STATE OF CALIFORNIA

BY: _____
 KATHERINE WRIGHT
 Superintendent

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

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Codi Agan, Director of Personnel

Item Number: 23

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

SUBJECT:

Request to Approve Boar Resolution #828 for Intention to Dismiss Classified Services for the 2022-2023 School Year.

BACKGROUND:

Resolution #828 Elimination of 0.13 FTE of classified services for the 2022-2023 school year.

STATUS:

It is necessary to eliminate at the end of the 2021-2022 school year the employment of 0.13 FTE classified staff.

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

RECOMMENDATION:

That the Board approves Resolution #828 Elimination of 0.13 FTE Classified Staff.

Time allocated: 2 minutes

**RIVER DELTA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 828**

RESOLUTION OF INTENTION TO DISMISS CLASSIFIED EMPLOYEES

WHEREAS, Education Code sections 45101, 45114, 45117, 45298 and 45308 authorize the Board of Trustees of the River Delta Unified School District to layoff or reduce classified employees for lack of work and/or lack of funds for an upcoming school year; and

WHEREAS, Education Code section 45117 requires the Superintendent or Superintendent's designee to provide written notice to a classified employee not later than March 15, 2022, and before the employee is given final notice from the Board of Trustees that the employee's services will not be required for the ensuing year due to lack of work or lack of funds, that it has been recommended that the notice be given to the employee, stating the reasons that the employee's services will not be required for the following school year, and informing the employee of the employee's displacement rights, if any, and reemployment rights; and

WHEREAS, pursuant to Education Code section 45117(a)(2), where a classified employee has received a preliminary notice that their services will not be required for the following school year due to a lack of work or lack of funds, the notice and the reasons for the notice shall be confidential and shall not be divulged by any person, except as may be necessary in the performance of duties, until the employee has requested a hearing as provided in Education Code section 45117 (b) or has waived their right to a hearing; and

WHEREAS, the Superintendent has recommended to the Board of Trustees that, due to a lack of work and/or a lack of funds, certain services now being provided by the district must be reduced for the 2022/2023 school year, and the following positions should be laid-off for the 2022/2023 school year:

Delivery Worker for Food Services 0.13 FTE

BE IT RESOLVED that the Board of Trustees acknowledges the Superintendent's recommendation and the Superintendent is hereby authorized and directed to give preliminary notice of reduction of services to the affected employee(s) of this District pursuant to District rules and regulations and applicable provisions of the Education Code not later than March 15, 2022, of such reduction or discontinuance as set forth above, and of such employees' displacement rights, if any, and reemployment rights.

BE IT FURTHER RESOLVED that the District Superintendent or designee is authorized and directed to take any other actions necessary to carry out this Resolution.

PASSED AND ADOPTED the 15th day of February 2022, by the Board of Trustees of the River Delta Unified School District of Sacramento County, California, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

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. 828 adopted by said Board at a Regular Meeting thereof held at a regular public place of meeting and the Resolution is on file in the office of said Board.

Marilyn Riley, Clerk
Board of Trustees
River Delta Unified School District

Date

BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Katherine Wright, Superintendent

Item Number: 24

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

SUBJECT:

Request to Approve the 2019-2020 and 2020-2021 Tentative Agreement with the River Delta Unified Teacher's Association (RDUTA)

BACKGROUND:

Collective Bargaining Agreement negotiations between River Delta Unified Teachers Union and the District began in January 2020. After three sessions, the Governor ordered the closure of all California schools due to the COVID-19 global pandemic. Negotiations resumed for the 2019-2020 and 2020-2021 years in April 2021.

STATUS:

The District and the River Delta Unified Teacher's Association have reached a Tentative Agreement on contract language, salary and benefits. This agreement will resolve all issues, which were opened for the 2019-2020 and 2020-2021 school years. The District and the Association agree to the following: (See attached).

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

The total cost of bargained agreements with RDUTA 2019-20 and 2020-2021 and "Me Too adjustment" for CSEA, administration and non-represented employees will be approximately \$502,955

RECOMMENDATION:

Staff recommends that the Board approves the 2019-2020/2020-2021 Agreement with the RDUTA which closes negotiations for 2019-2020 and 2020-2021 school years.

Time allocated: 5 minutes

TENTATIVE AGREEMENT
BETWEEN
RDUSD and RDUTA
2019-2020 & 2020-2021

1. A 1.5% (one and one-half percent) off-schedule payment shall be provided to each certificated bargaining unit member who is currently employed with the District and has not submitted a letter of resignation for a future end of employment date at the time of submission for payment processing to the Sacramento County Office of Education.
2. Effective July 1, 2019, each cell of the salary schedule shall be increased by 1.5% (one and one-half percent). All bargaining unit members, including retirees, who retired after July 1, 2019, shall receive retro pay.
3. Effective July 1, 2020, each cell of the salary schedule shall be increased by 1.5% (one and one-half percent). All bargaining unit members, including retirees, who retired after July 1, 2020, shall receive retro pay.
4. Upon approval from the River Delta Unified School District Board of Trustees, the District shall contribute up to \$807 monthly for health insurance premiums per unit member and/or unit member with covered dependents. Premium amounts in excess of the limit will be collected from enrolled employees via payroll deductions and submitted by the District to the insurance company(s).
5. For Retirees, District will pay up to four hundred dollars (\$400) monthly for the purchase of health, dental, vision, and/or life insurance coverage. Such coverage shall be in the same group plans available to active bargaining unit members.
6. Upon Board approval, the hourly rate for bargaining unit members to perform extra duties outside of their contracted hours will be \$40/hour.
7. All language changes in the attached document will be included in the RDUTA Collective Bargaining Agreement.

River Delta Unified School District

Katherine Enright, Superintendent

[Signature] Director of Personnel

Jammy Buser CBO

W. Wilks Principal

[Signature] CBO

River Delta Unified Teachers Association

Janet Spangler

[Signature]

[Signature] Neg. Chair

Kendall Murphy

[Signature]

H. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

Combined General Fund

Enter Bargaining Unit:

	Column 1	Column 2	Column 3	Column 4
	Latest Board - Approved Budget Before Settlement (As of 12-14-21)	Adjustments as a Result of Settlement	Other Revisions	Total Current Budget (Columns 1+2+3)
REVENUES				
Revenue Limit Sources (8010-8099)	\$20,636,843	\$0	\$0	\$20,636,843
Remaining Revenues (8100-8799)	\$13,205,019	\$0	\$0	\$13,205,019
TOTAL REVENUES	\$33,841,862	\$0	\$0	\$33,841,862
EXPENDITURES				
Certificated Salaries (1000-1999)	\$8,949,089	\$381,774	\$0	\$9,330,863
Classified Salaries (2000-2999)	\$4,268,480	\$0	\$0	\$4,268,480
Employee Benefits (3000-3999)	\$6,377,432	\$121,182	\$0	\$6,498,614
Books and Supplies (4000-4999)	\$1,426,730	\$0	\$0	\$1,426,730
Services, Other Operating Expenses (5000-5999)	\$4,601,807	\$0	\$0	\$4,601,807
Capital Outlay (6000-6999)	\$1,474,241	\$0	\$0	\$1,474,241
Other Outgo (7100-7299) (7400-7499)	\$70,000	\$0	\$0	\$70,000
Direct Support/Indirect Cost (7300-7399)	-\$12,940	\$0	\$0	-\$12,940
Other Adjustments	\$0	\$0	\$0	\$0
TOTAL EXPENDITURES	\$27,154,839	\$502,956	\$0	\$27,657,795
OPERATING SURPLUS (DEFICIT)	\$6,687,023	-\$502,956	\$0	\$6,184,067
TRANSFERS IN & OTHER SOURCES (8910-8979)	\$0	\$0	\$0	\$0
TRANSFERS OUT & OTHER USES (7610-7699)	\$300,576	\$0	\$0	\$300,576
CONTRIBUTIONS (8980-8999)	\$0	\$0	\$0	\$0
CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE	\$6,386,447	-\$502,956	\$0	\$5,883,491
BEGINNING BALANCE	\$8,359,659			\$8,359,659
Prior-Year Adjustments/Restatements (9793/9795)	\$0			\$0
CURRENT-YEAR ENDING BALANCE	\$14,746,106	-\$502,956	\$0	\$14,243,150
COMPONENTS OF ENDING BALANCE:	\$0			
Reserved Amounts (9711-9740)	\$6,881,306	\$0	\$0	\$6,881,306
Reserved for Economic Uncertainties (9770)	\$0	\$0	\$0	\$0
Designated Amounts (9775-9780)	\$0	\$0	\$0	\$0
Unappropriated Amounts - Unrestricted (9790)	\$8,006,359	-\$382,246	\$0	\$7,624,113
Unappropriated Amounts - Restricted (9790)	-\$141,559	-\$120,710	\$0	-\$262,269
Reserve for Economic Uncertainties Percentage	0.0%			0.0%

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

445 Montezuma Street
Rio Vista, California 94571-1561

BOARD AGENDA BRIEFING

Meeting Date: February 15, 2022

Attachments: X

From: Tammy Busch, Chief Business Officer

Item Number: 25

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

SUBJECT:

Request to Approve the Agreement with AMS.net for E-Rate Categorical 2 Eligible Network Equipment in the amount of \$262,032.56

BACKGROUND:

The district is eligible for E-rate funding under category 2 on network equipment. The district sent out a request for proposal with a due date of January 13, 2022. The district received three (3) proposals. Datapath, AMS.net and Gigakom. The district will need to cover 20% of the expenditures and the remaining amount will be paid through E-Rate.

STATUS:

AMS.net has the lowest proposal for category 2 eligible network equipment and professional services.

PRESENTER:

Tammy Busch, Chief Business Officer

OTHER PEOPLE WHO MIGHT BE PRESENT:

COST AND FUNDING SOURCES:

The district cost will be \$52,406.51 from General Fund and the remaining amount of \$209,626.05 will be funded through E-Rate.

RECOMMENDATION:

The Board accept and approve the proposal from AMS.net for category 2, E-Rate eligible network equipment in the amount of \$262,032.56.

Time allocated: 3 minutes

River Delta Unified School District
E-Rate Bid Assessment Worksheet
 Reviewed January 24, 2022

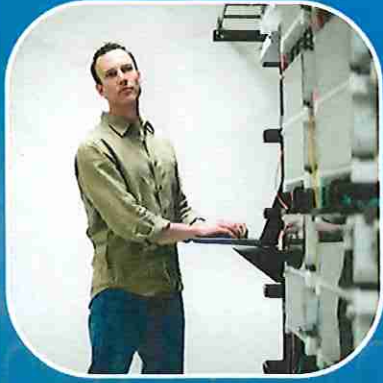
Funding Year 2022 (YR25)
 470 Application Number 220002530

Notes:
 * Percentage weights must add up to 100%. **Price must be weighted the heaviest.**
 ** Evaluated on a scale of 1 to 5: 1=worst, 5=best. Max score of 500
 *** Weight x Raw Score

Description **Vendor Scoring** (use additional worksheets if necessary)

CAT2 Equipment (RFP #22_105)		Example		AMS.Net		Data Path		GigaKom	
Selection Criteria	Weight*	Raw Score**	Weighted Score***	Raw Score**	Weighted Score***	Raw Score**	Weighted Score***	Raw Score**	Weighted Score***
Price	30	5	150	5	150	3	90	4	120
Experience of the Bidder	25	5	125	5	125	5	125	3	75
Responsiveness, Quality and Conformance with Proposal	20	5	100	5	100	5	100	5	100
References	20	5	100	5	100	5	100	5	100
Recurring Support Cost	5	5	25	4	20	1	5	5	25
	100.00		500		475		415		395

Bid reviewed on 01-24-2021 by:
 Tammy Busch
 Kellee Sisneros
 Loy Mattison



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PROPOSAL FOR:

**River Delta Unified School District 94702
Network Equipment - E-rate YR 2022 (YR25)
RFP 22-105**

Original

PREPARED BY: Jared Bayless, Senior Account Manager, AMS.NET



AMS.NET
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Table of Contents

Responder Service Provider Information	Section 1
Letter of Agreement	Section 2
Cost Proposals	Section 3
Addendums	Section 4
Completed and Signed Submittal Pages	Section 5



AMS.NET
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Section 1



AMS.NET

Technology Solution Provider

Executive Summary

Thank you for the opportunity to provide River Delta USD with this Network Equipment RFP response. AMS.NET has carefully read all RFP documents and has included pertinent cost and company information regarding our response to the RFP. AMS.NET acknowledges the scope of services and has responded with this RFP as precisely as possible with regards to services and products indicated within the SOW and the corresponding list of equipment. As well, AMS.NET acknowledges a willingness to enter into agreement substantially in the same form as the Agreement attached in the Contract/SOA/Agreement section of this RFP response.

AMS.NET exceeds all of the specified RFP requirements and we have provided the supporting documentation required in the RFP response.

Our technology proposal includes HPE-Aruba Network Equipment per the specified Bill of Materials as well AMS.NET professional services. With Industry leading technology from Aruba Networks included with the bill of materials, we feel this solution will deliver the technology required for the District's present Wired and Wireless infrastructure and provide additional functionality/throughput as well as integrating seamlessly with the District's existing HPE-Aruba environment. Please note, we have included an Alternative Bid that shows the cost of using 3rd Party Optics if the District so chooses. There is a datasheet that talks about these optics in the Responder Service Provider Information section for your review as well. We look forward to the opportunity to work with the District here in the near future.

Sincerely,

Jared Bayless
AMS.NET, Inc.



AMS.NET
Technology Solution Provider

ABOUT US

About Us

AMS.NET is an innovative technology solution provider delivering business outcomes to organizations for more than 30 years. The company was established more than two decades ago to provide technical support to local school districts in California. Today, AMS.NET provides education, local government and businesses a comprehensive technology solution including design, implementation and support services.

With a consultative approach, consideration is taken to understanding technology requirements, existing equipment, industry, growth plan and budget. Leveraging proven and emerging technologies through leading manufacturers, AMS.NET's certified engineers' architect a solution that supports your initiatives and allows for future growth.

Prior to implementation, we can provide complete structured wiring services and post deployment, a host of managed services and maintenance plans to ensure your network and equipment are running at optimum performance.

Many financing options are available. With experience in the public sector around procurement vehicles, E-rate expertise and leasing options, we can make recommendations specific to your industry and technology solution.

Our extensive reference list is a tribute to our ability to successfully design, manage and implement technology solutions that support your initiatives. With more than 30 years of successfully providing technology solutions, you can be assured that we have the capability, experience and stability to be your trusted partner. And we'll be here for future needs!



Celebrating More Than **30** Years

Celebrating More Than **30** Years

www.ams.net
800-893-3660



AMS.NET

Technology Solution Provider

AMS.NET versus the Competition

- Established proven partner in your vertical
- 120+ employees throughout the state of California
- Multi-vendor network support
- Complete architecture solutions
- Elite manufacturer partnerships– Cisco Gold Partner since 2007
- Skilled and Certified Engineers- CCIE's in networking, security, voice
- Advanced manufacturer technology specializations
- Structured cabling- C-7 Contractor and RCCD Certified
- Certified project management – PMP Certification
- Executive management accessibility regardless of the customer size



ARCHITECTURE SOLUTIONS



AMS.NET

Technology Solution Provider

COMPANY FACTS

General Info

Legal Name: AMS.NET Inc.
Type: Delaware Corporation
Tax ID: 94-3291626
Principal Owner: Robert Tocci
Years in Business: 33 Years
Number of Employees: 115
Website: www.ams.net
Email: sales@ams.net
Phone: 800-893-3660/925-245-6100
Fax: 925-245-6150

Locations:

Headquarters: 502 Commerce Way, Livermore, CA 94551-7812

Sacramento Regional Office: 5008 Donovan Drive
Carmichael, CA 95608 Phone 800-893-3660

Central Valley Regional Office: 1155 East North Avenue, Suite 106
Fresno, CA 93725, Phone 559-733-1641

Southern California Regional Offices: 12405 East Slauson Ave, Unit K,
Whittier, CA 90606, Phone 800-893-3660

License and Procurement

DIR#: 1000001046 Expires 6/30/22

FCC RN: 0012300554

Contractor License C-7:

763508 Expires 4/30/22

DUNS#: 556116234

Microsoft MCSE's: 1673446, 2056976

Procurement:

E-Rate: SPIN 143005880

Merced County FOCUS Contract: #2021092

SPURR Master Contract/ PEPPM Contract

NASPO Contracts- Cisco, HPE, Ruckus,
Pure Storage, Palo Alto Networks

Cisco GSA Contract: GS-35F-0349S, Expires 4/4/26

CMAS Contracts-	Fortinet	Corning
APC	HP	General Cable
Arecont Vision	Nimble Storage	Hitachi
Aruba/HPE	Palo Alto Networks	Leviton
Avigilon	Rubrik	Ortronics
Bosch	Ruckus Wireless	Panduit
Cisco	TrippLite	Superior Essex
Cohesity	Veeam	Leviton
Eaton	VMware	Labor
EMC	Berk-Tek	
Extron	Chatsworth	

Certifications and Specializations

Cisco Gold Certified Partner/

Cisco Meraki Partner

Cisco Specializations:

- Advanced Data Center Architecture
- Advanced Collaboration Architecture
- Advanced Security Architecture
- Advanced Enterprise Network Architecture
- Collaboration SaaS Authorization
- Customer Satisfaction Excellence
- Customer Experience Specialized

Partial Manufacturer List:

Aruba HPE Platinum Partner, HPE Silver Partner,
Ruckus Elite Partner, Palo Alto Networks, Fortinet, Barracuda,
Aerohive, Pure Storage, Nimble Storage, Cohesity, DDN,
Rubrik, Veeam Silver Pro Partner, Datrium, VMware Partner,
Singlewire, FrontRow, Class Connection, AtlasLED, Extron,
Advanced Network Devices, Avigilon, Verkada, OnSSI,
Milestone, Arecont Vision, Hikvision, exacqVision, Tripplite,
APC, Panduit, General Cable, Damac, Leviton, Berk-Tek,
Ortronics, Hoffman, Cooper B-Line, Chatsworth, Superior Essex



AMS.NET, INC.

UNITED STATES

Qualifies as a Platinum Partner in the Aruba Partner Ready for Networking Program for HPE Fiscal Year 2021

Specializations

Wireless LAN
Switching

Competencies

ClearPass Policy Management

Jim Harold
Vice President
North America Aruba
Channel



**Hewlett Packard
Enterprise**



AMS.NET, INC.

UNITED STATES

**Qualifies as a Business HPE Partner Ready
Solution Provider for HPE Fiscal Year 2021**

A handwritten signature in black ink, appearing to read "George Hope".

George Hope
WW Head of Partner
Sales



AMS.NET
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CONTRACTORS C-7 INFORMATION

C-7 Contractors License



C-7 Responsible Managing Officer

BOND OF QUALIFYING INDIVIDUAL

1. The Responsible Managing Officer (RMO) TOCCI ROBERT MICHAEL certified that he/she owns 10 percent or more of the voting stock/equity of the corporation. A bond of qualifying individual is not required.

Effective Date: 04/12/2000



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CONTRACTORS C-7 INFORMATION

C-7 Contractors Bond - Continued

Business Information

AMS.NET INC
502 COMMERCEWAY
LIVERMORE, CA 94550
Business Phone Number:(925) 245-8100

Entity Corporation
Issue Date 05/24/1999
Reissue Date 04/12/2000
Expire Date 04/30/2022

License Status

This license is current and active.

All information below should be reviewed.

Classifications

C-7 - LOW VOLTAGE SYSTEMS

Bonding Information

Contractor's Bond

This license filed a Contractor's Bond with HANOVER INSURANCE COMPANY.

Bond Number: 1031231

Bond Amount: \$15,000

Effective Date: 01/01/2016

Contractor's Bond History

Bond of Qualifying Individual

The qualifying individual ROBERT MICHAEL TOCCI certified that he/she owns 10 percent or more of the voting stock/membership interest of this company; therefore, the Bond of Qualifying Individual is not required.

Effective Date: 04/12/2000



AMS.NET
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FCC RED LIGHT DISPLAY SYSTEM

AMS.NET's FCC Red Light Display System Status

The Red Light Rule was adopted as part of the Federal Communication Commission's ongoing effort to implement the Debt Collection Improvement Act, which provides that the Commission checks to determine whether entities or individuals seeking licenses or other benefits from the FCC are delinquent in debt owed to the Commission. The Red Light Display System displays the current Green status of AMS.NET (FRN #0012300554).

Red Light Display System View

[FCC](#) | [Fees](#) | Red Light Display System

[< FCC Site Map](#)

Logged in as FRN: AMS.NET, Inc. (0012300554) [[Log Out](#)]

[Back](#) | [Print](#) | [Help](#)

1/10/2022 11:06 AM

Current Status of FRN 0012300554

STATUS: Green

You have no delinquent bills which would restrict you from doing business with the FCC.

The Red Light Display System checks all FRNs associated with the same Taxpayer Identification Number (TIN). A green light means that there are no outstanding delinquent non-tax debts restricting business with the Commission by any FRN associated with requestor's TIN. The Red Light Display System was last updated on 01/10/2022 at 6:32 AM; it is updated once each business day at about 7 a.m., ET.



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EVIDENCE OF COVERAGE

Client#: 443449 AMSNEINC

ACORD. CERTIFICATE OF LIABILITY INSURANCE DATE (MM/DD/YYYY)
2/01/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Marsh & McLennan Agency LLC Marsh & McLennan Ins Agency LLC 1340 Treat Blvd #250 Walnut Creek, CA 94597	CONTACT NAME: Felicia McAroy PHONE (A/C, No. Ext.): 925 482-9337 FAX (A/C, No.): 925 482-9390 E-MAIL ADDRESS: Felicia.McAroy@MarshMMA.com														
INSURED AMS.NET, INC 502 Commerce Way Livermore, CA 94551-7812	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A: Atlantic Specialty Insurance Company</td> <td>27154</td> </tr> <tr> <td>INSURER B: Republic Indemnity Company of America</td> <td>22179</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Atlantic Specialty Insurance Company	27154	INSURER B: Republic Indemnity Company of America	22179	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

TYPE	TYPE OF INSURANCE	ADDRESS (R/R, I/O)	POLICY NUMBER	EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER		7110086830015	08/24/2020	08/24/2021	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (If a contract) \$1,000,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HOLED AUTOS ONLY <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-SCHEDULED AUTOS ONLY \$1,600 Ded. <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE		7110086830015	08/24/2020	08/24/2021	COMBINED SINGLE LIMIT (Per accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE		7110086830015	08/24/2020	08/24/2021	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> (Mandatory in NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below		16099218	02/01/2021	02/01/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
A	Property of Others		7110086830015	08/24/2020	08/24/2021	\$100,000 Limit

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 RE: Evidence of Insurance.

CERTIFICATE HOLDER Evidence of Coverage	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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ACORD 25 (2016/03) 1 of 1 The ACORD name and logo are registered marks of ACORD WBFZM



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DEPARTMENT OF INDUSTRIAL RELATIONS

AMS.NET's Department of Industrial Relations

SB 854, a budget trailer bill that was signed into law on June 20, 2014, and became effective immediately, made several significant changes to laws pertaining to the administration and enforcement of prevailing wage requirements by the Department of Industrial Relations (DIR). Among other things, SB 854 established a new public works contractor registration program to replace prior Compliance Monitoring Unit (CMU) and Labor Compliance Program (LCP) requirements for bond-funded and other specified public works projects. AMS.NET is a DIR registered contractor (DIR #1000001046).

Department of Industrial Relations System View

Department of Industrial Relations

Contractor Information

Legal Entity Name
AMS.NET, INC.
Legal Entity Type
Corporation
Status
Active
Registration Number
1000001046
Registration effective date
07/01/19
Registration expiration date
06/30/22
Mailing Address
502 COMMERCE WAY LIVERMORE 94551 CA United States of America
Physical Address
502 COMMERCE WAY LIVERMORE 94551 CA United States of America
Email Address
dmonaghan@ams.net
Trade Name/DBA
License Number (s)
CSLB:763508

Legal Entity Information

Corporation Entity Number:	097642448
Federal Employment Identification Number:	943291626
President Name:	ROBERT TOCCI
Vice President Name:	JOSEPH MOOMAU
Treasurer Name:	ROBERT TOCCI
Secretary Name:	ROBERT TOCCI
CEO Name:	ROBERT TOCCI

Agency for Service:

Agent of Service Name: DIANA MONAGHAN

Agent of Service Mailing Address: 502 COMMERCE WAY LIVERMORE 94551 CA United States of America



AMS.NET

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SPAC FILING

Service Provider Annual Certification (SPAC)

A service provider must submit a Service Provider Annual Certification (SPAC) (Form 473) to USAC each funding year to certify that it will comply with program rules. Below is proof captured from the SLD website.

Purpose of Form: Form 473 is used by the service provider each funding year to certify that it will comply with FCC rules concerning invoicing and documentation. The certifications apply to the entire funding year and are required before USAC will pay invoices. A service provider may submit one Form 473 for all Service Provider Identification Numbers (SPINs) assigned to it.

SLD SPAC Filing Proof

SPIN	Service Provider Name	Doing Business As	Contact Name	Contact Address	Contact Phone	Form 499 Filer	SPAC Filed
143005880	AMS.NET, Inc.	AMS.NET, Inc.	Robert Tocci	502 Commerce Way , Livermore, CA 94551	925245-6100		1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021



AMS.NET E-RATE BILLING PROCESS

AMS.NET, Inc. (also to be referenced as the Service Provider) has developed processes to bill E-Rate projects that best suits their customer needs. We are set up to accommodate both SPI and BEAR billings.

SPI billings will occur on a regular basis and AMS.NET, Inc. will invoice the SLD their portion of committed amount and the customer their portion.

AMS.NET, Inc. agrees to bill and receive a portion of the payment for the provisions of goods and services described herein directly from the USAC via the Form 474 Service Provider (SPI). The customer will only be responsible for paying its non-discounted share of the costs and does not intend to use the BEAR process (Form 472). The maximum percentage the customer will be liable for is the pre-discount amount minus the funded amount as shown on the FCC Form 471 Block 5 and any identified ineligible costs. Upon the successful receipt or posting of a funding commitment decision letter from the SLD and submission and certification of Form 486, the customer shall pay only the discounted amount beginning with the billing cycle immediately following said approval. Alternatively, should the company decide that it is in the best interests of the company to file a Form 472, the customer will inform AMS.NET, Inc. of its intent.

All Service Provider invoicing to USAC must be completed within 120 days from the last day of service. Should the Service Provider fail to invoice USAC in a timely manner, the customer will only be responsible for paying its non-discounted share.

AMS.NET, Inc. will bill your company directly for a BEAR billing. Companies will pay the full amount of the invoice until all steps of the discount process below have taken place:

- A. You must have received your FCDL (Funding Commitment Decision Letter) from the SLD / E-Rate people.**
- B. You must file your Form 486.** [The form 486 lets the E-Rate people know that the services have begun and that they may begin paying the invoices. The SLD cannot process a payment related to a Funding Request Number (FRN) unless a properly completed Form 486 has been submitted by the Library and approved by the SLD for that FRN]
- C. The form 486 must be approved by the SLD before AMS.NET, Inc. can apply the discount and credit your bill.** When AMS.NET, Inc. is notified by the SLD that your form 486 has been approved, AMS.NET, Inc. will credit your bill with your approved funding. It takes two billing periods for the discount to appear on your bill. Depending on timing of your 486 approval, it could be the next month or two months later that you see your discount on your AMS.NET, Inc. bill.

AMS.NET, Inc. bills the total monthly charges and the E-Rate discount which does net to the discounted amount, but we do not bill just the discounted amount. It takes two billing periods for the discounts to appear so depending on timing, it could be the next month or two months later.

A Note regarding BEAR Forms: Companies who prefer to pay their invoices and file BEAR forms for reimbursement – can continue to do so; however, a company cannot both file a BEAR form and request a billing discount on the same FRN in the same funding year. That is, you will either file BEAR forms for reimbursement – or – request a billing discount; but not both.



Fingerprinted Employees

All employees listed below have been DOJ cleared, as of September 15, 2021

Adrian Martinez	Felix Pardo	Michael Vincent
Adrian Pardo	Francisco Servin	Mike Hansen
Alex Gomez	Graham Johnson	Mike Skelton
Anthony Bastian	Guy McMillan	Mitch Brooks
Anthony Minjarez	Harold Alvarez	Muhammad Jafri
Antonio Nuno	Jacinto Cruz	Nathan Fischer
Arturo Obregon	Jacob Ambrocio	Nelson Vega
Blake Jaskolski	James Castro	Nick Heryford
Blake Wiech	Jason Schweizer	Overlin Zamora
Brian Heitz	Jeffry Galeano Mendoza	Patrick Stevens
Cathy Rivenes	Jesse Arroyo	Pablo Vasquez-Chavez
Chad Neves	Jimmie Hearn	Paul Estrada
Chanpreet Gill	Jocelyn Ambrose	Paul Payumo
Chris Hill	Joe Costa	Perry Nelson
Chris Sheldon	Joe Ignacio	Raffi Bedrosian
Christian Weisse	Joe Kapahu	Ray Valine
Christo Michaelides	John Stott	Richard Lopez
Clint Southwick	John Vincent	Robert Ho
Colton Wristen	Jonathan White	Robert (Bobby) Simmonds
Daniel Ancheta	Jordan Moomau	Rodger Mosqueda
Daniel Arroyo	Jorge Vasquez	Serge Hacobian
Daniel Barron	Jose Fernandez	Stephen Cupps
David Stoutenburg	Katie Kerwin	Setve Meza
Dean Anaya-Guttierrez	Kevin Stott	Taylor Zamora
Derek Ramirez	Kole Babo	Troy Hunt
Doug Tate	Martin Meza	Victor Trao
Dylan Embrich	Matt Bradshaw	Vong Men
Edgar Contreras	Matt Graham	Vincent Ngo
Feimeng Lor	Matt Simeone	
	Matt Thompson	
Diana Monaghan		
Vice President of Administration		



AMS.NET
Technology Solution Provider

TAC Contact Information

TAC Contact Information

By Phone: (925) 245-6111
(800) 893-3660 Option 2,2
(925) 245-6100 Option 2,2

E-Mail: tac@ams.net

Website: <http://www.ams.net>

Click on Customer Portal

To View realted items, a login is required. Logging in will give visibility to:

- Review current service request including site, contact, status, ect.
- View upcoming appointments
- Open a new services request
- Contact support



AMS.NET

Technology Solution Provider

Supplement Your Internal Technical Resources

To protect your investment and ensure your network and equipment are running at optimum levels, AMS.NET offers a host of support and maintenance plans. Whether you need full 24x7 support or your in-house IT staff need assistance with a particular technology, AMS.NET has a plan to meet your requirements.

Managed Services

If you need to supplement IT resources or are looking for the support of a hosted model, AMS.NET managed services agreements can provide that support and free up IT resources for more strategic projects. Voice, Wireless, WAN, and Video Surveillance Managed Services services are available.

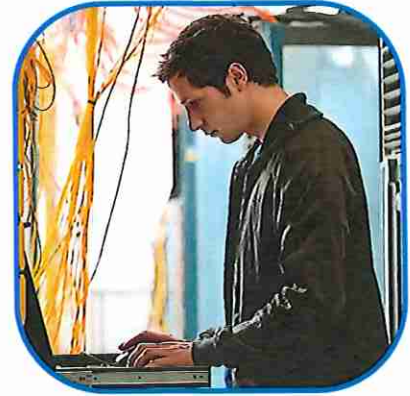
Managed Services Agreements provide:

- ▶ Troubleshooting and repair
- ▶ System updates and upgrades
- ▶ Configuration changes and backup
- ▶ Monitoring
- ▶ Monthly reporting
- ▶ Reinstallation and configuration of failed equipment (covered under contract)
- ▶ Quarterly review and meetings
- ▶ Software and hardware lifecycle management

Premium Flex Time Plans

Premium Flex Time Plans provide consulting and professional services to supplement your technical staff and support complex technology solutions. Highly experienced engineers are available for advanced technical support where needed. Whether you need assistance with configuration changes, latency issues, design services, installation, multiple manufacturer integrations, troubleshooting or other professional services, Premium Flex Time plans can be used for these services. Plan provides a top-level engineer or customer preferred engineer for scheduled service and the top-level engineer that is available for cases that require an immediate response. Flex Time plans response times are based on the support request and urgency. We will provide remote, on-site or telephone support in up to a 4 hour response time. 24x7 plans are also available.

Professional Services



Professional Services Highlights

- ▶ Support and Maintenance of Your Technology Investments
- ▶ Emergency Support
- ▶ Planned Project Support
- ▶ Hosted-Type Technical Support
- ▶ Technology Specific Managed Services-Voice, Wireless, WAN, Video Surveillance
- ▶ Management and Monitoring
- ▶ Technical Support and Troubleshooting
- ▶ Consulting Services for Advanced Technical Support
- ▶ Host of Various Plans Available

Celebrating More Than **30** Years

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800-893-3660



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Consulting & Professional Services

AMS.NET provides consulting and professional services to supplement your technical staff and support complex technology solutions. Highly experienced engineers are available for advanced technical support where needed. Whether you need assistance with configuration changes, latency issues, design services, installation, multiple manufacturer integrations, troubleshooting or other professional services, our Premium Flex Time plans can be used for these services.

AMS.NET's highly-experienced team of engineers hold top tier certifications from Cisco/Meraki, HP, Aruba, Ruckus, Palo Alto Networks, Microsoft, VMware, Singlewire and others. Our host of services provide complex technical support for wireless, routing/switching, security, voice, paging, data center and other technology solutions.

Premium Flex Time plans are hourly blocks that do not expire. Response times are based on support request urgency. The Premium 24x7 option includes support after normal business hours. Premium plans provide a top-level engineer or customer preferred engineer for scheduled service and the top-level engineer that is available for cases that require an immediate response. Premium contracts are available starting at a block of 20 hours and 24x7 plans start at a block of 10 hours. Additional hours can be added to the premium plans in increments of 10 hours.

AMS.NET also offers a host of managed services for customizable, comprehensive coverage for all network or service related issues.

PREMIUM FLEX TIME



- ▶ Advanced Professional Services
- ▶ Local Certified Experienced Engineers
- ▶ Consulting, Installation & Troubleshooting
- ▶ Top Level or Preferred Engineer Provided
- ▶ Remote, On-Site and Telephone Support
- ▶ 4 Hour Response Time to Scheduled - Response Time Varies Based on the Flex Time Plan and Urgency of Support Need
- ▶ Standard Rate for Any Response Time
- ▶ Detailed Reporting and Portal to View Hours Used Against Blocks Purchased
- ▶ Hours Do Not Expire

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Go to www.ams.net/services
800-893-3660

PREMIUM FLEX TIME

Eligible Flex Time Support

The Premium Flex Time support provides premium support for your routing/switching, wireless, security, voice/collaboration, paging, data center and other technologies. AMS.NET supports major manufacturers including Cisco/Meraki, HP, Aruba, Ruckus, Palo Alto Networks, Microsoft, VMware, Singlewire and others.

Agreement Features	Premium Flex Time Agreement
Routine Changes	✓
Moves/Adds/Changes	✓
Troubleshooting/Repair	✓
Project Management	✓
Equipment Replacement (with vendor support)	✓
Installation Services	✓
Complex Troubleshooting	✓
Redesign	✓
Upgrades/Updates	✓
Integration with Third Party Manufacturers	✓
Technical Design/Planning	✓
Top Level Engineer Provided	✓
Select Preferred Engineer	✓

Guidelines and Limitations

Flex Time plans do not expire and are available until the time and funds are depleted. New or additional purchases of Flex Time plans will be subjected to the new discount rates, guidelines and limitations.

A four hour technical response time is guaranteed based on the urgency of the support request during normal business hours. Normal business hours are Monday through Friday 8:00am to 5:00pm. 24x7 plans include after hours support.

On-site technical support consists of travel time both ways and a minimum of one-hour on-site then deducted in 30 minute increments. Remote technical support is deducted in 30 minute increments. Travel time is charged at \$125/hr for both directions.

Business hours are Monday through Friday 8am to 5pm excluding company reserved holidays. Pre-scheduled after-business hour technical support is available Monday through Friday and Saturday from 5pm to 12am and requires a 24x7 Flex Time plan. Emergency after hours support requires a 24x7 Flex Time plan.

Hardware Replacement/RMA Support will be billed as one hour of technical support and actual shipping changes plus discount will be deducted from your Flex Time plan.

Lift rental and boom truck rental will be deducted per day with a half day minimum. Rental charges are not eligible for discount.

Frequently Asked Questions

Is there an expiration on the Flex Time Plan?

- ▶ No, Flex Time Plans do not expire.

Can I use my Flex Time plan for materials?

- ▶ No, your Flex Time plan is for technical support only.

How are the hours deducted from my Flex Time Plan?

- ▶ The hours are deducted as the technical service is performed.

Why do I need to pay for Flex Time plan before the service is performed?

- ▶ Flex Time plans provide a guaranteed response time when the support requires an immediate response. To ensure you receive that guaranteed response time you need to have a Flex Time plan prior to requesting service.

Is there a guaranteed response time?

- ▶ Flex Time plans provide a guaranteed response time of 4 hours when the service requested is urgent. All other non-urgent requests will be scheduled.

What installation warranty do I receive with the Flex Time plans?

- ▶ Flex Time plans do not guarantee an installation warranty. AMS.NET provides a 30-day installation warranty when services are quoted as a turnkey solution and bid only.

How do I contact AMS.NET for Technical Support?

- ▶ Contact Customer Service at **800-893-3660 x611** or **925-245-6111** or via email at **tac@ams.net**.



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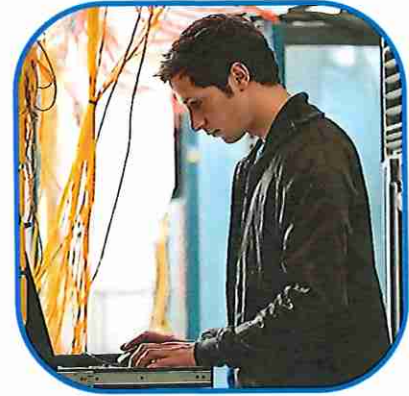


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MAINTENANCE COMPARISON

Choose the Right Technical Service Plan

Supplement IT staff, protect your investment and ensure your network and equipment are running at optimum levels with AMS.NET's support and maintenance plans. AMS.NET offers a host of plans from our Managed Services for comprehensive coverage to Premium Flex Time plans that cover both urgent and scheduled support.



Service/Features	Cisco Warranty	Cisco SMARTnet	AMS.NET Premium Flex Time	AMS.NET Managed Services
Priority Support	NO	YES	YES	YES
Cisco Technical Support	NO	YES	NO	YES
AMS.NET Technical Support	NO	NO	YES	YES
Unlimited Technical Support	NO	YES	NO	YES
On-Site Coverage	NO	YES (Add-On)	YES	YES
System Monitoring	NO	NO	NO	YES
Guaranteed Response Time	NO	YES	YES	YES
Hardware Replacement	YES	YES	NO	YES
Hardware Replacement Configuration and Installation	NO	NO	NO	YES
Installation/Configuration Warranty	NO	NO	NO	YES
Loaner Hardware	NO	NO	NO	NO
New Equipment Coverage	NO	NO	NO	YES (Add-On)
Version Updates and Upgrades	NO	NO	YES*	YES
Moves, Adds, and Changes	NO	NO	YES*	YES
Weekly and Monthly Reporting	NO	NO	NO	YES
Billable Rate Per Hour	N/A	N/A	Disc. Rate	N/A
Shipping Costs	Not Included	Included	N/A	N/A
Next Business Day	YES (ELLW)	YES	NO	YES

*Support or service will be deducted from labor block balance.

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800-893-3660



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E-RATE BASIC MAINTENANCE GUIDELINES

Renewal Based Maintenance

Cisco Base Support (*E-Rate Eligible*)

E-Rate eligible maintenance is now called "Cisco Base" support. Cisco Base support provides:

- Access to Cisco TAC
- Online Tools
- Software Updates

The hardware replacement component is no longer eligible for E-Rate funding. Both SAS and ESW software support are still fully eligible for E-Rate funding since they are both software based with no hardware component.

Per Incident Hardware Replacement (*E-Rate Eligible*)

Customers can leverage the E-Rate eligible Per Incident Hardware Replacement option to obtain product replacement on failed equipment. The Per Incident Hardware Replacement option to replace failed hardware with E-Rate funds is as follows.

- The customer will place an inquiry into the AMS.NET TAC department to open a case for product replacement.
- AMS.NET TAC will open a case on behalf of the customer with Cisco (customer will be charged basic maintenance hours for this process).
- AMS.NET will place the order for advanced replacement of the product with Cisco.
- AMS.NET will invoice the SLD and the customer directly for their portions of the support.
- The customer is responsible for getting the replaced product shipped back to Cisco.

Hardware Replacement Upgrade Option (*Non E-Rate Eligible*)

AMS.NET can work with the customer to provide an ineligible component that would upgrade the Cisco Base support to include NBD hardware replacement. This ineligible component would not be funded by the SLD and would be the full responsibility of the District.

Maintenance for New E-Rate Purchases

Cisco Hardware Support

Cisco hardware that is purchased through E-Rate will receive the new Cisco E-Rate Services Bundle. This bundle will provide the end user with next business day hardware replacement, access to Cisco TAC, and necessary software updates. In addition the end user will also receive next business day hardware replacement for the following 2 years.

Cisco Software Support

New Cisco software purchases will receive 1 year of standard Cisco software support. This support will provide the end user with 24 hour access to Cisco TAC as well as minor version updates.

Please note that UCS products are not eligible for the E-Rate Services Bundle.



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E-RATE BASIC MAINTENANCE GUIDELINES

Basic Maintenance Proration

The SLD will pay for the actual usage of the Basic Maintenance during the awarded period. For example, if you sought funding from 7/1/2021 to 6/30/2022 but did not provide your purchase order to AMS.NET until 9/1/2021, the SLD will pay for 10 months of usage and not the entire 12 months awarded.

Service Prioritization and Escalation Guidelines

To ensure that all maintenance problems are reported in a timely manner, AMS.NET, Inc. has established the following problem priority definitions.

SERVICE PRIORITY DEFINITIONS:

Priority 1: An existing network is down, or there is a critical impact to the End User's business operation. AMS.NET, Inc. will commit full-time resources to resolve the situation. Call back to client within 2 hours. Same day service is provided.

Priority 2: Operation of an existing network is experiencing unacceptable network performance. AMS.NET, Inc. will commit full-time resources during standard business hours to resolve the situation. Technician is on-site within 24-hours.

Priority 3: Operational performance of the network is impaired while most business operations remain functional. AMS.NET, Inc. commits to resources for solutions during standard business hours to restore service to satisfactory levels within 24 hours.

Priority 4: Problem indicates no impact to end users normal business operation. AMS.NET, Inc. will provide resources/solutions during standard business hours to provide assistance as needed within 48-72 hours.

Service Requests:

Service requests via email or voicemail are returned within our standard two-hour response time (Unless specified otherwise on customer's Maintenance Agreement). Customer Service Department will log a ticket in our database, determine priority and send to our internal TAC department for remote troubleshooting, scheduling and on-site visit if necessary. If trouble requires an on-site engineer our TAC manager will follow escalation guideline and/or customer maintenance agreement and schedule accordingly.

Cisco TAC Call Procedure:

- CCIE's will call Cisco TAC. When field engineers require assistance from Cisco. They will escalate the call to one of our CCIE's for assistance.
- If CCIE is unable to resolve network trouble they will initiate call to Cisco TAC.
- If CCIE is unable to assist due to busy field schedule, then a CCNP or CCNA will contact Cisco TAC.
- Field Engineer will call Customer Service Department prior to Cisco TAC call during installation or maintenance to log into our internal database for tracking purposes. All Cisco TAC calls will be entered into our internal database.



ESCALATION GUIDELINES

Escalation Prioritization Guideline

Elapse Time	Priority 1	Priority 2	Priority 3	Priority 4
1 Hour	Technical Support Manager			
	Director of Technical Services - CCIE (If CCIE determines the problem can't be solved, then he initiates a call to Cisco TAC and follows up until the problem is resolved.)	Technical Support Manager		
24 Hours	Vice President Operations.	Director of Technical Services CCIE (If CCIE determines the problem can't be solved, then he initiates a call to Cisco TAC and follows up until the problem is resolved.)		
48 Hours	President (CEO)	Vice President Operations.		
72 Hours			Technical Support Manager	
96 Hours		President (CEO)	Director of Technical Services CCIE (If CCIE determines the problem can't be solved, then he initiates a call to Cisco TAC and follows up until the problem is resolved.)	Technical Support Manager



01/01/2019

ENET Solutions, Inc. Product Warranty

ENET SOLUTIONS PRODUCTS LIFETIME WARRANTY

ENET Solutions, Inc. ("ENET Solutions") warrants to the original purchaser of authorized ENET Solutions' products only, that during the applicable warranty period as described below, that the product will be: (a) free from material defects in manufacture, (b) fit for its normal intended use, and (c) will conform to any of ENET Solutions' applicable published specifications.

Applicable Warranty Period:

- Optical Transceivers – Lifetime Warranty
- Network Cables – Lifetime Warranty
- Network Interface Card (NIC) – Lifetime Warranty
- Network Memory – Lifetime Warranty
- Media Converters – 3 Year Warranty



WARRANTY & SERVICE REPLACEMENT

Warranty & Service Replacement Policy

AMS.NET warranties all work for a period of 30 days after installation unless otherwise specified. AMS.NET handles all these issues in-house and will provide technical resources to solve any problems which may arise. AMS.NET will work to obtain replacement equipment if said equipment is found to be faulty or in need of repair.

All warranty issues after the initial 30 days will be handled through direct manufacturer's warranty unless otherwise specified.

In the case of Public Bids and Contracts, all required warranty specifications will be followed and executed by AMS.NET in accordance with contractual law.

AMS.NET keeps a rotating reserve in-house of loaner/spares equipment for both our Service Contract Customers and warranty issues. If a newly placed piece of equipment fails, we can, in most cases get the customer's connectivity back in order while waiting for the replacement part to arrive from the manufacturer.

It is the policy of AMS.NET to keep on hand enough equipment to cover our core installation models. In addition, we have existing inventory from jobs in progress that serve as spares as well. In doing this, we can keep our customer's up time while dealing with getting permanent replacement parts through the manufacturer.



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AMS.NET PMO Capabilities

Project Management Office Core Values regarding the Practice of Project Management

AMS.NET's PMO delivers all services to customers with an emphasis on being collaborative, customer focused, and providing a value driven experience. Beyond a simple transaction with an organization, the PMO seeks to develop a shared understanding for what is of value and how the proposed solution serves the organization.

Collaborative:

AMS.NET focuses on effective communication utilizing various styles to meet the needs and preferences of our customers. We adapt to cadences ranging from daily stand-up calls to regular weekly written progress reports.

AMS.NET provides a project plan and a RAID log (pictured below) as effective management tools. These are shared with our customer organizations via smartsheets. These documents serve two major purposes:

- **Project Plan:** This document provides a high-level overview of the progress that has been made on a project and the next steps. Every customer can quickly see the projects progress, challenges, and next steps so they are equipped to share this information with their stakeholders.
- **RAID Log:** The RAID (Risk, Action, Issue, and Decision) log serves to house and track the detailed information within a project, whereas the project plan shows the highlights of where the project is going. The RAID log is an effective tool for monitoring the key pieces of information that must be resolved to ensure all goals have been met.

These documents work together to provide an effective tool set for managing the project without providing an overwhelming amount of data. The focus is on real information that matters to the customer and ensuring the requirements of the overall project have been completed effectively.

Relationship Focused:

AMS.NET focuses on long term partnerships with organizations, not simply selling services and moving on to a new opportunity. Supporting that focus, the PMO concentrates on comprehensive internal documentation, knowledge transfer from pre-sales to maintenance, and ensuring we earn the trust of our customer through continual hard work and support.

The PMO provides a consistent high-level experience based on a proven project management framework which is further adapted to meet the specific needs of the organization. Each customer is more than another engagement. We seek to understand and support each organizations individual needs and requirements.

Value Driven:

AMS.NET project management is focused on the goals of the project being aligned with the needs of the organization. Beyond what is called for in the scope of work, we seek to understand the individual challenges and intricacies of different sites and divisions within an organization and develop installation plans to achieve the goals of the project. AMS.NET utilizes a proven project management framework while maintaining flexibility. We focus on finding the best way to provide value to the customer, not just a standardized approach to implementing a solution.



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AMS.NET Project Methodology

The Project Management Office utilizes a specialized hybrid methodology of project management based on more than thirty years of experience. This methodology utilizes some common attributes of classical Waterfall Project Management, Agile Project Management and some Lean Management concepts combined with the unique insights from a specialized practice that focuses on public sector environments.

AMS.NET's PMO follows a proven framework in the implementation of projects, which is adapted to the specific customer implementation. The standard framework is highlighted as follows:

- **Discovery and Preparation Phase:**
 - AMS.NET performs an in-depth internal hand off between pre-sales and the implementation team that focuses on equipping the project team with all necessary information on the goals of the project, the scope of work, restrictions, risks, and other crucial details.
 - AMS.NET performs a high-level kick off meeting to affirm the scope of work's accuracy, the common understanding of project goals, and how to best deliver value to the client organization.
 - AMS.NET performs technical discovery using customer provided access to begin assembling proposed technical designs and install plans to review with the customer.
- **Design and Planning Phase:**
 - AMS.NET performs an initial technical planning meeting based on the technical discovery completed in the prior phase, wherein the initial project design elements are reviewed before a full design is proposed.
 - Once the outstanding technical questions have been resolved, all goals have been confirmed and the unique information found during discovery has been incorporated into the project, AMS.NET then proposes an initial design which may or may not include lab testing, peer review with Senior Engineering resources, and further technical requirements discussions as needed for the specific project.
 - Upon presentation of the design, the project team will work with the client to review outstanding questions or concerns, provide necessary edits and ultimately obtain approval for implementation according to the design.
- **Execution:**
 - The PMO will oversee execution according to the approved design, project plan, and any further installation planning documents. Client's will receive regular updates in accordance with the established communication plan called out for during the pre-sales process and possibly adjusted during the project as needed, which could include daily stand-up meetings or written updates depending upon the agreement.



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- The client should expect quick responses to any need for assistance, proactive customer satisfaction check ins, and continued updates to the project plan and RAID log.
- As whole milestones or sections of work are completed, the client will receive a notice for completion of that portion of the scope of work along with documentation showcasing its completion. This iterative approach ensures the team is focused on delivering whole sections of work and focused on the delivery of value to the project.
- If any issues are identified, they will be collected into a punch list which will be a part of the RAID log. This list will be tracked, with each item addressed, to ensure any outstanding needs are resolved.
- **Project Closeout:**
 - Upon successfully completing a substantial amount of the project, the Project Team transitions to a closeout phase where final documentation is completed and shared with the customer.
 - A closeout meeting will be held where the customer receives the documentation, reviews the course of the project, and is officially transitioned to our Service team for post installation support in line with the warranty terms of the project.
 - Internal documentation will be updated to ensure the support team fully understands what has been implemented and can assist the customer in case of an issue should the install team not be readily available for that client.

Each step of the previously outlined framework will be adjusted to the specific needs of the engagement but will follow the same spirit of the methodology which is to ensure a successful implementation takes place for the client.

Multi-Point Auditing and Internal Controls

The PMO is subject to regular auditing, coaching and management oversight to ensure that projects are being managed meet the standard of excellence. These auditing and controls may include:

- **Onboarding and professional development:** Each member of the PMO is trained according to the AMS.NET standard of excellence outlined within our best practice guide for project management and technical playbooks for specific solutions. These documents that represent the insight and knowledge of our most senior resources within operations are used to follow a consistent and successful approach to the implementation of technology solutions.
- **Project creation and closure auditing:** Each project is audited from the beginning to ensure we are starting from a solid foundation. Likewise, at the end of the project, the SOW, deliverables, and documentation are all evaluated to ensure the standards were met and the client received the service they were due on the project.
- **Weekly auditing and Coaching:** The AMS.NET PMO is audited on a bi-weekly basis, project by project, to ensure regular communication, project updates, and progress within project is taking place. When the full project queue is not being audited, the PM themselves receive coaching and professional development. This ensures that new PMs and senior PMs all continue to grow and develop to better serve our customers.



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- **Daily stand-up meetings:** Daily, the AMS.NET PMO reports to the PMO Manager on key areas being worked on, where assistance is needed, and how management can assist in resolving issues on their project. This ensures daily interaction with operations management on project issues so any problems that arise can be quickly resolved.

Risk and Change Management

In collaboration with the technical resources, the project management team constantly evaluates the project for potential risks. We are committed to not only look at the projects initial design but address new information and changing customer needs as the project evolves. Our PMO works to evaluate and record risks in the RAID log and advise the client of any potential issue and how it can be resolved, avoided, or mitigated. AMS.NET does this proactively so that customers benefit from our decades of experience and are aware of how issues can be resolved before they take place. Change management is a discipline utilized in the implementation of risk reduction strategies, sometimes through the means of a design change, implementation change, or other avenue. We practice a disciplined strategy with an emphasis on proactive communication, customer education, and support for the potential scope changes involved.

Consistent Toolset

Along with the two primary customer facing tools, the project plan and RAID log, internally AMS.NET utilizes Salesforce to run operations. Depicted below are examples of the project plan and RAID log, which are the key examples of customer facing documentation. The examples lack any sensitive or identifying information for the project or customer involved but provide an idea of what the documentation looks like for the customer.

Samples

Item Category	Item Description	Project Discipline	Date Identified	Due Date	Date Completed
1	General Notes				
7	Collaboration Solution				
37	Speaker Cabling				
53	MRA Discussion				
102	Jabber Rollout v. Phone Rollout Discussion				
119	Punchlist				
119	Issue: Green line at Ramona does not allow for calls out. Spectrum needs to fix.	Customer Action Item	02/24/21		
117	Issue: Eucalyptus - Room 15 Bad Display	Collaboration	03/25/21	04/09/21	
118	Issue: Eucalyptus - External Room 2 (inconsistent speaker power and POE error on switch)	Cabling	03/25/21	04/09/21	
119	Issue: Eucalyptus - External Room 22 is not installed yet	Cabling	03/25/21	04/09/21	
120	Issue: Ramona - Cannot Find 1 Speaker	Collaboration	03/25/21	04/09/21	03/31/21
121	Issue: Ramona - Duplicate Speaker ID	Collaboration	03/25/21	04/09/21	03/31/21
122	Issue: Ramona - Rooms K1, 16, 105, FD and After School Program - Not on network	Cabling	03/25/21	04/09/21	
122	Issue: Washington - 7 Speakers with no SmartSheet Entries	Collaboration	03/25/21	04/09/21	04/13/21
124	Issue: Washington - 3 Speakers with Duplicate SFID #	Collaboration	03/25/21	04/09/21	04/13/21
125	Issue: Washington - 2 Speakers not on Network	Cabling	03/25/21	04/09/21	
126	Issue: York - 8 Speakers not on Network	Cabling	03/25/21	04/09/21	
127	Issue: York - 2 Speakers with no SmartSheet Entries	Collaboration	03/25/21	04/09/21	



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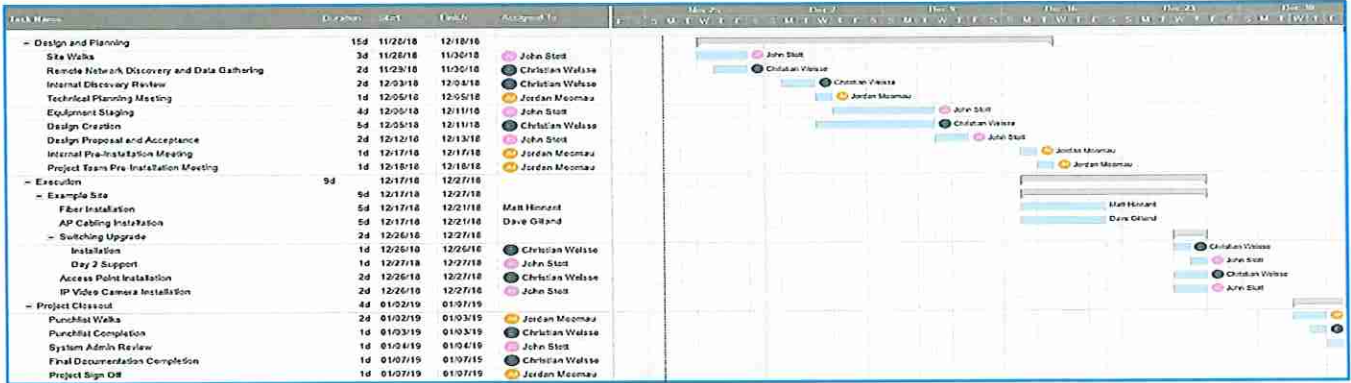
AMS.NET Technology Solution Provider							
Discovery and Preparation	10d	06/29/20	07/10/20				
Design and Planning	96d	07/24/20	12/04/20				
Switch Configuration Discussion	1d	07/24/20	07/24/20	JV John Vincent	Install Plan/ Updated Configuration	Template Information	Complete
Dial Plan Workshop - Call Manager Design	1d	07/27/20	07/27/20	JV John Vincent	Design Workbook	Written Approval of Workbook	Complete
Paging Workshop - Speaker Design and Emergency Notifica				JV John Vincent	Design Workbook	Written Approval of Workbook	Complete
Equipment Preparation and Initial Configuration				JV John Vincent	N/A	N/A	Complete
Server Installation at HUSD				JV John Vincent	Installed Equipment	N/A	Complete
Prototype Configuration				JV John Vincent	Functional Prototype Phone and Spea	N/A	Complete
Prototype Review and Approval				J Jordan Moomau	Updated Project Schedule	Written Approval of Prototype	Complete
Final Configuration of Phones	5d	11/30/20	12/04/20	JV John Vincent	Configured Equipment		Complete
Auto Attendant Recording	5d			JV John Vincent	Configured Auto Attendants	Auto Attendant Recordings, Approved Scripts	

Execution	186d	07/06/20	03/22/21				
Cabling	126d	07/06/20	12/28/20				
Prarie Vista South - Speaker Cabling	5d	07/06/20	07/10/20	Clint Southwick			Complete
Zela Davis - Speaker Cabling	10d	07/13/20	07/24/20	Clint Southwick			Complete
Washington - Speaker Cabling	1d	08/04/20	08/04/20	Clint Southwick			Complete
Jefferson - Speaker Cabling	5d	08/03/20	08/07/20	Clint Southwick			Complete
Kornblum - Speaker Cabling	10d	08/10/20	08/21/20	Clint Southwick			Complete
Prarie Vista MS - Speaker Cabling	14d	08/24/20	09/10/20	Clint Southwick			Complete
Eucalyptus - Speaker Cabling	15d	09/14/20	10/02/20	Clint Southwick			Complete
Hawthorne MS - Speaker Cabling	8d	10/12/20	10/21/20	Clint Southwick			Complete
Bud Carson MS - Speaker Cabling	14d	10/20/20	11/06/20	Clint Southwick			Complete
Hawthorne Math and Science - Speaker Cabling	15d	11/09/20	11/27/20	Clint Southwick			Complete
York - Speaker Cabling	12d	11/23/20	12/09/20	Clint Southwick			In Progress
Ramona - Speaker Cabling	15d	12/03/20	12/28/20	Clint Southwick			
Engineering	108d	08/05/20	01/01/21				
Network Configuration Changes	5.438d	08/05/20	08/12/20				Complete
CUCM Server Prep	2d	08/10/20	08/11/20	JV John Vincent			Complete
CUCM Server Installation	1d	08/12/20	08/12/20	JV John Vincent			Complete
Server Configuration	7d	08/13/20	08/21/20	JV John Vincent			Complete
Phone Prototype Meeting	1d	08/31/20	08/31/20	JV John Vincent			Complete
Prototype Approval	1d	11/20/20	11/20/20	Overlin Zamora			Complete
Informacast Configuration	5d	12/14/20	12/18/20	JV John Vincent			
Auto Attendant Configuration	10d	12/21/20	01/01/21	JV John Vincent			
Router Installation/ VOIP Readiness Testing	2.5d	09/01/20	09/03/20	JV John Vincent			Complete
Switch Installation/ Router Punch Downs							
York	5d	01/11/21	01/15/21	JV John Vincent			
Bud Carson	5d	01/11/21	01/15/21	JV John Vincent			
Hawthorne MS	5d	01/11/21	01/15/21	JV John Vincent			
Jefferson	5d	01/11/21	01/15/21	JV John Vincent			



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Practice	Progress	Customer Assigned Task	Task Name	Task Description	Pending Process Description	Assigned To	Due Date	Date Completed
Project Management	In Process	<input type="checkbox"/>	Provide Updated Project Plan	Send Project Plan to Jim		Jordan Moomau	11/30/18	
Engineering	Completed	<input type="checkbox"/>	Redress Patch Cables at MDF at	Redress with velcro and submit		John Stott	11/26/18	11/26/18
Cabling	Assigned	<input type="checkbox"/>	Test drops in classroom 3 at Harb	Test and troubleshoot as needed	Requires Assignment	Matt Hinnant	11/30/18	



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HPE/ARUBA REFERENCES

Detailed References

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Madera Unified School District

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HPE/Aruba Network Infrastructure

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jalcaide@fcoe.net

115 McCabe Ave.
Mendota, CA 93640-2000

HPE/Aruba Network Infrastructure

Merced Irrigation District

Jesse Kilgore
(209) 722-5761
jkilgore@mercedid.org

P.O. Box 2288
Merced, CA 95344-0288

HPE/Aruba Network Infrastructure

Napa Valley Unified School District

Jordan Michels
(707) 259-8487
jmichels@nvusd.org

2425 Jefferson Street
Napa, CA 94558

HPE/Aruba Network Infrastructure

Natomas Charter School

Joe Cook
(916) 928-5353
jcook@natomascharter.org

4600 Blackrock Dr.
Sacramento, CA 95835

HPE/Aruba Network Infrastructure, Wireless

Pleasant Ridge Union School District

Gregg Motarjeme
(530) 268-2800
22580 Kingston Lane
Grass Valley, Ca 95949

HPE/Aruba Network Infrastructure

San Joaquin County Office of Education

Robert Tipton
(209) 468-9168
wtipton@sjcoe.net
2922 Transworld Drive
Stockton, CA 95206

HPE/Aruba Network Infrastructure

Wright Elementary School District

Jimmy Bui
(707) 542-0550
jbui@wrightesd.org
4385 Price Ave.

Santa Rosa, CA 95407

HPE/Aruba Network Infrastructure

West Hills Community College District

Jeff Seed
(559) 934-2230
jeffseed@whccd.edu

9800 Cody Street
Coalinga, CA 93210

HPE/Aruba Network Infrastructure



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Technology Solution Provider

PROJECT REFERENCES

Project Summaries

Name of Organization: Los Gatos Union School District

Address: 17010 Roberts Rd., Los Gatos, CA 95032

Contact Person: Matt Mullikin

Email/Phone: mmullikin@lgusd.org, (408) 335-2378

Network & Fiber Upgrade Project

Original contract amount: \$771,000.00

Contract start date: November 2020

Final completion date: June 2021

Los Gatos Union School District leveraged the 1st round of Cares Act funding during the 2020 pandemic and partnered with AMS.NET to complete an ongoing phased network upgrade that was going to wait until the next E-Rate funding cycle. The district had decided to bring all of the students and staff back in February of 2021 but the network environment was not ready to handle to influx of additional devices and bandwidth requirements needed to properly run the business of educating student in the new world we were living in. The most important part of this project was also the most time consuming as the entire fiber optic network needed to be upgraded at all 5 of their school sites to single mode.

AMS.NET worked intimately with the district to define a project plan to get this portion of the project completed with enough time to get key components of the network in place to support 10GB a crossed the network. Once this was completed, we were able to deploy the rest of the project in a normal manner. The project consisted of IDF cabinet upgrades to support the new networking and UPS equipment along with additional Category 6 structured cabling runs to support their new wireless access point locations. Each sites network was fully upgraded with Meraki using MS355's for the access switching and both MR56 / 74's for the wireless infrastructure. The district purchased a 5-year Meraki subscription for management of the environment and for peace of mind since there would be no recurring costs until year 6.

Name of Organization: Pleasanton Unified School District

Address: 4750 First Street, Pleasanton, CA 94566

Contact Person: Robert Torres

Email/Phone: rtorres@pleasantonusd.net, (925) 596-9660

Network Refresh

Original contract amount: \$8,600,000.00

Contract start date: April 2020

Final completion date: March 2022

E-Rate Site Billed Entity Number (BEN)- 144214

Project was partially funded with E-Rate and the remaining covered by bond funds.



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PROJECT REFERENCES

Project Summaries *(Continued)*

Pleasanton Unified School District *(Continued)*

Project Description:

- Project included district wide Cisco VOIP deployment with InformaCast paging integration. The District is currently using Cisco collaboration to connect their sites and staff. InformaCast is currently being used through IP speakers and IP phones for mass notification, emergency notification, bell schedules and 911 call tracking.
- Pleasanton Unified School District had not refreshed the switching network in over 10 years and were running a 1G backbone at all school sites. Through use of a local Bond and E-Rate year 22 funding, PUSD was able to completely update the wired network to establish a 40G LAN at each school utilizing a Brocade/Ruckus architecture. To enable the new architecture, a completely new fiber infrastructure needed to be installed to replace the existing multi-mode fiber plant. PUSD worked with AMS.NET to architect a 40G solution that had multi-rate ports in the ToR switches and PoE+ to all ports. This met the Districts 7-10 year architecture goals.
- Prior to E-Rate 23, PUSD asked AMS.NET to provide POC trials with a number of different wireless manufacturers. AMS.NET provided POC hardware and setup assistance for Ruckus and Meraki solutions. In the end, a Meraki solution was chosen by the District. AMS.NET performed extensive site walks at all of the District sites, and along with District staff determined what deployment strategy best served the District's needs. AMS.NET proposed 802.11 AX wireless access points in indoor and outdoor models, providing wireless service to all locations across every campus in the District. AMS.NET proposed to place one access point in every classroom and learning area of each site. Outdoor wireless access points were placed in locations that cover blacktops and play areas and were installed in vandal proof enclosures in order to protect the Districts investment in hardware.

Name of Organization: San Rafael City Schools

Address: 310 Nova Albion Way, San Rafael, CA 94903

Contact Person: Noel Matthias

Email/Phone: nmatthias@srcs.org, (415) 485-2321

Cisco Wired & Wireless Networking

Original contract amount: \$2,500,000.00

Contract start date: June 2018

Final completion date: Ongoing

San Rafael City Schools serve a diverse community of over 8,000 students and 700 staff users over 3 high schools, 2 middle schools, 7 elementary schools, 3 non-instructional sites. AMS.NET worked with SRCs through budget challenges to incrementally upgrade their wired and wireless network through multiple E-Rate cycles and bond funding. SRCs utilized the SPURR contract for E-Rate and the FOCUS contract for all other purchases as part of this project.



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PROJECT REFERENCES

Project Summaries *(Continued)*

San Rafael City Schools *(Continued)*

The scope of the project includes:

- Cisco C6800 core switches at both high school data centers for a fully-redundant network and data center core
- Cisco C9300 for LAN cores at each school site
- Cisco Meraki MS425 for LAN fiber aggregation
- Cisco Meraki MS390 and MS250 to provide full PoE and mGig access
- Cisco Meraki WiFi 6 indoor and outdoor APs to support 1:1 wireless

Name of Organization: Tracy Unified School District

Address: 1975 W Lowell Ave., Tracy, CA 95376

Contact Person: Tom Quiambao

Email/Phone: tquiambao@tusd.net, (209) 830-3282 ext. 1940

Networking Switching Upgrade Project

Original contract amount: \$800,000.00

Contract start date: June 2020

Final completion date: December 2020

E-Rate Site Billed Entity Number (BEN)- 144421

Tracy Unified School District was in the process of annually replacing portions of their end-of-life (EOL) switching hardware, and E-Rate 22 was the last batch of switches that needed to be replaced before the EOL date had been reached. TUSD and AMS.NET worked together to define a concise list of the remaining hardware and provided the switches and interconnect to complete the switch refresh. AMS.NET provided template configurations for each switch and assisted Tracy USD in the configuration and deployment of all hardware.

The last item that needed to be address for TUSD was the core and data center switching infrastructure. The existing core was coming to its EOL date and the District needed assistance planning for a core upgrade. One of the biggest issues faced was the cabling plant for the data center switching terminated at the core switch, and a 7 slot core switch was overloaded with connections making daily maintenance and administration very difficult.

AMS.NET proposed ToR switches in the data center with 100G uplinks to the new core switch, reducing the amount of physical connections into the new core switch by half. The core switch was replaced utilizing a smaller chassis and fewer blades to accomplish the same goal. This implementation also offered TUSD an opportunity to deploy Cisco DNA in their environment. AMS.NET worked with Cisco and TUSD to provide a base installation of Cisco DNA that will continue to grow into the future.



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PROJECT REFERENCES

Project Summaries *(Continued)*

Tracy Unified School District *(Continued)*

The scope of the project included:

- DNA Center – In keeping with the established technology roadmap, Tracy USD along with AMS.NET have begun to implement Cisco DNA Center to enable Assurance across the wired and wireless infrastructure. This is the first stage in establishing a zero-trust environment which is a primary focus and business driver within the District.
- PAN Cortex and DNS – Broadened the security fabric to include Palo Alto Networks Cortex and DNS security applications to provide best in class endpoint security and intelligence.
- Wireless - AMS.NET performed extensive site walks at District identified sites, and along with District staff determined what deployment strategy best served the District's needs. AMS.NET proposed 802.11 AX wireless access points in indoor and outdoor models, providing wireless service to all locations across every campus in the District. AMS.NET proposed to place one access point in every classroom and learning area of each site. Outdoor wireless access points were placed in locations that cover blacktops and play areas and were installed in vandal proof enclosures in order to protect the Districts investment in hardware.



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Section 2

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

Letter of Agreement - RFP 22-105

Pursuant to the terms of River Delta Unified School District's RFP # 22-105 for Wireless Network Equipment, (Name of Company) AMS.NET, Inc.'s response to RFP #22-105 dated (mm/dd/yyyy) 11/1/2022, (Name of Company) AMS.NET, Inc. will provide the equipment and services per RFP # 22-105 effective the date of issuance of River Delta Unified School District's Purchase Order(s).

(Name of Company) AMS.NET, Inc. and River Delta Unified School District acknowledge that this agreement is for E-Rate eligible products and services, which are contingent on funding by the School and Libraries Division of USAC/FCC and the River Delta Unified School District for E-Rate Year 2022 (Year 25), and River Delta Unified School District's Board of Education approval.

The River Delta Unified School District (District) reserves the right to terminate the referenced Request for Proposal (RFP) and all documents associated with the Request for Proposal, including but not limited to this Letter of Agreement, in its sole discretion at any time, with or without cause, upon written notice to the other party. In the event of termination, notice shall be deemed served on the date of mailing and shall be effective immediately. The River Delta Unified School District shall not be responsible for any costs to Bidder prior to termination.

River Delta Unified School District _____

Authorized Representative Signature _____

Date: _____

Name: Tammy Busch

Title: Chief Business Officer

Address: 445 Montezuma Street
Rio Vista, CA 94571

Email: tbusch@rdusd.org

Phone: (707) 374-1715

AMS.NET, Inc.

(Name of Company) _____

Authorized Representative Signature _____

Date: 11/1/2022

Name: Diana Monaghan

Title: Secretary

Address: 502 Commerce Way
Livermore, CA 94551

Email: OrderTracking@ams.net

Phone: 925-245-6186



AMS.NET
Technology Solution Provider

Section 3

Cost Proposal

RFP 22-105

Responder Company Name: AMS.NET, Inc.
 Responder Name: Jared Bayless
 Responder Title: Sr. Account Manager
 Responder SPIN: 143005886
 Responder Phone: (925) 245-6186

The District's eligible Network Equipment includes (or equivalent):

Rio Vista High School

Part Number	Qty	Description	Unit Price	Extended Cost
JL323A	5	HPE 2930M 40G 8 HPE Smart Rate PoE+ 1-Slot Switch - 48 Ports - Manageable - 3 Layer Supported - Modular - 4 SFP Slots - Optical Fiber, Twisted Pair - Rack-mountable - Lifetime Limited Warranty		*
JL087A	10	HPE Aruba X372 54VDC 1050W 110-240VAC Power Supply - 54 V DC Output		
JL083A	5	HPE Aruba 3810M 4SFP+ Module - For Data Networking, Optical NetworkOptical Fiber10 Gigabit Ethernet - 10GBase-X4 x Expansion Slots - SFP+		
JL693A	1	Aruba 2930F 12G PoE+ 2G/2SFP+ Switch - 12 Ports - Manageable - Gigabit Ethernet, 10 Gigabit Ethernet - 10/100/1000Base-T, 10GBase-X - 3 Layer Supported - Modular - Power Supply - Twisted Pair, Optical Fiber - Lifetime Limited Warranty		
ROX26A	1	Aruba 6405 Switch - Manageable - 3 Layer Supported - Modular - Optical Fiber - Rack-mountable - Lifetime Limited Warranty		
ROX36A	4	Aruba 6400 3000W Power Supply With C20 Inlet Adapter - 120 V AC, 230 V AC Input - 54 V DC Output - 3000 W		
ROX31A	1	Aruba 6400 Management Module - 1 x Management - Plug-in Module		
ROX43A	1	Aruba 6400 24p SFP+ 4SFP56 Module		
ROX41A	1	Aruba 6400 48p SR5 CL6 PoE 4SFP56 Module		
ROX40B	2	Aruba 6400 48p 1GbE CL6 PoE 4SFP56 Module		
ROX37A	1	Aruba 6400 4-post Rack Mount Kit		
J4858D	6	HPE 1G SFP LC SX 500m OM2 MMF Transceiver - For Optical Network, Data Networking - 1 x LC 1000Base-SX Network - Optical Fiber - Multi-mode - Gigabit Ethernet - 1000Base-SX		
J4859D	30	Aruba 1G SFP LC LX 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 1000Base-LX Network - Optical Fiber - Single-mode - Gigabit Ethernet - 1000Base-LX		
J9150D	6	Aruba 10G SFP+ LC SR 300m OM3 MMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-SR Network - Optical Fiber - Multi-mode - 10 Gigabit Ethernet - 10GBase-SR - Plug-in Module		
J9151E	6	Aruba 10G SFP+ LC LR 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-LR Network - Optical Fiber - Single-mode - 10 Gigabit Ethernet - 10GBase-LR		
Service - Fixed Fee	1	Professional Services		
Basic Maintenance				

HJ0H9E	5	HPE Foundation Care Exchange - 3 Year Extended Service - Service - 9 x 5 Next Business Day - Service Depot - Exchange - Electronic, Physical		
HK8P7E	1	HPE Foundation Care Exchange - 3 Year Extended Service - Service - 9 x 5 Next Business Day - Service Depot - Exchange		
			Subtotal	
			Taxes	
			Shipping	
			Installation	
			Configuration	
			Grand Total	

*Please see included Quotes for exacting pricing and quantities.

Riverview Middle School

Part Number	Qty	Description	Unit Price	Extended Cost
JL323A	2	HPE 2930M 40G 8 HPE Smart Rate PoE+ 1-Slot Switch - 48 Ports - Manageable - 3 Layer Supported - Modular - 4 SFP Slots - Optical Fiber, Twisted Pair - Rack-mountable - Lifetime Limited Warranty		*
JL087A	4	HPE Aruba X372 54VDC 1050W 110-240VAC Power Supply - 54 V DC Output		
JL083A	2	HPE Aruba 3810M 4SFP+ Module - For Data Networking, Optical NetworkOptical Fiber10 Gigabit Ethernet - 10GBase-X4 x Expansion Slots - SFP+		
J4858D	2	HPE 1G SFP LC SX 500m OM2 MMF Transceiver - For Optical Network, Data Networking - 1 x LC 1000Base-SX Network - Optical Fiber - Multi-mode - Gigabit Ethernet - 1000Base-SX		
J4859D	2	Aruba 1G SFP LC LX 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 1000Base-LX Network - Optical Fiber - Single-mode - Gigabit Ethernet - 1000Base-LX		
J9150D	2	Aruba 10G SFP+ LC SR 300m OM3 MMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-SR Network - Optical Fiber - Multi-mode - 10 Gigabit Ethernet - 10GBase-SR - Plug-in Module		
J9151E	2	Aruba 10G SFP+ LC LR 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-LR Network - Optical Fiber - Single-mode - 10 Gigabit Ethernet - 10GBase-LR		
Service - Fixed Fee	1	Professional Services		
Basic Maintenance				
HJ0H9E	2	HPE Foundation Care Exchange - 3 Year Extended Service - Service - 9 x 5 Next Business Day - Service Depot - Exchange - Electronic, Physical		
			Subtotal	
			Taxes	
			Shipping	
			Installation	
			Configuration	
			Grand Total	

*Please see included Quotes for exacting pricing and quantities.

DH White Elementary

Part Number	Qty	Description	Unit Price	Extended Cost
JL324A	1	Aruba 2930M 24 HPE Smart Rate PoE+ 1-slot Switch - 24 Ports - Manageable - 3 Layer Supported - Modular - Twisted Pair - Rack-mountable, Standalone - Lifetime Limited Warranty		*
JL086A	2	HPE Aruba X372 54VDC 680W 100-240VAC Power Supply		
JL083A	1	HPE Aruba 3810M 4SFP+ Module - For Data Networking, Optical NetworkOptical Fiber10 Gigabit Ethernet - 10GBase-X4 x Expansion Slots - SFP+		
J4858D	1	HPE 1G SFP LC SX 500m OM2 MMF Transceiver - For Optical Network, Data Networking - 1 x LC 1000Base-SX Network - Optical Fiber - Multi-mode - Gigabit Ethernet - 1000Base-SX		
J4859D	1	Aruba 1G SFP LC LX 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 1000Base-LX Network - Optical Fiber - Single-mode - Gigabit Ethernet - 1000Base-LX		
J9150D	1	Aruba 10G SFP+ LC SR 300m OM3 MMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-SR Network - Optical Fiber - Multi-mode - 10 Gigabit Ethernet - 10GBase-SR - Plug-in Module		
J9151E	1	Aruba 10G SFP+ LC LR 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-LR Network - Optical Fiber - Single-mode - 10 Gigabit Ethernet - 10GBase-LR		
Service - Fixed Fee	1	Professional Services		
Basic Maintenance				
HJ0H9E	1	HPE Foundation Care Exchange - 3 Year Extended Service - Service - 9 x 5 Next Business Day - Service Depot - Exchange - Electronic, Physical		
			Subtotal	
			Taxes	
			Shipping	
			Installation	
			Configuration	
			Grand Total	

*Please see included Quotes for exact pricing and quantities.

District Office

Part Number	Qty	Description	Unit Price	Extended Cost
JL323A	2	HPE 2930M 40G 8 HPE Smart Rate PoE+ 1-Slot Switch - 48 Ports - Manageable - 3 Layer Supported - Modular - 4 SFP Slots - Optical Fiber, Twisted Pair - Rack-mountable - Lifetime Limited Warranty		*
JL087A	4	HPE Aruba X372 54VDC 1050W 110-240VAC Power Supply - 54 V DC Output		
JL083A	2	HPE Aruba 3810M 4SFP+ Module - For Data Networking, Optical NetworkOptical Fiber10 Gigabit Ethernet - 10GBase-X4 x Expansion Slots - SFP+		
J4858D	2	HPE 1G SFP LC SX 500m OM2 MMF Transceiver - For Optical Network, Data Networking - 1 x LC 1000Base-SX Network - Optical Fiber - Multi-mode - Gigabit Ethernet - 1000Base-SX		

J4859D	2	Aruba 1G SFP LC LX 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 1000Base-LX Network - Optical Fiber - Single-mode - Gigabit Ethernet - 1000Base-LX		
J9150D	2	Aruba 10G SFP+ LC SR 300m OM3 MMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-SR Network - Optical Fiber - Multi-mode - 10 Gigabit Ethernet - 10GBase-SR - Plug-in Module		
J9151E	2	Aruba 10G SFP+ LC LR 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-LR Network - Optical Fiber - Single-mode - 10 Gigabit Ethernet - 10GBase-LR		
Service - Fixed Fee	1	Professional Services		
Basic Maintenance				
HJ0H9E	2	HPE Foundation Care Exchange - 3 Year Extended Service - Service - 9 x 5 Next Business Day - Service Depot - Exchange - Electronic, Physical		
			Subtotal	
			Taxes	
			Shipping	
			Installation	
			Configuration	
			Grand Total	

*Please see included Quotes for exact pricing and quantities.

Delta High School

Part Number	Qty	Description	Unit Price	Extended Cost
JL323A	5	HPE 2930M 40G 8 HPE Smart Rate PoE+ 1-Slot Switch - 48 Ports - Manageable - 3 Layer Supported - Modular - 4 SFP Slots - Optical Fiber, Twisted Pair - Rack-mountable - Lifetime Limited Warranty		*
JL087A	10	HPE Aruba X372 54VDC 1050W 110-240VAC Power Supply - 54 V DC Output		
JL083A	5	HPE Aruba 3810M 4SFP+ Module - For Data Networking, Optical Network Optical Fiber 10 Gigabit Ethernet - 10GBase-X4 x Expansion Slots - SFP+		
JL325A	4	Aruba 2930 2-Port Stacking Module - For Data Networking 2 x Expansion Slots		
J9735A	4	HPE 2920 1m Stacking Cable - 3.28 ft Network Cable for Network Device, Switch - Stacking Cable - Black		
J4858D	5	HPE 1G SFP LC SX 500m OM2 MMF Transceiver - For Optical Network, Data Networking - 1 x LC 1000Base-SX Network - Optical Fiber - Multi-mode - Gigabit Ethernet - 1000Base-SX		
J4859D	5	Aruba 1G SFP LC LX 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 1000Base-LX Network - Optical Fiber - Single-mode - Gigabit Ethernet - 1000Base-LX		
J9150D	5	Aruba 10G SFP+ LC SR 300m OM3 MMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-SR Network - Optical Fiber - Multi-mode - 10 Gigabit Ethernet - 10GBase-SR - Plug-in Module		

J9151E	5	Aruba 10G SFP+ LC LR 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-LR Network - Optical Fiber - Single-mode - 10 Gigabit Ethernet - 10GBase-LR		
Service - Fixed Fee	1	Professional Services		
Basic Maintenance				
HJ0H9E	5	HPE Foundation Care Exchange - 3 Year Extended Service - Service - 9 x 5 Next Business Day - Service Depot - Exchange - Electronic, Physical		
			Subtotal	
			Taxes	
			Shipping	
			Installation	
			Configuration	
			Grand Total	

*Please see included Quotes for exact pricing and quantities.

Bates				
Part Number	Qty	Description	Unit Price	Extended Cost
JL323A	3	HPE 2930M 40G 8 HPE Smart Rate PoE+ 1-Slot Switch - 48 Ports - Manageable - 3 Layer Supported - Modular - 4 SFP Slots - Optical Fiber, Twisted Pair - Rack-mountable - Lifetime Limited Warranty		*
JL087A	6	HPE Aruba X372 54VDC 1050W 110-240VAC Power Supply - 54 V DC Output		
JL083A	3	HPE Aruba 3810M 4SFP+ Module - For Data Networking, Optical Network Optical Fiber 10 Gigabit Ethernet - 10GBase-X4 x Expansion Slots - SFP+		
JL325A	3	Aruba 2930 2-Port Stacking Module - For Data Networking 2 x Expansion Slots		
J9735A	3	HPE 2920 1m Stacking Cable - 3.28 ft Network Cable for Network Device, Switch - Stacking Cable - Black		
JL693A	1	Aruba 2930F 12G PoE+ 2G/2SFP+ Switch - 12 Ports - Manageable - Gigabit Ethernet, 10 Gigabit Ethernet - 10/100/1000Base-T, 10GBase-X - 3 Layer Supported - Modular - Power Supply - Twisted Pair, Optical Fiber - Lifetime Limited Warranty		
J4858D	4	HPE 1G SFP LC SX 500m OM2 MMF Transceiver - For Optical Network, Data Networking - 1 x LC 1000Base-SX Network - Optical Fiber - Multi-mode - Gigabit Ethernet - 1000Base-SX		
J4859D	4	Aruba 1G SFP LC LX 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 1000Base-LX Network - Optical Fiber - Single-mode - Gigabit Ethernet - 1000Base-LX		
J9150D	4	Aruba 10G SFP+ LC SR 300m OM3 MMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-SR Network - Optical Fiber - Multi-mode - 10 Gigabit Ethernet - 10GBase-SR - Plug-in Module		
J9151E	4	Aruba 10G SFP+ LC LR 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-LR Network - Optical Fiber - Single-mode - 10 Gigabit Ethernet - 10GBase-LR		

Service - Fixed Fee	1	Professional Services		
Basic Maintenance				
HJ0H9E	3	HPE Foundation Care Exchange - 3 Year Extended Service - Service - 9 x 5 Next Business Day - Service Depot - Exchange - Electronic, Physical		
HK8P7E	1	HPE Foundation Care Exchange - 3 Year Extended Service - Service - 9 x 5 Next Business Day - Service Depot - Exchange		
			Subtotal	
			Taxes	
			Shipping	
			Installation	
			Configuration	
			Grand Total	

*Please see included Quotes for exact pricing and quantities

Mokelumne High School

Part Number	Qty	Description	Unit Price	Extended Cost
JL324A	1	Aruba 2930M 24 HPE Smart Rate PoE+ 1-slot Switch - 24 Ports - Manageable - 3 Layer Supported - Modular - Twisted Pair - Rack-mountable, Standalone - Lifetime Limited Warranty		*
JL086A	2	HPE Aruba X372 54VDC 680W 100-240VAC Power Supply		
JL083A	1	HPE Aruba 3810M 4SFP+ Module - For Data Networking, Optical NetworkOptical Fiber10 Gigabit Ethernet - 10GBase-X4 x Expansion Slots - SFP+		
J4858D	1	HPE 1G SFP LC SX 500m OM2 MMF Transceiver - For Optical Network, Data Networking - 1 x LC 1000Base-SX Network - Optical Fiber - Multi-mode - Gigabit Ethernet - 1000Base-SX		
J4859D	1	Aruba 1G SFP LC LX 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 1000Base-LX Network - Optical Fiber - Single-mode - Gigabit Ethernet - 1000Base-LX		
J9150D	1	Aruba 10G SFP+ LC SR 300m OM3 MMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-SR Network - Optical Fiber - Multi-mode - 10 Gigabit Ethernet - 10GBase-SR - Plug-in Module		
J9151E	1	Aruba 10G SFP+ LC LR 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-LR Network - Optical Fiber - Single-mode - 10 Gigabit Ethernet - 10GBase-LR		
Service - Fixed Fee	1	Professional Services		
Basic Maintenance				
HJ0H9E	1	HPE Foundation Care Exchange - 3 Year Extended Service - Service - 9 x 5 Next Business Day - Service Depot - Exchange - Electronic, Physical		
			Subtotal	
			Taxes	
			Shipping	
			Installation	
			Configuration	
			Grand Total	

*Please see included Quotes for exact pricing and quantities.

Walnut Grove Elementary

Part Number	Qty	Description	Unit Price	Extended Cost
JL323A	3	HPE 2930M 40G 8 HPE Smart Rate PoE+ 1-Slot Switch - 48 Ports - Manageable - 3 Layer Supported - Modular - 4 SFP Slots - Optical Fiber, Twisted Pair - Rack-mountable - Lifetime Limited Warranty		*
JL087A	6	HPE Aruba X372 54VDC 1050W 110-240VAC Power Supply - 54 V DC Output		
JL083A	3	HPE Aruba 3810M 4SFP+ Module - For Data Networking, Optical NetworkOptical Fiber10 Gigabit Ethernet - 10GBase-X4 x Expansion Slots - SFP+		
J4858D	3	HPE 1G SFP LC SX 500m OM2 MMF Transceiver - For Optical Network, Data Networking - 1 x LC 1000Base-SX Network - Optical Fiber - Multi-mode - Gigabit Ethernet - 1000Base-SX		
J4859D	3	Aruba 1G SFP LC LX 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 1000Base-LX Network - Optical Fiber - Single-mode - Gigabit Ethernet - 1000Base-LX		
J9150D	3	Aruba 10G SFP+ LC SR 300m OM3 MMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-SR Network - Optical Fiber - Multi-mode - 10 Gigabit Ethernet - 10GBase-SR - Plug-in Module		
J9151E	3	Aruba 10G SFP+ LC LR 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-LR Network - Optical Fiber - Single-mode - 10 Gigabit Ethernet - 10GBase-LR		
Service - Fixed Fee	1	Professional Services		
Basic Maintenance				
HJ0H9E	3	HPE Foundation Care Exchange - 3 Year Extended Service - Service - 9 x 5 Next Business Day - Service Depot - Exchange - Electronic, Physical		
			Subtotal	
			Taxes	
			Shipping	
			Installation	
			Configuration	
			Grand Total	

*Please see included Quotes for exact pricing and quantities

The District's eligible Network Equipment include (or equivalent):

Total Project - 8 Sites

Part Number	Qty	Description	Unit Price	Extended Cost
JL323A	20	HPE 2930M 40G 8 HPE Smart Rate PoE+ 1-Slot Switch - 48 Ports - Manageable - 3 Layer Supported - Modular - 4 SFP Slots - Optical Fiber, Twisted Pair - Rack-mountable - Lifetime Limited Warranty		*
JL324A	2	Aruba 2930M 24 HPE Smart Rate PoE+ 1-slot Switch - 24 Ports - Manageable - 3 Layer Supported - Modular - Twisted Pair - Rack-mountable, Standalone - Lifetime Limited Warranty		
JL086A	4	HPE Aruba X372 54VDC 680W 100-240VAC Power Supply		

JL087A	40	HPE Aruba X372 54VDC 1050W 110-240VAC Power Supply - 54 V DC Output		
JL083A	22	HPE Aruba 3810M 4SFP+ Module - For Data Networking, Optical NetworkOptical Fiber10 Gigabit Ethernet - 10GBase-X4 x Expansion Slots - SFP+		
JL325A	7	Aruba 2930 2-Port Stacking Module - For Data Networking2 x Expansion Slots		
J9735A	7	HPE 2920 1m Stacking Cable - 3.28 ft Network Cable for Network Device, Switch - Stacking Cable - Black		
JL693A	2	Aruba 2930F 12G PoE+ 2G/2SFP+ Switch - 12 Ports - Manageable - Gigabit Ethernet, 10 Gigabit Ethernet - 10/100/1000Base-T, 10GBase-X - 3 Layer Supported - Modular - Power Supply - Twisted Pair, Optical Fiber - Lifetime Limited Warranty		
ROX26A	1	Aruba 6405 Switch - Manageable - 3 Layer Supported - Modular - Optical Fiber - Rack-mountable - Lifetime Limited Warranty		
ROX36A	4	Aruba 6400 3000W Power Supply With C20 Inlet Adapter - 120 V AC, 230 V AC Input - 54 V DC Output - 3000 W		
ROX31A	1	Aruba 6400 Management Module - 1 x Management - Plug-in Module		
ROX43A	1	Aruba 6400 24p SFP+ 4SFP56 Module		
ROX41A	1	Aruba 6400 48p SR5 CL6 PoE 4SFP56 Module		
ROX40B	2	Aruba 6400 48p 1GbE CL6 PoE 4SFP56 Module		
ROX37A	1	Aruba 6400 4-post Rack Mount Kit		
J4858D	24	HPE 1G SFP LC SX 500m OM2 MMF Transceiver - For Optical Network, Data Networking - 1 x LC 1000Base-SX Network - Optical Fiber - Multi-mode - Gigabit Ethernet - 1000Base-SX		
J4859D	48	Aruba 1G SFP LC LX 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 1000Base-LX Network - Optical Fiber - Single-mode - Gigabit Ethernet - 1000Base-LX		
J9150D	24	Aruba 10G SFP+ LC SR 300m OM3 MMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-SR Network - Optical Fiber - Multi-mode - 10 Gigabit Ethernet - 10GBase-SR - Plug-in Module		
J9151E	24	Aruba 10G SFP+ LC LR 10km SMF Transceiver - For Data Networking, Optical Network - 1 x LC 10GBase-LR Network - Optical Fiber - Single-mode - 10 Gigabit Ethernet - 10GBase-LR		
Service - Fixed Fee	8	Professional Services		

Basic Maintenance

HJ0H9E	22	HPE Foundation Care Exchange - 3 Year Extended Service - Service - 9 x 5 Next Business Day - Service Depot - Exchange - Electronic, Physical		
HK8P7E	2	HPE Foundation Care Exchange - 3 Year Extended Service - Service - 9 x 5 Next Business Day - Service Depot - Exchange		

Subtotal

Taxes

Shipping

Installation

Configuration

Grand Total

*Please see included Quotes for exact pricing and quantities.

Responding to Request For Proposal No. 22-105 due January 13, 2022 before 10:00 AM



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Base Bid

Project Cost Summary – RDUSD – E-Rate 25 – Network Equipment (Base Bid)

Project Information

River Delta Unified School District E-Rate 25 -
 Multiple Sites - Network Equipment - 94702
 Project # 94702
 January 5, 2022

Account Manager

Jared Bayless
 jbayless@ams.net
 (925) 245-6186

AMS Quote #	Description	Subtotal	Taxes	Total
Q-00058889	Rio Vista HS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)	\$101,713.68	\$7,508.17	\$109,221.85
Q-00058890	Riverview MS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)	\$17,938.40	\$1,306.88	\$19,245.28
Q-00058891	District Office - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)	\$17,938.40	\$1,306.88	\$19,245.28
Q-00058892	DH White ES - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)	\$9,053.20	\$660.29	\$9,713.49
Q-00058893	Delta HS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)	\$47,130.80	\$3,452.90	\$50,583.70
Q-00058894	Bates - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)	\$32,297.28	\$2,343.64	\$34,640.92
Q-00058895	Mokelumne HS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)	\$9,053.20	\$660.29	\$9,713.49
Q-00058896	Walnut Grove ES - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)	\$26,907.60	\$1,960.36	\$28,867.96

Project Summary

Project Total	\$262,032.56
Estimated Total Taxes	\$19,199.41
Grand Total	\$281,231.97

Vendor: AMS.NET
 Address: 502 Commerce Way, Livermore, CA 94551
 Phone: 925-245-6100
 SPIN: 143005880



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Customer Quotations

Customer

River Delta Unified School District
 445 Montezuma St Rio Vista, CA 94571-1651
 ATTN: Tammy Busch

Project Name	River Delta Unified School District E-Rate 25 - Multiple Sites - Network Equipment - 94702
Project #	94702
Account Mgr.	Jared Bayless
AM Phone	(925) 245-6186
AM Email	jbayless@ams.net
Inside Account Mgr.	Teri Edwards
IAM Phone	(925) 245-6149
IAM Email	tedwards@ams.net

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058889, Rio Vista HS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)					
1	JL323A Aruba 2930M 40G 8 Smart Rate PoE+ 1-slot Switch	Aruba Networks	5.00	\$4,407.60	\$22,038.00
2	JL087A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 1050W 100-240VAC PS	Hewlett Packard	10.00	\$511.60	\$5,116.00
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	5.00	\$595.60	\$2,978.00
4	JL693A#ABA HEWLETT PACKARD ENTERPRISE : Aruba 2930F 12G PoE+ Swch U.S. - English localization	Aruba Networks	1.00	\$987.60	\$987.60
5	R0X26A Aruba 6405 Switch	Hewlett Packard	1.00	\$5,723.60	\$5,723.60
6	R0X36A Aruba 6400 3000W Power Supply with C20 Inlet Adapter	Aruba Networks	4.00	\$1,695.60	\$6,782.40
7	R0X31A Aruba 6400 Management Module	Hewlett Packard	1.00	\$3,815.60	\$3,815.60
8	R0X43A Aruba 6400 24p SFP+ 4SFP56 Module	Hewlett Packard	1.00	\$10,599.60	\$10,599.60
9	R0X41A Aruba 6400 48p SR5 CL6 PoE 4SFP56 Mod	Hewlett Packard	1.00	\$5,511.60	\$5,511.60



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10	R0X40B Aruba 6400 48p 1GbE CL6 PoE 4SFP56 Module	Hewlett Packard	2.00	\$4,663.60	\$9,327.20
11	R0X37A Aruba 6400 4-post Rack Mount Kit	Aruba Networks	1.00	\$423.60	\$423.60
12	J4858D Aruba 1G SFP LC SX 500m MMF Transceiver	Aruba Networks	6.00	\$136.00	\$816.00
13	J4859D Aruba 1G SFP LC LX 10km SMF Transceiver	Aruba Networks	30.00	\$292.00	\$8,760.00
14	J9150D HEWLETT PACKARD ENTERPRISE : Aruba 10G SFP+ LC SR 300m MMF XCVR	Hewlett Packard	6.00	\$416.00	\$2,496.00
15	J9151E Aruba 10G SFP+ LC LR 10km SMF Transceiver	Hewlett Packard	6.00	\$1,172.00	\$7,032.00
16	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	5.00	\$426.80	\$2,134.00
17	HK8P7E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	1.00	\$172.48	\$172.48
18	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	6.00	\$500.00	\$3,000.00
19	AMS-NI-LAN-HP-CORE-STACKABLE Labor: HP Core Switch Installation - Stackable	AMS.NET	1.00	\$4,000.00	\$4,000.00
20	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$101,713.68
				Estimated Tax:	\$7,508.17
				Quote Total:	\$109,221.85

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058890, Riverview MS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)					
1	JL323A Aruba 2930M 40G 8 Smart Rate PoE+ 1-slot Switch	Aruba Networks	2.00	\$4,407.60	\$8,815.20
2	JL087A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 1050W 100-240VAC PS	Hewlett Packard	4.00	\$511.60	\$2,046.40
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	2.00	\$595.60	\$1,191.20
4	J4858D Aruba 1G SFP LC SX 500m MMF Transceiver	Aruba Networks	2.00	\$136.00	\$272.00



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5	J4859D Aruba 1G SFP LC LX 10km SMF Transceiver	Aruba Networks	2.00	\$292.00	\$584.00
6	J9150D HEWLETT PACKARD ENTERPRISE : Aruba 10G SFP+ LC SR 300m MMF XCVR	Hewlett Packard	2.00	\$416.00	\$832.00
7	J9151E Aruba 10G SFP+ LC LR 10km SMF Transceiver	Hewlett Packard	2.00	\$1,172.00	\$2,344.00
8	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	2.00	\$426.80	\$853.60
9	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	2.00	\$500.00	\$1,000.00
10	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$17,938.40
				Estimated Tax:	\$1,306.88
				Quote Total:	\$19,245.28

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058891, District Office - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)					
1	JL323A Aruba 2930M 40G 8 Smart Rate PoE+ 1-slot Switch	Aruba Networks	2.00	\$4,407.60	\$8,815.20
2	JL087A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 1050W 100-240VAC PS	Hewlett Packard	4.00	\$511.60	\$2,046.40
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	2.00	\$595.60	\$1,191.20
4	J4858D Aruba 1G SFP LC SX 500m MMF Transceiver	Aruba Networks	2.00	\$136.00	\$272.00
5	J4859D Aruba 1G SFP LC LX 10km SMF Transceiver	Aruba Networks	2.00	\$292.00	\$584.00
6	J9150D HEWLETT PACKARD ENTERPRISE : Aruba 10G SFP+ LC SR 300m MMF XCVR	Hewlett Packard	2.00	\$416.00	\$832.00
7	J9151E Aruba 10G SFP+ LC LR 10km SMF Transceiver	Hewlett Packard	2.00	\$1,172.00	\$2,344.00
8	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	2.00	\$426.80	\$853.60
9	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	2.00	\$500.00	\$1,000.00



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10	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$17,938.40
				Estimated Tax:	\$1,306.88
				Quote Total:	\$19,245.28

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058892, DH White ES - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)					
1	JL324A Aruba 2930M 24 HPE Smart Rate PoE+ 1-slot Switch	Hewlett Packard	1.00	\$4,875.60	\$4,875.60
2	JL086A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 650W 100-240VAC PS	Hewlett Packard	2.00	\$319.60	\$639.20
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	1.00	\$595.60	\$595.60
4	J4858D Aruba 1G SFP LC SX 500m MMF Transceiver	Aruba Networks	1.00	\$136.00	\$136.00
5	J4859D Aruba 1G SFP LC LX 10km SMF Transceiver	Aruba Networks	1.00	\$292.00	\$292.00
6	J9150D HEWLETT PACKARD ENTERPRISE : Aruba 10G SFP+ LC SR 300m MMF XCVR	Hewlett Packard	1.00	\$416.00	\$416.00
7	J9151E Aruba 10G SFP+ LC LR 10km SMF Transceiver	Hewlett Packard	1.00	\$1,172.00	\$1,172.00
8	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	1.00	\$426.80	\$426.80
9	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	1.00	\$500.00	\$500.00
10	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$9,053.20
				Estimated Tax:	\$ 660.29
				Quote Total:	\$9,713.49

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058893, Delta HS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)					
1	JL323A Aruba 2930M 40G 8 Smart Rate PoE+ 1-slot Switch	Aruba Networks	5.00	\$4,407.60	\$22,038.00



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2	JL087A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 1050W 100-240VAC PS	Hewlett Packard	10.00	\$511.60	\$5,116.00
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	5.00	\$595.60	\$2,978.00
4	JL325A Aruba 2930 2-port Stacking Module	Aruba Networks	4.00	\$479.60	\$1,918.40
5	J9735A HP 2920 1m Stacking Cable	Hewlett Packard	4.00	\$91.60	\$366.40
6	J4858D Aruba 1G SFP LC SX 500m MMF Transceiver	Aruba Networks	5.00	\$136.00	\$680.00
7	J4859D Aruba 1G SFP LC LX 10km SMF Transceiver	Aruba Networks	5.00	\$292.00	\$1,460.00
8	J9150D HEWLETT PACKARD ENTERPRISE : Aruba 10G SFP+ LC SR 300m MMF XCVR	Hewlett Packard	5.00	\$416.00	\$2,080.00
9	J9151E Aruba 10G SFP+ LC LR 10km SMF Transceiver	Hewlett Packard	5.00	\$1,172.00	\$5,860.00
10	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	5.00	\$426.80	\$2,134.00
11	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	5.00	\$500.00	\$2,500.00
12	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$47,130.80
				Estimated Tax:	\$3,452.90
				Quote Total:	\$50,583.70

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058894, Bates - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)					
1	JL323A Aruba 2930M 40G 8 Smart Rate PoE+ 1-slot Switch	Aruba Networks	3.00	\$4,407.60	\$13,222.80
2	JL087A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 1050W 100-240VAC PS	Hewlett Packard	6.00	\$511.60	\$3,069.60
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	3.00	\$595.60	\$1,786.80
4	JL325A Aruba 2930 2-port Stacking Module	Aruba Networks	3.00	\$479.60	\$1,438.80



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5	J9735A HP 2920 1m Stacking Cable	Hewlett Packard	3.00	\$91.60	\$274.80
6	JL693A#ABA HEWLETT PACKARD ENTERPRISE : Aruba 2930F 12G PoE+ Swch U.S. - English localization	Aruba Networks	1.00	\$987.60	\$987.60
7	J4858D Aruba 1G SFP LC SX 500m MMF Transceiver	Aruba Networks	4.00	\$136.00	\$544.00
8	J4859D Aruba 1G SFP LC LX 10km SMF Transceiver	Aruba Networks	4.00	\$292.00	\$1,168.00
9	J9150D HEWLETT PACKARD ENTERPRISE : Aruba 10G SFP+ LC SR 300m MMF XCVR	Hewlett Packard	4.00	\$416.00	\$1,664.00
10	J9151E Aruba 10G SFP+ LC LR 10km SMF Transceiver	Hewlett Packard	4.00	\$1,172.00	\$4,688.00
11	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	3.00	\$426.80	\$1,280.40
12	HK8P7E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	1.00	\$172.48	\$172.48
13	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	4.00	\$500.00	\$2,000.00
14	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$32,297.28
				Estimated Tax:	\$2,343.64
				Quote Total:	\$34,640.92

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058895, Mokelumne HS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)					
1	JL324A Aruba 2930M 24 HPE Smart Rate PoE+ 1-slot Switch	Hewlett Packard	1.00	\$4,875.60	\$4,875.60
2	JL086A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 650W 100-240VAC PS	Hewlett Packard	2.00	\$319.60	\$639.20
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	1.00	\$595.60	\$595.60
4	J4858D Aruba 1G SFP LC SX 500m MMF Transceiver	Aruba Networks	1.00	\$136.00	\$136.00
5	J4859D Aruba 1G SFP LC LX 10km SMF Transceiver	Aruba Networks	1.00	\$292.00	\$292.00



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6	J9150D HEWLETT PACKARD ENTERPRISE : Aruba 10G SFP+ LC SR 300m MMF XCVR	Hewlett Packard	1.00	\$416.00	\$416.00
7	J9151E Aruba 10G SFP+ LC LR 10km SMF Transceiver	Hewlett Packard	1.00	\$1,172.00	\$1,172.00
8	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	1.00	\$426.80	\$426.80
9	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	1.00	\$500.00	\$500.00
10	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$9,053.20
				Estimated Tax:	\$ 660.29
				Quote Total:	\$9,713.49

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058896, Walnut Grove ES - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Base Bid)					
1	JL323A Aruba 2930M 40G 8 Smart Rate PoE+ 1-slot Switch	Aruba Networks	3.00	\$4,407.60	\$13,222.80
2	JL087A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 1050W 100-240VAC PS	Hewlett Packard	6.00	\$511.60	\$3,069.60
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	3.00	\$595.60	\$1,786.80
4	J4858D Aruba 1G SFP LC SX 500m MMF Transceiver	Aruba Networks	3.00	\$136.00	\$408.00
5	J4859D Aruba 1G SFP LC LX 10km SMF Transceiver	Aruba Networks	3.00	\$292.00	\$876.00
6	J9150D HEWLETT PACKARD ENTERPRISE : Aruba 10G SFP+ LC SR 300m MMF XCVR	Hewlett Packard	3.00	\$416.00	\$1,248.00
7	J9151E Aruba 10G SFP+ LC LR 10km SMF Transceiver	Hewlett Packard	3.00	\$1,172.00	\$3,516.00
8	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	3.00	\$426.80	\$1,280.40
9	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	3.00	\$500.00	\$1,500.00
10	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$26,907.60



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Estimated Tax:	\$1,960.36
Quote Total:	\$28,867.96

Order Summary

Project Total	\$262,032.56
Estimated Total Taxes	\$19,199.41
Grand Total	\$281,231.97



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Company Facts

General Info

Legal Name: AMS.NET Inc.
 Type: Delaware Corporation
 Tax ID: 94-3291626
 Principal Owner: Robert Tocci
 Years in Business: 33 Years
 Number of Employees: 115
 Website: www.ams.net
 Email: sales@ams.net
 Phone: 800-893-3660/925-245-6100
 Fax: 925-245-6150

Locations:

Headquarters: 502 Commerce Way, Livermore, CA 94551-7812
 Sacramento Regional Office: 1200 Creekside Drive
 Folsom, CA 95630, Phone 800-893-3660
 Central Valley Regional Office: 1155 East North Avenue, Suite 106
 Fresno, CA 93725, Phone 559-733-1641
 Southern California Regional Offices: 12405 East Slauson Ave., Unit K
 Whittier, CA 90606, Phone 800-893-3660

License and Procurement

DIR#: 1000001046 Expires 6/30/22

FCC RN: 0012300554

Contractor License C-7: 763508
 Expires 4/30/2022

DUNS#: 556116234

Microsoft MCSE's: 1673446, 2056976

Procurement:

E-Rate SPIN: 143005880

Merced County FOCUS Contract: #2021092

SPURR Master Contract/PEPPM Contract

NASPO Contracts- Cisco, HPE, Ruckus,
 Pure Storage, Palo Alto Networks

Cisco GSA Contract: GS-35F-0349S, Expires 4/4/26

CMAS Contracts-

APC	Fortinet	Chatsworth
Arecont Vision	HP	Corning
Aruba	Nimble Storage	General Cable
Avigilon	Palo Alto Networks	Hitachi
Bosch	Rubrik	Leviton
Cisco	Ruckus Wireless	Ortronics
Cohesity	TrippLite	Panduit
Eaton	Veeam	Superior Essex
EMC	VMware	Labor
Extron	Berk-Tek	

Certifications and Specializations

Partial Manufacturer List:

Cisco Gold Certified Partner/Cisco Meraki Partner
Cisco Specializations:

- Advanced Data Center Architecture
- Advanced Collaboration Architecture
- Advanced Security Architecture
- Advanced Enterprise Network Architecture
- Collaboration SaaS Authorization
- Customer Satisfaction Excellence
- Customer Experience Specialized

Aruba HPE Platinum Partner, HPE Silver Partner, Ruckus Elite Partner,
 Palo Alto Networks, Fortinet, Barracuda, Aerohive, Pure Storage,
 Nimble Storage, Cohesity, DDN, Rubrik, Veeam Silver Pro Partner,
 Datrium, VMware Partner, Singlewire, FrontRow, Class Connection,
 AtlasIED, Extron, Advanced Network Devices, Avigilon, Verkada,
 OnSSI, Milestone, Arecont Vision, Hikvision, exacqVision, Milestone,
 Tripplite, APC, Panduit, General Cable, Damac, Leviton, Berk-Tek,
 Ortronics, Hoffman, Cooper B-Line, Chatsworth, & Superior Essex



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Alternate

Project Cost Summary – RDUSD – E-Rate 25 – Network Equipment (Alternate)

Project Information

River Delta Unified School District E-Rate 25 -
 Multiple Sites - Network Equipment - 94702
 Project # 94702
 January 6, 2022

Account Manager

Jared Bayless
 jbayless@ams.net
 (925) 245-6186

AMS Quote #	Description	Subtotal	Taxes	Total
Q-00058897	Rio Vista HS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)	\$86,309.58	\$6,256.59	\$92,566.17
Q-00058898	Riverview MS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)	\$14,673.06	\$1,041.58	\$15,714.64
Q-00058899	District Office - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)	\$14,673.06	\$1,041.58	\$15,714.64
Q-00058900	DH White ES - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)	\$7,420.53	\$527.63	\$7,948.16
Q-00058901	Delta HS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)	\$38,967.45	\$2,789.62	\$41,757.07
Q-00058902	Bates - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)	\$25,766.60	\$1,813.02	\$27,579.62
Q-00058903	Mokelumne HS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)	\$7,420.53	\$527.63	\$7,948.16
Q-00058904	Walnut Grove ES - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)	\$22,009.59	\$1,562.39	\$23,571.98

Project Summary

Project Total	\$217,240.40
Estimated Total Taxes	\$15,560.04
Grand Total	\$232,800.44

Vendor: AMS.NET
 Address: 502 Commerce Way, Livermore, CA 94551
 Phone: 925-245-6100
 SPIN: 143005880



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Customer Quotations

Customer

River Delta Unified School District
 445 Montezuma St Rio Vista, CA 94571-1651
 ATTN: Tammy Busch

Project Name	River Delta Unified School District E-Rate 25 - Multiple Sites - Network Equipment - 94702
Project #	94702
Account Mgr.	Jared Bayless
AM Phone	(925) 245-6186
AM Email	jbayless@ams.net
Inside Account Mgr.	Teri Edwards
IAM Phone	(925) 245-6149
IAM Email	tedwards@ams.net

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058897, Rio Vista HS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)					
1	JL323A Aruba 2930M 40G 8 Smart Rate PoE+ 1-slot Switch	Aruba Networks	5.00	\$4,407.60	\$22,038.00
2	JL087A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 1050W 100-240VAC PS	Hewlett Packard	10.00	\$511.60	\$5,116.00
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	5.00	\$595.60	\$2,978.00
4	JL693A#ABA HEWLETT PACKARD ENTERPRISE : Aruba 2930F 12G PoE+ Swch U.S. - English localization	Aruba Networks	1.00	\$987.60	\$987.60
5	R0X26A Aruba 6405 Switch	Hewlett Packard	1.00	\$5,723.60	\$5,723.60
6	R0X36A Aruba 6400 3000W Power Supply with C20 Inlet Adapter	Aruba Networks	4.00	\$1,695.60	\$6,782.40
7	R0X31A Aruba 6400 Management Module	Hewlett Packard	1.00	\$3,815.60	\$3,815.60
8	R0X43A Aruba 6400 24p SFP+ 4SFP56 Module	Hewlett Packard	1.00	\$10,599.60	\$10,599.60
9	R0X41A Aruba 6400 48p SR5 CL6 PoE 4SFP56 Mod	Hewlett Packard	1.00	\$5,511.60	\$5,511.60



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10	R0X40B Aruba 6400 48p 1GbE CL6 PoE 4SFP56 Module	Hewlett Packard	2.00	\$4,663.60	\$9,327.20
11	R0X37A Aruba 6400 4-post Rack Mount Kit	Aruba Networks	1.00	\$423.60	\$423.60
12	J4858D-ENC 1000BASE-SX SFP 850nm 550m DOM MMF Dupliex -eNet	eNet Components	6.00	\$41.67	\$250.02
13	J4859D-ENC 1000BASE-LX SFP 1310nm 10km DOM MMF/SMF -eNet	eNet Components	30.00	\$58.33	\$1,749.90
14	J9150D-ENC 10GBase-SR SFP+ 850nm 300m DOM, MMF Duplex	eNet Components	6.00	\$125.00	\$750.00
15	J9151E-ENC 10G SFP+ LC LR 10km SMF Transceiver	eNet Components	6.00	\$158.33	\$949.98
16	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	5.00	\$426.80	\$2,134.00
17	HK8P7E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	1.00	\$172.48	\$172.48
18	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	6.00	\$500.00	\$3,000.00
19	AMS-NI-LAN-HP-CORE-STACKABLE Labor: HP Core Switch Installation - Stackable	AMS.NET	1.00	\$4,000.00	\$4,000.00
20	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$86,309.58
				Estimated Tax:	\$6,256.59
				Quote Total:	\$92,566.17

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058898, Riverview MS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)					
1	JL323A Aruba 2930M 40G 8 Smart Rate PoE+ 1-slot Switch	Aruba Networks	2.00	\$4,407.60	\$8,815.20
2	JL087A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 1050W 100-240VAC PS	Hewlett Packard	4.00	\$511.60	\$2,046.40
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	2.00	\$595.60	\$1,191.20
4	J4858D-ENC 1000BASE-SX SFP 850nm 550m DOM MMF Dupliex -eNet	eNet Components	2.00	\$41.67	\$83.34



5	J4859D-ENC 1000BASE-LX SFP 1310nm 10km DOM MMF/SMF -eNet	eNet Components	2.00	\$58.33	\$116.66
6	J9150D-ENC 10GBase-SR SFP+ 850nm 300m DOM, MMF Duplex	eNet Components	2.00	\$125.00	\$250.00
7	J9151E-ENC 10G SFP+ LC LR 10km SMF Transceiver	eNet Components	2.00	\$158.33	\$316.66
8	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	2.00	\$426.80	\$853.60
9	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	2.00	\$500.00	\$1,000.00
10	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
Subtotal:					\$14,673.06
Estimated Tax:					\$1,041.58
Quote Total:					\$15,714.64

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058899, District Office - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)					
1	JL323A Aruba 2930M 40G 8 Smart Rate PoE+ 1-slot Switch	Aruba Networks	2.00	\$4,407.60	\$8,815.20
2	JL087A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 1050W 100-240VAC PS	Hewlett Packard	4.00	\$511.60	\$2,046.40
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	2.00	\$595.60	\$1,191.20
4	J4858D-ENC 1000BASE-SX SFP 850nm 550m DOM MMF Duplex -eNet	eNet Components	2.00	\$41.67	\$83.34
5	J4859D-ENC 1000BASE-LX SFP 1310nm 10km DOM MMF/SMF -eNet	eNet Components	2.00	\$58.33	\$116.66
6	J9150D-ENC 10GBase-SR SFP+ 850nm 300m DOM, MMF Duplex	eNet Components	2.00	\$125.00	\$250.00
7	J9151E-ENC 10G SFP+ LC LR 10km SMF Transceiver	eNet Components	2.00	\$158.33	\$316.66
8	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	2.00	\$426.80	\$853.60
9	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	2.00	\$500.00	\$1,000.00



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10	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$14,673.06
				Estimated Tax:	\$1,041.58
				Quote Total:	\$15,714.64

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058900, DH White ES - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)					
1	JL324A Aruba 2930M 24 HPE Smart Rate PoE+ 1-slot Switch	Hewlett Packard	1.00	\$4,875.60	\$4,875.60
2	JL086A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 650W 100-240VAC PS	Hewlett Packard	2.00	\$319.60	\$639.20
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	1.00	\$595.60	\$595.60
4	J4858D-ENC 1000BASE-SX SFP 850nm 550m DOM MMF Duplex -eNet	eNet Components	1.00	\$41.67	\$41.67
5	J4859D-ENC 1000BASE-LX SFP 1310nm 10km DOM MMF/SMF -eNet	eNet Components	1.00	\$58.33	\$58.33
6	J9150D-ENC 10GBase-SR SFP+ 850nm 300m DOM, MMF Duplex	eNet Components	1.00	\$125.00	\$125.00
7	J9151E-ENC 10G SFP+ LC LR 10km SMF Transceiver	eNet Components	1.00	\$158.33	\$158.33
8	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	1.00	\$426.80	\$426.80
9	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	1.00	\$500.00	\$500.00
10	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$7,420.53
				Estimated Tax:	\$ 527.63
				Quote Total:	\$7,948.16

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058901, Delta HS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)					
1	JL323A Aruba 2930M 40G 8 Smart Rate PoE+ 1-slot Switch	Aruba Networks	5.00	\$4,407.60	\$22,038.00

2	JL087A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 1050W 100-240VAC PS	Hewlett Packard	10.00	\$511.60	\$5,116.00
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	5.00	\$595.60	\$2,978.00
4	JL325A Aruba 2930 2-port Stacking Module	Aruba Networks	4.00	\$479.60	\$1,918.40
5	J9735A HP 2920 1m Stacking Cable	Hewlett Packard	4.00	\$91.60	\$366.40
6	J4858D-ENC 1000BASE-SX SFP 850nm 550m DOM MMF Duplex -eNet	eNet Components	5.00	\$41.67	\$208.35
7	J4859D-ENC 1000BASE-LX SFP 1310nm 10km DOM MMF/SMF -eNet	eNet Components	5.00	\$58.33	\$291.65
8	J9150D-ENC 10GBase-SR SFP+ 850nm 300m DOM, MMF Duplex	eNet Components	5.00	\$125.00	\$625.00
9	J9151E-ENC 10G SFP+ LC LR 10km SMF Transceiver	eNet Components	5.00	\$158.33	\$791.65
10	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	5.00	\$426.80	\$2,134.00
11	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	5.00	\$500.00	\$2,500.00
12	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$38,967.45
				Estimated Tax:	\$2,789.62
				Quote Total:	\$41,757.07

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058902, Bates - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)					
1	JL323A Aruba 2930M 40G 8 Smart Rate PoE+ 1-slot Switch	Aruba Networks	3.00	\$4,407.60	\$13,222.80
2	JL087A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 1050W 100-240VAC PS	Hewlett Packard	6.00	\$511.60	\$3,069.60
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	3.00	\$595.60	\$1,786.80
4	JL325A Aruba 2930 2-port Stacking Module	Aruba Networks	3.00	\$479.60	\$1,438.80



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5	J9735A HP 2920 1m Stacking Cable	Hewlett Packard	3.00	\$91.60	\$274.80
6	JL693A#ABA HEWLETT PACKARD ENTERPRISE : Aruba 2930F 12G PoE+ Swch U.S. - English localization	Aruba Networks	1.00	\$987.60	\$987.60
7	J4858D-ENC 1000BASE-SX SFP 850nm 550m DOM MMF Dupliex -eNet	eNet Components	4.00	\$41.67	\$166.68
8	J4859D-ENC 1000BASE-LX SFP 1310nm 10km DOM MMF/SMF -eNet	eNet Components	4.00	\$58.33	\$233.32
9	J9150D-ENC 10GBase-SR SFP+ 850nm 300m DOM, MMF Duplex	eNet Components	4.00	\$125.00	\$500.00
10	J9151E-ENC 10G SFP+ LC LR 10km SMF Transceiver	eNet Components	4.00	\$158.33	\$633.32
11	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	3.00	\$426.80	\$1,280.40
12	HK8P7E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	1.00	\$172.48	\$172.48
13	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	4.00	\$500.00	\$2,000.00
14	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$25,766.60
				Estimated Tax:	\$1,813.02
				Quote Total:	\$27,579.62

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058903, Mokelumne HS - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)					
1	JL324A Aruba 2930M 24 HPE Smart Rate PoE+ 1-slot Switch	Hewlett Packard	1.00	\$4,875.60	\$4,875.60
2	JL086A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 650W 100-240VAC PS	Hewlett Packard	2.00	\$319.60	\$639.20
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	1.00	\$595.60	\$595.60
4	J4858D-ENC 1000BASE-SX SFP 850nm 550m DOM MMF Dupliex -eNet	eNet Components	1.00	\$41.67	\$41.67
5	J4859D-ENC 1000BASE-LX SFP 1310nm 10km DOM MMF/SMF -eNet	eNet Components	1.00	\$58.33	\$58.33



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6	J9150D-ENC 10GBase-SR SFP+ 850nm 300m DOM, MMF Duplex	eNet Components	1.00	\$125.00	\$125.00
7	J9151E-ENC 10G SFP+ LC LR 10km SMF Transceiver	eNet Components	1.00	\$158.33	\$158.33
8	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	1.00	\$426.80	\$426.80
9	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	1.00	\$500.00	\$500.00
10	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$7,420.53
				Estimated Tax:	\$ 527.63
				Quote Total:	\$7,948.16

Line	Item Description	Manufacturer	Qty	Unit Price	Extended Price
Quote # Q-00058904, Walnut Grove ES - E-Rate 25 - RFP 22-105 - Aruba Network Equipment - 94702 (Alternate)					
1	JL323A Aruba 2930M 40G 8 Smart Rate PoE+ 1-slot Switch	Aruba Networks	3.00	\$4,407.60	\$13,222.80
2	JL087A#ABA HEWLETT PACKARD ENTERPRISE : HP X372 54VDC 1050W 100-240VAC PS	Hewlett Packard	6.00	\$511.60	\$3,069.60
3	JL083A HEWLETT PACKARD ENTERPRISE : HP Stackable 4p 10GbE SFP+ Module	Hewlett Packard	3.00	\$595.60	\$1,786.80
4	J4858D-ENC 1000BASE-SX SFP 850nm 550m DOM MMF Duplex -eNet	eNet Components	3.00	\$41.67	\$125.01
5	J4859D-ENC 1000BASE-LX SFP 1310nm 10km DOM MMF/SMF -eNet	eNet Components	3.00	\$58.33	\$174.99
6	J9150D-ENC 10GBase-SR SFP+ 850nm 300m DOM, MMF Duplex	eNet Components	3.00	\$125.00	\$375.00
7	J9151E-ENC 10G SFP+ LC LR 10km SMF Transceiver	eNet Components	3.00	\$158.33	\$474.99
8	HJ0H9E HPE Foundation Care Exchange - 3 Yr Extended Services 9x5 Next Business Day	Hewlett Packard	3.00	\$426.80	\$1,280.40
9	AMS-NI-LAN-HP-EDGE-STACK Labor: HP Edge Switch Installation - Stackable	AMS.NET	3.00	\$500.00	\$1,500.00
10	AMS-FREIGHT Freight and Handling	None	1.00	\$0.00	\$0.00
				Subtotal:	\$22,009.59



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Estimated Tax:	\$1,562.39
Quote Total:	\$23,571.98

Order Summary

Project Total	\$217,240.40
Estimated Total Taxes	\$15,560.04
Grand Total	\$232,800.44



Company Facts

General Info

Legal Name: AMS.NET Inc.
 Type: Delaware Corporation
 Tax ID: 94-3291626
 Principal Owner: Robert Tocci
 Years in Business: 33 Years
 Number of Employees: 115
 Website: www.ams.net
 Email: sales@ams.net
 Phone: 800-893-3660/925-245-6100
 Fax: 925-245-6150

Locations:

Headquarters: 502 Commerce Way, Livermore, CA 94551-7812
 Sacramento Regional Office: 1200 Creekside Drive
 Folsom, CA 95630, Phone 800-893-3660
 Central Valley Regional Office: 1155 East North Avenue, Suite 106
 Fresno, CA 93725, Phone 559-733-1641
 Southern California Regional Offices: 12405 East Slauson Ave., Unit K
 Whittier, CA 90606, Phone 800-893-3660

License and Procurement

DIR#: 1000001046 Expires 6/30/22

FCC RN: 0012300554

Contractor License C-7: 763508
 Expires 4/30/2022

DUNS#: 556116234

Microsoft MCSE's: 1673446, 2056976

Procurement:

E-Rate SPIN: 143005880

Merced County FOCUS Contract: #2021092

SPURR Master Contract/PEPPM Contract

NASPO Contracts- Cisco, HPE, Ruckus,
 Pure Storage, Palo Alto Networks

Cisco GSA Contract: GS-35F-0349S, Expires 4/4/26

CMAS Contracts-

APC	Fortinet	Chatsworth
Arecont Vision	HP	Corning
Aruba	Nimble Storage	General Cable
Avigilon	Palo Alto Networks	Hitachi
Bosch	Rubrik	Leviton
Cisco	Ruckus Wireless	Ortronics
Cohesity	TrippLite	Panduit
Eaton	Veeam	Superior Essex
EMC	VMware	Labor
Extron	Berk-Tek	

Certifications and Specializations

Partial Manufacturer List:

Cisco Gold Certified Partner/Cisco Meraki Partner

Cisco Specializations:

- Advanced Data Center Architecture
- Advanced Collaboration Architecture
- Advanced Security Architecture
- Advanced Enterprise Network Architecture
- Collaboration SaaS Authorization
- Customer Satisfaction Excellence
- Customer Experience Specialized

Aruba HPE Platinum Partner, HPE Silver Partner, Ruckus Elite Partner,
 Palo Alto Networks, Fortinet, Barracuda, Aerohive, Pure Storage,
 Nimble Storage, Cohesity, DDN, Rubrik, Veeam Silver Pro Partner,
 Datrium, VMware Partner, Singlewire, FrontRow, Class Connection,
 AtlasIED, Extron, Advanced Network Devices, Avigilon, Verkada,
 OnSSI, Milestone, Arecont Vision, Hikvision, exacqVision, Milestone,
 Tripplite, APC, Panduit, General Cable, Damac, Leviton, Berk-Tek,
 Ortronics, Hoffman, Cooper B-Line, Chatsworth, & Superior Essex



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Section 4



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Not Applicable



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Section 5

RFP Form

RFP 22-105

River Delta Unified School District
445 Montezuma Street
Rio Vista, California 94571

To: Superintendent and Members of the Board of Education

The undersigned, doing business under the full and complete legal Responder name as set forth below, having examined the Notice to Responders, RFP Instructions, Scope of Work & Requirements, General Conditions, Agreement and all other documents forming a part of the RFP package for the above-referenced RFP, hereby proposes to perform the Agreement, including all of its component parts, and to furnish all materials called by them for the entire order for the prices set forth in the documents contained in said RFP package. The entire RFP Package is submitted, together with this RFP Form.

Name of Company: AMS.NET, Inc.

Legal Status (i.e., sole proprietorship, partnership, corporation): Corporation

Tax I.D. Number (Sole Proprietorship Only): 94-3291626

Address: 502 Commerce Way

Livermore, CA 94551

Authorized Representative:

Diana Monaghan
Signature

Diana Monaghan
Name (Print or Type)

Secretary
Title

11/11/2022
Date

(925) 245-6186
Phone

(925) 245-6150
Phone

Fax jbayless@ams.net

E-mail address

Fingerprint Certification

RFP 22-105

Responder Certification

I, Diana Monaghan, am an authorized representative of/doing business as (Name of Responder/consultant) AMS.NET, Inc., and hereby certify that, pursuant to Education Code Section 45125.1, this business entity has conducted the required criminal background check(s) of all its employees who may have contact with District pupils or unsupervised access to any District campus of the River Delta Unified School District on behalf of this business entity, and that none of those persons have been reported by the Department of Justice as having been convicted of a serious or violent felony as specified in Penal Code Sections 667.5(c) and/or 1192.7(c).

Failure to comply with these terms or permitting unsupervised access by an employee whose name has not been cleared by DOJ as certified by the Contractor shall constitute grounds for termination of this Agreement.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 11th day of January 20 22, in Alameda County, California.

AMS.NET, Inc.

Name of Responder/Consultant (please print)

Diana Monaghan / Secretary

Name/Title of Authorized Representative (printed)

Diana Monaghan
(Signature)

Statement of Non-Conflict of Interest

RFP 22-105

The Responder hereby warrants that he or she has no business or financial interests that are in conflict with his or her obligations to the District and further agrees to disclose any such interest which may be acquired during the life of an agreement with the District. The Responder also certifies that it and its members are not, officers, agents, or employees of the District, nor have they been since January 1, 2001.

Deana Monaghan

Signature

Diana Monaghan

Printed Name

Secretary

Title

AMS.NET, Inc.

Responder

11/11/2022

Date

Insurance Acknowledgement

RFP 22-105

Notice to Bidders regarding Indemnity and Insurance Requirements

Summary of Indemnification and Insurance Requirements:

1. These are the Indemnity and Insurance Requirements for Contractors providing services or supplies to River Delta Unified School District (Buyer). By agreeing to perform the work or submitting a proposal, you verify that you comply with and agree to be bound by these requirements. If any additional Contract documents are executed, the actual Indemnity language and Insurance Requirements may include additional provisions as deemed appropriate by Buyer.
2. You should check with your Insurance advisors to verify compliance and determine if additional coverage or limits may be needed to adequately insure your obligations under this agreement. These are the minimum required and do not in any way represent or imply that such coverage is sufficient to adequately cover the Contractor's liability under this agreement. The full coverage and limits afforded under Contractor's policies of Insurance shall be available to Buyer and these Insurance Requirements shall not in any way act to reduce coverage that is broader or includes higher limits than those required. The Insurance obligations under this agreement shall be: 1—all the Insurance coverage and limits carried by or available to the Contractor; or 2—the minimum Insurance requirements shown in this agreement, whichever is greater. Any insurance proceeds in excess of the specified minimum limits and coverage required, which are applicable to a given loss, shall be available to Buyer.
3. Contractor shall provide Buyer with Certificates of Insurance including all required endorsements and a copy of the Declarations and Endorsement Page of the CGL policy listing all policy endorsements to Buyer before work begins. Buyer reserves the right to require full-certified copies of all Insurance coverage and endorsements.
 - I. Indemnification & Insurance:
Contractor shall be an independent contractor and not an agent or employee of District under this Agreement. Contractor shall be responsible for any damage, loss, or other claim arising out of the performance of its services under this Agreement.

Prior to commencement of services and during the life of this Agreement, Contractor shall provide the District with a current certificate or policy evidencing its professional general liability insurance coverage in a sum not less than \$1,000,000 per occurrence, and such certificate or policy shall name the District as an additional insured.

To the fullest extent allowed by law, Contractor shall defend, indemnify, and hold harmless District, its directors, officers, agents, employees, and guests against any claim or demand arising from any actual or alleged act, error, or omission by Contractor or its directors, officers, agents, employees, volunteers, or guests arising

from Contractor's duties and obligations described in this Agreement or imposed by law.

To the fullest extent allowed by law, District shall defend, indemnify, and hold harmless Contractor, its directors, officers, agents, employees, and guests against any claim or demand arising from any actual or alleged act, error, or omission by District or its directors, officers, agents, employees, volunteers, or guests arising from District's duties and obligations described in this Agreement or imposed by law. Contractor is not an employee of the District and District shall not indemnify Contractor in any such claim.

Contractor shall be responsible for carrying its own workers' compensation insurance and health and welfare insurance. District shall not withhold or set aside income tax, Federal Insurance Contributions Act (FICA) tax, unemployment insurance, disability insurance, or any other federal or state funds whatsoever. It shall be the sole responsibility of the Contractor to account for all of the above and Contractor agrees to hold District harmless from all liability for these taxes.

I have read and understand the above requirements and agree to be bound by them for any work performed for the Buyer.

Diana Mongghan
Signature

Diana Mongghan
Printed Name

Secretary
Title

AMS.NET, Inc.
Responder

1/11/2022
Date



AMS.NET

Technology Solution Provider

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Sacramento Regional Office- 5008 Donovan Drive, Carmichael, CA 95608

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