

**HAPPY VALLEY SCHOOL DISTRICT
BOARD OF TRUSTEES**

May 8, 2024

3:30 pm, Multi-Purpose Room

Agenda

A. Approval of Agenda

B. Approval of Minutes- Regular Board Meeting, April 17, 2024

C. Community Input

Members of the audience are welcome to address the Board of Trustees at this time during the meeting regarding items not listed on this agenda. The Trustees may ask questions for clarity but cannot take action on those matters, if desired, until such matters are appropriately placed on a future agenda, according to law. Three minutes may be allotted to each speaker and a maximum of twenty minutes to each subject matter (Board bylaws 9323).

D. Board Report

E. Superintendent's Report

F. Staff Report

G. Student Report

H. Information Items

1. Positive Certification for 2023/2024 Second Interim Financial Report

The Board will receive information regarding the Positive Certification of the 2023/2024 Second Interim Financial Report.

2. Endowment Fund Report

The Board will receive a report regarding the Endowment Fund through March 31, 2024.

3. Enrollment Update

The Board will receive an update regarding enrollment.

4. Modernization Update

The Board will receive an update regarding modernization.

5. End of Year Survey

The Board will receive the results from the End of Year Survey. Which includes parents, staff, and student feedback. The survey also includes information on ELOP and the School Lunch Program.

6. 2023/2024 Strategic Plan

The Board will receive information regarding goals and action steps from the 2023/2024 Strategic Plan this will include: Report Card Data, Intervention, Peacebuilder Program, and Counseling.

I. Action Items

1. 2024/2025 Strategic Plan

The Board will receive and consider approval of the 2024/2025 Strategic Plan.

2. Furman Construction Inspection Inc. Proposal

The Board will receive and consider approval of the proposal from Furman Construction Inspection Inc. to provide DSA Project Inspection of the Administration Building.

3. Board Resolution 23-24-07, Authorizing Signatures to Sign Payroll and Expenditure Warrant Orders and Other District Documents

The Board will consider approval of Resolution 23-24-07, Authorizing Signatures to Sign Payroll and Expenditure Warrant Orders and Other District Documents.

4. Board Resolution 23-24-08, Ordering Election, Requesting County Elections to Conduct the Election, Requesting Consolidation of the Election, and Specifications of the Election Order

The Board will consider approval of Resolution 23-24-08, Requesting the County Elections Department to include the office of three incumbent Board members in the upcoming November 2024 elections.

5. Contract with Brite Horizons

The Board will receive and consider approval of an Individual Service Agreement with Abrite Horizons.

6. Adroit Contracts

The Board will receive and consider approval of Adroit Contracts.

7. Board Policy Updates

The Board will receive information regarding board policy updates and will consider the approval of these.

J. Consent Items

1. The Board will consider approval of vendor warrants paid since the last meeting.

K. Communications and Announcements

1. May 10- Friday Flag, Rainbow Flag Ceremony, 8:20 am.
2. May 14- Spring Concert, 10:40 am, Stage
3. May 15- Parent Club Meeting, 6:30 pm, Via Zoom
4. May 16- Open House, 5:30 pm.
5. May 17- Room 1 Play, 9:30 am, Stage

6. May 18- Workday, 9:30 am, Community BBQ, 11:30 am, HVS Campus
7. May 20- PeaceBuilder Assembly, 11:15 am, Stage
8. May 21- All School Field Trip, 10:00 am, Scotts Valley Park and Cinema
9. May 23- 6th Grade Graduation, 5:00 pm, Stage
10. May 24- Last Day of School, Field Day
11. June 12- Board Meeting, 3:30 pm, MPR
12. June 18- Board Meeting, 3:30 pm, MPR

L. Closed Session

1. Superintendent Evaluation

M. Report Out of Closed Session

N. Adjournment

Happy Valley School District
Regular Board Meeting
April 17, 2024
MINUTES

The meeting was called to order by the Board President at 3:31pm

BOARD MEMBERS PRESENT: Willet, Freeman, Hodges, Trotter, Frandle

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Stewart, Lynd, Ruwe, Keenan, Frier

STUDENTS PRESENT: Charlie

A. APPROVAL OF THE REVISED AGENDA

MSC FREEMAN/HODGES to approve the revised Board Meeting agenda.

Unanimous.

B. APPROVAL OF THE MINUTES

MSC TROTTER/FREEMAN to approve the minutes from the Regular Board Meeting March 13, 2024. Unanimous.

C. COMMUNITY INPUT

None.

D. BOARD REPORT

1. Carly Trotter informed the Board of the Community BBQ that will follow the Community Workday on May 18, 2024. There will be live music by Happy Valley alumni. Board members will help serve food.
2. Cliff Hodges gave a presentation on the first and second CSBA Masters in Governance classes he attended. The first class focused on general Board responsibilities and behavior and the second class focused on setting a direction and the Strategic Plan. It is important that the Strategic Plan is a living document.

E. SUPERINTENDENT'S REPORT

Michelle Stewart informed the Board of the following:

1. The staff had a very productive staff development day. Report card data, LCAP, curriculum and logistics were all looked at.
2. Jacob Willet joined in the last coffee with the Superintendent, enrollment and modernization were discussed.
3. The staff, parent and student surveys were completed and they will be reported on next month.
4. The County Office of Education joined us in our aide training on lockdowns. We appreciate the ongoing support of the COE in helping to prepare us for emergencies.
5. The end of the year is coming quickly and we are excited about all the fun activities.

F. STAFF REPORT

Carey Ruwe informed the Board of the following:

1. TK/K is working on subtraction.
2. First grade is doing a bird unit.
3. Second grade is working on their animal reports and masks.
4. Third grade is preparing for testing.
5. 4th/5th grade took a field trip to the tidepools.
6. 5th/6th grade is working on a social studies play.

G. STUDENT REPORT

Charlie informed the Board of the following:

1. 3rd graders participated in a fire evacuation video for the County Office of Education.
2. Talent Show tryouts were last week and the Talent Show is Friday.
3. There was a PeaceBuilders Assembly last week.

H. INFORMATION ITEMS

1. DISTRICT CONSOLIDATION

The Board received information regarding district consolidation, and what is required with district consolidation. The Board is opposed to consolidation.

2. ENROLLMENT UPDATE

The Board received an update regarding enrollment.

I. ACTION ITEMS

1. 2024-2025 BOARD SCHEDULE

MSC FREEMAN/FRANDLE to approve the 2024-2025 Board Schedule. Unanimous.

2. RESOLUTION 23-24-06, CONFIRMING SUCCESSFUL PARCEL TAX ELECTION AND DIRECTING COUNTY AUDITOR-CONTROLLER TO LEVY VOTER APPROVED PARCEL TAX

MSC HODGES/FREEMAN to approve Resolution 23-24-06, Resolution of the Board of Trustees of the Happy Valley Elementary School District confirming the successful parcel tax election and directing the county auditor-controller to levy voter-approved parcel tax. Unanimous.

3. CONTRACT FOR MODERNIZATION PROJECT FOR PORTABLE REPLACEMENT

MSC FREEMAN/FRANDLE to approve awarding Selway Construction for the Portable Replacement Project. The Board published a Request for Bid for the Portable Replacement Project for the demolition of the portable, preparing site for new portable and upgrade to stairs and ramps. Bids were due on or before March 26, 2024 at 2:00pm at the District Office. Two bids were received ranging in price from \$748,000 - \$780,000. The District is required to accept the lowest bid. Unanimous.

4. AB 1200 PUBLIC DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT WITH THE HAPPY VALLEY EDUCATION ASSOCIATION

MSC FREEMAN/TROTTER to approve the district's disclosure of the fiscal impact of the 2024-2026 Collective Bargaining Agreement over the relevant fiscal years. Unanimous.

5. CONTRACT AGREEMENT

HVEA Representatives Kelly Keenan and Caroline Frier thanked the Board for their collaborative effort on the CBA.

MSC TROTTER/FREEMAN to approve the Collective Bargaining Agreement for July 1, 2024 - June 30, 2026 with the Happy Valley Education Association. Unanimous.

6. QUARTERLY STATUS REPORT OF UNIFORM COMPLAINT

MSC WILLET/HODGES to approve the 3rd quarter report of 2023-2024 Uniform Complaints related to the Williams Settlement. Unanimous.

7. STRATEGIC PLAN

The Board will wait for end of year reports before approving and will bring back at a future meeting.

8. DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

MSC FREEMAN/HODGES to approve the Certification of Need for Fully Qualified Educators in anticipation of the possibility of hiring new teachers during the 2024-2025 school year. Unanimous.

9. HAPPY VALLEY ARTS PLAN AND PROP 28

MSC FREEMAN/FRANDLE to approve the Happy Valley Arts Plan and Prop 28. Unanimous.

10. SALARY SCHEDULE FOR ADMINISTRATIVE ASSISTANTS

MSC HODGES/WILLET to approve the 1% increase effective July 1, 2024 to the following salary schedules. Unanimous.

1. Classified CLCONF - Administrative Assistant, Confidential
2. Classified CLADASST - Administrative Assistant I

11. MEDICAL CAP INCREASE

MSC FREEMAN/HODGES to approve an increase to the District's Medical Cap of \$1600 per month based on FTE effective 10/1/24, to the following positions. Unanimous.

1. Classified CLCONF - Administrative Assistant, Confidential
2. Classified CLADASST - Administrative Assistant I
3. Superintendent/Principal

12. LETTER OF RESIGNATION

MSC TROTTER/FREEMAN to approve the letter of resignation from a certificated employee. Unanimous.

J. CONSENT ITEMS

MSC FRANDLE/FREEMAN to approve the vendor warrants paid since the last meeting. Unanimous.

K. COMMUNICATION AND ANNOUNCEMENTS

1. April 19, 2024 - Talent Show, Stage
2. April 22 - May 2, 2024 - CAASPP Testing, Grades 3-6
3. April 24, 2024 - Parent Club Meeting, 6:30pm, Via Zoom
4. April 26, 2024 - PeaceBuilder Assembly, 9:45am, Stage

5. April 26, 2024 - BMX Assembly, 11:30am, Blacktop
6. May 1, 2024 - Kindergarten Round-Up Parent Meeting, 8:30am, MPR
7. May 2, 2024 - Wildlife Assembly, 10:40am, Stage
8. May 8, 2024 - Board Meeting, 3:30pm, MPR
9. May 10, 2024 - Raising of the Rainbow Flag, 8:20am
10. May 14, 2024 - Spring Concert, 10:40am, Stage
11. May 15, 2024 - Parent Club Meeting, 6:30pm, Via Zoom
12. May 16, 2024 - Open House, 5:30pm
13. May 18, 2024 - Community Work Day and BBQ
13. May 20, 2024 - PeaceBuilder Assembly, 11:15am, Stage
14. May 23, 2024 - 6th Grade Graduation, 5:00pm, Stage
15. May 24, 2024 - Last Day of School, Field Day

L. CLOSED SESSION

The Board adjourned into closed session at 4:32pm to discuss Superintendent Evaluation.

M. REPORT OUT OF CLOSED SESSION

The Board reported out of closed session at 5:02pm. Nothing to report.

N. ADJOURNMENT

MSC FREEMAN/FRANDLE to adjourn the meeting, there being no further business, 5:03pm. Unanimous.

pl



SANTA CRUZ
COUNTY OFFICE OF
EDUCATION
DR FARIS SABBAH - SUPERINTENDENT OF SCHOOLS

BOARD OF EDUCATION
Mr. Ed Acosta
Ms. Alyssa Alto
Mr. Edward Estrada
Ms. Sandra Nichols
Ms. Sue Roth
Mr. Abel Sanchez
Mr. Bruce Van Allen

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April 15, 2024

Mr. Cliff Hodges
President, Governing Board
Happy Valley Elementary School District
280 Branciforte Ridge
Santa Cruz, CA 95065

Re: 2023-24 Second Interim Financial Report

Dear Mr. Hodges:

The Santa Cruz County Superintendent of Schools is in receipt of Happy Valley Elementary School District's Second Interim report for the 2023-24 fiscal year. Based on the information as presented, The Santa Cruz County Office of Education (SCCOE) concurs with the district's **POSITIVE** certification.

The review included an assessment and analysis of the following major components of the district's report:

- Enrollment, Average Daily Attendance (ADA), Unduplicated Pupil Counts
- Unrestricted Ending Fund Balance and State Minimum Reserve
- Unrestricted Deficit Spending Trends
- Current and Multiyear Projections
- Staffing Projections/Salary Settlements
- Ending Cash and Monthly Cash Flow

The analysis and comments regarding the Second Interim Budget are contained on the following pages.

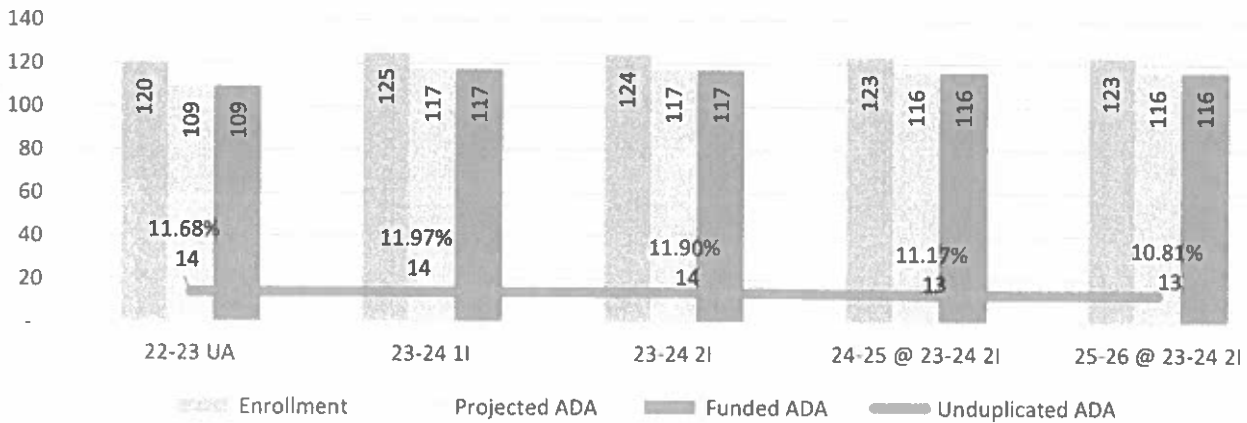
**ENROLLMENT, AVERAGE DAILY ATTENDANCE AND UNDUPLICATED PUPIL
COUNT PROJECTIONS**

The district is projecting enrollment to decline by one to 124 when compared to the First Interim budget. The district is projecting enrollment to decrease by one in 2024-25 to 123 and to remain flat for 2025-26. For Basic Aid districts, the SCCOE will typically note how much of an enrollment increase the district would need to experience before it grows out of Basic Aid status. Based on the current data available, it is estimated that an increase of approximately five students over current 2024-25 projections would begin to push the district out of Basic Aid status in 2024-25. There are multiple variables in this calculation, including but not limited to, changes in property tax, state cost of living adjustments (COLA), ADA funding levels in each of the grade spans as well as ADA growth or decline.

For the Local Control Funding Formula (LCFF) calculation, the district is projecting a funded ADA of 117 for the budget year, 116 for 2024-25 and to remain flat for 2025-26. The district's funded ADA for the budget year was calculated using the current year method. The district's pre-pandemic ADA to enrollment ratio was 96.79% in 2019-20 and 97.31% the prior year. The district is projecting the ratio at 94.5% for all three fiscal years.

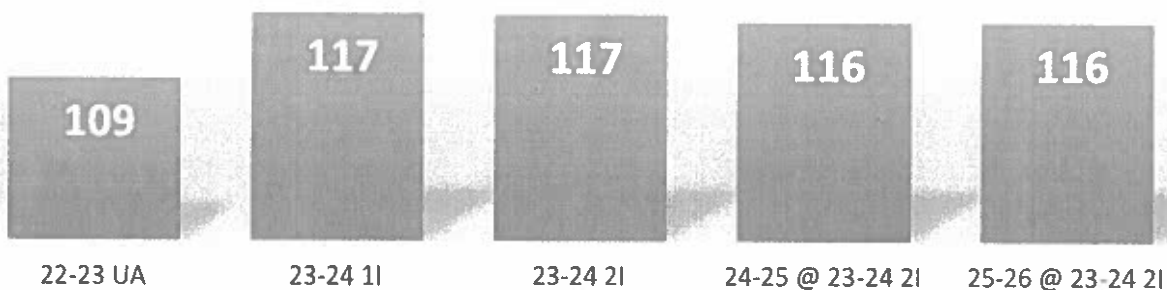
The district is Basic Aid and therefore the revenue is primarily derived from property taxes. However, it is still imperative to monitor the correlation between enrollment and ADA closely. Unduplicated Pupil counts remain relatively flat when compared to prior years. The following chart displays the district's enrollment, P-2 ADA, funded ADA and the unduplicated pupil percentage.

Happy Valley Elementary 2023-24 Second Interim Budget
 Enrollment vs ADA with Unduplicated Pupil Count



The chart below shows the district's funded ADA. It is important to monitor ADA closely as much of the County as well as the State continues to be in declining enrollment.

Happy Valley Elementary 2023-24 Second Interim Budget
 Basic Aid Average Daily Attendance Trend



UNRESTRICTED ENDING FUND BALANCE AND STATE MINIMUM RESERVE

As certified by the Governing Board, the district is projecting an unrestricted ending balance in the General Fund of \$743,730 in the current year, \$479,182 in 2024-25, and \$246,884 in 2025-26. The District's State Required Minimum Reserve percentage is 5.0% or \$117,082 for 2023-24. The district also maintains a balance in Fund 17, Special Reserve for Other Than Capital Outlay.

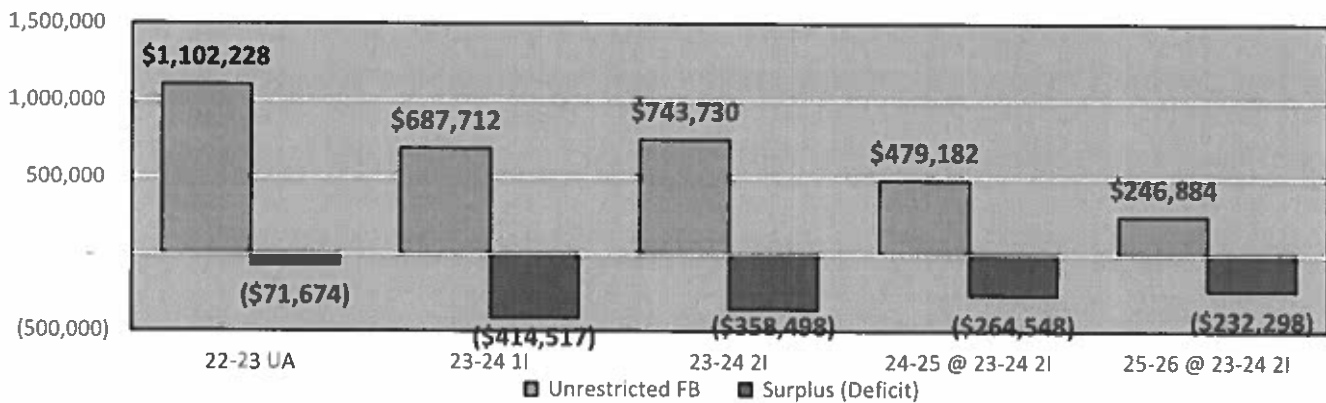
UNRESTRICTED DEFICIT SPENDING

The district is projecting to deficit spend by \$358,498 in the unrestricted resources in the budget year, by \$264,548 in 2024-25 and by \$232,298 in 2025-26. Based on current projections, the district is budgeting to spend over \$800,000 of the unrestricted ending fund balance or 77.6% over the three years. Should this level of deficit spending materialize and continue beyond 2025-26, the district would deplete the unrestricted General Fund, 01.

The State's established standard for deficit spending is one-third (1/3) of the district's available unrestricted reserve percentage. The district's projected deficit spending is **not** within the established state standard for the 2023-24 budget year or either of the two subsequent years. The district is strongly cautioned against on-going deficit spending, other than one-time, planned expenditures. The district is also advised to review expenditures to ascertain if any streamlining of expenses can occur to ensure fiscal sustainability.

The following chart displays the unrestricted general fund balance and projected deficit spending.

**Happy Valley Elementary 2023-24 Second Interim Budget
 Unrestricted Fund Balance and Deficit Spending**



CURRENT AND MULTI-YEAR PROJECTIONS

The district's projection of revenues and expenditures in the current and two subsequent fiscal years was reviewed. The district is projecting property tax increase at 4% annually. While this is in line with the county treasury's estimate, since the district is basic aid, any change in property taxes would directly affect the district's revenue.

The district included parcel tax revenue of \$51,975 for the budget year. As the district is in the sixth and final of the parcel tax, all revenue and associated expenditures were removed from 2024-25. However, a new parcel tax was approved by voters in March, 2024, extending the parcel tax income until 2032. The district is projecting to decrease overall spending in the out years, due to the exhaustion of one-time funds.

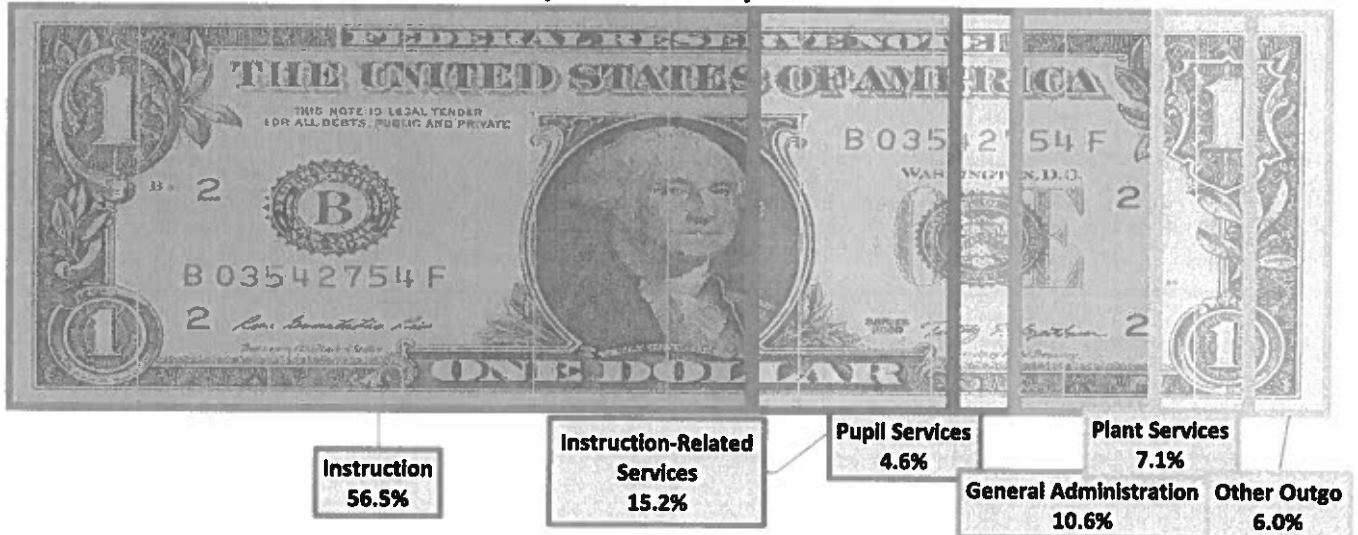
Contributions are projected to decrease from \$174,107 to \$163,329 in the budget year which is a 6.2% decrease when compared to the First Interim budget. Contributions are projected to decrease by 36.0% in 2024-25 and then slightly increase by 0.3% in 2025-26. The contributions are to Special Education.

The following graphs provide a breakdown of expenditures by object code and then by function for the budget year.

Happy Valley Elementary 2023-24 Second Interim Budget Expenditures by Object



Happy Valley Elementary 2023-24 Second Interim Budget Expenditures by Function



STAFFING PROJECTIONS AND SALARY SETTLEMENTS

Negotiations are settled with the district's certificated bargaining unit and the unrepresented group for the budget year and those costs are included in the budget and MYP.

Most of a school district's budget is spent on salaries and benefits. The percentage of unrestricted salaries and benefits to the total unrestricted general fund expenditures for the budget year and multiyear projections are 78.1%, 83.2% and 82.7%.

The state's established standard for unrestricted salary and benefits ratio is based on plus or minus 5% of the average of the district's three prior years of unrestricted salaries to total unrestricted expenditures. The district's historical average ratio of unrestricted salaries and benefits to total unrestricted expenditures has been validated at 82.3%. The budget projection and both out years have not exceeded the 5% variance, therefore, the district is within the state's established standard.

ENDING CASH POSITION AND MONTHLY CASH FLOW

Our review of the cash flow provided indicates that the district will have a positive cash balance at the end of each month and at the end of the fiscal year.

EDUCATION CODE

The review of the 2023-24 Second Interim report for Happy Valley Elementary School District has been conducted in

accordance with Education Code Section 42131.

The Education Code requires that the County Superintendent review the district Interim Report in order to:

- Determine whether the financial report complies with the standards and criteria established pursuant to Education Code Section 33127.
- Determine whether the Interim Report indicates that the district will be able to meet its financial obligations during the current fiscal year and subsequent two fiscal years.

The district's budget will be re-evaluated at the next reporting cycle to determine its certification.

Assembly Bill (AB) 2756 requires school districts to submit copies of any study or reports that indicate signs or symptoms of fiscal distress to the County Office of Education. Should the district be issued any such reports or studies during the fiscal year, please submit them to the attention of Liann Reyes, Deputy Superintendent, Business Services as soon as they are available.

If you have any questions about the Second Interim budget, please contact Liann Reyes, Deputy Superintendent, Business, at (831) 466-5601 or Rebecca Olker, Executive Director, Fiscal Services at (831) 466-5630.

Sincerely,



Liann Reyes
Deputy Superintendent, Business Services

LR/rmh

- c: Dr. Faris Sabbah, County Superintendent of School
Michelle Stewart, Superintendent, Happy Valley Elementary School District
Rebecca Olker, SCCOE Executive Director, Fiscal Services
Jacob Willet, Board Member
Kyle Frandle, Board Member
Katie Freeman, Board Member
Carly Trotter, Board Member

2023-24 Second Interim Financial Report
 Happy Valley Elementary School District
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SANTA CRUZ COUNTY SCHOOLS

HAPPY VALLEY ELEMENTARY SCHOOL DISTRICT

FINANCIAL ANALYSIS OF CURRENT GENERAL FUND UNRESTRICTED AND RESTRICTED MONIES

GENERAL FUND	2022-23			2023-24			2023-24			2024-25			2025-26		
	Unaudited Actuals			1st Interim			2nd Interim			Projected @ 23-24 21			Projected @ 23-24 21		
	Unrestricted	Restricted	Total	Unrestricted	Restricted	Total	Unrestricted	Restricted	Total	Unrestricted	Restricted	Total	Unrestricted	Restricted	Total
Revenue															
8100-8099 Local Control Funding Formula	\$ 1,275,040	\$ 171,281	\$ 1,446,321	\$ 1,326,091	\$ 46,379	\$ 1,372,470	\$ 1,326,633	\$ 47,889	\$ 1,374,522	\$ 1,375,633	\$ 42,089	\$ 1,417,722	\$ 1,426,775	\$ 42,089	\$ 1,469,814
8100-8299 Federal	1,315	-	1,315	24	-	24	317	-	317	42,089	-	42,089	25,865	-	25,865
8300-8599 Other State	31,836	248,784	280,620	208,046	232,966	441,012	196,190	171,099	367,289	25,327	192,103	217,430	34,294	152,869	178,754
8600-8799 Other Local	78,397	134,561	212,958	98,480	156,415	254,895	144,018	164,018	308,036	34,294	167,115	201,409	34,294	167,114	201,408
8910-8979 Interfund Transfers In	44,136	-	44,136	61,367	-	61,367	61,367	-	61,367	66,073	-	66,073	67,250	-	67,250
8930-8979 Other Sources	(27,853)	27,853	-	(274,107)	174,107	-	(163,329)	163,329	-	(104,503)	104,503	-	(104,785)	104,785	-
8980-8998 Contributions	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Revenue, Transfers, and Other Sources	\$ 1,402,871	\$ 582,479	\$ 1,985,349	\$ 1,336,976	\$ 584,946	\$ 1,921,922	\$ 1,394,098	\$ 546,334	\$ 1,940,432	\$ 1,397,024	\$ 505,810	\$ 1,902,834	\$ 1,449,419	\$ 466,657	\$ 1,916,276
Expenditures															
1000-1999 Certificated Salary	652,522	166,468	818,990	765,647	120,031	885,678	764,718	121,854	886,572	775,326	113,674	889,010	780,839	113,674	894,513
2000-2099 Certificated Salary	175,674	50,038	225,712	228,989	28,481	257,470	229,909	28,852	258,761	231,334	23,852	255,186	232,403	16,709	249,112
3000-3999 Employee Benefit	330,845	113,369	444,214	338,605	92,184	430,789	358,587	92,882	451,469	358,924	92,846	451,770	361,008	95,395	456,403
4000-4999 Books & Supplies	21,032	52,327	73,359	53,883	329,783	383,666	54,050	35,114	89,164	25,809	64,032	89,841	26,824	30,783	57,587
5000-5999 Services & Other Operating Expenditures	283,472	137,151	420,623	331,565	185,713	517,278	333,401	181,859	515,260	258,508	139,266	397,774	268,783	131,855	400,638
6000-6599 Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
7100-7299 Other Outgo	163	-	163	138	120,182	120,320	138	120,275	120,413	138	63,818	63,956	138	63,818	63,956
7300-7399 Direct & Indirect Support	(10,163)	10,163	-	(8,285)	8,255	-	(8,207)	8,207	-	(8,477)	8,477	-	(8,278)	8,278	-
7610-7629 Interfund Transfers Out	20,000	-	20,000	20,000	-	20,000	20,000	-	20,000	20,000	-	20,000	20,000	-	20,000
7630-7699 Other Uses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Adjustments (form MYF)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Expenditures, Transfers, and Other Uses	\$ 1,874,545	\$ 529,516	\$ 2,404,061	\$ 1,751,492	\$ 630,665	\$ 2,382,157	\$ 1,752,595	\$ 589,042	\$ 2,341,637	\$ 1,661,572	\$ 505,965	\$ 2,167,537	\$ 1,681,717	\$ 460,492	\$ 2,142,209
Excess (Deficiency)	\$ (21,674)	\$ 52,963	\$ (18,711)	\$ (414,517)	\$ (45,719)	\$ (460,236)	\$ (358,498)	\$ (42,708)	\$ (401,206)	\$ (264,548)	\$ (155)	\$ (264,703)	\$ (232,298)	\$ 6,365	\$ (225,933)
Beginning Balance	\$ 1,173,903	\$ 177,962	\$ 1,351,865	\$ 1,102,228	\$ 200,925	\$ 1,303,153	\$ 1,102,228	\$ 200,925	\$ 1,303,153	\$ 743,730	\$ 188,217	\$ 931,947	\$ 479,182	\$ 188,082	\$ 667,245
Audit Adjustments / Restatements	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ending Balance	\$ 1,102,228	\$ 230,925	\$ 1,333,153	\$ 687,712	\$ 185,206	\$ 872,918	\$ 743,730	\$ 188,217	\$ 931,948	\$ 479,182	\$ 188,082	\$ 667,245	\$ 246,884	\$ 194,427	\$ 441,312
Reserves:															
Minimum Reserve Level per Criteria & Standards	5%	5%		5%	5%		5%	5%		5%	5%		5%	5%	
Recommended REU (Consolidated in GAS)	\$ 100,203	\$ -	\$ 100,203	\$ 119,108	\$ -	\$ 119,108	\$ 117,082	\$ -	\$ 117,082	\$ 108,377	\$ -	\$ 108,377	\$ 107,110	\$ -	\$ 107,110
Reserve per District (REU 9789)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Nonspendable (Rev. Cash, Prepaid, Stores)	150	-	150	-	-	185,206	-	188,217	188,217	-	188,082	188,082	-	194,427	194,427
Restricted	230,925	-	230,925	-	-	185,206	-	188,217	188,217	-	188,082	188,082	-	194,427	194,427
Committed	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Assigned	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Unassigned	1,102,078	-	1,102,078	687,712	-	687,712	743,730	-	743,730	479,182	-	479,182	246,884	-	246,884
Excess (Deficiency) above state recommended REU	1,102,078	-	1,102,078	687,712	-	687,712	743,731	-	743,731	479,183	-	479,183	246,884	-	246,884
Contributors to Restricted Programs	-	-	-	-	-	174,107	-	-	163,329	-	-	104,503	-	-	104,785
Special Reserve Fund 17 (REU Only)	\$ 100,203	\$ -	\$ 100,203	\$ 119,108	\$ -	\$ 119,108	\$ 117,082	\$ -	\$ 117,082	\$ 108,377	\$ -	\$ 108,377	\$ 107,110	\$ -	\$ 107,110

SANTA CRUZ COUNTY SCHOOLS
 HAPPY VALLEY ELEMENTARY SCHOOL DISTRICT

FINANCIAL ANALYSIS OF GENERAL FUND

GENERAL FUND	2022-23	2023-24	2023-24	2023-24	2024-25	2024-25	2025-26	2025-26	2025-26
	Unaudited Actuals	1st Interim	2nd Interim	23-24 11 vs 23-24 21	Projected @ 23-24 21	Projected @ 23-24 21	Projected @ 23-24 21	23-24 21 vs 24-25 PB	24-25 PB vs 25-26 PB
Revenues									
8010-8099 Local Control Funding Formula	1,275,040	1,326,091	1,326,633	0.04%	1,375,633	1,426,775	1,426,775	3.69%	3.72%
8100-8299 Federal	172,595	46,603	48,206	3.44%	42,089	42,089	42,089	-12.69%	0.00%
8300-8599 Other State	280,620	232,966	196,190	-15.79%	217,630	178,754	178,754	10.93%	-17.86%
8600-8799 Other Local	212,958	254,894	308,036	20.85%	201,409	201,408	201,408	-34.62%	0.00%
8910-8929 Interfund Transfers In	44,136	61,367	61,367	0.00%	66,073	67,250	67,250	7.67%	1.78%
8930-8979 Other Sources	-	-	-	-	-	-	-	-	-
8980-8998 Contributions	-	-	-	-	-	-	-	-	-
Total Revenue, Transfers, and Other Sources	1,985,349	1,921,922	1,940,432	0.96%	1,902,834	1,916,276	1,916,276	-1.94%	0.71%
Expenditures									
1000-1999 Certificated Salary	818,989	885,678	886,572	0.10%	889,010	894,513	894,513	0.28%	0.62%
2000-2999 Classified Salary	225,712	258,390	258,761	0.14%	255,186	249,112	249,112	-1.38%	-2.38%
3000-3999 Employee Benefit	444,214	450,789	451,468	0.15%	451,770	456,403	456,403	0.07%	1.03%
4000-4999 Books & Supplies	74,358	129,703	89,164	-31.26%	89,841	57,587	57,587	0.76%	-35.90%
5000-5899 Services & Other Operating Expenditures	420,623	517,278	515,260	-0.39%	397,774	400,638	400,638	-22.80%	0.72%
6000-6599 Capital Outlay	-	-	-	-	-	-	-	-	-
7100-7299 Other Outgo	163	120,320	120,413	0.08%	63,956	63,956	63,956	-46.89%	0.00%
7300-7399 Direct & Indirect Support	-	-	0	-	-	-	-	-100.00%	-
7610-7629 Interfund Transfers Out	20,000	20,000	20,000	0.00%	20,000	20,000	20,000	0.00%	0.00%
7630-7699 Other Uses	-	-	-	-	-	-	-	-	-
Other Adjustments (From MYP)	-	-	-	-	-	-	-	-	-
Total Expenditures, Transfers, and Other Uses	2,004,060	2,382,158	2,341,637	-1.70%	2,167,537	2,142,209	2,142,209	-7.43%	-1.17%
Excess (Deficiency)	(18,711)	(460,236)	(401,206)	-12.83%	(264,703)	(225,933)	(225,933)	-34.02%	-14.65%
Beginning Balance	1,351,865	1,333,153	1,333,153	0.00%	931,948	667,245	667,245	-30.09%	-28.40%
Audit Adjustments / Restatements	-	-	-	-	-	-	-	-	-
Ending Balance	1,333,153	872,918	931,948	6.76%	667,245	441,312	441,312	-28.40%	-33.86%
Reserves:									
Minimum Reserve Level per Criteria & Standards	5%	5%	5%	0.00%	5%	5%	5%	0.00%	5%
Recommended REU (Computed in C&S)	\$ 100,203	\$ 119,108	\$ 117,082	-1.70%	\$ 108,377	\$ 107,110	\$ 107,110	-7.43%	-1.17%
Reserves per District (REU 9789)									
Nonspendable (Rev. Cash, Prepaid, Stores)	150	-	-	-	-	-	-	-	-
Restricted	230,925	185,206	188,217	1.63%	188,062	194,427	194,427	-0.08%	3.38%
Committed	-	-	-	-	-	-	-	-	-
Assigned	-	-	-	-	-	-	-	-	-
Unassigned	1,102,078	687,712	743,730	8.15%	479,182	246,884	246,884	-35.57%	-48.48%
Excess (Deficiency) above state recommended REU	1,102,078.34	687,711.72	743,730.61	8.15%	479,183	246,884	246,884	-35.57%	-48.48%
Contributions to Restricted Programs	27,853	174,107	163,329	-6.19%	104,503	104,785	104,785	-36.02%	0.27%

HAPPY VALLEY ELEMENTARY SCHOOL DISTRICT
All Funds Summary
2023-24
2nd Interim

	01	17	25	35	57	Total All Funds
	General	Special Reserve	Capital Facilities	County Sch Facilities	Foundation	
Revenue						
8000-8099 Local Control Funding Formula	1,326,633	-	-	-	-	1,326,633
8100-8299 Federal Revenue	48,206	-	-	-	-	48,206
8300-8599 State Revenue	196,190	-	-	1,636,478	-	1,832,668
8600-8699 Local Revenue	308,036	13,000	5,157	5,000	47,650	378,843
Total Revenue	1,879,064	13,000	5,157	1,641,478	47,650	3,586,350
Expenditures						
1000 Certificated Salaries	886,572	-	-	-	-	886,572
2000 Classified Salaries	258,761	-	-	-	-	258,761
3000 Employee Benefits	451,468	-	-	-	-	451,468
4000 Books & Supplies	89,164	-	-	-	-	89,164
5000 Services & Other Oper.	515,260	-	5,131	100,000	-	620,390
6000 Equipment	-	-	-	-	-	-
7100-7299 Other Outgo (74XX)	120,413	-	-	-	-	120,413
7300 Indirect Costs	0	-	-	-	-	0
Total Expenditures	2,321,637	-	5,131	100,000	-	2,426,768
Surplus (Deficit)	(442,573)	13,000	26	1,541,478	47,650	1,159,582
Other Sources/Uses						
89XX Transfers In	61,367	20,000	-	-	-	81,367
8930-8979 Other Sources	-	-	-	-	-	-
7610-7629 Transfers Out	20,000	-	-	-	61,367	81,367
7630-7699 Other Uses	-	-	-	-	-	-
Total Other Sources/Uses	41,367	20,000	-	-	(61,367)	-
Total In or (Decr) in Fund Balance	(401,206)	33,000	26	1,541,478	(13,717)	1,159,582
Beginning Fund Balance	1,333,153	363,536	11	23,870	1,044,600	2,765,170
Audit Adjustments/Restatements	-	-	-	-	-	-
Ending Fund Balance	931,948	396,536	37	1,565,348	1,030,883	3,924,751

S COMMUNITY FOUNDATION SANTA CRUZ COUNTY

at the Jack & Peggy Baskin Center for Philanthropy

7807 Soquel Drive • Aptos, CA 95003 • 831.662.2000 • www.cfsc.org

Happy Valley School Foundation Fund - HVSD

Fund Type: Agency Fund

Date Established: February 26, 1998

Investment Pool: Endowed - Socially Responsible Long Term Pool

Fund Report for January 01, 2024 – March 31, 2024

	Current Period 1/1/2024 – 3/31/2024	Year To Date 1/1/2024– 3/31/2024
Beginning Fund Balance	\$753,814.57	\$753,814.57
Plus Additions to Fund		
Earnings/(Losses)	\$35,729.42	\$35,729.42
Total Income	\$35,729.42	\$35,729.42
Less Distributions from Fund		
Distributions for Fund Purpose	\$27,978.00	\$27,978.00
Foundation Services Fee*	\$1,869.40	\$1,869.40
Total Expenditures	\$29,847.40	\$29,847.40
Ending Fund Balance	\$759,696.59	\$759,696.59

*The Foundation Services Fee helps to support fund stewardship as well as Foundation programs that assist donors, educate and strengthen local nonprofits, and build regional partnerships to address critical local issues.

If you have questions regarding your fund statement, please contact Hilary Bryant at hbryant@cfsc.org or (831) 662-2065.

Total Fund 57: \$ 1,863,087.74
(including county treasury amount of \$1,114,227.68)

Last Quarter total Fund 57: \$ 1,784,765.85
(including county treasury amount of \$78,257.17)



Happy Valley School Foundation Fund - HVSD

Grants Distributed to Organizations January 01, 2024 through March 31, 2024

Date	Grantee	Amount
2024-02-15	Happy Valley Elementary School	27,978.00
	Total Grants:	\$27,978.00



Happy Valley School Foundation Fund - Donor Gifts - HVSDDG

Fund Type: Designated Fund

Date Established: October 30, 2017

Investment Pool: Endowed - Socially Responsible Long Term Pool

Fund Report for January 01, 2024 - March 31, 2024

	Current Period 1/1/2024 - 3/31/2024	Year To Date 1/1/2024 - 3/31/2024
Beginning Fund Balance	\$689,069.98	\$689,069.98
Plus Additions to Fund		
Earnings/(Losses)	\$33,228.79	\$33,228.79
Total Income	\$33,228.79	\$33,228.79
Less Distributions from Fund		
Distributions for Fund Purpose	\$7,163.00	\$7,163.00
Foundation Services Fee*	\$1,729.10	\$1,729.10
Total Expenditures	\$8,892.10	\$8,892.10
Ending Fund Balance	\$713,406.67	\$713,406.67

*The Foundation Services Fee helps to support fund stewardship as well as Foundation programs that assist donors, educate and strengthen local nonprofits, and build regional partnerships to address critical local issues.

If you have questions regarding your fund statement, please contact Hilary Bryant at hbryant@cfsc.org or (831) 662-2065.



Happy Valley School Foundation Fund - Donor Gifts - HVSDDG

Grants Distributed to Organizations January 01, 2024 through March 31, 2024

Date	Grantee	Amount
2024-02-15	Happy Valley Elementary School	7,163.00
	Total Grants:	\$7,163.00



Happy Valley School Legacy Flex Fund - HVSL

Fund Type: Agency Fund

Date Established: July 09, 2014

Investment Pool: Nonendowed - Socially Responsible Long Term Pool

Fund Report for January 01, 2024 – March 31, 2024

	Current Period 1/1/2024 - 3/31/2024	Year To Date 1/1/2024- 3/31/2024
Beginning Fund Balance	\$263,624.13	\$263,624.13
Plus Additions to Fund		
Earnings/(Losses)	\$12,797.21	\$12,797.21
Total Income	\$12,797.21	\$12,797.21
Less Distributions from Fund		
Foundation Services Fee*	\$664.54	\$664.54
Total Expenditures	\$664.54	\$664.54
Ending Fund Balance	\$275,756.80	\$275,756.80

*The Foundation Services Fee helps to support fund stewardship as well as Foundation programs that assist donors, educate and strengthen local nonprofits, and build regional partnerships to address critical local issues.

If you have questions regarding your fund statement, please contact Hilary Bryant at hbryant@cfsc.org or (831) 662-2065.

HVESD Strategic Plan 2023-2024

Our Mission

Happy Valley School's Mission is to educate the whole child in a small, safe, community supported school that provides a solid foundation to achieve academic, social, and emotional success.

Our Vision

Happy Valley will be a place where all students will be prepared for academic, social, and emotional success for the next stages of life and school.

Our Core Values

- Provide an exceptional education with high expectations
- Value honesty and integrity
- Engage our diverse community
- Cultivate aware and involved citizens
- Recruit, retain and support high quality staff
- Honor students as individuals with a focus on the whole child
- Foster a small school environment
- Provide a safe place both academically and emotionally
- Create a growth mindset

Happy Valley Goals

I. Student Achievement and Engagement

- Provide differentiation for all students
- Provide extra curricular activities such as garden, library, art and music
- Evaluate current teaching practices and investigate curriculum that supports all learners
- Provide social and emotional supports for all students

II. Fiscal Stewardship

- Maintain balanced budget
- Provide safe and well-maintained facilities

III. Public Relations

- Communicate transparently to the school community about important Board decisions
- Support community engagement and Provide events where the community is invited (i.e. Heroes of Happy Valley)
- Collaborate with the HVES Parent Club
- Participate in work days that enhance the campus

IV. Human Resources

- Retain, recruit (when necessary) and support high quality staff
- Create positive relations between the staff and school board

Please see action steps and metrics below.

Goal I. Student Achievement and Engagement

Action Step 1	Provide Differentiation for All Students
Metrics, Measurement	Benchmark/ report card data Intervention schedule
Baseline	Fall 2023 Intervention provided 2.5 days per week, in every classroom. Students Classes of greatest need are given first biggest-priority Report to the Board will be given at the end of the 1st trimester, and will include a comparison of the last two years.
2023-24 Tasks	Report to Board: benchmark and report card data <i>Note: By analyzing data over the last two years, teachers determined that report card information gives the same information as benchmark data.</i> EOY Report to Board: Intervention Program and results

Action Step 2	Provide Extra Curricular Activities
Metrics, Measurement	Schedule of pull outs and after school activities Survey of students/parents/teachers
Baseline	2022-23 2 Sessions of after school activities; all students had the opportunity to participate. Summer 2023 All students invited to Sprouts Day Camps. The District covered the cost for all students in June, and students in need for July. 2023-24 After School care for Kindergarten-6th grade daily. District covers the cost of students in need. 2 Sessions of after school activities; all students have the opportunity to participate.
2023-24 Tasks	EOY Report to Board: Survey results, after school activities and participation

Action Step 3	Evaluate Current Teaching Practices and Investigate Curriculum that Supports All Learners
Metrics, Measurement	List of Professional Development Opportunities/trainings Textbook adoption and supplemental resources
Baseline	2022-23 All teachers participated in Reader's and Writer's Workshop Training. 5 teachers, 2 staff and administrators attended conferences: Cotsen, Differentiation, Special Education, Science.
2023-24 Tasks	Administrator to work with surrounding districts to investigate Professional Development. Administrator to work with County Office of Education for Textbook adoptions. 2023-24 Happy Valley will join other smalls for PD in Trauma Informed Care and Emergency Preparedness; All teachers participating in FOSS Science Training. <i>Moved to task</i>

Action Step 4	Provide Social and Emotional Supports for All Students
Metrics, Measurement	Counseling program Information about PeaceBuilder Program Parent, staff and student surveys
Baseline	2022 All families who have requested counseling received it, individual and/or group 2022-23: 20 students 2023-24: Fall=12 students 2023 Parent Survey: 94% believe their social and emotional needs are met. Plan for sharing of best practices at staff meetings.
2023-24 Tasks	Report to Board: PeaceBuilder and Counseling program Report to Board: Survey Results

Goal II. Fiscal Stewardship

Action Step 1	Maintain Balanced Budget
Metrics, Measurement	Board Reports Positive certification from the COE
Baseline	2022-23 Adopted Budget: Positive certification from the COE
2023-24 Tasks	Report to the Board: Positive Certification from COE

Action Step 2	Provide Safe and Well-Maintained Facilities
Metrics, Measurement	SARC Workmans' Comp
Baseline	Summer 2023 Maintenance Worker hired Ongoing list of needs Regular janitorial support in classrooms
2023-24 Tasks	Hire a part time maintenance worker to maintain facilities and look for safety and maintenance needs. Modernization Project Evaluate services and outcome of projects.

Action Step 2	Prepare for Natural Disasters
Metrics, Measurement	Insurance Claims Safety reports
Baseline	Monthly safety meetings Monthly drills
2023-24 Tasks	Include drills for all types of disasters in Friday Flag Update Safety Plan, including working within a common system supported by the Santa Cruz County Office of Education.

Goal III. Public Relations

Action Step 1	Support Community Engagement and Provide Events that the Community is invited to (i.e. Heroes of Happy Valley)
Metrics, Measurement	List of events
Baseline	2023 Heroes of Happy Valley Event 2023 there were 2 field days Calendar of events shared with board members (ie. Redwood Gala)
2023-24 Tasks	Board presence at all events Review tenants and by-laws of Heroes of Happy Valley.

Action Step 2	Collaborate with the HVES Parent Club
Metrics, Measurement	Agendas Events
Baseline	Regular involvement of board, staff and administration at Parent Club meetings and functions
2023-24 Tasks	Outreach to Parent Club (possible committees, including fundraising) Provide yearly calendar Regular report from Parent Club Representative Invite parent representative to attend Board Meetings

Action Step 3	Participate in Work Days that Enhance the Campus
Metrics, Measurement	Scheduled work days
Baseline	80% participation by board in field days
2023-24 Tasks	Attendance at scheduled work days

Action Step 4	Communicate Transparently to the School Community About Important Board Decisions
Metrics, Measurement	Newsletters Website Community response at Board Meetings
Baseline	Weekly Newsletters 2022-23 Website updated 2022-23 Town hall
2023-24 Tasks	Provide a monthly board meetings on the Friday newsletter Respond to parents as needed. Coffee with the Superintendent/Principal monthly; board members may join

Goal IV. Human Resources

Action Step 1	Retain, Recruit (when necessary) and Support High Quality Staff
Metrics, Measurement	Salary Schedule List of retention of teachers CBA
Baseline	2022-23 Salary Schedule updated 2023 No new teachers
2023-24 Tasks	Maintain current practices

Action Step 2	Create Positive Relations Between the Staff and School Board
Metrics, Measurement	Staff reports at Board meetings Surveys
Baseline	40% of Board attended beginning of the year breakfast
2023-24 Tasks	Possible Board Retreats Attend beginning of the year breakfast, other events available

Last Approval Date: 9/13/2023



February 3, 2024

Mr. Casino Fajardo
Cumming Group c/o
Happy Valley ESD
3125 Branciforte Dr.
Santa Cruz, CA 95065

Re: Inspector of Record Services for the Happy Valley ES Administration Bldg. Project, DSA Application #01-118372

Dear Mr. Fajardo,

Thank you for the opportunity to provide a proposal for the referenced project.

Furman Construction Inspection Inc (FCI) proposes to provide DSA Project Inspection at the referenced project for flat rate fee of \$15,000.

The proposed inspector for the project will be Jerry Furman, Class 1 IOR No. 4334

Included in the proposal are all necessary equipment and supplies to perform inspections and maintain project files/ document submissions as required per DSA IR A-8. The District or CM to provide ½ size set of drawings to the IOR. This proposal does not include Special Inspection or Geotechnical requirements as listed on the DSA form 103.

FCI will not charge travel time for local inspections. If necessary FCI and the District will negotiate any out-of-town inspection services.

FCI will maintain all District required Insurance.

Payment will be invoiced upon submission of the Project Inspectors DSA 6PI.

Please feel free to contact me if you have any questions regarding this proposal. Again, I appreciate the opportunity, and I look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script that reads 'Jerry M. Furman'.

Jerry M. Furman
DSA Certified Class 1 IOR #4334
Furman Construction Inspection Inc.
jfurman@fcinspection.com
408.234.8153
www.fcinspection.com

**Happy Valley School District
Resolution # 23-24-07
Authorizing Signatures to Sign
Payroll and Expenditure Warrant Orders
and Other District Documents**

WHEREAS, Education Code 42633 requires the Governing Board to file with the County Superintendent of Schools verified the signatures of each person authorized to sign payroll and expenditure warrant orders and other district documents

NOW, THEREFORE, BE IT RESOLVED that the true signatures of hand of all personnel authorized to sign payroll and expenditure warrant orders for the period of July 1, 2024, through June 30, 2025, are:

Michelle Stewart	_____
Paige Lynd	_____
Donna Walker	_____
Kyle Frandle	_____
Katie Freeman	_____
Cliff Hodges	_____
Jacob Willet	_____
Carly Trotter	_____

PASSED AND ADOPTED by the Happy Valley Board of Trustees at a regular meeting held May 8, 2024.

AYES	_____	_____
NOES	_____	_____
ABSTAIN	_____	_____
ABSENT	_____	_____

Board President Date

Superintendent Date

School Districts calling Governing Board Elections MUST file by..... July 5, 2024

School Districts calling Measure Elections MUST file by..... August 9, 2024

Attachment "E"

Resolution No. 23-24-08

Resolution Ordering Election, Requesting County Elections to Conduct the Election, Requesting Consolidation of the Election, and Specifications of the Election Order

Happy Valley Elementary School District

Name of School District exactly as it will appear on the ballot

WHEREAS, pursuant to Education Code Section 5322, whenever a school district election is ordered, the governing board of the district or the board or officer authorized to make such designations shall, concurrently with or after the order of election, but not less than 123 days prior to the date set for the election in the case of an election for governing board members, or at least 88 days prior to the date of the election in the case of an election on a measure, including a bond measure, by resolution delivered to the county superintendent of schools and the officer conducting the election specify the date of the election and the purpose of the election;

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city or district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election;

WHEREAS, the resolution of the governing body of the city or district shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation; and

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, pursuant to Education Code Section 5342 and Elections Code Section 10400, such election for school districts may be either completely or partially consolidated;

WHEREAS, various district, county, and statewide and other political subdivision elections have been or may be called to be held on November 5, 2024;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED THAT the Governing Board/Board of Trustees of the Happy Valley Elementary School District hereby orders an election to be called and consolidated with any and all elections also called to be held on November 5, 2024 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the School District request to the Board of Supervisors of the County of Santa Cruz to order such consolidation under Elections Code Section 10400; and

BE IT FURTHER RESOLVED AND ORDERED that said School Board hereby requests the Board of Supervisors to permit the Santa Cruz County Elections Department to provide any and all services necessary for conducting the election; and

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Education Code Section 5322, the authority for the specifications of the election order, the governing body of the Happy Valley Elementary School District hereby orders an election to be held with the following specifications:

The election shall be held on Tuesday, November 5, 2024;

Check the following that apply:



BE IT FURTHER RESOLVED AND ORDERED that the Santa Cruz County Elections Department conduct the election for the following **OFFICE/S** on the November 5, 2024 ballot:

Seats open	Office	Term	District/Division (if app)
2	School Board of Trustees	2024-2028	
1	School Board of Trustees	2024-2026	

No election will be held if there are an insufficient number of nominees.

The qualifications of a nominee of an elective officer of the school district are as follows:

- Check one: registered voter of the district
 registered voter of the district residing in the trustee area

The Candidate's Statement of Qualifications shall be limited to:

- Check one: 200 words

400 words (double the cost)

Candidates are permitted to file a statement to be posted online only.

Check one: Yes
 No

Candidates are responsible for paying the cost of printing their Candidate's Statement of Qualifications in the County Voter Information Guide or posting online at the time of filing his/her statement.

Check one: Yes
 No. The District will pay the cost.

Candidates for special districts pay the County Clerk.

Date of last map change: _____ A current map showing the boundaries within the County of the school district and the divisions of the school district, if any, is attached.

BE IT FURTHER RESOLVED AND ORDERED that the Santa Cruz County Elections Department shall conduct the election for the following **MEASURE(S)** to be voted on at the November 5, 2024 election.
(Attach 75-word ballot question)

BE IT FURTHER RESOLVED AND ORDERED that the Santa Cruz County Elections Department is requested to:

Check one:

- Print the attached measure text exactly as filed in the County Voter Information Guide for the November 5, 2024 election. Cost of printing and distribution of the measure text will be paid for by the district.
- Do NOT print the measure text in the County Voter Information Guide. Instead send a copy to voters upon request at the cost of said district.

BE IT FURTHER RESOLVED AND ORDERED that the Santa Cruz County Elections Department is ordered that in the event of a tie vote, the candidate will be selected by (Ed. Code 5016(b)):

- Run-off election
 By lot

PASSED AND ADOPTED by the Happy Valley Elementary School District, County of Santa Cruz, State of California, this 8th day of May, 2024, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Chairperson of School District

Attested: _____
Secretary

To assist us in keeping our records up to date, please provide us with current information regarding your district as well as a list of all your current board members' names, addresses and telephone numbers.

Contact Information/Incumbent Roster

Name of School District: Happy Valley Elementary School District

Contact Person: Paige Lynd

Title: Administrative Assistant

Mailing Address: 3125 Branciforte Drive, Santa Cruz, CA 95065

Telephone: 831-429-1456 FAX: 831-429-6205

E-Mail: plynd@hvesd.com

Website: www.hvesd.com

Incumbent's Name	Address	Year Elected or Appointed	Term of Office
Kyle Frandle	101 Happy Valley Road, Santa Cruz, CA 95065	2003	4 years
Katie Freeman	930 Granite Creek Road, Santa Cruz, CA 95065	2005	4 years
Carly Trotter	180 Pear Creek Lane, Santa Cruz, CA 95065	2023	2 years

EXHIBIT B: 2023-2024 ISA

INDIVIDUAL SERVICES AGREEMENT (ISA) FOR NONPUBLIC, NONSECTARIAN SCHOOL SERVICES
(Education Code Sections 56365 et seq.)

This agreement is effective on July 1, 2023 or the date student begins attending a nonpublic school or receiving services from a nonpublic agency, if after the date identified, and terminates at 5:00 P.M. on June 30, 2024, unless sooner terminated as provided in the Master Contract and by applicable law.

Local Education Agency Happy Valley Elementary Nonpublic School Brite Horizons
 LEA Case Manager: Name Melinda Vahradian RSP Teacher Phone Number 831-429-1456
 (Michelle Stewart, Supt.)
 Pupil Name _____ Sex: M F
 Grade: 1st
 Address _____ (Last) _____ (First) City Santa Cruz (M.I.)
 State/Zip CA 95062
 DOB _____ Residential Setting: Home Foster LCI # _____ OTHER _____
 Parent/Guardian _____ Phone _____ (Residence)
 _____ (Business)
 Address _____ City _____
 State/Zip _____
 (If different from student)

AGREEMENT TERMS:

- Nonpublic School:* The average number of minutes in the instructional day will be: 325/day during the regular school year
325/day during the extended school year
- Nonpublic School:* The number of school days in the calendar of the school year are: 48/days during the regular school year
35/days during the extended school year
- Educational services as specified in the IEP shall be provided by the CONTRACTOR and paid at the rates specified below.*

A. **INCLUSIVE AND/OR BASIC EDUCATION PROGRAM RATE:** (Applies to nonpublic schools only): Daily Rate: _____
 Estimated Number of Days 84 x Daily Rate 250 = PROJECTED BASIC EDUCATION COSTS \$21,000
\$20,750

B. RELATED SERVICES:

SERVICE	Provider			# of Times per wk/mo/yr., Duration; or per IEP; or as needed	Cost per session	Maximum Number of Sessions	Estimated Maxin Total Cost fo. Contracted Peri
	LEA	NPS	OTHER Specify				
Intensive Individual Services (340)		<u>82</u>		<u>83</u>	<u>300</u>		<u>49,800</u>
Language/Speech Therapy (415) a. Individual b. Group							
Adapted Physical Ed. (425)							
Health and Nursing: Specialized Physical Health Care (435)							

SERVICE	Provider			# of Times per wk/mo/yr., Duration; or per IEP; or as needed	Cost per session	Maximum Number of Sessions	Estimated Max Total Cost for Contracted Period
	LEA	NPS	OTHER Specify				
Health and Nursing Services: Other (436)							
Assistive Technology Services (445)							
Occupational Therapy (450)				11	70		770
Physical Therapy (460)							
Individual Counseling (510)							
Counseling and guidance (515)							
Parent Counseling (520)							
Social Work Services (525)							
Psychological Services (530)							
Behavior Intervention Services (535)							
Specialized Services for Low Incidence Disabilities (610)							
Specialized Deaf and Hard of Hearing Services (710)							
Interpreter Services (715)							
Audiological Services (720)							
Specialized Vision Services (725)							
Orientation and Mobility (730)							
Braille Transcription (735)							
Specialized Orthopedic Service (740)							
Reader Services (745)							
Note Taking Services (750)							
Transcription Services (755)							
Recreation Services (760)							
College Awareness Preparation (820)							
Vocational Assessment, Counseling, Guidance and Career Assessment (830)							
Career Awareness (840)							
Work Experience Education (850)							
Mentoring (860)							

SERVICE	Provider			# of Times per wk/mo/yr., Duration; or per IEP; or as needed	Cost per session	Maximum Number of Sessions	Estimated Maximum Total Cost for Contracted Per
	LEA	NPS	OTHER Specify				
Agency Linkages (865)							
Travel Training (870)							
Other Transition Services (890)							
Other (900)J							
Other (900)							
Transportation-Emergency b. Transportation-Parent							
Bus Passes							
Other							

ESTIMATED MAXIMUM RELATED SERVICES COSTS \$ 21,320

TOTAL ESTIMATED MAXIMUM BASIC EDUCATION AND RELATED SERVICES COSTS \$ _____

4. Other Provisions/Attachments:

5. MASTER CONTRACT APPROVED BY THE GOVERNING BOARD ON _____

6. Progress Reporting Requirements:	Quarterly	Monthly	Other (Specify)
	y	y	

The parties hereto have executed this Individual Services Agreement by and through their duly authorized agents or representatives as set forth below.

-CONTRACTOR-		-LEA/SELPA-	
(Name of Nonpublic School/Agency)		Happy Valley Elementary (Name of LEA/SELPA)	
(Signature)	(Date)	(Signature)	(Date)
(Name and Title)		Michelle Stewart (Name of Superintendent or Authorized Designee)	

a. ADROIT

10235 W Little York RD
Suite 430
Houston, Texas 77040
8887783413
accounting@goadroit.com

INVOICE

Invoice #: 48333
Client #: 21092
PO #: HAPPYVALLEY
Date: 05/01/2024

INVOICE TO
Happy Valley Elementary School
3125 Branciforte Drive
Santa Cruz, CA 95065

PERIOD OF
04/01/2024 - 04/30/2024

Standard Rides

DESCRIPTION	QUANTITY	RATE	AMOUNT
Sedan Service Fee	17	\$75.00	\$1,275.00
Equipment Fee (booster seats, safety vests, etc...)	17	\$4.00	\$68.00
		Total	\$1,343.00

DUE DATE
05/31/2024

TOTAL AMOUNT DUE
\$1,343.00

NOTE

- All checks are payable to **ADROIT Advanced Technologies, Inc.**
- ACH payments are available for your convenience. Contact us for details.
- Payments not received by the due date will result in a late fee being added to an upcoming month's invoice.
- Please submit any disputed charges before the end of the next invoice period.

Thank you for choosing ADROIT.

X

TRANSPORTATION SERVICE AGREEMENT

THIS AGREEMENT ("Agreement"), as set forth herein between (ADROIT Advanced Technologies, Inc.), (from now on referred to as ("ADROIT")), and Happy Valley Elementary School (from now on, referred to as ("The Client")) represents a mutual understanding and agreement whereby ADROIT will provide to The Client certain services as set forth below.

PURPOSE The purpose of this Agreement is to manage and coordinate specialized transportation services for The Client's students and passengers.

NOW, THEREFORE, for a valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The initial term of this Agreement shall commence on July 1st, 2024, and end on June 30th, 2025. At the end of the initial term, this Agreement will be renewed automatically to avoid any disruption to the service for successive twelve (12) months periods (each a "Renewal Term") on the same terms and conditions unless either party provides the other with not less than 30 days prior written notice that the agreement should terminate of its then-current term at the end. Should service continue, a 3% price increase or the annual rate of inflation, whichever is greater, will be added to the services and fees in "Attachment Document 1" as an inflation adjustment for the following Renewal Term. In the event of a material breach of this Agreement, either party may terminate this Agreement with thirty (30) day notice to cure the breaching party. If the breach is not cured, this Agreement will terminate immediately following the thirty (30) day notification period.

2. The Client may request, from time to time, that ADROIT coordinate transportation services, which ADROIT may agree to coordinate. To the extent accepted by ADROIT, ADROIT agrees to coordinate such transportation services, and The Client agrees to pay ADROIT in accordance with the provisions of this Agreement. ADROIT's coordination of such transportation services pursuant to this Agreement is sometimes referred to herein as the "Services."

In operating under this Agreement, The Client will purchase services in accordance with the pricing set forth in "Attachment Document 1" of this Agreement, which is attached hereto and incorporated herein by this reference.

3. ADROIT agrees to coordinate the supply of such vehicles (the "Vehicles") as may be necessary to lawfully address the transportation requirements of The Client. The Client requires

that all such Vehicles shall fully comply with all applicable laws and regulations. ADROIT shall be solely responsible for the management and logistical support necessary to coordinate all Vehicles used in transporting students.

4. ADROIT shall provide qualified and properly licensed personnel as required by laws and regulations and as deemed appropriate by ADROIT terms of services stated in this agreement. While ADROIT may contract with independent contractor drivers who will provide actual transportation services for The Client, ADROIT shall remain responsible for the coordination of the Services under this Agreement. ADROIT expressly represents and warrants to The Client that it will contract with independent contractor drivers who are properly licensed to perform the agreed-upon Services.

5. ADROIT shall submit to The Client, on or before the fifteenth 15th day of each month, a statement based on the rates set forth hereinafter as the rates at which The Client must reimburse ADROIT for the costs of transportation services rendered to The Client during the previous month. Within the said monthly statement, ADROIT will provide a summary report of the total number of rides provided by ADROIT and the type of services rendered.

6. ADROIT shall be paid the agreed sum based on fees outlined in "Attachment Document 1", which is attached hereto and incorporated herein by this reference. ADROIT shall invoice The Client for the provision of the Services on a monthly basis and shall be paid therefore within thirty (30) days after The Client's receipt of ADROIT's invoice for the provision of the Services for the relevant month. If payment is late, for any reason, a late payment fee equal to three percent (3%) of such past due sum will be assessed for each month late, and that late payment fee is to be added on one of the following invoices in ADROIT's favor.

7. ADROIT shall obtain and maintain insurance in full force and effect during the term of this Agreement and at no cost to the Client. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall not be less than the amount(s) specified below:

- General Liability \$2,000,000 general aggregate ((applies to all agreements)
- Motor Vehicle Liability Insurance \$1,000,000 (to be checked if motor vehicle used in performing services)
- Sexual Abuse/Molestation \$1,000,000 (to be checked if motor vehicle used in performing services)
- Worker' s Compensation coverage limits in the statutory amount as

required in the State of California and Employer' s Liability coverage limits

in the amount of \$1,000,000.00

The limits of insurance required in this Agreement may be satisfied by a combination of primary and umbrella or excess insurance. An umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and noncontributory basis for the benefit of The Client before The Client's own insurance or self-insurance shall be called upon to protect it as a certificate holder.

8. ADROIT shall require each Contractor personnel or independent Contractor driver in a position requiring contact with students to undergo a background check verifying no prior convictions for or pleas of nolo contendere to a felony or misdemeanor offense involving moral turpitude, including any sexual offense involving a child.

9. Drivers are subject to DMV record screening, as well as the Department of Justice (DOJ) and FBI.

10. ADROIT hereby agrees to indemnify and hold The Client, its Board Members, employees, agents, officers, and assigns free and harmless from and against all claims, causes of action, liabilities, damages, expenses, and costs (including, but not limited to, attorney fees and court costs) arising out of (a) any injury to any person or property sustained by The Client and/or ADROIT and/or any student(s), in connection with the negligent provision of the Services that are to be provided by the independent contractor drivers pursuant to this agreement, and (b) any injury to any person or property sustained by any person or entity which is caused or alleged to be caused by any act, neglect, fault or omission on the part of ADROIT or its agents, affiliates and independent contractors in connection with the provision of the Services, whether or not said injury or damage occurs on or off The Client property.

11. In providing the management and logistical support necessary to coordinate the Services, ADROIT shall be and act as an independent contractor in all respects and shall not, for any purpose hereunder, be or act as an employee or agent of The Client. Nothing contained in this Agreement shall be deemed to create a partnership or joint venture between either of the parties to this Agreement with each other. ADROIT understands and agrees that as an independent contractor, it will not be eligible to participate in any benefits or privileges given or extended by The Client to its employees. ADROIT shall be solely responsible for the payment when due to appropriate taxing authorities of all federal and state income taxes and related obligations of any nature whatsoever on any consideration paid pursuant to this Agreement, as well as any interest, penalties, or other sums due thereon and shall indemnify; and hold The Client, its Board Members, Officers, employees and agents free and harmless therefrom.

12. The Client agrees during the term of this Agreement and for a period of twelve (12) months following the termination of this Agreement, The Client will not, directly or indirectly, or by acting in concert with others, employ, attempt to employ, or solicit for employment, any employee, independent contractor or other people who have performed services for ADROIT at any time during the term of this Agreement.

13. The Client will be liable for any damages to vehicles caused by the students for up to \$2000. However, the Client will not be liable for any damages that exceed \$2000 for the restitution of the damaged vehicle providing service to the Client.

14. This agreement stipulates that the Client hereby agrees to the responsibility of the school staff and Guardians for loading, unloading, and securely fastening the students into the vehicles during transportation. ADROIT shall ensure that the students are transported in a safe and secure manner. It is expressly understood that the drivers shall not leave the vehicles to escort students to the school or to their residences upon arrival.

15. This policy outlines the notification requirements and procedures for Guardians utilizing transportation services provided by ADROIT

Notification Requirements

Guardians are required to use the ADROIT Guardian app to receive notifications regarding their child's transportation, including pickup and drop-off times, route updates, and other important information.

Courtesy Calls

ADROIT will not be making courtesy calls on an ongoing basis to Guardians who are not using the ADROIT Guardian app. Guardians who choose not to use the app will be responsible for regularly checking their child's transportation information on the app or contacting ADROIT directly for updates. ADROIT will not be making courtesy calls on an ongoing basis to Guardians not using the ADROIT Guardian app.

16. This policy outlines the requirements and procedures for initiating new transportation routes with ADROIT.

Notice Requirements

Clients must provide a minimum of 72 hours' notice to ADROIT for the initiation of any adjustments to current routes.

Accommodation Days

New routes shall be accommodated on Tuesday and Thursday of each week, subject to vehicle availability.

ADROIT's Responsibility

ADROIT shall make all reasonable efforts to accommodate the initiation of new routes in a timely and efficient manner, subject to operational constraints and availability.

Limitations

ADROIT reserves the right to decline the initiation of new routes if it determines that such routes would impose an undue burden on its operations, including but not limited to, staffing limitations or capacity constraints.

17. All notices or other communication required or permitted hereunder shall be in writing and shall be personally delivered (including by means of professional messenger service) or sent by registered or certified mail, postage prepaid, return receipt requested, or by facsimile or e-mail transmission, and shall be deemed received upon the date of receipt thereof.

The Client

Happy Valley Elementary School
3125 Branciforte Drive
Santa Cruz, CA 95062
(831) 429-1456

ADROIT

ADROIT Advanced Technologies, Inc.
10235 W Little York Rd Ste 430
Houston, TX 77040
(888) 778-3413

18. This Agreement and Attachment Documents, which are incorporated herein by this reference, and if applicable, the attached proposal constitutes the entire Agreement between the parties with respect to the provision of the Service and may not be amended except by a written document signed by each of the parties.

19. The waiver by either party of a breach or violation of any provisions of this Agreement shall not operate as, or be construed to be, a waiver of any subsequent breach of this Agreement.

20. In the event that either party brings an action against the other to enforce any condition or covenant of this Agreement, the prevailing party in such action shall be entitled to recover the court costs and reasonable attorney fees in the judgment rendered in such action.

21. In the event any of the provisions or portions thereof of this Agreement are held to be unenforceable or invalid by any court of competent jurisdiction, the validity and enforceability of the remaining provision or portion of it shall not be affected.

22. Each party shall perform any further acts and sign and deliver any further documents that are reasonably necessary to carry out the provisions of this Agreement.

This Agreement may be signed in one (1) or more counterparts, each of which shall constitute an original but all of which together shall be one (1) and the same document.

The Client

Name of Representative/Title: Happy Valley Elementary

Signature: Michael J. Jevay

Date: 5/3/2024

Adroit Advanced Technologies, Inc.

Name of Representative/Title: Daniel Hernandez, Chief Operating Officer

Signature: _____

Date: _____

Attachment Document 1 Fees Declaration

ADROIT will charge The Client a Base Service Fee per ride, which includes the first (10) miles. The Service type is determined by vehicle capacity, student requirements, and vehicle availability. An additional per-mile fee will be charged for any ride longer than (10) miles.

The pricing table below outlines all associated fees:

Service Type (First 10 miles included)	Fee
Sedan	\$77.30
Large Vehicle	\$92.70
Wheelchair Accessible	\$150

Additional Services and Fees (As needed/required)	Fee
Additional Miles (For each mile after the included miles)	\$2.83
Safety Equipment (Per equipment/student/ride)	\$4
Attendant/Monitor (Per hour, 2 hours minimum per ride)	\$40
Wait Time (Per hour, billed in 15 minutes increments)	\$60
No-Show or Late Cancel	Full Price of Ride
Toll (If applicable)	TBD
Hard to Serve (If applicable)	TBD

Definitions

Base Service Fee (Ride Fee): The fee charged for a ride is a one-way transportation event with a student or attendant onboard.

Examples include:

- **Residence to School:** When a student or a group of students are picked up from a residence(s) and dropped off at school(s).
- **School to Residence:** When a student or a group of students are picked up from a school(s) and dropped off at their residence(s).

The Client will be charged by adding the total number of rides serviced, no-showed, and late canceled. The Client will only be charged for the miles incurred while a student or attendant is onboard.

Service Type: The type of vehicle used to transport a student or a group of students. The Service type is determined by vehicle capacity, student requirements, and vehicle availability.

Sedan Service: Our basic service for transporting up to (3) students. All subject to students' needs/requirements and vehicle availability.

Large Vehicle Service: Our upgraded service for transporting up to (5) students. All subject to students' needs/requirements and vehicle availability.

Wheelchair Accessible Service: Our special service for transporting students requiring a wheelchair vehicle. This is a per student/per ride service. All subject to the students' needs/requirements and vehicle availability.

Additional Services and Fees: These services are only incurred per The Client's request to provide such service. They can include but not limited to:

Additional Miles Fee: A per-mile fee charged to any ride with mileage longer than the miles included in the Base Service Fee. Refer to the Service Type table.

Safety Equipment Fee: A per-student/per-ride fee charged for students requiring safety equipment in compliance with safety standards and regulations such as Buckle Guards, Safety Vests, Car Seats, Booster Seats, and other additional equipment.

Attendant/Monitor Service: When The Client requests, ADROIT can provide a ride Attendant for the student for a fee. When The Client provides the Attendant, there will be no "Attendant/Monitor Fee". Nevertheless, whether an Attendant/Monitor provided by ADROIT or The Client, the mileage incurred while an Attendant is onboard the vehicle without a student (transporting the Attendant to and from their pick-up location) is considered part of the overall ride mileage and will be invoiced to The Client accordingly.

Waiting Time Fee: A fee charged for waiting for a student for more than 5 minutes when authorized by The Client. The fee is charged on an hourly basis in 15-minute increments rounded up to the next increment. In the case of a student being undeliverable upon drop off at the residence, then the charge is authorized by ADROIT, and The Client will be charged and informed when such takes place.

Toll Fee: A toll fee is charged only if a ride incurred a toll while transporting a student(s). This fee is determined by the toll operator.

Hard to Serve Fee: A recurring fee charged if the student(s) express extreme behavior or ride conditions are deemed very difficult. This discussed fee would be charged only with The Client's approval. If no agreement could be reached, ADROIT may decline to service that particular ride. e.g., Students with aggressive behavior, who launch bodily fluids, or live in remote area locations or other difficulties.

Invoicing

At the beginning of each month, an invoice showing the number of rides and the total cost will be electronically sent to The Client's concerned administrator for the previous month. A detailed report may be attached to the invoice; however, all previous months' ride activity will be visible in our client dashboard. In the event of a No-Show or Late Cancel, the ride will be invoiced at the full normal rate. ADROIT requires a 24-hour notice to stop or remove a student from a ride; failing to do so will result in a charge for that day only. Reviewing the emailed invoices is the Client's responsibility; any disputed charges must be submitted within 30 days from the invoice date to be considered and looked into. A 3% monthly late fee will be assessed, charged and added to the following invoice if the invoice is not paid within 30 days of the invoice receipt.

Mileage Charges

Mileage charges are based on driving distance calculations from a third-party provider (e.g., Google Maps, MapQuest, Apple Maps). The calculations are based on the fastest route, and the total is rounded up to the next whole mile. ADROIT shall be responsible for plotting the routes collectively and individually using ADROIT's proprietary Routing and Monitoring Software. The Client will be only required to pay for mileage from and to destinations that are already authorized by The Client.

When Routes Change or Students are Added, or Removed

When it becomes necessary to change a route for any reason(s), including adding or removing students, ADROIT shall plot the revised or new route using ADROIT's Routing and Monitoring Software as described above in the most efficient manner based on the information known to ADROIT at that time.

Routes will be optimized from time to time as deemed necessary by ADROIT or requested by The Client. If The Client adds a Student to be transported, that Student may be individually transported until routes are optimized or based on vehicle availability.

Fuel Surcharges

When the average fuel price exceeds \$5.00 per gallon, the mileage rate will be increased by calculating 50% of the fuel price that exceeds \$5.00 and adding it to the base mileage rate. Thus, if the price of fuel, according to the average fuel price index, is \$5.60, the increase would be 50% of 60 cents or 30 cents. Such surcharges apply for the miles included in the ride base price. The fuel price index to be used shall be found under the category of "[Your Specific State or Region] U.S. and an Average Fuel Prices (dollars per gallon) to be calculated from the following website: https://www.eia.gov/dnav/pet/pet_pri_gnd_dcus_sca_w.htm

The above applies to both Standard Rides and Multi-Client Rides with the exception of how Multi-Client Ride costs are calculated and prorated. See "Attachment Document 3" for details.

Attachment Document 2

Definitions

The Client agrees that the following policies shall be followed related to ADROIT's software usage and students No-Show, Late Canceled rides and reports for the service provided by ADROIT:

Routing and Monitoring Software

ADROIT uses its own Routing and Monitoring Software and can use any other supporting software deemed necessary to ensure the best quality of service. ADROIT's Routing and Monitoring Software consist of four interconnected components that work together:

- **ADROIT Dashboard:** ADROIT's proprietary technology that allows for routing and live safety monitoring, among many other things to be possible.
- **Client Dashboard:** Enables The Client to enter all students and schools data, monitor all service transactions concerning their account, cancel rides when needed, communicate with ADROIT's administrators, and review reports and invoices and more.
- **ADROIT Guardian:** ADROIT's mobile application that enables students' guardians to monitor their kid's rides, cancel rides when needed, and communicate with ADROIT's Customer Care team. No changes to the service agreed upon with The Client shall happen without The Client's approval first.
- **ADROIT Driver:** ADROIT's mobile application that enables real-time monitoring, communication, and gaining insights into the safety of each and every ride.

More information available in terms of service on our website www.goadroit.com.

No-Show and Late Cancel

No-Show: This is when an attempt to pick-up a student occurs, but the student is not there or is not ready without previous notice by The Client or the student's guardian. The partner (driver) will wait (3) minutes from the scheduled pickup time before a No-Show is determined. It is The Client's responsibility to monitor student attendance and inform ADROIT of any change to a students' transportation such as removing a student from a route due to multiple No-Shows. ADROIT provides The Client with a comprehensive no-show report through the Client Portal which is available at all times.

Late Cancel: This is when a notice of ride cancelation from The Client or the student's guardian occurs less than (2) hours from the scheduled ride's start time.

Rides, where a No-Show or Late Cancel occurs, are invoiced at full normal rate.

Possible Protocols for No-Shows

If a morning single rider No-Show occurs, The Client will be invoiced for the morning ride, and the afternoon ride will remain scheduled unless ADROIT is notified by The Client or the student's guardian to cancel the afternoon ride within the early cancel window.

If a morning No-Show occurs for one student in a multi-passenger ride, the afternoon ride always remains scheduled.

Permanent Student Transportation Cancelation

The Client may cancel transportation for a student permanently by contacting ADROIT. If the student is a single rider, the route will be removed entirely, and the partner (driver) then becomes immediately available to service other routes. If the student was transported with other passengers, then they will be removed from the route, the student's spot will become available and may be replaced with a different student, if available, to consolidate routes.

Temporary Student Transportation Cancelation

The Client may cancel transportation for a student temporarily for several days by contacting ADROIT. Because this is a temporary change, the student is not replaced on the route, and their space on the route is reserved for their return. If the student is a single rider and the student is canceled temporarily, no charges will be assessed. When canceling temporarily the pick-up/drop-off for a student who is part of a multi-passenger ride, The Client will be charged the normal ride rate.

It is The Client's responsibility to communicate to ADROIT changes to schedules, calendars, and transportation requests in a timely manner.

Attachment Document 3

Multi-Client Invoicing

Should The Client choose to share rides with a neighboring client that is also under contract with ADROIT, the shared ride will be prorated and invoiced according to the following explanation:

Proration of Ride Fees - ADROIT's charging process

1. Client Standard Rides

Each client's students are routed as standard (stand-alone) rides, client-specific pricing is applied.

Example:

- Client A has two students whose ride costs \$90 (Ride 1)
- District B has a single student whose ride costs \$100 (Ride 2)

2. Multi-Client Rides

All of the students from the participating clients, as identified above, are combined into the most cost-effective rides, yielding new "Multi-Client Rides" and subsequent ride costs.

Example (cont.):

- Combined ride cost for all three students \$110 (Multi-Client Ride)

3. Proration of Costs for Multi-Client Rides

The total cost of the multi-client rides is then allocated to each client based upon the percentage of the client's standard ride costs (found in step 1) as compared to the multi-client ride costs (found in step 2). In addition, a 20% coordination fee will be added to each client's proportion.

Example (cont.):

- Client A standard ride cost = \$90
- Client B standard ride cost = \$100
- Combined multi-client ride cost = \$110

- Client A's proportioned cost % of combined ride cost = $90/190 = 47.4\%$
- $110 * 0.474 * 1.2 = \mathbf{\$62.57}$ (Client A's combined ride cost responsibility)

- ★ Client B's proportioned cost % of combined ride cost = $100/190 = 52.6\%$
- ★ $110 * 0.526 * 1.2 = \$69.43$ (Client B's combined ride cost responsibility)

4. No-Shows and Cancellations

For all Multi-Client Rides, No-Shows and Cancellations will apply to each client invoice.

CHECKLIST – CSBA UPDATE March 2024

District Name: Happy Valley School

Contact Name: Michelle Stewart Phone:831-429-1456 Email: mstewart@hvesd.com

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
BP 0450	Comprehensive Safety Plan	<p>OPTION 1: <input type="checkbox"/></p> <p>OPTION 2: <input checked="" type="checkbox"/></p>	
AR 0450	Comprehensive Safety Plan		
BP 0470	COVID-19 Mitigation Plan	<p>Delete POLICY</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
BP 3516	Emergencies and Disaster Preparedness Plan		
AR 3516	Emergencies and Disaster Preparedness Plan		
BP 3550	Food Service/Child Nutrition Program		
BP 3551	Food Service Operations/Cafeteria Fund	<p>OPTION 1: <input checked="" type="checkbox"/></p> <p>Option 2: <input type="checkbox"/></p>	
BP 3553	Free and Reduced Price Meals		
BP 4111	Recruitment and Selection		
AR 4112.5	Criminal Record Check		
E(1) 4112.5	Criminal Record Check	<p>Fill in Blanks</p> <p>Happy Valley School</p>	
BP 4118	Dismissal/Suspension/Disciplinary Action		

CHECKLIST – CSBA UPDATE March 2024

District Name: Happy Valley School

AR 4118	Dismissal/Suspension/Disciplinary Action	OPTION 1: <input type="checkbox"/>	
		OPTION 2: <input checked="" type="checkbox"/>	
BP 4340	Bargaining Units		
BP 4157	Employee Safety		
AR 4157	Employee Safety		
AR 4157.1	Work-Related Injuries		
BP 4218	Dismissal/Suspension/Disciplinary Action		
AR 4218	Dismissal/Suspension/Disciplinary Action		
BP 5141.21	Administering Medication and Monitoring Health Conditions	OPTION 1: <input type="checkbox"/>	
		OPTION 2: <input checked="" type="checkbox"/>	
BP 5144	Discipline		
AR 5144	Discipline		
BP 6141.2	Recognition of Religious Beliefs and Customs		
AR 6141.2	Recognition of Religious Beliefs and Customs		
BB 9320	Meetings and Notices	Fill in Blanks 1 meeting a month, 2 nd Wednesday of the month	
BB 9323.2	Actions by the Board		
E(1) 9323.2	Actions by the Board		

Policy 0420: School Plans/Site Councils

Status: ADOPTED

Original Adopted Date: 02/20/2019

The Board of Trustees believes that comprehensive planning is necessary at each school in order to focus school improvement efforts on student academic achievement and facilitate the effective use of available resources. The Superintendent/Principal or designee shall ensure that school plans provide clear direction and identify cohesive strategies aligned with school and district goals.

If the school participates in one or more federal and/or state categorical programs funded through the state's consolidated application process pursuant to Education Code 64000 shall establish a school site council in accordance with Education Code 65000-65001. The school site council shall develop, approve, and annually review and update a school plan for student achievement (SPSA) which consolidates the plans required for those categorical programs into a single plan, unless otherwise prohibited by law. (Education Code 64001)

The Superintendent/Principal or designee shall review the school's SPSA to ensure that it meets the content requirements for all applicable programs, is based on an analysis of current practices and student academic performance, and reasonably links improvement strategies to identified needs of the school and its students. The Superintendent/Principal or designee shall also ensure consistency between the specific actions included in the district's local control and accountability plan and the strategies identified in each school's SPSA.

The Board shall, at a regularly scheduled Board meeting, review and approve the school's SPSA whenever there are any material revisions affecting the academic programs for students participating in the categorical programs addressed in the SPSA. (Education Code 64001)

If the Board does not approve the school's SPSA, it shall communicate its specific reasons for disapproval of the plan to the school site council. The school site council shall then revise and resubmit the SPSA to the Board for its approval. (Education Code 64001)

The Superintendent/Principal or designee shall ensure that school administrators and school site council members receive training on the roles and responsibilities of the school site council.

The SPSA may serve as the school improvement plan required when the school is identified for targeted or comprehensive support pursuant to 20 USC 6303. (Education Code 64001)

Any complaint alleging noncompliance with requirements related to the establishment of the school site council or the development of the SPSA may be filed with the district in accordance with the district's uniform complaint procedures pursuant to 5 CCR 4600-4670 and BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 64001)

Regulation 0420: School Plans/Site Councils

Status: ADOPTED

Original Adopted Date: 02/20/2019

School Site Councils

Each school that operates a program requiring the development of a school plan for student achievement (SPSA) pursuant to Education Code 64001 shall have a school site council composed of the following: (Education Code 65000)

1. The principal or designee
2. Classroom teachers at the school, selected by the classroom teachers at the school
3. Other school personnel who are not teachers, selected by the other personnel at the school who are not teachers
4. Parents/guardians of students attending the school and/or other members of the community, selected by the parents/guardians of students attending the school
5. If the school is a secondary school, students attending the school selected by other secondary students

Half of the school site council membership shall consist of school staff in the categories listed in items #1-3 above, the majority of whom shall be classroom teachers. For an elementary school site council, the remaining half shall be parents/guardians and/or community members. For a secondary school site council, the remaining half shall be parents/guardians, community members, and/or students. (Education Code 65000)

A district employee may serve as a parent/guardian representative on the school site council of the school his/her child attends, provided the employee does not work at that school. (Education Code 65000)

The bylaws of each school site council shall include the method of selecting members and officers, terms of office, responsibilities of council members, time commitment, and a policy of nondiscrimination and equity.

School site councils shall operate in accordance with procedural meeting requirements established in Education Code 35147.

School Plan for Student Achievement

The school site council shall develop and annually review and update an SPSA that addresses all federal and/or state categorical programs in which the school participates pursuant to Education Code 64000. (Education Code 64001)

The SPSA shall be developed with the review, certification, and advice of the school English learner advisory committee, if required. (Education Code 64001)

Other school and district committees, including, but not limited to, a parent advisory committee established to review and comment on the district's local control and accountability plan (LCAP), advisory committee established for special education programs, and Western Association of Schools and Colleges leadership teams, may also be consulted on the content of the plan.

Before developing the content of the SPSA, the school site council shall conduct a comprehensive needs assessment pursuant to 20 USC 6314, including an analysis of verifiable state data consistent with the state priorities specified in Education Code 52060 and the indicators in the state accountability system. The school may consider any other data developed by the district to measure student outcomes. (Education Code 64001)

The SPSA shall include all of the following: (Education Code 64001)

1. Goals to improve student outcomes, including goals that address the needs of student groups as identified through the needs assessment
2. Evidence-based strategies, actions, or services
3. Proposed expenditures based on the projected resource allocation from the district to address the findings of the needs assessment, including identifying resource inequities, which may include a review of the district's

budgeting, the LCAP, and school-level budgeting, if applicable

In addition to meeting the requirements common to all applicable school plans, the SPSA shall address any content required by law for each individual categorical program in which the school participates.

The school site council shall approve the proposed SPSA at a meeting for which public notice has been posted. Whenever there are material revisions to the SPSA which affect the academic programs for students participating in applicable programs, the SPSA shall be submitted to the Board of Trustees for review and approval at a regularly scheduled Board meeting. (Education Code 35147, 64001)

The school site council shall regularly monitor the implementation and effectiveness of the SPSA and modify any activities that prove ineffective. At least once per year, the principal or designee shall evaluate results of improvement efforts and report to the Board, school site council, and other interested parties regarding progress toward school goals.

The school site council may amend the SPSA at any time through the same process required for the annual update of the plan.

CSBA POLICY GUIDE SHEET
March 2024

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 0450 - Comprehensive Safety Plan

Policy updated to reference **NEW LAW (SB 323, 2023)** which (1) authorizes a school employee, a student's parent/guardian or educational rights holder, or a student, at specified times, to bring concerns about an individual student's ability to access disaster safety procedures described in the comprehensive safety plan to the principal, and if there is merit to the concern requires the principal to make appropriate modifications, and (2) requires comprehensive safety plans to include adaptations for students with disabilities in accordance with the federal Individuals with Disabilities Education Act and section 504 of the federal Rehabilitation Act of 1973. Additionally, policy updated to clarify that portions of the comprehensive safety plan that include tactical response to criminal incidents are not required to, but maybe, publicly disclosed.

Administrative Regulation 0450 - Comprehensive Safety Plan

Regulation updated to clarify that written notification to specified persons and entities are required when those persons or entities are available and to reflect **NEW LAW (SB 323, 2023)** which (1) authorizes a school employee, a student's parent/guardian or educational rights holder, or a student, at specified times, to bring concerns about an individual student's ability to access disaster safety procedures described in the comprehensive safety plan to the principal, and if there is merit to the concern requires the principal to make appropriate modifications, and (2) requires comprehensive safety plans to include adaptations for students with disabilities in accordance with the federal Individuals with Disabilities Education Act and section 504 of the federal Rehabilitation Act of 1973. Additionally, regulation updated to reflect **NEW LAW (SB 671, 2023)** which requires a district's comprehensive safety plan to include procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, an activity sponsored by the school, or on a school bus serving the school. In addition, regulation updated to reflect **NEW LAW (SB 10, 2023)** which requires schools that serve students in any of grades 712 to include in their comprehensive safety plans a protocol in the event a student is suffering or reasonably believed to be suffering from an opioid overdose. Regulation also updated to reference **NEW LAW (AB 1023, 2023)** which provides schools increased cybersecurity support.

Delete - Board Policy 0470 - COVID-19 Mitigation Plan

Policy deleted as unnecessary due to expiration of COVID-19 public health emergency declaration, with relevant concepts incorporated into other policies.

Board Policy 3516 - Emergency and Disaster Preparedness Plan

Policy updated to reflect **NEW LAW (SB 323, 2023)** which requires school emergency and disaster preparedness plans to include adaptations for students with disabilities in accordance with the federal Individuals with Disabilities Education Act and section 504 of the federal Rehabilitation Act of 1973.

Administrative Regulation 3516 - Emergency and Disaster Preparedness Plan

Regulation updated to include an attack or threat of attack to the district's digital network and technology infrastructure to the list of emergencies and disasters that the district and/or school site plans should cover, and routine monitoring of such technology as part of the district's strategies and actions for prevention/mitigation, preparedness, response, and recovery. Additionally, regulation updated to reference **NEW LAW (AB 1023, 2023)** which provides schools increased cybersecurity support, include automatic dialing devices as a form of communication during an emergency, and expand the list of critical information that would be needed in an emergency.

Board Policy 3550 - Food Service/Child Nutrition Program

Policy updated to reflect **NEW LAW (SB 348, 2023)** which (1) clarifies that districts are required to make available, during each school day and free of charge, one nutritionally adequate breakfast and one nutritionally adequate lunch to any student who requests a meal, including a student enrolled in an independent study program as specified, regardless of the student's eligibility for a federally funded free or reduced-price meal, (2) defines a "nutritionally adequate breakfast and lunch," and (3) requires that students be provided with adequate time to eat. Additionally, policy updated to reflect **NEW LAW (AB 95, 2023)** which clarifies that districts may sell a nutritiously adequate meal that qualifies for federal reimbursement to a student after a free meal has been provided. In addition, policy updated to reflect **NEW LAW (SB 114, 2023)** which establishes school food best practices such as serving freshly prepared onsite meals using minimally processed, locally grown, and sustainable food, giving priority to California-grown or produced foods, and increasing plant-based or restricted diet food options for students. Policy updated to reflect California Department of Food and Agriculture guidance about school gardens.

Board Policy 3551 - Food Service Operations/Cafeteria Fund

Policy updated to reflect **NEW LAW (SB 348, 2023)** which clarifies that (1) the establishment of a cafeteria fund does not preclude the district from using other funds for the purpose of purchasing school meals, and (2) districts are required to make available, during each school day and free of charge, one nutritionally adequate breakfast and one nutritionally adequate lunch to any student who requests a meal, including a student enrolled in an independent study program as specified, regardless of the student's eligibility for a federally funded free or reduced-price meal. Additionally, policy updated to reflect **NEW LAW (AB 95, 2023)** which clarifies that districts may sell a nutritiously adequate meal that qualifies for federal reimbursement to a student after a free meal has been provided and **NEW LAW (SB 114, 2023)** which establishes school food best practices such as giving priority to using California-grown or produced, sustainably grown, or whole or minimally processed foods, increasing plant-based or restricted diet food options for students, and preparing fresh meals onsite.

Board Policy 3553 - Free and Reduced Price Meals

Policy updated to reflect **NEW LAW (SB 348, 2023)** which clarifies that districts are required to make available, during each school day and free of charge, one nutritionally adequate breakfast and one nutritionally adequate lunch to any student who requests a meal, regardless of the student's eligibility for a federally funded free or reduced-price meal, and **NEW LAW (AB 95, 2023)** which clarifies that districts may sell a nutritiously adequate meal that qualifies for federal reimbursement to a student after a free meal has been provided. Additionally, policy updated to clarify that meals served under the school nutrition program meet district-adopted guidelines, in addition to state and federal nutrition standards. In addition, policy updated to more closely align with code language.

Board Policy 4111 - Recruitment and Selection

Policy updated to reflect **NEW GUIDANCE** from the California Department of Education and the Commission on Teacher Credentialing related to the benefit to students when district staff reflects the racial, ethnic, linguistic and cultural diversity of the district, and when the district's recruitment and selection process seeks to establish and maintain a diverse staff. Additionally, policy updated to include that the pay scale for an open position be included in the job posting. In addition, policy updated to include that discrimination against a person in hiring based on the person's use of cannabis off the job and away from the workplace is prohibited, and reflect **NEW LAW (SB 700, 2023)** which prohibits the district from requesting information from an applicant related to the applicant's prior use of cannabis, apart from the person's criminal history, unless the district is otherwise legally permitted to consider or inquire about that information. In addition, policy updated to provide that the district retains the right to maintain drug-free schools and to prohibit employees from possessing, being impaired by, or using cannabis while on the job. Policy also updated to include that, in addition to Governing Board approval and district needs, the provision of incentives to recruit teachers be in accordance with any applicable collective bargaining agreement.

Administrative Regulation 4112.5- Criminal Record Check

Regulation updated to reference that discrimination against a person in hiring based on the person's use of cannabis off the job and away from the workplace is prohibited, including **NEW LAW (SB 700, 2023)** which prohibits the district from requesting information from an applicant related to the applicant's prior use of cannabis, apart from the person's criminal history, unless the district is otherwise legally permitted to consider or inquire about that information. Additionally, regulation updated for clarity.

Exhibit(1) 4112.5 - Criminal Record Check

Exhibit reviewed in conjunction with the update of the accompanying Administrative Regulation.

Board Policy 4118 - Dismissal/Suspension/Disciplinary Action

Policy updated to generalize the material related to the basis for disciplinary action, and reflect **NEW COURT DECISION (Visalia Unified School District v. PERB)** which held that service as a union officer constitutes protected activity under the Educational Employment Relations Act for purposes of complaints of retaliation for union activities, and that retaliation solely for engaging in protected activities is prohibited. Additionally, policy updated to amend the list of what may be considered disciplinary actions to more closely align with law, and to add new section "Compulsory Leave of Absence" for consistency with law and the accompanying administrative regulation.

Regulation 4118 - Dismissal/Suspension/Disciplinary Action

Regulation updated to reference that discrimination against a person in termination or any term or condition of employment based on the person's use of cannabis when off the job or away from the workplace is prohibited, and to clarify that proper notice is required by March 15 of the employee's second complete consecutive year of employment for the district to not rehire a probationary employee for the following school year without giving a statement of reasons. Additionally, regulation updated to delete outdated material and for clarity.

Board Policy 4340 - Bargaining Units

Policy updated to clarify use of "employee organization," "recognized employee organization," "exclusive representative," and "bargaining unit". Additionally, policy updated to clarify Public Employee Relations Board opinions regarding when a district may restrict the wearing of union buttons, insignia, or other pictorial or written messages by employees, when a district may limit an employee organization's ability to communicate with its members, and what constitutes "reasonable restrictions" by a district. In addition, policy updated to remove outdated material related to COVID-19, and reflect **NEW LAW (AB 243, 2023)** which extends the Safe at Home address confidentiality protection to victims of child abduction and members of their households. Policy also updated for clarity, precision, organization, and consistency.

Board Policy 4157- Employee Safety

Policy updated to reference **NEW LAW (SB 553, 2023)** which requires, starting July 1, 2024, districts to establish, implement, and maintain at all times and in all work areas a workplace violence prevention plan with specified components.

Administrative Regulation 4157 - Employee Safety

Regulation updated to add that the Department of Industrial Relations Division of Occupational Safety and Health may prohibit entry into a place of employment when, in its opinion, the place of employment exposes employees to an imminent hazard. Additionally, regulation updated to reflect **NEW LAW (SB 553, 2023)** which requires, starting July 1, 2024, districts to (1) establish, implement, and maintain at all times and in all work areas a violence prevention plan with specified components, and (2) provide all employees with training when the plan is first established and annually thereafter. In addition, regulation updated to delete outdated information related to actions districts were required to take upon notice of potential exposure to COVID-19.

Administrative Regulation 4157.1 - Work-Related Injuries

Regulation updated to move material related to notice requirements for an employee who is a victim of a crime for better placement of content, and delete outdated information related to workers' compensation benefits for illness or death resulting from COVID-19.

Board Policy 4218 - Dismissal/Suspension/Disciplinary Action

Policy updated to add that the Governing Board expects all employees to serve as positive role models at school and in the community for consistency with expectations for certificated staff, generalize the material related to the basis for disciplinary action, and reflect **NEW COURT DECISION (Visalia Unified School District v. PERB)** which held that service as a union officer constitutes protected activity under the Educational Employment Relations Act for purposes of complaints of retaliation for union activities, and that retaliation solely for engaging in protected activities is prohibited. Additionally, policy updated to amend the list of what may be considered disciplinary actions to more closely align with law, clarify that if a timely request for a hearing is submitted, a third-party hearing officer is required to conduct the hearing if the Board has delegated such authority, and to add new section "Compulsory Leave of Absence" for consistency with law and the accompanying administrative regulation.

Administrative Regulation 4218 - Dismissal/Suspension/Disciplinary Action

Regulation updated to reference that discrimination against a person in termination or any term or condition of employment based on the person's use of cannabis when off the job or away from the workplace is prohibited. Additionally, regulation updated to delete outdated material and for clarity.

Board Policy 5141.21 - Administering Medication and Monitoring Health Conditions

Policy updated to reflect **NEW LAW (AB 1283, 2023)** which authorizes districts to provide emergency stock albuterol inhalers to school nurses or trained personnel who have volunteered, who may use the inhaler to provide emergency medical aid to person(s) suffering, or reasonably believed to be suffering, from respiratory distress, and **NEW LAW (AB 1722, 2023)** which authorizes districts to hire a licensed vocational nurse following Governing Board approval that a diligent search was conducted for a credentialed school nurse.

Board Policy 5144 - Discipline

Policy updated to reflect **NEW LAW (SB 291, 2023)** which, beginning with the 2024-25 school year, prohibits a school staff member from denying a student's recess unless the student's participation poses an immediate threat to the physical safety of the student or one or more of the student's peers. Additionally, policy updated to clarify that the Governing Board may, but is not required, to review approved discipline rules for consistency with Board policy and state law. In addition, policy updated to include interventions and supports to students as a priority in determining appropriate discipline.

Administrative Regulation 5144 - Discipline

Regulation updated to clarify that "junior high" and "high school students" are interpreted to mean students in grades 7-12, which affects the list of representatives for the development of site-level disciplinary rules, and that supervised suspension is one of the means of discipline that may be used when other means of correction have failed to bring about proper conduct. Additionally, regulation updated to reflect **NEW LAW (SB 10, 2023)** which expresses the legislative intent that districts use alternatives to a referral of a student to a law enforcement agency in response to an incident involving the student's misuse of an opioid to the extent that the alternative is not in conflict with any other law requiring a referral, and that a multi-tiered system of supports may be utilized, **NEW LAW (AB 1165, 2023)** which encourages districts to have a student who has been suspended, or for whom other means of correction have been implemented, for an incident of racist bullying, harassment, or intimidation, and the victim, to engage in a restorative justice practice suitable to address the needs of both of the students, engage the perpetrator in a culturally sensitive program, and to regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues, and **NEW LAW (SB 291, 2023)** which, beginning with the 2024-25 school year,

prohibits a school staff member from denying a student's recess unless the student's participation poses an immediate threat to the physical safety of the student or one or more of the student's peers.

Board Policy 6141.2 - Recognition of Religious Beliefs and Customs

Policy updated to reflect **NEW GUIDANCE** from the U.S. Department of Education regarding constitutionally protected prayer and religious expression in public schools and Appendix F of the California Department of Education's History and Social Science Framework which offers guidance and support for educators regarding the recognition of religious beliefs and customs. Additionally, policy updated to add that instruction regarding the role of religion in society be consistent with adopted instructional materials and state standards. In addition, policy updated to reflect U.S. Supreme Court decision (Kennedy v. Bremerton) which held that the employee, a football coach, did not coerce students to pray when the employee knelt at midfield after games to offer a quiet personal prayer, rejected the district's argument that any visible religious conduct by a teacher or coach amounted to impermissible coercion on students, and concluded that the coach was acting in a private capacity and not in the capacity of an employee of the district when the prayer was offered during a time when school employees were free to attend to personal matters. Policy also updated to reflect **NEW COURT DECISION** (Fellowship of Christian Athletes v. San Jose Unified School District) in which the Ninth Circuit U.S. Court of Appeals held that it would be discrimination for a district to fail to recognize a student club with religiously based leadership requirements upon a finding that multiple student clubs imposed certain requirements for membership or leadership positions—i.e., discriminated against certain students—but that the district only objected to the Fellowship of Christian Athletes' requirements because of the *religious* basis of the requirements.

Administrative Regulation 6141.2 - Recognition of Religious Beliefs and Customs

Regulation updated to reflect Appendix F of the California Department of Education's History and Social Science Framework which offers guidance and support for educators regarding the recognition of religious beliefs and customs.

Board Bylaw 9320 - Meetings and Notices

Bylaw updated to clarify that a study session, retreat, public forum, or discussion meeting of the Governing Board must either be held as a regular or special Board meeting. Additionally, bylaw updated to reflect **NEW LAW (AB 557, 2023)** which extended and modified the ability of a Board member to join a meeting by teleconference due to just cause or emergency circumstances or during a proclaimed state of emergency. In addition, bylaw updated to remove outdated COVID-19 related requirements. Bylaw also updated for clarity, precision, organization, and consistency.

Board Bylaw 9323.2 - Actions by the Board

Bylaw updated to add that the Governing Board may take action on a request by a Board member to participate by teleconference due to emergency circumstances if it is not on the posted agenda so long as there was not sufficient time to place it on the agenda. Additionally, bylaw updated to remove language related to the authority of the district attorney's office or an interested person to file a civil action asking the court to order the Board to stop or prevent a Brown Act violation and replace it with language requiring the district attorney's office or interested person to first present a demand to "cure and correct" the alleged violation and, when such occurs, for the Board to consult with legal counsel on if and how to respond.

Exhibit(1) 9323.2 - Actions by the Board

Exhibit updated to clarify that the exhibit is a non-exhaustive list of actions that require more than a simple majority vote and that have restrictions on when the Governing Board may act. Additionally, exhibit updated to remove, in the section "Actions Requiring a Two-Thirds Vote of the Membership of the Board," an item related to school facilities improvement districts as well as an item related to parcel taxes, both of which do not require a two-thirds vote. In addition, exhibit updated to add sections on "Actions Required to Occur During a Regular Board Meeting" and "Prohibitions on Certain Board Actions". Exhibit also updated to reflect **NEW LAW (SB 494, 2023)** which prohibits the Board from taking action to terminate a superintendent or assistant superintendent without cause within 30 calendar days after the first convening of

the Board after a general election at which one or more of the Board members are elected or recalled, and **NEW LAW (SB 229, 2023)** which requires a district that is disposing of surplus land and has received notification of a violation to hold an open and public meeting to review and consider the substance of the notice of violation and prohibits the Board from taking final action to ratify or approve the proposed disposal of surplus land until a public meeting is held. Exhibit also updated for clarity, precision, organization, and consistency.

CSBA Policy Management Console

CSBA Sample District Policy Manual

Policy 0450: Comprehensive Safety Plan

Status: ADOPTED

Original Adopted Date: 11/01/2011 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Governing Board 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 to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others.

The Superintendent or designee shall oversee the development of a districtwide comprehensive safety plan that is applicable to each school site. (Education Code 32281)The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education

(CDE) of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

Tactical Response Plan

Notwithstanding the process described above, any portion of a comprehensive safety plan that addresses tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to safeguard students and staff, secure affected school premises, and apprehend criminal perpetrator(s), shall be developed by the Superintendent or designee in accordance with Education Code 32281. In developing such strategies, the Superintendent or designee shall consult with law enforcement officials and with representative(s) of employee bargaining unit(s), if they choose to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials and approve the tactical response plan, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

Safety Plan(s) Access and Reporting

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents need not be publicly disclosed.

The Superintendent or designee shall share the comprehensive safety plans and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)

The Superintendent or designee shall also provide data to CDE pertaining to lockdown or multi-option response drills conducted at district schools in accordance with Education Code 32289.5. (Education Code 32289.5)

Policy Reference Disclaimer:These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 11987-11987.7
 5 CCR 11992-11993
 CA Constitution Article 1, Section 28
 Ed. Code 200-262.4
 Ed. Code 32260-32262
 Ed. Code 32270
 Ed. Code 32280-32289.5
 Ed. Code 32290
 Ed. Code 35147
 Ed. Code 35183
 Ed. Code 35266
 Ed. Code 35291
 Ed. Code 35291.5
 Ed. Code 41020
 Ed. Code 48900-48927
 Ed. Code 48950
 Ed. Code 48980
 Ed. Code 49079
 Ed. Code 49390-49395
 Ed. Code 67381
 Gov. Code 11549.3
 Gov. Code 54957
 Gov. Code 8586.5
 Pen. Code 11164-11174.3
 Pen. Code 422.55
 Pen. Code 626.8

Federal References

20 USC 1400-1482
 20 USC 7111-7122
 20 USC 7912
 29 USC 794
 42 USC 12101-12213
 6 USC 665k

Management Resources References

CSBA Publication
 CSBA Publication
 CSBA Publication

Description

[School Community Violence Prevention Program requirements](#)
[Persistently dangerous schools; definition](#)
[Right to Safe Schools](#)
[Prohibition of discrimination](#)
[Interagency School Safety Demonstration Act of 1985](#)
[School safety cadre](#)
[School safety plans](#)
[Safety devices](#)
[School site councils and advisory committees](#)
[School dress code; uniforms](#)
[Reporting of cyber attacks](#)
[Rules](#)
[School-adopted discipline rules](#)
[Requirement for annual audit](#)
[Suspension and expulsion](#)
[Speech and other communication](#)
[Parent/Guardian notifications](#)
[Notification to teacher; student act constituting grounds for suspension or expulsion](#)
[Homicide threats](#)
[Availability of information regarding crimes](#)
[Independent security assessment](#)
[Closed session meetings for threats to security](#)
[California Cybersecurity Integration Center](#)
[Child Abuse and Neglect Reporting Act](#)
[Definition of hate crime](#)
[Disruptions](#)

Description

[Individuals with Disabilities Education Act](#)
[Student support and academic enrichment grants](#)
[Transfers from persistently dangerous schools](#)
[Rehabilitation Act of 1973; Section 504](#)
[Americans with Disabilities Act](#)
[Federal Clearinghouse on School Safety Evidence-Based Practices](#)

Description

[School Safety: Firearm Safety and Storage, May 2023](#)
[Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010](#)
[Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010](#)

CSBA Publication	<u>Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014</u>
CSBA Publication	<u>Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011</u>
CSBA Publication	<u>Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022</u>
Federal Bureau of Investigation Publication	<u>Uniform Crime Reporting Handbook, 2004</u>
U.S. Department of Education Publication	<u>Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007</u>
U.S. Secret Service & Department of Education Pub	<u>Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004</u>
Website	<u>California Department of Education, Language Services Policy and Process</u>
Website	<u>Schoolsafety.gov</u>
Website	<u>California Department of Education, Safe Schools Planning</u>
Website	<u>California Military Department</u>
Website	<u>California Department of Technology, Independent Security Assessment</u>
Website	<u>U.S. Department of Homeland Security, Fusion Centers</u>
Website	<u>California State Threat Assessment System</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>U.S. Secret Service, National Threat Assessment Center</u>
Website	<u>Centers for Disease Control and Prevention</u>
Website	<u>Federal Bureau of Investigation</u>
Website	<u>National Center for Crisis Management</u>
Website	<u>National School Safety Center</u>
Website	<u>California Department of Education, Safe Schools</u>
Website	<u>California Governor's Office of Emergency Services</u>
Website	<u>California Healthy Kids Survey</u>
Website	<u>U.S. Department of Education</u>
Website	<u>CSBA</u>

Cross References

Description

0400	<u>Comprehensive Plans</u>
0410	<u>Nondiscrimination In District Programs And Activities</u>
0420	<u>School Plans/Site Councils</u>
0420	<u>School Plans/Site Councils</u>
0460	<u>Local Control And Accountability Plan</u>
0460	<u>Local Control And Accountability Plan</u>
0500	<u>Accountability</u>
0510	<u>School Accountability Report Card</u>
1100	<u>Communication With The Public</u>
1112	<u>Media Relations</u>
1113	<u>District And School Websites</u>
1113	<u>District And School Websites</u>
1113-E(1)	<u>District And School Websites</u>

1220	<u>Citizen Advisory Committees</u>
1220	<u>Citizen Advisory Committees</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1312.3-E(2)	<u>Uniform Complaint Procedures</u>
1313	<u>Civility</u>
1330	<u>Use Of School Facilities</u>
1330	<u>Use Of School Facilities</u>
1330.1	<u>Joint Use Agreements</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
1400	<u>Relations Between Other Governmental Agencies And The Schools</u>
2210	<u>Administrative Discretion Regarding Board Policy</u>
3510	<u>Green School Operations</u>
3511	<u>Energy And Water Management</u>
3511	<u>Energy And Water Management</u>
3513.3	<u>Tobacco-Free Schools</u>
3513.3	<u>Tobacco-Free Schools</u>
3514	<u>Environmental Safety</u>
3514	<u>Environmental Safety</u>
3514.1	<u>Hazardous Substances</u>
3514.1	<u>Hazardous Substances</u>
3514.2	<u>Integrated Pest Management</u>
3515	<u>Campus Security</u>
3515	<u>Campus Security</u>
3515.2	<u>Disruptions</u>
3515.2	<u>Disruptions</u>
3515.3	<u>District Police/Security Department</u>
3515.3	<u>District Police/Security Department</u>
3515.31	<u>School Resource Officers</u>
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3516	<u>Emergencies And Disaster Preparedness Plan</u>
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4119.11	<u>Sexual Harassment</u>
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6141.2	<u>Recognition Of Religious Beliefs And Customs</u>
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6142.4	<u>Service Learning/Community Service Classes</u>
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6153	<u>School-Sponsored Trips</u>
6159	<u>Individualized Education Program</u>
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6184	<u>Continuation Education</u>
6184	<u>Continuation Education</u>
7214	<u>General Obligation Bonds</u>
7214	<u>General Obligation Bonds</u>
9010	<u>Public Statements</u>
9011	<u>Disclosure Of Confidential/Privileged Information</u>
9320	<u>Meetings And Notices</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>

Regulation 0450: Comprehensive Safety Plan

Status: ADOPTED

Original Adopted Date: 11/01/2011 | Last Revised Date: 03/01/2024 | Last Reviewed Date:
03/01/2024

Development and Review of a Comprehensive School Safety Plan

The responsibility for developing a comprehensive safety plan shall be a school safety planning committee composed of the following members: (Education Code 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school
4. One classified employee who is a representative of the recognized classified employee organization
5. Other members, if desired

After the first evaluation or review is conducted, and after each annual evaluation or review, a school employee, a student's parent/guardian or educational rights holder, or a student may bring concerns about an individual student's ability to access disaster safety procedures described in the comprehensive school safety plan to the principal.

(Education Code 32282)

If the principal determines there is merit to a concern, the principal shall direct the school site council or school safety planning committee, to make appropriate modifications to the comprehensive school safety plan during the evaluation of the comprehensive safety plan. The principal may direct the school site council or the school safety planning committee to make such modifications before the evaluation, as appropriate. (Education Code 32282)

Content of the Comprehensive Safety Plan

Each comprehensive safety plan shall include an assessment of the current status of any crime committed on campus and at school-related functions. (Education Code 32282)

The assessment may include, but not be limited to, reports of crime, suspension and expulsion rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

The plan shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164-11174.3
2. Routine and emergency disaster procedures including, but not limited to:
 - a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act, the federal Individuals with Disabilities Education Act, and Section 504 of the federal Rehabilitation Act of 1973
 - b. An earthquake emergency procedure system in accordance with Education Code 32282

- c. A procedure to allow public agencies, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations
4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079
5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4
6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"
7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school
8. A safe and orderly school environment conducive to learning
9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5
10. Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on campus and at school-related functions
11. Procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a school bus serving the school.
12. For schools that serve students in any of grades 7-12, a protocol in the event a student is suffering or is reasonably believed to be suffering from an opioid overdose

Among the strategies for providing a safe environment, the comprehensive safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution
2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations
3. Strategies aimed at preventing potential incidents involving crime and violence on school campuses, including vandalism, drug and alcohol abuse, gang membership and violence, hate crimes, bullying, including bullying committed personally or by means of an electronic act, teen relationship violence, and discrimination and harassment, including sexual harassment
4. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education and literacy, character/values education, social and emotional learning, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence
5. Parent/guardian involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

6. Provision of safety materials and emergency communications in language(s) understandable to parents/guardians
7. Annual notification to parents/guardians related to the safe storage of firearms
8. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students
9. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction
10. District policy prohibiting the possession of firearms and ammunition on school grounds
11. Measures to prevent or minimize the influence of gangs on campus
12. Procedures for receiving verification from law enforcement when a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime
13. Procedures for the early identification and threat assessment of, and appropriate response to, suspicious and/or threatening digital media content
14. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus
15. Independent security assessment of the school's network infrastructure and selected web applications to identify vulnerabilities and provide recommendations to improve cybersecurity
16. Guidelines for the roles and responsibilities of mental health professionals, athletic coaches, community intervention professionals, school counselors, school resource officers, and police officers on school campuses. Guidelines may include, but are not limited to, the following:
 - a. Strategies to create and maintain a positive school climate, promote school safety, and increase student achievement
 - b. Strategies to prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support
 - c. Protocols to address the mental health care of students who have witnessed a violent act at any time, including, but not limited to, while on school grounds, while coming or going from school, during a lunch period whether on or off campus, or during or while going to or coming from a school-sponsored activity
17. Strategies for suicide prevention and intervention
18. District policy and/or plan related to pandemics
19. Procedures to implement when a person interferes with or disrupts a school activity, remains on campus after having been asked to leave, or creates a disruption with the intent to threaten the immediate physical safety of students or staff
20. Crisis prevention and intervention strategies, which may include the following:

- a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate
 - b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)
 - c. Assignment of staff members responsible for each identified task and procedure
 - d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
 - e. Coordination of communication to schools, Governing Board members, parents/guardians, and the media
 - f. Communication with parents/guardians of reunification plans and the necessity of cooperating with first responders
 - g. Development of a method for the reporting of violent incidents
 - h. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling
21. Training on assessment and reporting of potential threats, violence prevention, and intervention techniques. Such training shall include preparation to implement the elements of the comprehensive safety plan
 22. Environmental safety strategies, including, but not limited to, procedures for preventing and mitigating exposure to toxic pesticides, lead, asbestos, vehicle emissions, and other hazardous substances and contaminants
 23. Continuity of operations procedures to ensure that the district's essential functions are not disrupted during an emergency, to the extent possible

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References	Description
5 CCR 11987-11987.7	<u>School Community Violence Prevention Program requirements</u>
5 CCR 11992-11993	<u>Persistently dangerous schools; definition</u>
CA Constitution Article 1, Section 28	<u>Right to Safe Schools</u>
Ed. Code 200-262.4	<u>Prohibition of discrimination</u>
Ed. Code 32260-32262	<u>Interagency School Safety Demonstration Act of 1985</u>
Ed. Code 32270	<u>School safety cadre</u>
Ed. Code 32280-32289.5	<u>School safety plans</u>
Ed. Code 32290	<u>Safety devices</u>
Ed. Code 35147	<u>School site councils and advisory committees</u>
Ed. Code 35183	<u>School dress code; uniforms</u>
Ed. Code 35266	<u>Reporting of cyber attacks</u>
Ed. Code 35291	<u>Rules</u>

Ed. Code 35291.5	School-adopted discipline rules
Ed. Code 41020	Requirement for annual audit
Ed. Code 48900-48927	Suspension and expulsion
Ed. Code 48950	Speech and other communication
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49079	Notification to teacher; student act constituting grounds for suspension or expulsion
Ed. Code 49390-49395	Homicide threats
Ed. Code 67381	Availability of information regarding crimes
Gov. Code 11549.3	Independent security assessment
Gov. Code 54957	Closed session meetings for threats to security
Gov. Code 8586.5	California Cybersecurity Integration Center
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act
Pen. Code 422.55	Definition of hate crime
Pen. Code 626.8	Disruptions

Federal References

20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 7111-7122	Student support and academic enrichment grants
20 USC 7912	Transfers from persistently dangerous schools
29 USC 794	Rehabilitation Act of 1973; Section 504
42 USC 12101-12213	Americans with Disabilities Act
6 USC 665k	Federal Clearinghouse on School Safety Evidence-Based Practices

Description

Management Resources References

CSBA Publication	School Safety: Firearm Safety and Storage, May 2023
CSBA Publication	Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010
CSBA Publication	Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022
Federal Bureau of Investigation Publication	Uniform Crime Reporting Handbook, 2004
U.S. Department of Education Publication	Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007
U.S. Secret Service & Department of Education Publication	Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004
Website	California Department of Education, Language Services Policy and Process
Website	Schoolsafety.gov
Website	California Department of Education, Safe Schools Planning
Website	California Military Department

Website	<u>California Department of Technology, Independent Security Assessment</u>
Website	<u>U.S. Department of Homeland Security, Fusion Centers</u>
Website	<u>California State Threat Assessment System</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>U.S. Secret Service, National Threat Assessment Center</u>
Website	<u>Centers for Disease Control and Prevention</u>
Website	<u>Federal Bureau of Investigation</u>
Website	<u>National Center for Crisis Management</u>
Website	<u>National School Safety Center</u>
Website	<u>California Department of Education, Safe Schools</u>
Website	<u>California Governor's Office of Emergency Services</u>
Website	<u>California Healthy Kids Survey</u>
Website	<u>U.S. Department of Education</u>
Website	<u>CSBA</u>

Cross References

Description

0400	<u>Comprehensive Plans</u>
0410	<u>Nondiscrimination In District Programs And Activities</u>
0420	<u>School Plans/Site Councils</u>
0420	<u>School Plans/Site Councils</u>
0460	<u>Local Control And Accountability Plan</u>
0460	<u>Local Control And Accountability Plan</u>
0500	<u>Accountability</u>
0510	<u>School Accountability Report Card</u>
1100	<u>Communication With The Public</u>
1112	<u>Media Relations</u>
1113	<u>District And School Websites</u>
1113	<u>District And School Websites</u>
1113-E(1)	<u>District And School Websites</u>
1220	<u>Citizen Advisory Committees</u>
1220	<u>Citizen Advisory Committees</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1312.3-E(2)	<u>Uniform Complaint Procedures</u>
1313	<u>Civility</u>
1330	<u>Use Of School Facilities</u>
1330	<u>Use Of School Facilities</u>
1330.1	<u>Joint Use Agreements</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
1400	<u>Relations Between Other Governmental Agencies And The Schools</u>
2210	<u>Administrative Discretion Regarding Board Policy</u>

3510	<u>Green School Operations</u>
3511	<u>Energy And Water Management</u>
3511	<u>Energy And Water Management</u>
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3514.1	<u>Hazardous Substances</u>
3514.2	<u>Integrated Pest Management</u>
3515	<u>Campus Security</u>
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5148.2	<u>Before/After School Programs</u>

6020	<u>Parent Involvement</u>
6020	<u>Parent Involvement</u>
6141.2	<u>Recognition Of Religious Beliefs And Customs</u>
6141.2	<u>Recognition Of Religious Beliefs And Customs</u>
6142.3	<u>Civic Education</u>
6142.4	<u>Service Learning/Community Service Classes</u>
6142.8	<u>Comprehensive Health Education</u>
6142.8	<u>Comprehensive Health Education</u>
6153	<u>School-Sponsored Trips</u>
6153	<u>School-Sponsored Trips</u>
6159	<u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u>
6164.2	<u>Guidance/Counseling Services</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6184	<u>Continuation Education</u>
6184	<u>Continuation Education</u>
7214	<u>General Obligation Bonds</u>
7214	<u>General Obligation Bonds</u>
9010	<u>Public Statements</u>
9011	<u>Disclosure Of Confidential/Privileged Information</u>
9320	<u>Meetings And Notices</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>

Policy 3516: Emergencies And Disaster Preparedness Plan

Status: ADOPTED

Original Adopted Date: 11/01/2004 | **Last Revised Date:** 03/01/2024 | **Last Reviewed Date:** 03/01/2024

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 district shall take all reasonable steps to prevent and/or mitigate the impact of a disaster on district students, staff, and schools.

The Superintendent or designee shall develop and maintain a disaster preparedness plan which contains routine and emergency disaster procedures, including, but not limited to, earthquake emergency procedures, and adaptations for individuals with disabilities in accordance with the Americans with Disabilities Act, the federal Individuals with Disabilities Education Act, and Section 504 of the federal Rehabilitation Act of 1973. Such procedures shall be incorporated into the comprehensive school safety plan. (Education Code 32282)

In developing the disaster preparedness plan, the Superintendent or designee shall involve district staff at all levels, including administrators, school psychologists, counselors, school nurses, teachers, and classified employees. As appropriate, the Superintendent shall also collaborate with law enforcement, fire safety officials, emergency medical services, health and mental health professionals, parents/guardians, and students.

The plan shall comply with state-approved Standardized Emergency Management System (SEMS) guidelines established for multiple-jurisdiction or multiple-agency operations and with the National Incident Management System.

The Superintendent or designee shall provide training to employees regarding their responsibilities, including periodic drills and exercises to test and refine staff's responsiveness in the event of an emergency.

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 the district may deem necessary to meet the community's needs. (Education Code 32282)

District employees are considered disaster service workers and are subject to disaster service activities assigned to them. (Government Code 3100)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References	Description
19 CCR 2400-2450	<u>Standardized Emergency Management System</u>
5 CCR 550	<u>Fire drills</u>
5 CCR 560	<u>Civil defense and disaster preparedness plans</u>
CA Constitution Article 20, Section 3	<u>Oath or affirmation</u>
Civ. Code 1714.5	<u>Release from liability for disaster service workers and shelters</u>
Ed. Code 32001	<u>Fire alarms and drills</u>

Ed. Code 32040	<u>Duty to equip school with first aid kit</u>
Ed. Code 32280-32289.5	<u>School safety plans</u>
Ed. Code 32290	<u>Safety devices</u>
Ed. Code 39834	<u>Operating overloaded bus</u>
Ed. Code 46390-46392	<u>Emergency average daily attendance in case of disaster</u>
Ed. Code 49505	<u>Natural disaster; meals for homeless students; reimbursement</u>
Gov. Code 11549	<u>Cybersecurity assessment</u>
Gov. Code 11549.3	<u>Office of information security</u>
Gov. Code 3100-3109	<u>Oath or affirmation of allegiance</u>
Gov. Code 8586.5	<u>California Cybersecurity Integration Center</u>
Gov. Code 8607	<u>Standardized Emergency Management System</u>
Public Utilities Code 2872	<u>Automatic dialing</u>

Federal References

20 USC 1400-1482	<u>Individuals with Disabilities Education Act</u>
29 USC 794	<u>Rehabilitation Act of 1973; Section 504</u>
42 USC 12101-12213	<u>Americans with Disabilities Act</u>

Management Resources References

	Description
Cal OES Publication	<u>California Emergency Management for Schools: A Guide for Districts and Sites</u>
Cal OES Publication	<u>School Emergency Response: Using SEMS at Districts and Sites, June 1998</u>
Cal OES Publication	<u>State of California Emergency Plan, 2017</u>
Cal OES Publication	<u>Active Shooter Awareness Guidance, February 2018</u>
California Department of Education Publication	<u>Crisis Response Box, 2000</u>
Federal Emergency Management Agency Publication	<u>National Incident Management System, 3rd ed., October 2017</u>
U.S. Department of Education Publication	<u>Guide for Developing High-Quality School Emergency Operations Plans, 2013</u>
Website	<u>California Public Utilities Commission</u>
Website	<u>California Office of Emergency Services: School Emergency Planning & Safety</u>
Website	<u>California Department of Education, Comprehensive School Safety Plans</u>
Website	<u>California Cybersecurity Integration Center</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>California Department of Education, Crisis Preparedness</u>
Website	<u>Centers for Disease Control and Prevention</u>
Website	<u>U.S. Department of Education, Emergency Planning</u>
Website	<u>U.S. Department of Homeland Security</u>
Website	<u>Federal Emergency Management Agency</u>
Website	<u>California Governor's Office of Emergency Services</u>
Website	<u>California Seismic Safety Commission</u>
Website	<u>American Red Cross</u>

Website	California Attorney General's Office
Website	CSBA
Cross References	Description
0400	Comprehensive Plans
0420	School Plans/Site Councils
0420	School Plans/Site Councils
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1100	Communication With The Public
1112	Media Relations
1113	District And School Websites
1113	District And School Websites
1113-E(1)	District And School Websites
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1313	Civility
1330	Use Of School Facilities
1330	Use Of School Facilities
1330.1	Joint Use Agreements
1340	Access To District Records
1340	Access To District Records
1400	Relations Between Other Governmental Agencies And The Schools
3000	Concepts And Roles
3511	Energy And Water Management
3511	Energy And Water Management
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.2	Integrated Pest Management
3515	Campus Security
3515	Campus Security
3515.2	Disruptions
3515.2	Disruptions
3515.7	Firearms On School Grounds
3516.1	Fire Drills And Fires
3516.2	Bomb Threats
3516.3	Earthquake Emergency Procedure System
3516.5	Emergency Schedules
3517	Facilities Inspection
3517-E(1)	Facilities Inspection

3530	<u>Risk Management/Insurance</u>
3530	<u>Risk Management/Insurance</u>
3540	<u>Transportation</u>
3543	<u>Transportation Safety And Emergencies</u>
3580	<u>District Records</u>
3580	<u>District Records</u>
4112.3	<u>Oath Or Affirmation</u>
4112.3-E(1)	<u>Oath Or Affirmation</u>
4113.5	<u>Working Remotely</u>
4119.41	<u>Employees With Infectious Disease</u>
4131	<u>Staff Development</u>
4157	<u>Employee Safety</u>
4157	<u>Employee Safety</u>
4212.3	<u>Oath Or Affirmation</u>
4212.3-E(1)	<u>Oath Or Affirmation</u>
4213.5	<u>Working Remotely</u>
4219.41	<u>Employees With Infectious Disease</u>
4231	<u>Staff Development</u>
4257	<u>Employee Safety</u>
4257	<u>Employee Safety</u>
4312.3	<u>Oath Or Affirmation</u>
4312.3-E(1)	<u>Oath Or Affirmation</u>
4313.5	<u>Working Remotely</u>
4319.41	<u>Employees With Infectious Disease</u>
4331	<u>Staff Development</u>
4357	<u>Employee Safety</u>
4357	<u>Employee Safety</u>
5113	<u>Absences And Excuses</u>
5113	<u>Absences And Excuses</u>
5131.4	<u>Student Disturbances</u>
5131.4	<u>Student Disturbances</u>
5141	<u>Health Care And Emergencies</u>
5141	<u>Health Care And Emergencies</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.22	<u>Infectious Diseases</u>
5141.22	<u>Infectious Diseases</u>
5142	<u>Safety</u>
5142	<u>Safety</u>
6142.8	<u>Comprehensive Health Education</u>
6142.8	<u>Comprehensive Health Education</u>
6153	<u>School-Sponsored Trips</u>
6153	<u>School-Sponsored Trips</u>

6164.2	<u>Guidance/Counseling Services</u>
7111	<u>Evaluating Existing Buildings</u>
9320	<u>Meetings And Notices</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>

Regulation 3516: Emergencies And Disaster Preparedness Plan

Status: ADOPTED

Original Adopted Date: 11/01/2004 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Superintendent or designee shall ensure that district and/or school site plans address, at a minimum, the following types of emergencies and disasters:

1. Fire on or off school grounds which endangers students and staff
2. Earthquake, flood, or other natural disasters
3. Environmental hazards, such as leakages or spills of hazardous materials
4. Attack or disturbance, or threat of attack or disturbance, by an individual or group
5. Bomb threat or actual detonation
6. Biological, radiological, chemical, and other activities, or heightened warning of such activities
7. Medical emergencies and quarantines, such as a pandemic influenza outbreak
8. Attack or threat of attack to the district's digital network and technology infrastructure

The Superintendent or designee shall ensure that the district's procedures include strategies and actions for prevention/mitigation, preparedness, response, and recovery, including, but not limited to, the following:

1. Regular inspection of school facilities and equipment, identification of risks, and implementation of strategies and measures to increase the safety and security of school facilities
2. Routine monitoring of the security of the district's digital network and technology infrastructure
3. Instruction for district staff and students regarding emergency plans, including:
 - a. Training of staff in first aid and cardiopulmonary resuscitation
 - b. Regular practice of emergency procedures by students and staff
4. Specific determination of roles and responsibilities of staff during a disaster or other emergency, including determination of:
 - a. The appropriate chain of command at the district and, if communication between the district and site is not possible, at each site
 - b. Individuals responsible for specific duties
 - c. Designation of the principal for the overall control and supervision of activities at each school during an emergency, including authorization to use discretion in situations which do not permit execution of prearranged plans

- d. Identification of at least one person at each site who holds a valid certificate in first aid and cardiopulmonary resuscitation
 - e. Assignment of responsibility for identification of injured persons and administration of first aid
5. Personal safety and security, including:
- a. Identification of areas of responsibility for the supervision of students
 - b. Procedures for the evacuation of students and staff, including posting of evacuation routes
 - c. Procedures for the release of students, including a procedure to release students when reference to the emergency card is not feasible
 - d. Identification of transportation needs, including a plan which allows bus seating capacity limits to be exceeded when a disaster or hazard requires students to be moved immediately to ensure their safety
 - e. Provision of a first aid kit to each classroom
 - f. Arrangements for students and staff with special needs
 - g. Upon notification that a pandemic situation exists, adjustment of attendance policies for students and sick leave policies for staff with known or suspected pandemic influenza or other infectious disease
6. Closure of schools, including an analysis of:
- a. The impact on student learning and methods to ensure continuity of instruction
 - b. How to provide for continuity of operations for essential central office functions, such as payroll and ongoing communication with students and parents/guardians
7. Communication among staff, parents/guardians, the Governing Board, other governmental agencies, and the media during an emergency, including:
- a. Identification of spokesperson(s)
 - b. Development and testing of communication platforms, such as hotlines, automatic dialing devices, telephone trees, websites, social media, and electronic notifications
 - c. Development of methods to ensure that communications are, to the extent practicable, in a language and format that is easy for parents/guardians to understand
 - d. Distribution of information about district and school site emergency procedures to staff, students, and parents/guardians
8. Cooperation with other state and local agencies, including:
- a. Development of guidelines for law enforcement involvement and intervention
 - b. Collaboration with the local health department, including development of a tracking system to alert the local health department of a substantial increase of student or staff absenteeism as indicative of a potential outbreak of an infectious disease

9. Steps to be taken after the disaster or emergency, including:

- a. Inspection of school facilities
- b. Provision of mental health services for students and staff, as needed

The Superintendent or designee shall assemble critical information that would be needed in an emergency. Such information may include, but is not limited to, a list of individuals and organizations who should be contacted for assistance in an emergency, current layouts and blueprints of school buildings, aerial photos of the campus, maps of evacuation routes and alternate routes, a roster of employees with their work locations, student photographs and their emergency contact information, a clearly labeled set of keys, location of first aid supplies, procedures and locations for turning off fire alarms, sprinklers, utilities, and other systems, information to access the district's technology infrastructure, and insurance information. Such information shall be stored in a box in a secure, easily accessible location, with a duplicate kept at another location in case the primary location is inaccessible.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

19 CCR 2400-2450

5 CCR 550

5 CCR 560

CA Constitution Article 20, Section 3

Civ. Code 1714.5

Ed. Code 32001

Ed. Code 32040

Ed. Code 32280-32289.5

Ed. Code 32290

Ed. Code 39834

Ed. Code 46390-46392

Ed. Code 49505

Gov. Code 11549

Gov. Code 11549.3

Gov. Code 3100-3109

Gov. Code 8586.5

Gov. Code 8607

Public Utilities Code 2872

Federal References

20 USC 1400-1482

29 USC 794

42 USC 12101-12213

Management Resources References

Description

Standardized Emergency Management System

Fire drills

Civil defense and disaster preparedness plans

Oath or affirmation

Release from liability for disaster service workers and shelters

Fire alarms and drills

Duty to equip school with first aid kit

School safety plans

Safety devices

Operating overloaded bus

Emergency average daily attendance in case of disaster

Natural disaster; meals for homeless students; reimbursement

Cybersecurity assessment

Office of information security

Oath or affirmation of allegiance

California Cybersecurity Integration Center

Standardized Emergency Management System

Automatic dialing

Description

Individuals with Disabilities Education Act

Rehabilitation Act of 1973; Section 504

Americans with Disabilities Act

Description

Cal OES Publication	<u>California Emergency Management for Schools: A Guide for Districts and Sites</u>
Cal OES Publication	<u>School Emergency Response: Using SEMS at Districts and Sites, June 1998</u>
Cal OES Publication	<u>State of California Emergency Plan, 2017</u>
Cal OES Publication	<u>Active Shooter Awareness Guidance, February 2018</u>
California Department of Education Publication	<u>Crisis Response Box, 2000</u>
Federal Emergency Management Agency Publication	<u>National Incident Management System, 3rd ed., October 2017</u>
U.S. Department of Education Publication	<u>Guide for Developing High-Quality School Emergency Operations Plans, 2013</u>
Website	<u>California Public Utilities Commission</u>
Website	<u>California Office of Emergency Services: School Emergency Planning & Safety</u>
Website	<u>California Department of Education, Comprehensive School Safety Plans</u>
Website	<u>California Cybersecurity Integration Center</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>California Department of Education, Crisis Preparedness</u>
Website	<u>Centers for Disease Control and Prevention</u>
Website	<u>U.S. Department of Education, Emergency Planning</u>
Website	<u>U.S. Department of Homeland Security</u>
Website	<u>Federal Emergency Management Agency</u>
Website	<u>California Governor's Office of Emergency Services</u>
Website	<u>California Seismic Safety Commission</u>
Website	<u>American Red Cross</u>
Website	<u>California Attorney General's Office</u>
Website	<u>CSBA</u>

Cross References

	Description
0400	<u>Comprehensive Plans</u>
0420	<u>School Plans/Site Councils</u>
0420	<u>School Plans/Site Councils</u>
0450	<u>Comprehensive Safety Plan</u>
0450	<u>Comprehensive Safety Plan</u>
1100	<u>Communication With The Public</u>
1112	<u>Media Relations</u>
1113	<u>District And School Websites</u>
1113	<u>District And School Websites</u>
1113-E(1)	<u>District And School Websites</u>
1114	<u>District-Sponsored Social Media</u>
1114	<u>District-Sponsored Social Media</u>
1220	<u>Citizen Advisory Committees</u>
1220	<u>Citizen Advisory Committees</u>
1313	<u>Civility</u>

1330	<u>Use Of School Facilities</u>
1330	<u>Use Of School Facilities</u>
1330.1	<u>Joint Use Agreements</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
1400	<u>Relations Between Other Governmental Agencies And The Schools</u>
3000	<u>Concepts And Roles</u>
3511	<u>Energy And Water Management</u>
3511	<u>Energy And Water Management</u>
3513.3	<u>Tobacco-Free Schools</u>
3513.3	<u>Tobacco-Free Schools</u>
3514	<u>Environmental Safety</u>
3514	<u>Environmental Safety</u>
3514.2	<u>Integrated Pest Management</u>
3515	<u>Campus Security</u>
3515	<u>Campus Security</u>
3515.2	<u>Disruptions</u>
3515.2	<u>Disruptions</u>
3515.7	<u>Firearms On School Grounds</u>
3516.1	<u>Fire Drills And Fires</u>
3516.2	<u>Bomb Threats</u>
3516.3	<u>Earthquake Emergency Procedure System</u>
3516.5	<u>Emergency Schedules</u>
3517	<u>Facilities Inspection</u>
3517-E(1)	<u>Facilities Inspection</u>
3530	<u>Risk Management/Insurance</u>
3530	<u>Risk Management/Insurance</u>
3540	<u>Transportation</u>
3543	<u>Transportation Safety And Emergencies</u>
3580	<u>District Records</u>
3580	<u>District Records</u>
4112.3	<u>Oath Or Affirmation</u>
4112.3-E(1)	<u>Oath Or Affirmation</u>
4113.5	<u>Working Remotely</u>
4119.41	<u>Employees With Infectious Disease</u>
4131	<u>Staff Development</u>
4157	<u>Employee Safety</u>
4157	<u>Employee Safety</u>
4212.3	<u>Oath Or Affirmation</u>
4212.3-E(1)	<u>Oath Or Affirmation</u>
4213.5	<u>Working Remotely</u>
4219.41	<u>Employees With Infectious Disease</u>
4231	<u>Staff Development</u>

4257	<u>Employee Safety</u>
4257	<u>Employee Safety</u>
4312.3	<u>Oath Or Affirmation</u>
4312.3-E(1)	<u>Oath Or Affirmation</u>
4313.5	<u>Working Remotely</u>
4319.41	<u>Employees With Infectious Disease</u>
4331	<u>Staff Development</u>
4357	<u>Employee Safety</u>
4357	<u>Employee Safety</u>
5113	<u>Absences And Excuses</u>
5113	<u>Absences And Excuses</u>
5131.4	<u>Student Disturbances</u>
5131.4	<u>Student Disturbances</u>
5141	<u>Health Care And Emergencies</u>
5141	<u>Health Care And Emergencies</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.22	<u>Infectious Diseases</u>
5141.22	<u>Infectious Diseases</u>
5142	<u>Safety</u>
5142	<u>Safety</u>
6142.8	<u>Comprehensive Health Education</u>
6142.8	<u>Comprehensive Health Education</u>
6153	<u>School-Sponsored Trips</u>
6153	<u>School-Sponsored Trips</u>
6164.2	<u>Guidance/Counseling Services</u>
7111	<u>Evaluating Existing Buildings</u>
9320	<u>Meetings And Notices</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>

Policy 3550: Food Service/Child Nutrition Program

Status: ADOPTED

Original Adopted Date: 11/01/2007 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Governing Board recognizes that adequate, nourishing food is essential to student health and well-being, development, and ability to learn. The Superintendent or designee shall develop strategies to increase student's access to and participation in the district's food service programs and maintain the fiscal integrity of the programs in accordance with law.

Each school day, a nutritionally adequate breakfast and lunch shall be made available at no cost to any student who requests a meal, including a student enrolled in an independent study program on any school day in which the student is scheduled for in-person educational activities of two or more hours. A nutritionally adequate breakfast or lunch is one that qualifies for reimbursement under the most current meal pattern for the federal School Breakfast Program or National School Lunch Program

At the beginning of each school year, the Superintendent or designee shall communicate information related to the district's food service programs to the public through available means, including, but not limited to, the district's website, social media, flyers, and school publications.

The district's food service program shall give priority to serving freshly prepared onsite meals, using whole or minimally processed sustainable foods which are locally grown or produced, including fresh fruits and vegetables, and providing plant-based or restricted diet food options for students.

District schools are encouraged to establish school gardens and/or farm-to-school projects to increase the availability of safe, fresh, seasonal fruits and vegetables for school meals, positively impact students' knowledge related to food and nutrition, support the district's nutrition education program, and increase students' consumption of these foods and participation in school meals.

To the extent possible, the school meal program shall be coordinated with the nutrition education program, instructional program for teachers, parents/guardians and food service employees, available community resources, and other related district programs.

To encourage student participation in school meal programs, schools may offer multiple choices of food items within a meal service, provided all food items meet nutrition standards and all students are given an opportunity to select any food item.

The Superintendent or designee may invite students and parents/guardians to participate in the selection of foods of good nutritional quality for school menus.

Students shall be allowed adequate time and space to eat meals. (Education Code 49501.5)

To the extent possible, school and recess shall be designed to promote participation in school meal programs.

The Superintendent or designee shall periodically review the adequacy of school cafeterias and facilities for food preparation and consumption.

In accordance with law, the Superintendent or designee shall develop and maintain a food safety program in order to reduce the risk of foodborne hazards at each step of the food preparation and service process.

The Superintendent or designee shall annually report to the Board on student participation in the district's nutrition programs and the extent to which the district's food service program meets state and federal

nutrition standards for foods and beverages. In addition, the Superintendent or designee shall provide all necessary and available documentation required for the Administrative Review conducted by the California Department of Education (CDE) to ensure the food service program's compliance with federal requirements related to nutrition standards, meal patterns, provision of drinking water, school meal environment, food safety, and other areas as required by CDE.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 15510

Description

Mandatory meals for needy students

5 CCR 15530-15535

Nutrition education

5 CCR 15550-15565

School lunch and breakfast programs

5 CCR 15575-15578

Requirements for foods and beverages outside the federal meals program

Ed. Code 35182.5

Contracts for advertising

Ed. Code 38080-38103

Cafeteria; establishment and use

Ed. Code 45103.5

Contracts for management consulting services; restrictions

Ed. Code 48432.3

Voluntary enrollment in continuation education

Ed. Code 49430-49434

Pupil Nutrition, Health, and Achievement Act of 2001

Ed. Code 49490-49494

School breakfast and lunch programs

Ed. Code 49501.5-49506

School meals

Ed. Code 49510-49520

Nutrition

Ed. Code 49530-49536

Child Nutrition Act

Ed. Code 49540-49546

Child care food program

Ed. Code 49547-49548.3

Comprehensive nutrition services

Ed. Code 49550.3-49562

Meals for needy students

Ed. Code 49570

National School Lunch Act

Ed. Code 51795-51798

School instructional gardens

H&S Code 113700-114437

California Retail Food Code; sanitation and safety requirements

Federal References

Description

42 USC 1751-1769j

School Lunch Program

42 USC 1758b

Local wellness policy

42 USC 1761

Summer Food Service Program and Seamless Summer Feeding Option

42 USC 1769a

Fresh Fruit and Vegetable Program

42 USC 1771-1793

Child Nutrition Act

42 USC 1772

Special Milk Program

42 USC 1773

School Breakfast Program

7 CFR 210.1-210.33

National School Lunch Program

7 CFR 215.1-215.18

Special Milk Program

7 CFR 220.2-220.22

National School Breakfast Program

7 CFR 245.1-245.13

Eligibility for free and reduced-price meals and free milk

Management Resources References

Description

California Department of Education Publication	<u>Healthy Children Ready to Learn, 2006</u>
California Department of Education Publication	<u>Professional Standards in the School Nutrition Programs, Management Bulletin SNP-13-2020, Updated January 2022</u>
California Department of Food and Agriculture Pub	<u>Planting the Seed: Farm to School Roadmap for Success, February 2022</u>
California Project Lean Publication	<u>Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006</u>
CSBA Publication	<u>Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012</u>
CSBA Publication	<u>Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2008</u>
CSBA Publication	<u>Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, October 2007</u>
CSBA Publication	<u>Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009</u>
CSBA Publication	<u>Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, April 2006</u>
U.S. Department of Agriculture Publication	<u>School Breakfast Toolkit</u>
U.S. Department of Agriculture Publication	<u>Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005</u>
U.S. Department of Agriculture Publication	<u>Dietary Guidelines for Americans, 2020</u>
U.S. Department of Agriculture Publication	<u>Food Buying Guide for Child Nutrition Programs, May 2022</u>
U.S. Department of Agriculture Publication	<u>Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010</u>
U.S. Department of Agriculture Publication	<u>Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005</u>
Website	<u>California Department of Food and Agriculture, Office of Farm to Fork</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>U.S. Department of Agriculture, Food and Nutrition Service</u>
Website	<u>California Farm Bureau Federation</u>
Website	<u>Nourish California</u>
Website	<u>California Project LEAN (Leaders Encouraging Activity and Nutrition)</u>
Website	<u>Centers for Disease Control and Prevention</u>
Website	<u>California School Nutrition Association</u>
Website	<u>California Department of Education, School Nutrition</u>
Website	<u>National Alliance for Nutrition and Activity</u>
Website	<u>California Department of Public Health</u>
Website	<u>California Healthy Kids Resource Center</u>
Website	<u>CSBA</u>
Cross References	Description
0500	<u>Accountability</u>
1312.4	<u>Williams Uniform Complaint Procedures</u>
1312.4-E(1)	<u>Williams Uniform Complaint Procedures</u>
1312.4-E(2)	<u>Williams Uniform Complaint Procedures</u>
1325	<u>Advertising And Promotion</u>
1340	<u>Access To District Records</u>

1340	<u>Access To District Records</u>
3000	<u>Concepts And Roles</u>
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3510	<u>Green School Operations</u>
3514	<u>Environmental Safety</u>
3514	<u>Environmental Safety</u>
3517	<u>Facilities Inspection</u>
3517-E(1)	<u>Facilities Inspection</u>
3551	<u>Food Service Operations/Cafeteria Fund</u>
3551	<u>Food Service Operations/Cafeteria Fund</u>
3552	<u>Summer Meal Program</u>
3552	<u>Summer Meal Program</u>
3553	<u>Free And Reduced Price Meals</u>
3553	<u>Free And Reduced Price Meals</u>
3554	<u>Other Food Sales</u>
3554	<u>Other Food Sales</u>
3555	<u>Nutrition Program Compliance</u>
3555-E(1)	<u>Nutrition Program Compliance</u>
3580	<u>District Records</u>
3580	<u>District Records</u>
4131	<u>Staff Development</u>
4141.6	<u>Concerted Action/Work Stoppage</u>
4141.6	<u>Concerted Action/Work Stoppage</u>
4231	<u>Staff Development</u>
4241.6	<u>Concerted Action/Work Stoppage</u>
4241.6	<u>Concerted Action/Work Stoppage</u>
5030	<u>Student Wellness</u>
5141.27	<u>Food Allergies/Special Dietary Needs</u>
5141.27	<u>Food Allergies/Special Dietary Needs</u>
5145.6	<u>Parent/Guardian Notifications</u>
5145.6-E(1)	<u>Parent/Guardian Notifications</u>
5148	<u>Child Care And Development</u>
5148	<u>Child Care And Development</u>
5148.2	<u>Before/After School Programs</u>
5148.2	<u>Before/After School Programs</u>
5148.3	<u>Preschool/Early Childhood Education</u>
5148.3	<u>Preschool/Early Childhood Education</u>
6142.8	<u>Comprehensive Health Education</u>
6142.8	<u>Comprehensive Health Education</u> 6173 <u>Education For Homeless</u>
	<u>Children</u>
6173	<u>Education For Homeless Children</u>
6173-E(1)	<u>Education For Homeless Children</u>

6173-E(2)

6176

7110

Education For Homeless Children

Weekend/Saturday Classes

Facilities Master Plan

Policy 3551: Food Service Operations/Cafeteria Fund

Status: ADOPTED

Original Adopted Date: 03/01/2018 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Governing Board intends that school food services shall be a self-supporting, nonprofit program. To ensure program quality and cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the district.

At the Board's discretion, district funds other than the cafeteria fund may be used for the purchase of school meals.

The Superintendent or designee shall ensure that food service director(s) possess the qualifications required by 7 CFR 210.30 and California Department of Education (CDE) standards.

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by CDE. (42 USC 1776) **Meal Sales**

Each school day, a nutritionally adequate breakfast and lunch shall be made available at no cost to any student who requests a meal, including a student enrolled in an independent study program on any school day in which the student is scheduled for in-person educational activities of two or more hours.

Meals may be sold to district employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

In addition, meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are authorized by the Superintendent or designee to be on campus. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760.

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments. Such procedures shall conform with 2 CFR 200.426 and any applicable CDE guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians, and shall make this policy and the accompanying administrative regulation available to the public pursuant to Education Code 49557.5.

Cafeteria Fund and Account

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and for reasonable and necessary indirect program costs as allowed by law.

The wages, salaries, and benefits of food service employees shall be paid from the district's general fund. At any time, the Board may order reimbursement from the district's cafeteria fund for these payments in amounts prescribed by the Board and not exceeding the costs actually incurred. (Education Code 38103)

Contracts with Outside Services

With Board approval, the district may enter into a contract for food service consulting services or management services in one or more district schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

Procurement of Foods, Equipment, and Supplies

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing food on its behalf shall be domestic commodities or products. Domestic commodity or product means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

The district's food service program shall give priority to serving freshly prepared onsite meals, using whole or minimally processed sustainable foods which are locally grown or produced, including fresh fruits and vegetables, and to providing plant-based or restricted diet food options for students.

When soliciting for bids and contracts for the purchase of an agricultural food product, the district shall specify in the solicitation that only the purchase of agricultural food products grown, packed, or processed domestically is authorized, unless a specific exception applies. A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonably available quantities of a satisfactory quality, the quality of the domestic product is inferior to the quality of the nondomestic product, or the bid or price of the nondomestic product is more than 25 percent lower than the bid or price of the domestic product. In such cases, the Superintendent or designee shall retain documentation justifying the use of the exception for three years from the date of purchase. (Food and Agriculture Code 58596.3)

Furthermore, the district shall accept a bid or price for an agricultural food product grown in California before accepting a bid or price for a domestic agricultural food product that is grown outside the state, if the quality of the California-grown product is comparable and the bid or price does not exceed the lowest bid or price for domestic product produced outside the state. (Food and Agriculture Code 58595)

Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the district's child nutrition program, or for contracts awarded pursuant to Public Contract Code 2000, shall be consistent with the federal procurement standards in 2 CFR 200.318-200.326. Awards shall be let to the most responsive and responsible party. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

Program Monitoring and Evaluation

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by CDE to ensure compliance of the district's food service program with federal requirements.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

12 CCR 18928-18998.4

5 CCR 15550-15565

Ed. Code 38080-38086

Ed. Code 38090-38095

Ed. Code 38100-38103

Ed. Code 42646

Ed. Code 45103.5

Ed. Code 49010

Ed. Code 49431

Ed. Code 49490-49494

Ed. Code 49501.5-49506

Ed. Code 49550.3-49562

Ed. Code 49554

Ed. Code 49580-49581

F&A Code 58595

F&A Code 58596.1-58596.5

H&S Code 113700-114437

Pub. Cont. Code 2000-2002

Pub. Cont. Code 20111

Pub. Cont. Code 3410

Federal References

2 CFR 200

2 CFR 200.318-200.326

2 CFR 200.400-200.475

2 CFR 200.56

42 USC 1751-1769j

42 USC 1771-1793

42 USC 1773

7 CFR 210.1-210.33

7 CFR 245.8

7 CFR 250.1-250.70

Management Resources References

CA Dept of Social Services Publication

California Department of Education
Publication

California Department of Education
Publication

Description

[Short-lived climate pollutants](#)

[School lunch and breakfast programs](#)

[School meals](#)

[Cafeterias; funds and accounts](#)

[Cafeterias; allocation of charges](#)

[Alternate payroll procedure](#)

[Contracts for management consulting services; restrictions](#)

[Educational activity; definition](#)

[The Pupil Nutrition, Health, and Achievement Act of 2001](#)

[School breakfast and lunch programs](#)

[School meals](#)

[Meals for needy students](#)

[Contract for services](#)

[Food recovery program](#)

[Preference for California-grown agricultural products](#)

[Buy American Food Act; purchase of nondomestic agricultural food products](#)

[California Retail Food Code; sanitation and safety requirements](#)

[Responsive bidders](#)

[Contracts over \\$50,000; contracts for construction; award to lowest responsible bidder](#)

[U.S. produce and processed foods](#)

Description

[Appendix VII Indirect cost proposals](#)

[Procurement standards](#)

[Cost principles](#)

[Indirect costs; definition](#)

[School Lunch Program](#)

[Child Nutrition Act](#)

[School Breakfast Program](#)

[National School Lunch Program](#)

[Nondiscrimination practices for students eligible for free and reduced price meal and free milk](#)

[USDA foods](#)

Description

[Food Distribution Program Administrative Manual](#)

[Professional Standards in the SNPs, NSD Management Bulletin, SNP-132020, rev. January 2022](#)

[Food Service Management Company Contract Preapproval, NSD Management Bulletin, SNP-05-2023, March 2023](#)

California Department of Education Publication	<u>Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, NSD Management Bulletin, SNP-04-2023, July 2023</u>
California Department of Education Publication	<u>Excess Net Cash Resources – Revised to Increase Limitation, NSD Management Bulletin, SNP-04-2022, May 2022</u>
California Department of Education Publication	<u>Pricing of Adult Meals in the National School Lunch and School Breakfast Programs, NSD Management Bulletin, SNP-04-2021, August 2021</u>
California Department of Education Publication	<u>Procuring and Monitoring of Food Service Management Contracts, NSD Management Bulletin, SNP-13-2015, January 2015</u>
California Department of Education Publication	<u>Cafeteria Funds - Allowable Uses, NSD Management Bulletin, SNP-052020, February 2020</u>
California Department of Education Publication	<u>Storage and Inventory Management of U.S. Department of Agriculture Foods, NSD Management Bulletin, FDP-01-2018, January 2018</u>
California Department of Education Publication	<u>California School Accounting Manual</u>
U.S. Department of Agriculture Publication	<u>Buy American and the Agriculture Improvement Act of 2018, SP-32-2019, August 2019</u>
U.S. Department of Agriculture Publication	<u>Procuring Local Foods for Child Nutrition Programs, January 2022</u>
U.S. Department of Agriculture Publication	<u>Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016</u>
U.S. Department of Agriculture Publication	<u>Indirect Costs: Guidance for State Agencies and School Food Authorities, SP 60-2016, September 2016</u>
U.S. Department of Agriculture Publication	<u>Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP-38-2017, June 2017</u>
U.S. Department of Agriculture Publication	<u>Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014</u>
U.S. Dept of Agriculture Publication	<u>School Meals - FAQs</u>
Website	<u>CalRecycle, Resources for Local Education Agencies: K-12 Public Schools and School Districts</u>
Website	<u>California Department of Education, Accounting</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>U.S. Department of Agriculture, Food and Nutrition Service</u>
Website	<u>California Department of Social Services</u>
Website	<u>California Department of Education, School Nutrition</u>
Website	<u>California School Nutrition Association</u>

Cross References

Description

0410	<u>Nondiscrimination In District Programs And Activities</u>
1113	<u>District And School Websites</u>
1113	<u>District And School Websites</u>
1113-E(1)	<u>District And School Websites</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
3100	<u>Budget</u>
3100	<u>Budget</u>
3110	<u>Transfer Of Funds</u>
3230	<u>Federal Grant Funds</u>
3230	<u>Federal Grant Funds</u>

3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3300	<u>Expenditures And Purchases</u>
3311	<u>Bids</u>
3311	<u>Bids</u>
3312	<u>Contracts</u>
3314.2	<u>Revolving Funds</u>
3400	<u>Management Of District Assets/Accounts</u>
3400	<u>Management Of District Assets/Accounts</u>
3460	<u>Financial Reports And Accountability</u>
3460	<u>Financial Reports And Accountability</u>
3510	<u>Green School Operations</u>
3511	<u>Energy And Water Management</u>
3511	<u>Energy And Water Management</u>
3512	<u>Equipment</u>
3512-E(1)	<u>Equipment</u>
3515.6	<u>Criminal Background Checks For Contractors</u>
3550	<u>Food Service/Child Nutrition Program</u>
3550	<u>Food Service/Child Nutrition Program</u>
3552	<u>Summer Meal Program</u>
3552	<u>Summer Meal Program</u>
3553	<u>Free And Reduced Price Meals</u>
3553	<u>Free And Reduced Price Meals</u>
3554	<u>Other Food Sales</u>
3554	<u>Other Food Sales</u>
3555	<u>Nutrition Program Compliance</u>
3555-E(1)	<u>Nutrition Program Compliance</u>
3580	<u>District Records</u>
3580	<u>District Records</u>
4112.4	<u>Health Examinations</u>
4212	<u>Appointment And Conditions Of Employment</u>
4212.4	<u>Health Examinations</u>
4231	<u>Staff Development</u>
4312.4	<u>Health Examinations</u>
4331	<u>Staff Development</u>
5030	<u>Student Wellness</u>
5145.6	<u>Parent/Guardian Notifications</u>
5145.6-E(1)	<u>Parent/Guardian Notifications</u>

Policy 3553: Free And Reduced Price Meals

Status: ADOPTED

Original Adopted Date: 03/01/2016 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Governing Board recognizes that adequate nutrition is essential to the development, health and well-being, and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of all students in the district's food service program.

Each school day, the district shall make available, free of charge, one nutritionally adequate breakfast and one nutritionally adequate lunch for any student who requests a meal. (Education Code 49501.5)

After a student has been provided a school meal at no cost, the district may sell the student the entrée from an additional nutritiously adequate meal that qualifies for federal reimbursement, from the same meal service.

(Education Code 49431)

To provide optimal nutrition and ensure that schools receive maximum federal meal reimbursement, the Superintendent or designee shall assess the eligibility of district schools to operate a federal universal meal service provision, such as Provision 2 or the Community Eligibility Provision, pursuant to 42 USC 1759a. The Superintendent or designee shall submit an application to operate a federal universal meal provision to the California Department of Education (CDE) on behalf of any district school that meets the definition of a "high poverty school." (Education Code 49564.3)

The Superintendent or designee shall ensure that meals served under the school nutrition program meet applicable state and/or federal nutritional standards, as specified in law and district-adopted guidelines.

The Board shall approve, and shall submit to CDE for approval, a plan that ensures that students eligible to receive free or reduced-price meals are not treated differently from other students and that meets other requirements specified in Education Code 49557.

Confidentiality/Release of Records

All applications and records related to eligibility for the free and reduced-price meal program shall be confidential and may not be disclosed except as provided by law and authorized by the Board or pursuant to a court order.

(Education Code 49558)

The Board authorizes designated employees to use records pertaining to an individual student's eligibility for the free and reduced-price meal program for the following purposes: (Education Code 49558)

1. Disaggregation of academic achievement data
2. Identification of students eligible for services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576
3. Facilitation of targeted educational services and supports to individual students based on the local control accountability plan

If a student transfers from the district to another district, charter school, county office of education program, or private school, the Superintendent or designee may share the student's meal eligibility information to the other educational agency to assist that other educational agency in ensuring that the student continues to receive school meals.

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to another school district, charter school, or county office of education that is serving a student living in the same household for purposes related to program eligibility and data used in local control funding formula (LCFF) calculations. (Education Code 49558)

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining allocations under the LCFF and for assessing accountability of that funding. (Education Code 49558)

The Superintendent or designee may release information on the school lunch program application to the local agency that determines eligibility for participation in the Medi-Cal program if the student has been approved for free meals or, if included in the agreement with the local agency, for reduced-price meals. The Superintendent or designee also may release information on the school lunch application to the local agency that determines eligibility for CalFresh or another nutrition assistance program authorized under 7 CFR 210.1 if the student has been approved for free or reduced-price meals. Information may be released for these purposes only if the student's parent/guardian consents to the sharing of information and the district has entered into a memorandum of understanding with the local agency which, at a minimum, includes the roles and responsibilities of the district and local agency and the process for sharing the information. After sharing information with the local agency for purposes of determining eligibility for that program, no further information shall be shared unless otherwise authorized by law. (Education Code 49557.2, 49557.3, 49558)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

5 CCR 15510 Mandatory meals for needy students 5 CCR 15530-15535
Nutrition education

5 CCR 15550-15565	<u>School lunch and breakfast programs</u>
Ed. Code 48980	<u>Parent/Guardian notifications</u>
Ed. Code 49430-49434	<u>Pupil Nutrition, Health, and Achievement Act of 2001</u>
Ed. Code 49490-49494	<u>School breakfast and lunch programs</u>
Ed. Code 49501.5-49506	<u>School meals</u>
Ed. Code 49510-49520	<u>Nutrition</u>
Ed. Code 49530-49536	<u>Child Nutrition Act</u>
Ed. Code 49547-49548.3	<u>Comprehensive nutrition services</u>
Ed. Code 49550.3-49562	<u>Meals for needy students</u>
Ed. Code 49564.3	<u>High-poverty schools: universal meal service</u>

Federal References

Description

20 USC 1232g	<u>Family Educational Rights and Privacy Act (FERPA) of 1974</u>
20 USC 6301-6576	<u>Title I Improving the Academic Achievement of the Disadvantaged</u>
42 USC 1751-1769j	<u>School Lunch Program</u>
42 USC 1771-1791	<u>Child nutrition</u>
42 USC 1773	<u>School Breakfast Program</u>
7 CFR 210.1-210.33	<u>National School Lunch Program</u>
7 CFR 220.10-220.21	<u>National School Breakfast Program</u>
7 CFR 245.1-245.13	<u>Eligibility for free and reduced-price meals and free milk</u>

Management Resources References**Description**

California Department of Education Publication	<u>Updated Guidance on Sharing of School Meal Applications and the Passing of Assembly Bill 1599, Management Bulletin SNP-12-2015, July 2015</u>
California Department of Education Publication	<u>Clarification on the Sharing of Individual Student Eligibility Information for Local Control and Accountability Plan Purposes, Management Bulletin SNP02-2018, May 2018</u>
CSBA Publication	<u>Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012</u>
CSBA Publication	<u>Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, April 2006</u>
U.S. Department of Agriculture Publication	<u>Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002</u>
U.S. Dept of Agriculture Publication	<u>Eligibility Manual for School Meals: Determining and Verifying Eligibility, July 2017</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>U.S. Department of Agriculture, Food and Nutrition Service</u>
Website	<u>Nourish California</u>
Website	<u>California Project LEAN (Leaders Encouraging Activity and Nutrition)</u>
Website	<u>California Department of Education, School Nutrition</u>
Website	<u>CSBA</u>

Cross References**Description**

0200	<u>Goals For The School District</u>
0410	<u>Nondiscrimination In District Programs And Activities</u>
0460	<u>Local Control And Accountability Plan</u>
0460	<u>Local Control And Accountability Plan</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
1400	<u>Relations Between Other Governmental Agencies And The Schools</u>
3100	<u>Budget</u>
3100	<u>Budget</u>
3250	<u>Transportation Fees</u>
3250	<u>Transportation Fees</u>
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3550	<u>Food Service/Child Nutrition Program</u>
3550	<u>Food Service/Child Nutrition Program</u>
3551	<u>Food Service Operations/Cafeteria Fund</u>
3551	<u>Food Service Operations/Cafeteria Fund</u>
3552	<u>Summer Meal Program</u>
3552	<u>Summer Meal Program</u>
3554	<u>Other Food Sales</u>
3554	<u>Other Food Sales</u>
3555	<u>Nutrition Program Compliance</u>

3555-E(1)	<u>Nutrition Program Compliance</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
5030	<u>Student Wellness</u>
5117	<u>Interdistrict Attendance</u>
5117	<u>Interdistrict Attendance</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5141.6	<u>School Health Services</u>
5141.6	<u>School Health Services</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.6	<u>Parent/Guardian Notifications</u>
5145.6-E(1)	<u>Parent/Guardian Notifications</u>
5148	<u>Child Care And Development</u>
5148	<u>Child Care And Development</u>
5148.2	<u>Before/After School Programs</u>
5148.2	<u>Before/After School Programs</u>
6162.51	<u>State Academic Achievement Tests</u>
6162.51	<u>State Academic Achievement Tests</u>
6171	<u>Title I Programs</u>
6171	<u>Title I Programs</u>
6173	<u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u>
6173-E(1)	<u>Education For Homeless Children</u>
6173- E(2)	<u>Education For Homeless Children</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6175	<u>Migrant Education Program</u>
6175	<u>Migrant Education Program</u> 6176 <u>Weekend/Saturday Classes</u>
6177	<u>Summer Learning Programs</u>

Policy 4111: Recruitment And Selection

Status: ADOPTED

Original Adopted Date: 07/01/2012 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Governing Board is committed to employing suitable, qualified individuals to effectively carry out the district's vision, mission, and goals, and believes that students benefit when district staff reflects the racial, ethnic, linguistic, and cultural diversity of the district.

The Superintendent or designee shall develop equitable, fair, and transparent recruitment and selection processes and procedures that ensure individuals are selected for employment in the district based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination.

Additionally, the Superintendent or designee shall, through the recruitment and selection processes and procedures, seek to establish and maintain a diverse staff, including the active recruitment from institutions and organizations that serve populations underrepresented among district employees.

When a vacancy occurs, the Superintendent or designee shall review, as appropriate, the job description for the position to ensure that it accurately describes the major functions and duties of the position. The Superintendent or designee shall also disseminate job announcements to ensure a wide range of candidates.

When posting an employment opportunity, the Superintendent or designee shall include the pay scale for the open position. (Labor Code 432.2)

The Superintendent shall develop and maintain appropriate hiring procedures to identify the best possible candidates for a position. In doing so, an interview committee may be established to rank candidates and recommend finalists. During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. All discussions and recommendations shall be confidential and consistent with law.

No inquiry shall be made about any information prohibited by state or federal nondiscrimination laws.

Unless otherwise provided for in law, the district may not discriminate against a person in hiring based on the person's use of cannabis off the job and away from the workplace, including that the district may not request information from an applicant related to the applicant's prior use of cannabis, apart from the applicant's criminal history, or penalize an applicant based on a drug screening which finds that the applicant has nonpsychoactive cannabis metabolites in the applicant's hair, blood, urine, or other bodily fluid. (Government Code 12954)

However, the district retains the right to maintain drug-free schools or prohibit employees from possessing, being impaired by, or using cannabis while on the job. (Government Code 12954)

The Superintendent or designee shall not inquire, orally or in writing, about an applicant's salary history information, including compensation and benefits. Additionally, the Superintendent or designee shall not rely on salary history information as a factor in determining whether to offer employment to an applicant or the salary to offer. However, the Superintendent or designee may consider salary information that is disclosable under state or federal law or that the applicant discloses voluntarily and without prompting. (Labor Code 432.3)

For each position, the Superintendent or designee shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent or designee.

Incentives

With Board approval and in accordance with district needs and any applicable collective bargaining agreements, the district may provide incentives to recruit teachers, administrators, or other employees, such as signing bonuses, assistance with beginning teacher induction and/or credential costs, mentoring, additional compensation, and/or subsidized housing.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 200-262.4

Ed. Code 35035

Ed. Code 44066

Ed. Code 44259

Ed. Code 44750

Ed. Code 44830-44831

Ed. Code 44858

Ed. Code 44859

Ed. Code 45103-45139

Ed. Code 49406

Gov. Code 12900-12996

Gov. Code 7920.000-7930.215

Gov. Code 815.2

H&S Code 53570-53574

Lab. Code 432.3

Federal References

20 USC 1681-1688

28 CFR 35.101-35.190

34 CFR 106.51-106.61

42 USC 12101-12213

42 USC 2000d-2000d-7

42 USC 2000e-2000e-17

5 USC 552

8 USC 1324a

8 USC 1324b

Management Resources References

CA Commission on Teacher Credentialing
Publication

California County Superintendents Publication

California Department of Education
Publication

Description

[Prohibition of discrimination](#)

[Powers and duties of the superintendent; transfer authority](#)

[Limitations on certification requirements](#)

[Teaching credential, exception; designated subjects; minimum requirements](#)

[Teacher recruitment resource center](#)

[Employment of certificated persons](#)

[Age or marital status in certificated positions](#)

[Prohibition against certain rules and regulations regarding residency](#)

[Employment; classified employees](#)

[Examination for tuberculosis](#)

[Fair Employment and Housing Act](#)

[California Public Records Act](#)

[Liability of public entities and public employees](#)

[Teacher Housing Act of 2016](#)

[Salary information](#)

Description

[Title IX of the Education Amendments of 1972; discrimination based on sex](#)

[Americans with Disabilities Act](#)

[Nondiscrimination on the basis of sex in employment in education program or activities](#)

[Americans with Disabilities Act](#)

[Title VI, Civil Rights Act of 1964](#)

[Title VII, Civil Rights Act of 1964, as amended](#)

[Freedom of Information Act](#)

[Unlawful employment of aliens](#)

[Unfair immigration related employment practices](#)

Description

[Strategic Plan: Ensuring Educator Excellence, 2023](#)

[Teacher Recruitment in California: An Analysis of Effective Strategies, Research Brief, Veritas Research and Evaluation Group, October 2017](#)

[How to Increase the Diversity of California's Educator Workforce, April 2022](#)

Court Decision [C.A. v William S. Hart Union High School District et al. \(2012\) 138 Cal.Rptr.3d 1](#)
[Education Workforce Housing in California: Developing the 21st Century Ctr for Cities + Schools, cityLAB & Turner Ctr Pub Campus, 2021](#)

Ctr for Cities + Schools, cityLAB & Turner Ctr Pub [Education Workforce Housing in California: The Handbook](#)

Website [University of California Los Angeles, cityLAB](#)

Website [University of California Berkeley, Turner Center for Housing Innovation](#)

Website [University of California Berkeley, Center for Cities + Schools](#)

Website [CSBA District and County Office of Education Legal Services](#)

Website [Commission on Teacher Credentialing](#)

Website [Education Job Opportunities Information Network](#)

Website [Teach USA](#)

Website [California County Superintendents](#)

Website [California Civil Rights Department](#)

Website [U.S. Department of Education](#)

Website [U.S. Equal Employment Opportunity Commission](#) Website [California Department of Education](#)

Cross References

Description

0000	Vision
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
2230	Representative And Deliberative Groups
3542	School Bus Drivers
4000	Concepts And Roles
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4032	Reasonable Accommodation
4100	Certificated Personnel
4111.2	Legal Status Requirement
4111.2	Legal Status Requirement
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.21	Interns
4112.21	Interns
4112.22	Staff Teaching English Learners
4112.23	Special Education Staff
4112.61	Employment References
4112.8	Employment Of Relatives
4113	Assignment
4113	Assignment
4117.14	Postretirement Employment

4200	<u>Classified Personnel</u>
4200	<u>Classified Personnel</u>
4211.2	<u>Legal Status Requirement</u>
4211.2	<u>Legal Status Requirement</u>
4212	<u>Appointment And Conditions Of Employment</u>
4212.61	<u>Employment References</u>
4212.8	<u>Employment Of Relatives</u>
4300	<u>Administrative And Supervisory Personnel</u>
4300	<u>Administrative And Supervisory Personnel</u>
4311.2	<u>Legal Status Requirement</u>
4311.2	<u>Legal Status Requirement</u>
4312.1	<u>Contracts</u>
4312.61	<u>Employment References</u>
4312.8	<u>Employment Of Relatives</u>
4317.14	<u>Postretirement Employment</u>
4331	<u>Staff Development</u>
6141.4	<u>International Baccalaureate Program</u>
6141.5	<u>Advanced Placement</u>
6171	<u>Title I Programs</u>
6171	<u>Title I Programs</u>
9000	<u>Role Of The Board</u>

Regulation 4112.5: Criminal Record Check

Status: ADOPTED

Original Adopted Date: 10/01/1998 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Superintendent or designee shall not hire or retain in employment, in a certificated or classified position, a person who has been convicted of a violent or serious felony as defined in Penal Code 667.5(c) or 1192.7(c), a controlled substance offense as defined in Education Code 44011, or a sex offense as defined in Education Code 44010. However, the Superintendent or designee shall not deny or terminate employment solely on the basis that the person has been: (Education Code 44830.1, 44836, 45122.1, 45123)

1. Convicted of a violent or serious felony, controlled substance offense, or sex offense, and the conviction is reversed and the person is acquitted of the offense in a new trial or the charges against the person are dismissed, unless the sex offense for which the conviction is dismissed pursuant to Penal Code 1203.4 involves a victim who was a minor
2. Convicted of a violent or serious felony and has obtained a certificate of rehabilitation or a pardon
3. Convicted of a serious felony, that is not also a violent felony, and has proven to the sentencing court that rehabilitation for purposes of school employment has been attained for at least one year
4. Convicted of a controlled substance offense and is applying for or is employed in a certificated position and has a credential issued by the Commission on Teacher Credentialing
5. Convicted of a controlled substance offense and is applying for or is employed in a classified position and has been determined by the Governing Board, from the evidence presented, to have been rehabilitated for at least five years

A certificated employee may be hired by the district without obtaining a criminal record summary if that employee is employed as a certificated employee in another California school district and became a permanent employee of another California school district as of October 1, 1997. (Education Code 44830.1, 44836)

The Superintendent or designee shall not issue a temporary certificate of clearance to a person whose application for a credential, certificate, or permit is being processed by the Commission on Teacher Credentialing if that person has been convicted of a violent or serious felony, unless the person is otherwise exempt pursuant to Education Code 44332.6 or 44830.1. (Education Code 44332.5, 44332.6)

Pre-Employment Record Check

The Superintendent or designee shall require each person to be employed by the district to submit fingerprints electronically through the Live Scan system so that a criminal record check may be conducted by the Department of Justice (DOJ). The Superintendent or designee shall provide the applicant with a Live Scan request form and a list of nearby Live Scan locations.

When a person is applying for a classified position, the Superintendent or designee shall request that the DOJ also obtain a criminal record check through the Federal Bureau of Investigation whenever the applicant meets one of the following conditions: (Education Code 45125)

1. The applicant has not resided in California for at least one year immediately preceding the application for employment.
2. The applicant has resided in California for more than one year, but less than seven years, and the DOJ has ascertained that the person was convicted of a sex offense where the victim was a minor or

a drug offense where an element of the offense is either the distribution to or the use of a controlled substance by a minor.

The Superintendent or designee shall immediately notify the DOJ when an applicant who has submitted fingerprints to the DOJ is not subsequently employed by the district. (Penal Code 11105.2)

Subsequent Arrest Notification

The Superintendent or designee shall enter into a contract with the DOJ to receive notification of subsequent arrests resulting in conviction of any person whose fingerprints have been submitted to the DOJ. (Education Code 44830.1, 45125; Penal Code 11105.2)

Upon telephone or email notification by the DOJ that a current temporary employee, substitute employee, or probationary employee serving before March 15 of the employee's second probationary year has been convicted of a violent or serious felony, the Superintendent or designee shall immediately place that employee on leave without pay. (Education Code 44830.1, 45122.1)

When the district receives written electronic notification by the DOJ of the fact of conviction, the temporary employee, substitute employee, or probationary employee serving before March 15 of the employee's second probationary year shall be terminated automatically unless the employee challenges the DOJ record and the DOJ withdraws its notification in writing. Upon receipt of the written withdrawal of notification by the DOJ, the Superintendent or designee shall immediately reinstate the employee with full restoration of salary and benefits for the period of time from the suspension without pay to the reinstatement if the employee is still employed by the district. (Education Code 44830.1, 45122.1)

The Superintendent or designee shall immediately notify the DOJ whenever a person whose fingerprints are maintained by the DOJ is terminated. (Penal Code 11105.2)

Notification of Applicant/Employee

The Superintendent or designee shall expeditiously furnish a copy of any DOJ notification to the applicant or employee to whom it relates if the information is a basis for an adverse employment decision. The copy shall be delivered in person or to the last contact information provided by the applicant or employee. (Penal Code 11105, 11105.2)

Maintenance of Records

The Superintendent shall designate at least one custodian of records who shall be responsible for the security, storage, dissemination, and destruction of all Criminal Offender Record Information (CORI) furnished to the district and shall serve as the primary contact for the DOJ for any related issues. (Penal Code 11102.2)

An employee designated as custodian of records shall receive a criminal background check clearance from the DOJ prior to serving in that capacity. (Penal Code 11102.2)

The custodian of records shall sign and return to the DOJ the Employee Statement Form acknowledging an understanding of the laws prohibiting misuse of CORI. In addition, the custodian of records shall ensure that any individual with access to CORI has on file a signed Employee Statement Form.

To ensure its confidentiality, CORI shall be accessible only to the custodian of records and shall be kept in a locked file separate from other files. CORI shall be used only for the purpose for which it is requested and its contents shall not be disclosed or reproduced. (Education Code 44830.1, 45125)

Once a hiring determination is made, the applicant's CORI shall be destroyed to the extent that the identity of the individual can no longer be reasonably ascertained. (Education Code 44830.1, 45125; 11 CCR 708)

The Superintendent or designee shall immediately notify the DOJ whenever a designated custodian of records ceases to serve in that capacity. (Penal Code 11102.2)

Interagency Agreement

Subject to an interagency agreement with other school districts, the district shall submit and receive CORI on behalf of all participating districts. (Education Code 44830.2, 45125.01)

Upon receipt from the DOJ of a report of conviction of a serious or violent felony, the district shall communicate that fact to participating districts and shall remove the affected employee from the common list of persons eligible for employment. (Education Code 44830.2, 45125.01)

In addition, upon receipt from the DOJ of a criminal history record or report of subsequent arrest for any person on a common list of persons eligible for employment, the district shall give notice to the superintendent of any participating district, or the person designated in writing by that superintendent, that the report is available for inspection on a confidential basis by the superintendent or the authorized designee. The report shall be made available at the district office for 30 days following the receipt of the notice. (Education Code 44830.2, 45125.01)

The district shall not release a copy of that information to any participating district or any other person. In addition, the district shall retain or dispose of the information in the manner specified in law and in this administrative regulation after all participating districts have had an opportunity to inspect it in accordance with law. (Education Code 44830.2, 45125.01)

The district shall maintain a record of all persons to whom the information has been shown and shall make this record available to the DOJ. (Education Code 44830.2, 45125.01)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

11 CCR 701-708

11 CCR 720-724

11 CCR 994-994.15

Ed. Code 44010

Ed. Code 44011

Ed. Code 44332-44332.6

Ed. Code 44346.1

Ed. Code 44830.1

Ed. Code 44830.2

Ed. Code 44836

Ed. Code 44932

Ed. Code 45122.1

Ed. Code 45125

Ed. Code 45125.01

Ed. Code 45125.5

Ed. Code 45126

Ed. Code 49024

Gov. Code 12954

H&S Code 11350

Description

Criminal offender record information

Incomplete criminal history information

Certification of individuals who take fingerprint impressions

Sex offense; definitions

Controlled substance offense

Temporary certificate of clearance

Applicants for credential; conviction of a violent or serious felony

Criminal record summary; certificated employees

Certificated employees; interagency agreement for sharing criminal record information

Employment of certificated persons convicted of sex offense or controlled substance offense

Grounds for dismissal of permanent employees

Classified employees; conviction of a violent or serious felony

Use of personal identification cards to ascertain conviction of crime

Interagency agreements for criminal record information

Automated records check

Duty of Department of Justice to furnish information

Activity Supervisor Clearance Certificate

Employment discrimination; cannabis use

Offenses Involving Controlled Substances Formerly Classified as Narcotics

H&S Code 11377	Offenses Involving Controlled Substances Formerly Classified as Restricted Dangerous Drugs
Pen. Code 11075-11081	Criminal record dissemination
Pen. Code 11102.2	Maintenance of criminal offender records; custodian of records
Pen. Code 11105	Access to criminal history information
Pen. Code 11105.2	Subsequent arrest notification
Pen. Code 11105.3	Record of conviction involving sex crimes, drug crimes or crimes of violence

Pen. Code 11140-11144	Furnishing of state criminal history information
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 1203.4	Dismissal of conviction
Pen. Code 1203.425	Conviction relief
Pen. Code 13300-13305	Local summary criminal history information
Pen. Code 667.5	Prior prison terms; enhancement of prison terms

Management Resources References

Court Decision	Central Valley Chapter of the 7th Step Foundation Inc. v. Evelle J. Younger (1989) 214 Cal. App. 3d 145
Website	CSBA District and County Office of Education Legal Services
Website	Office of the Attorney General, Department of Justice, Background Checks
Website	CSBA

Description

Cross References

1240	Volunteer Assistance
1240	Volunteer Assistance
1340	Access To District Records
1340	Access To District Records
2120	Superintendent Recruitment And Selection
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3542	School Bus Drivers
3580	District Records
3580	District Records
4112	Appointment And Conditions Of Employment
4112.2	Certification
4112.2	Certification
4112.6	Personnel Files
4112.9	Employee Notifications
4112.9-E(1)	Employee Notifications
4116	Probationary/Permanent Status
4116	Probationary/Permanent Status
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.23	Unauthorized Release Of Confidential/Privileged Information

Description

4121	<u>Temporary/Substitute Personnel</u>
4121	<u>Temporary/Substitute Personnel</u>
4127	<u>Temporary Athletic Team Coaches</u>
4127	<u>Temporary Athletic Team Coaches</u>
4200	<u>Classified Personnel</u>
4200	<u>Classified Personnel</u>
4212	<u>Appointment And Conditions Of Employment</u>
4212.6	<u>Personnel Files</u>
4212.9	<u>Employee Notifications</u>
4212.9-E(1)	<u>Employee Notifications</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4218.1	<u>Dismissal/Suspension/Disciplinary Action (Merit System)</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4227	<u>Temporary Athletic Team Coaches</u>
4227	<u>Temporary Athletic Team Coaches</u>
4312.6	<u>Personnel Files</u>
4312.9	<u>Employee Notifications</u>
4312.9-E(1)	<u>Employee Notifications</u>
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4327	<u>Temporary Athletic Team Coaches</u>
4327	<u>Temporary Athletic Team Coaches</u>
5148	<u>Child Care And Development</u>
5148	<u>Child Care And Development</u>
5148.2	<u>Before/After School Programs</u>
5148.2	<u>Before/After School Programs</u>
5148.3	<u>Preschool/Early Childhood Education</u>
5148.3	<u>Preschool/Early Childhood Education</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
9011	<u>Disclosure Of Confidential/Privileged Information</u>

Exhibit 4112.5-E(1): Criminal Record Check

Status: ADOPTED

Original Adopted Date: 10/01/1997 | Last Revised Date: 03/01/2024 | Last Reviewed Date:
03/01/2024

SAMPLE EMPLOYEE STATEMENT FORM USE OF CRIMINAL JUSTICE INFORMATION

As an employee/volunteer of _____ School District, you may have access to confidential criminal record information which is controlled by state and federal statutes. Misuse of such information may adversely affect the individual's civil rights and violate constitutional rights of privacy. Penal Code 502 prescribes the penalties relating to computer crimes. Penal Code 11105 and 13300 identify who has access to criminal history information and under what circumstances it may be disseminated. Penal Code 11140-11144 and 13301-13305 prescribe penalties for misuse of criminal history information. Government Code 6200 prescribes felony penalties for misuse of public records. Penal Code 11142 and 13300 state:

"Any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person not authorized by law to receive the record or information is guilty of a misdemeanor."

Civil Code 1798.53, Invasion of Privacy, states:

"Any person who intentionally discloses information, not otherwise public, which they know or should reasonably know was obtained from personal or confidential information maintained by a state agency or from records within a system of records maintained by a federal government agency, shall be subject to a civil action, for invasion of privacy, by the individual."

CIVIL, CRIMINAL, AND ADMINISTRATIVE PENALTIES:

- Penal Code 11141: DOJ furnishing to unauthorized person (misdemeanor)
- Penal Code 11142: Authorized person furnishing to other (misdemeanor)
- Penal Code 11143: Unauthorized person in possession (misdemeanor)
- California Constitution, Article I, Section 1 (Right to Privacy)
- Civil Code 1798.53, Invasion of Privacy

Title 18 USC 641, 1030, 1951, and 1952

Any employee who is responsible for such misuse may be subject to immediate dismissal. Violations of this law may result in criminal and/or civil action.

I HAVE READ THE ABOVE AND UNDERSTAND THE POLICY REGARDING MISUSE OF CRIMINAL RECORD INFORMATION.

Signature _____ Date _____

Printed Name _____ Title _____

Name of District _____

PLEASE NOTE: Do not return this form to the DOJ. Your Custodian of Records should maintain these forms.

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State References

Description

11 CCR 701-708	<u>Criminal offender record information</u>
11 CCR 720-724	<u>Incomplete criminal history information</u>
11 CCR 994-994.15	<u>Certification of individuals who take fingerprint impressions</u>
Ed. Code 44010	<u>Sex offense; definitions</u>
Ed. Code 44011	<u>Controlled substance offense</u>
Ed. Code 44332-44332.6	<u>Temporary certificate of clearance</u>
Ed. Code 44346.1	<u>Applicants for credential; conviction of a violent or serious felony</u>
Ed. Code 44830.1	<u>Criminal record summary; certificated employees</u>
Ed. Code 44830.2	<u>Certificated employees; interagency agreement for sharing criminal record information</u>
Ed. Code 44836	<u>Employment of certificated persons convicted of sex offense or controlled substance offense</u>
Ed. Code 44932	<u>Grounds for dismissal of permanent employees</u>
Ed. Code 45122.1	<u>Classified employees; conviction of a violent or serious felony</u>
Ed. Code 45125	<u>Use of personal identification cards to ascertain conviction of crime</u>
Ed. Code 45125.01	<u>Interagency agreements for criminal record information</u>
Ed. Code 45125.5	<u>Automated records check</u>
Ed. Code 45126	<u>Duty of Department of Justice to furnish information</u>
Ed. Code 49024	<u>Activity Supervisor Clearance Certificate</u>
Gov. Code 12954	<u>Employment discrimination; cannabis use</u>
H&S Code 11350	<u>Offenses Involving Controlled Substances Formerly Classified as Narcotics</u>
H&S Code 11377	<u>Offenses Involving Controlled Substances Formerly Classified as Restricted Dangerous Drugs</u>
Pen. Code 11075-11081	<u>Criminal record dissemination</u>
Pen. Code 11102.2	<u>Maintenance of criminal offender records; custodian of records</u>
Pen. Code 11105	<u>Access to criminal history information</u>
Pen. Code 11105.2	<u>Subsequent arrest notification</u>
Pen. Code 11105.3	<u>Record of conviction involving sex crimes, drug crimes or crimes of violence</u>
Pen. Code 11140-11144	<u>Furnishing of state criminal history information</u>
Pen. Code 1192.7	<u>Plea bargaining limitation</u>
Pen. Code 1203.4	<u>Dismissal of conviction</u>
Pen. Code 1203.425	<u>Conviction relief</u>
Pen. Code 13300-13305	<u>Local summary criminal history information</u>
Pen. Code 667.5	<u>Prior prison terms; enhancement of prison terms</u>

Management Resources References

Description

Court Decision	<u>Central Valley Chapter of the 7th Step Foundation Inc. v. Evelle J. Younger (1989) 214 Cal. App. 3d 145</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>

Website	<u>Office of the Attorney General, Department of Justice, Background Checks</u>
Website	<u>CSBA</u>
Cross References	Description
1240	<u>Volunteer Assistance</u>
1240	<u>Volunteer Assistance</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
2120	<u>Superintendent Recruitment And Selection</u>
3515.3	<u>District Police/Security Department</u>
3515.3	<u>District Police/Security Department</u>
3542	<u>School Bus Drivers</u>
3580	<u>District Records</u>
3580	<u>District Records</u>
4112	<u>Appointment And Conditions Of Employment</u>
4112.2	<u>Certification</u>
4112.2	<u>Certification</u>
4112.6	<u>Personnel Files</u>
4112.9	<u>Employee Notifications</u>
4112.9-E(1)	<u>Employee Notifications</u>
4116	<u>Probationary/Permanent Status</u>
4116	<u>Probationary/Permanent Status</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4121	<u>Temporary/Substitute Personnel</u>
4121	<u>Temporary/Substitute Personnel</u>
4127	<u>Temporary Athletic Team Coaches</u>
4127	<u>Temporary Athletic Team Coaches</u>
4200	<u>Classified Personnel</u>
4200	<u>Classified Personnel</u>
4212	<u>Appointment And Conditions Of Employment</u>
4212.6	<u>Personnel Files</u>
4212.9	<u>Employee Notifications</u>
4212.9-E(1)	<u>Employee Notifications</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
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4312.9	<u>Employee Notifications</u>

4312.9-E(1)	<u>Employee Notifications</u>
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5148	<u>Child Care And Development</u>
5148.2	<u>Before/After School Programs</u>
5148.2	<u>Before/After School Programs</u>
5148.3	<u>Preschool/Early Childhood Education</u>
5148.3	<u>Preschool/Early Childhood Education</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
9011	<u>Disclosure Of Confidential/Privileged Information</u>

Policy 4118: Dismissal/Suspension/Disciplinary Action

Status: ADOPTED

Original Adopted Date: 07/01/2000 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Governing Board expects all employees to perform their jobs satisfactorily, exhibit professional and appropriate conduct, and serve as positive role models both at school and in the community. A certificated employee may be disciplined for conduct or performance in accordance with law, the applicable collective bargaining agreement, Board policy, or administrative regulation.

Disciplinary action shall be based on the particular facts and circumstances involved and the severity of the conduct or performance.

The Superintendent or designee shall ensure that disciplinary actions are appropriately documented and taken in a consistent, nondiscriminatory manner. In addition, an employee shall not be suspended, disciplined, reassigned, transferred, dismissed, or otherwise retaliated against solely for engaging in protected activities, or for acting to protect a student engaged in exercising any free speech or press right authorized by, or for refusing to infringe upon a student's conduct protected pursuant to, Education Code 48907 or 48950.

Disciplinary actions may include, but are not limited to, verbal and written warnings, suspension or leave without pay, or dismissal.

Suspension/Dismissal Procedures

The Superintendent shall notify the Board whenever there is cause to suspend or dismiss an employee pursuant to Education Code 44932 or 44933.

When the Board finds that there is cause to suspend or dismiss an employee pursuant to Education Code 44932 or 44933, it may formulate a written statement of charges specifying instances of behavior and the acts or omissions constituting the charge, the statutes and rules that the employee is alleged to have violated when applicable, and the facts relevant to each charge. The Board shall also review any duly signed and verified written statement of charges filed by any other person. (Education Code 44934, 44934.1)

Based on the written statement of charges, the Board may, upon majority vote, give notice to the employee of the Board's intention to suspend or dismiss the employee at the expiration of 30 days from the date the notice is served. (Education Code 44934, 44934.1)

Prior to serving a suspension or dismissal notice that includes a charge of unsatisfactory performance, the district shall give the employee written notice of the unsatisfactory performance that specifies the nature of the unsatisfactory performance with such specific instances of behavior and with such particularity as to furnish the employee an opportunity to correct the faults and overcome the grounds for any unsatisfactory performance charges and, if applicable, that includes the evaluation made pursuant to Education Code 44660-44665. The written notice of the unsatisfactory performance shall be provided at least 90 days prior to the filing of the suspension or dismissal notice or prior to the last one-fourth of the school days in the year. (Education Code 44938)

Prior to serving a suspension or dismissal notice that includes a charge of unprofessional conduct, the district shall give the employee written notice that describes the nature of the unprofessional conduct with such specific instances of behavior and with such particularity as to furnish the employee an opportunity to correct the faults and overcome the grounds for any unprofessional conduct charges and,

if applicable, that includes the evaluation made pursuant to Education Code 44660-44665. The written notice of the unprofessional conduct shall be provided at least 45 days prior to the filing of the suspension or dismissal notice. (Education Code 44938)

Except for notices that only include charges of unsatisfactory performance, the written suspension or dismissal notice may be served at any time of year. Such notice shall be served upon the employee personally if given outside of the instructional year or, if given during the instructional year, may be served personally or by registered mail to the employee's last known address. Notices with a charge of unsatisfactory performance shall be given only during the instructional year of the school site where the employee is physically employed and may be served personally or by registered mail to the employee's last known address. (Education Code 44936)

If an employee has been served notice and demands a hearing pursuant to Government Code 11505 and 11506, the Board shall either rescind its action or schedule a hearing on the matter. (Education Code 44941, 44941.1, 44943, 44944)

Pending suspension or dismissal proceedings for an employee who is charged with egregious misconduct, immoral conduct, conviction of a felony or of any crime involving moral turpitude, incompetency due to mental disability, or willful refusal to perform regular assignments without reasonable cause as prescribed by district rules and regulations, the Board may, if it deems it necessary, immediately suspend the employee from assigned duties. If the employee files a motion with the Office of Administrative Hearings for immediate reversal of the suspension based on a cause other than egregious misconduct, the Board may file a written response before or at the time of the hearing. (Education Code 44939, 44939.1)

When a suspension or dismissal hearing is to be conducted by a Commission on Professional Competence, the Board shall, no later than 45 days before the date set for the hearing, select one person with a currently valid credential to serve on the Commission. The appointee shall not be an employee of the district and shall have at least three years' experience within the past 10 years at the same grade span or assignment as the employee, as defined in Education Code 44944. (Education Code 44944)

Compulsory Leave of Absence

Upon being informed that a certificated employee has been charged with a mandatory leave of absence offense, the Superintendent or designee shall immediately place the employee on a compulsory leave of absence. (Education Code 44940, 44940.5)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References	Description
5 CCR 80303	<u>Reports of change in employment status; alleged misconduct</u>
5 CCR 80304	<u>Notice of sexual misconduct</u>
CA Constitution Article 1, Section 1	<u>Inalienable rights</u>
Ed. Code 44008	<u>Effect of termination of probation</u>
Ed. Code 44009	<u>Conviction of specified crimes</u>
Ed. Code 44010	<u>Sex offense; definitions</u>
Ed. Code 44011	<u>Controlled substance offense</u>
Ed. Code 44242.5	<u>Reports and review of alleged misconduct</u>
Ed. Code 44425	<u>Conviction of a sex or narcotic offense</u>
Ed. Code 44660-44665	<u>Evaluation and assessment of performance of certificated employees</u>

Ed. Code 44830.1	<u>Criminal record summary; certificated employees</u>
Ed. Code 44929.21	<u>Notice of reelection decision; districts with 250 ADA or more</u>
Ed. Code 44929.23	<u>Districts with less than 250 ADA</u>
Ed. Code 44930-44988	<u>Resignations, dismissals and leaves of absence</u>
Ed. Code 45055	<u>Drawing of warrants for teachers</u>
Ed. Code 48907	<u>Exercise of free expression; time, place and manner rules and regulations</u>
Ed. Code 48950	<u>Speech and other communication</u>
Ed. Code 51530	<u>Advocacy or teaching of communism</u>
Gov. Code 1028	<u>Advocacy of communism</u>
Gov. Code 11505-11506	<u>Hearing</u>
Gov. Code 12954	<u>Employment discrimination; cannabis use</u>
Gov. Code 3543.2	<u>Scope of representation</u>
H&S Code 11054	<u>Schedule I; substances included</u>
H&S Code 11055	<u>Schedule II; substances included</u>
H&S Code 11056	<u>Schedule III; substances included</u>
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H&S Code 11363	<u>Peyote</u>
H&S Code 11364	<u>Opium</u>
H&S Code 11370.1	<u>Possession of controlled substances with a firearm</u>
Pen. Code 11165.2-11165.6	<u>Child abuse or neglect; definitions</u>
Pen. Code 1192.7	<u>Plea bargaining limitation</u>
Pen. Code 187	<u>Murder</u>
Pen. Code 291	<u>School employees arrest for sex offense</u>
Pen. Code 667.5	<u>Prior prison terms; enhancement of prison terms</u>
Federal References	Description
U.S. Constitution, First Amendment	<u>Free exercise, free speech, and establishment clauses</u>
Management Resources References	Description
Commission on Teacher Credentialing Publication	<u>California's Laws and Rules Pertaining to the Discipline of Professional Certificated Personnel, 2007</u>
Court Decision	<u>Visalia Unified School District v. Public Employment Relations Board (2024)</u>
Court Decision	<u>98 Cal.App.5th 844</u>
Court Decision	<u>Kennedy v. Bremerton (2022) 142 S.Ct. 2407</u>
Court Decision	<u>Crowl v. Commission on Professional Competence (1990) 225 Cal. App. 3d</u>
Court Decision	<u>334</u>
Court Decision	<u>Morrison v. State Board of Education (1969) 1 Cal.3d 214</u>
U.S. Department of Education Publication	<u>Guidance on Constitutionally Protected Prayer and Religious Expression in</u>

Website	Public Elementary and Secondary Schools, May 2023
Website	Office of the Attorney General
Website	Office of Administrative Hearings
Website	Department of General Services, About Teacher Dismissal Case Type
Website	CSBA District and County Office of Education Legal Services
Website	Commission on Teacher Credentialing
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Website	U.S. Department of Education

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Regulation 4118: Dismissal/Suspension/Disciplinary Action

Status: ADOPTED

Original Adopted Date: 07/01/2000 | Last Revised Date: 03/01/2024 | Last Reviewed Date:
03/01/2024

Causes for Suspension or Dismissal

A certificated employee with permanent status may be suspended without pay or dismissed only for one or more of the following causes: (Education Code 44932)

1. Immoral conduct including, but not limited to, egregious misconduct that is the basis for a sex offense or controlled substance offense described in Education Code 44010 or 44011 or child abuse and neglect as described in Penal Code 11165.2-11165.6
2. Unprofessional conduct
3. Commission, aiding, or advocating the commission of acts of criminal syndicalism
4. Dishonesty
5. Unsatisfactory performance
6. Evident unfitness for service
7. Physical or mental condition unfitting the employee to instruct or associate with children
8. Persistent violation of or refusal to obey the school laws or reasonable regulations of the state or district
9. Conviction of a felony or of any crime involving moral turpitude
10. Violation of Education Code 51530 or Government Code 1028 prohibiting the advocacy or teaching of communism
11. Alcoholism or other drug abuse that makes the employee unfit to instruct or associate with children

An employee may be suspended or dismissed on grounds of unprofessional conduct consisting of acts or omissions not listed above if the charge specifies instances of behavior deemed to constitute unprofessional conduct.
(Education Code 44933)

Suspension/Dismissal of Permanent Employees

When a permanent certificated employee is charged with one or more of the offenses specified in the section "Causes for Suspension or Dismissal" above, the following procedures shall apply:

1. The person preparing a written statement of charges that there is cause to suspend or dismiss an employee shall submit the signed statement to the Governing Board, or a written statement of charges shall be formulated by the Board that cause to suspend or dismiss the permanent employee exists. (Education Code 44934, 44934.1)

2. The employee, upon receiving notice of the Board's intent to suspend or dismiss, may request a hearing on the matter. The hearing shall be conducted by the Commission on Professional Competence, except that any case involving only egregious misconduct shall be heard instead by an administrative law judge and, in any other case, the hearing may be conducted by an administrative law judge when both the district and the employee so stipulate. (Education Code 44943, 44944, 44944.05, 44944.1, 44944.3)
3. Except when the employee is charged solely with egregious misconduct, the district may amend the charges less than 90 days before the hearing only upon showing of good cause and upon approval of the administrative law judge. (Education Code 44934)
4. The employee shall be suspended or dismissed when the Commission on Professional Competence or administrative law judge has issued its decision upholding suspension or dismissal or, if the employee did not request a hearing, at the expiration of 30 days after service of the notice of intent to suspend or dismiss. (Education Code 44941, 44943, 44944)

The Superintendent or designee shall notify the Commission on Teacher Credentialing when the employment status of a certificated employee has been changed as a result of alleged misconduct or while an allegation of misconduct is pending. (Education Code 44030.5, 44242.5, 44940; 5 CCR 80303)

Suspension/Dismissal of Probationary Employees

The district may choose not to rehire probationary employees for the following school year without giving a statement of reasons if proper notice is provided by March 15 of the employee's second, complete, consecutive year of employment. (Education Code 44929.21, 44929.23)

During the school year, probationary employees may be dismissed only for one or more of the causes listed in Items #1-11 in the section "Causes for Suspension or Dismissal" above. (Education Code 44948)

Whenever a probationary employee is so charged, dismissal procedures shall be those set forth in Education Code 44934 and 44934.1 as described in the section "Suspension/Dismissal of Permanent Employees" above.

Compulsory Leave of Absence

Upon being informed that a certificated employee has been charged with a "mandatory leave of absence offense," the Superintendent or designee shall immediately place the employee on a leave of absence. A mandatory leave of absence offense includes: (Education Code 44830.1, 44940)

1. Any sex offense as defined in Education Code 44010
2. Violation or attempted violation of Penal Code 187, prohibiting murder or attempted murder
3. Any offense involving the unlawful sale, use, or exchange to minors of controlled substances as listed in Health and Safety Code 11054, 11055, and 11056

The Superintendent or designee may place on an immediate compulsory leave of absence a certificated employee who is charged with an "optional leave of absence offense," defined as a controlled substance offense specified in Education Code 44011 and Health and Safety Code 11357-11361, 11363, 11364, and 11370.1, except as it relates to marijuana, mescaline, peyote, or tetrahydrocannabinol. (Education Code 44940)

If an employee is charged with an offense that falls into both the mandatory and optional leave of absence definitions, the offense shall be treated as a mandatory leave of absence offense. (Education Code 44940)

An employee's compulsory leave for a mandatory or optional leave of absence offense may extend for not more than 10 days after the entry of judgment in the criminal proceedings. However, the compulsory leave may be extended if the Board gives notice, within 10 days after the entry of judgment in the proceedings, that the employee will be dismissed within 30 days from the date of service of the notice unless a hearing is demanded. (Education Code 44940, 44940.5)

During the period of compulsory leave, the employee shall be compensated in accordance with Education Code 44940.5.

Upon receipt of telephone or electronic notification from the Department of Justice that a current temporary, substitute, or probationary employee serving before March 15 of the second probationary year has been convicted of a violent or serious felony, the Superintendent or designee shall immediately place the employee on leave without pay. Upon receipt of electronic notification of the conviction from the Department of Justice, such employee shall be automatically terminated and without regard to any other termination procedure. (Education Code 44830.1)

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State References

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5 CCR 80303	<u>Reports of change in employment status; alleged misconduct</u>
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Pen. Code 667.5	Prior prison terms; enhancement of prison terms

Federal References

U.S. Constitution, First Amendment

Description

[Free exercise, free speech, and establishment clauses](#)

Management Resources References

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[California's Laws and Rules Pertaining to the Discipline of Professional](#)

Commission on Teacher Credentialing Publication

[Certificated Personnel, 2007](#)

[Visalia Unified School District v. Public Employment Relations Board \(2024\)](#)

Court Decision

[98 Cal.App.5th 844](#)

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[Kennedy v. Bremerton \(2022\) 142 S.Ct. 2407](#)

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[Morrison v. State Board of Education \(1969\) 1 Cal.3d 214](#)

[Guidance on Constitutionally Protected Prayer and Religious Expression in](#)

U.S. Department of Education Publication

[Public Elementary and Secondary Schools, May 2023](#)

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[Office of Administrative Hearings](#)

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[Department of General Services, About Teacher Dismissal Case Type](#)

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4317.7	<u>Employment Status Reports</u>
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4319.11	<u>Sexual Harassment</u>
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4327	<u>Temporary Athletic Team Coaches</u>
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4357	<u>Employee Safety</u>
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Policy 4157: Employee Safety

Status: ADOPTED

Original Adopted Date: 06/01/1991 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Governing Board is committed to maximizing employee safety and believes that workplace safety is the responsibility of every employee. Working conditions and equipment shall comply with standards prescribed by federal, state, and local laws and regulations.

No employee shall be required or permitted to be in any place of employment which is unsafe or unhealthful. (Labor Code 6402)

The Superintendent or designee shall promote safety and correct any unsafe work practices through education and enforcement.

All employees are expected to use safe work practices and, to the extent possible, correct any unsafe conditions that may occur. If an employee is unable to correct an unsafe condition, the employee shall immediately report the problem to the Superintendent or designee.

The Superintendent or designee shall establish and implement a written injury and illness prevention program that includes a workplace violence prevention plan and that provides employees with access to such program in accordance with law. (Labor Code 6401.7; 8 CCR 3203)

The Superintendent or designee shall make first aid materials readily available at district workplaces and shall make effective provisions to prepare for prompt medical treatment in the event of an employee's serious injury or illness.
(8 CCR 3400)

No employee shall be discharged or discriminated against for exercising any right regarding employee safety or health specified in Labor Code 6310, including:

1. Making a report or complaint
2. Instituting proceedings or causing proceedings to be instituted
3. Testifying with regard to employee safety or health
4. Participating in any occupational health and safety committee established pursuant to Labor Code 6401.7
5. Requesting access to injury or illness reports and records
6. Exercising any other right protected by the Occupational Safety and Health Act

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

17 CCR 2508

8 CCR 14000-14316

8 CCR 3203

Description

[Reporting of communicable diseases](#)

[Occupational injury or illness reports and records](#)

[Injury and illness prevention program](#)

8 CCR 3204	<u>Access to employee exposure and medical records</u>
8 CCR 3400	<u>Medical services and first aid</u>
8 CCR 5095-5100	<u>Control of noise exposure</u>
8 CCR 5193	<u>Bloodborne pathogens</u>
Ed. Code 32030-32034	<u>Eye safety</u>
Ed. Code 32225-32226	<u>Communications devices in classrooms</u>
Ed. Code 32280-32289.5	<u>School safety plans</u>
Ed. Code 44984	<u>Required rules for industrial accident and illness leave</u>
Gov. Code 3543.2	<u>Scope of representation</u>
Lab. Code 1139	<u>Worker's rights in emergencies</u>
Lab. Code 132a	<u>Workers' compensation; nondiscrimination</u>
Lab. Code 3300	<u>Definition of employer</u>
Lab. Code 6305	<u>Occupational safety and health standards; special order</u>
Lab. Code 6310	<u>Retaliation for filing complaint prohibited</u>
Lab. Code 6325	<u>Prohibition of entry into place of employment</u>
Lab. Code 6400-6413.5	<u>Responsibilities and duties of employers and employees</u>
Lab. Code 6401.7	<u>Injury and illness prevention program</u>
Lab. Code 6401.9	<u>Workplace violence prevention plans</u>

Federal References

Description

17 CFR 2508	<u>Reporting of communicable diseases</u>
29 CFR 1910.1030	<u>Bloodborne pathogens</u>
29 CFR 1910.95	<u>Noise standards</u>
29 CFR 651-678	<u>Occupational safety and health</u>
8 CFR 14000-14316	<u>Occupational injury or illness reports and records</u>
8 CFR 3204	<u>Access to employee exposure and medical records</u>
8 CFR 5193	<u>Bloodborne pathogens</u>

Management Resources References

Description

	<u>Guide to Developing Your Workplace Injury and Illness Prevention Program,</u>
	CA Department of Industrial Relations Publication
	<u>rev. August 2005</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>National Institute for Occupational Safety and Health</u>
Website	<u>U.S. Department of Labor, Occupational Safety and Health Administration</u>
Website	<u>California Department of Industrial Relations, Occupational Safety and Health</u>
Website	<u>National Hearing Conservation Association</u>
Website	<u>CSBA</u>
Website	<u>Centers for Disease Control and Prevention</u>

Cross References

Description

29 CFR 1910.1030	<u>Bloodborne pathogens</u>
29 CFR 1910.95	<u>Noise standards</u>
29 CFR 651-678	<u>Occupational safety and health</u>
8 CFR 14000-14316	<u>Occupational injury or illness reports and records</u>
8 CFR 3204	<u>Access to employee exposure and medical records</u>
8 CFR 5193	<u>Bloodborne pathogens</u>

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3514	<u>Environmental Safety</u>
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3514.1	<u>Hazardous Substances</u>
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3516	<u>Emergencies And Disaster Preparedness Plan</u>
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4331	<u>Staff Development</u>
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5141.22	<u>Infectious Diseases</u>
5141.22	<u>Infectious Diseases</u>
5141.6	<u>School Health Services</u>

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School Health Services
Science Instruction

Regulation 4157: Employee Safety

Status: ADOPTED

Original Adopted Date: 06/01/1991 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Superintendent or designee shall provide safety devices and implement safeguards, methods, and processes that are reasonably necessary for the safety and health of employees in the workplace. (Labor Code 6401)

If the Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA) prohibits entry into any district workplace or performance of a district operation or process based on a determination that the workplace exposes employees to the risk of an imminent hazard, including a machine, device, apparatus, or equipment that is in a dangerous condition or is dangerously placed, the Superintendent or designee shall post a notice of the hazard provided by Cal/OSHA in a conspicuous place at the work site. This notice shall not be removed except by an authorized representative of Cal/OSHA and only when the workplace, operation, or process is made safe, and the required safeguards, safety appliances, or devices are provided. (Labor Code 6325)

Injury and Illness Prevention Program

The district's injury and illness prevention program shall cover all district employees and all other workers whom the district controls or directs and directly supervises on the job to the extent that the workers are exposed to hazards specific to their worksite and job assignment. The obligation of contractors or other employers who control or direct and supervise their own employees on the job shall not be affected by the district's injury and illness prevention program. (Labor Code 6401.7)

The district's injury and illness prevention program shall include: (Labor Code 6401.7; 8 CCR 3203)

1. The name/position of the person(s) with authority and responsibility for implementing the program
2. A system for ensuring that employees comply with safe and healthful work practices, which may include, but are not limited to:
 - a. Recognition of employees who follow safe and healthful work practices
 - b. Training and retraining programs
 - c. Disciplinary actions
3. A system for communicating with employees in a form readily understandable by all employees on matters related to occupational health and safety, including provisions designed to encourage employees to report hazards at the worksite without fear of reprisal. The communications system may include, but is not limited to:
 - a. Meetings
 - b. Training programs
 - c. Posting
 - d. Written communications
 - e. A system of anonymous notification by employees about hazards
 - f. A labor/management safety and health committee

4. Procedures for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. Such inspections shall be made:

a. Whenever new substances, processes, procedures, or equipment that represents a new occupational safety or health hazard is introduced into the workplace

b. Whenever the district is made aware of a new or previously unrecognized hazard

5. A procedure for investigating occupational injury or illness

6. Methods and/or procedures for correcting unsafe or unhealthful conditions, work practices, and work procedures in a timely manner, based on the severity of the hazard, when the hazard is observed or discovered

When an imminent hazard exists that cannot be immediately abated without endangering employee(s) and/or property, these procedures shall call for the removal of all exposed staff from the area except those necessary to correct the hazardous condition. Employees needed to correct the condition shall be provided with the necessary safeguards.

7. Provision of training and instruction as follows:

a. To all new employees

b. To all employees given new job assignments for which training has not previously been received

c. Whenever new substances, processes, procedures, or equipment are introduced into the workplace and represent a new hazard

d. Whenever the district is made aware of a new or previously unrecognized hazard

e. To supervisors, to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed

8. A written workplace violence prevention plan developed and implemented in accordance with Labor Code

6401.9 (Labor Code 6401.7)

The plan, which shall be easily accessible to all employees at all times, shall be in effect at all times and in all work areas, and be specific to the hazards and corrective measures for each work area and operation. (Labor Code 6401.9)

The Superintendent or designee shall provide training to all employees when the plan is first established and annually thereafter in accordance with Labor Code 6401.9. Training materials shall be appropriate in content and vocabulary to employees' educational level, literacy, and language. (Labor Code 6401.9)

The Superintendent or designee shall provide employees, or their representative designated pursuant to 8 CCR

3203, with either of the following: (8 CCR 3203)

1. Access to the district's injury and illness prevention program in a reasonable time, place, and manner, but in no event later than five business days after the request for access is received from an employee or a designated representative of the employee.

When an employee or designated representative requests a copy of the district's injury and illness prevention program, the Superintendent or designee shall provide the requester a printed copy unless the employee or designated representative agrees to receive an electronic copy.

The Superintendent or designee shall provide one printed copy free of charge. If the employee or designated representative requests additional copies within one year of the previous request and the district's injury and illness prevention program has not been updated with new information since the prior copy was provided, the district may charge reasonable reproduction costs pursuant to 8 CCR 3204 for the additional copies.

2. Unobstructed access to the district's injury and illness prevention program through the district's server or website that allows an employee to review, print, and email the current version of the district's injury and illness prevention program.

The Superintendent or designee shall communicate the right and procedure to access the district's injury and illness prevention program to all employees. (8 CCR 3203) **Labor/Management Safety and Health Committee**

The district's labor/management safety and health committee shall: (8 CCR 3203)

1. Meet regularly, but not less than quarterly.
2. Prepare and make available to affected employees written records of the safety and health issues discussed at committee meetings and maintained for review by Cal/OSHA upon request. These records shall be maintained for at least one year.
3. Review results of the periodic, scheduled worksite inspections.
4. Review investigations of occupational accidents and causes of incidents resulting in occupational injury or illness or exposure to hazardous substances. As appropriate, the committee may submit suggestions to the Superintendent or designee regarding the prevention of future incidents.
5. Review investigations of alleged hazardous conditions brought to the attention of any committee member. When determined necessary by the committee, it may conduct its own inspection and investigation to assist in remedial solutions.
6. Submit recommendations to assist in the evaluation of employee safety suggestions.
7. Upon request of Cal/OSHA, verify abatement action taken by the district to abate citations issued by Cal/OSHA.

Hearing Protection

Whenever employee noise exposure equals or exceeds the standards specified by law, the Superintendent or designee shall implement a hearing conservation program in accordance with state and federal regulations, including, when required, monitoring of sound levels, audiogram evaluation and audiometric testing of affected employees, the provision of hearing protectors, and employee training. (8 CCR 5095-5100; 29 CFR 1910.95)

Eye Safety Devices

Employees shall wear eye safety devices whenever they are engaged in or observing an activity involving hazards or hazardous substances likely to cause eye injury. (Education Code 32030-32034)

First Aid and Medical Services

The Superintendent or designee shall ensure the ready availability of medical personnel for advice and consultation on matters of industrial health or injury. Whenever a district facility or district grounds are not in close proximity to an infirmary, clinic, or hospital where all injured employees may be treated, the

Superintendent or designee shall ensure that at least one employee is adequately trained to provide first aid. (8 CCR 3400)

The Superintendent or designee shall make adequate first aid materials readily available for employees at every worksite. Such materials shall be approved by a consulting physician and shall be kept in a sanitary and usable condition. The Superintendent or designee shall frequently inspect all first aid materials and replenish them as necessary. (8 CCR 3400)

The Superintendent or designee shall ensure that suitable facilities for quick drenching or flushing of the eyes and body are provided within the work area for immediate emergency use when the eyes or body or any person may be exposed to injurious corrosive materials. (8 CCR 3400)

To avoid unnecessary delay in medical treatment in the event of an employee's serious injury or illness, the

Superintendent or designee shall use one or more of the following: (8 CCR 3400)

1. A communication system for contacting a physician or emergency medical service, such as access to 911 or equivalent telephone system. The communication system or the employees using the system shall have the ability to direct emergency services to the location of the injured or ill employee.
2. Readily accessible and available on-site treatment facilities suitable for treatment of reasonably anticipated injury and illness
3. Proper equipment for prompt medical transport when transportation of injured or ill employees is necessary and appropriate

Protection from Communicable Diseases and Infections

The Superintendent or designee shall develop an exposure control plan for bloodborne pathogens that is consistent with the district's injury and illness prevention program. The plan shall include a determination of which job classifications have occupational exposure to blood or other potentially infectious materials; precautions to be implemented, including universal precautions, engineering and work practice controls, and personal protective equipment; availability of the hepatitis B vaccination; provision of information and training to employees; and followup actions to be taken if exposure occurs. The district shall ensure that a copy of the exposure control plan is accessible to employees in accordance with law. (8 CCR 5193; 29 CFR 1910.1030)

Strategies to prevent and mitigate the outbreak or spread of infectious diseases shall be followed for diseases that are communicated through airborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. Such strategies shall include, but are not limited to, communication and training about the disease(s); campus closures and alternative means of instruction when necessary; preventative measures, such as social distancing, personal protective equipment, temperature checks, and/or any other health screening allowed by law; and cleaning and sanitization of district facilities and equipment.

The Superintendent or designee shall immediately report to the local health officer the presence or suspected presence of any communicable disease. (17 CCR 2508)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

17 CCR 2508

8 CCR 14000-14316

Description

[Reporting of communicable diseases](#)

[Occupational injury or illness reports and records](#)

8 CCR 3203	Injury and illness prevention program
8 CCR 3204	Access to employee exposure and medical records
8 CCR 3400	Medical services and first aid
8 CCR 5095-5100	Control of noise exposure
8 CCR 5193	Bloodborne pathogens
Ed. Code 32030-32034	Eye safety
Ed. Code 32225-32226	Communications devices in classrooms
Ed. Code 32280-32289.5	School safety plans
Ed. Code 44984	Required rules for industrial accident and illness leave
Gov. Code 3543.2	Scope of representation
Lab. Code 1139	Worker's rights in emergencies
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Lab. Code 6305	Occupational safety and health standards; special order
Lab. Code 6310	Retaliation for filing complaint prohibited
Lab. Code 6325	Prohibition of entry into place of employment
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Lab. Code 6401.7	Injury and illness prevention program
Lab. Code 6401.9	Workplace violence prevention plans
Federal References	Description
17 CFR 2508	Reporting of communicable diseases
29 CFR 1910.1030	Bloodborne pathogens
29 CFR 1910.95	Noise standards
29 CFR 651-678	Occupational safety and health
8 CFR 14000-14316	Occupational injury or illness reports and records
8 CFR 3204	Access to employee exposure and medical records
8 CFR 5193	Bloodborne pathogens
Management Resources References	Description
CA Department of Industrial Relations Publication	Guide to Developing Your Workplace Injury and Illness Prevention Program, rev. August 2005
Website	CSBA District and County Office of Education Legal Services
Website	National Institute for Occupational Safety and Health
Website	U.S. Department of Labor, Occupational Safety and Health Administration
Website	California Department of Industrial Relations, Occupational Safety and Health
Website	National Hearing Conservation Association
Website	CSBA
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Cross References

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4131	<u>Staff Development</u>
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4157.1	<u>Work-Related Injuries</u>
4157.2	<u>Ergonomics</u>
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4231	<u>Staff Development</u>
4256.2	<u>Awards And Recognition</u>

4257.1	<u>Work-Related Injuries</u>
4257.2	<u>Ergonomics</u>
4258	<u>Employee Security</u>
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4261.11	<u>Industrial Accident/Illness Leave</u>
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5141.22	<u>Infectious Diseases</u>
5141.6	<u>School Health Services</u>
5141.6	<u>School Health Services</u>
6142.93	<u>Science Instruction</u>

Regulation 4157.1: Work-Related Injuries

Status: ADOPTED

Original Adopted Date: 10/01/1995 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

In order to provide medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the district shall provide all employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process that reduces costs and facilitates employee recovery.

The Superintendent or designee shall notify every new employee, at the time of hire or by the end of the first pay period, of the employee's right to receive workers' compensation benefits if injured at work. (Labor Code 3551; 8 CCR 15596)

In addition, a notice regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday. (Labor Code 3550)

In the event that an employee is injured or becomes ill in the course of employment, the employee shall report the work-related injury or illness to the Superintendent or designee as soon as practicable. The employee and appropriate district staff shall also promptly document the date and time of any incident, a description of the incident, and any persons present.

Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the employee's death, to the employee's dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.

The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the district reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime. (Labor Code 3553)

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent or designee shall report the incident to the district's insurance carrier or DIR, as applicable, within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death shall be filed within five days after being notified of or learning about the death. (Labor Code 6409.1)

In addition, in every case involving death or serious injury or illness, the Superintendent or designee shall immediately make a report to the Division of Occupational Safety and Health (Cal/OSHA) by telephone or through an online mechanism made available by Cal/OSHA. (Labor Code 6409.1)

For the purpose of this report, serious injury or illness means any injury or illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement. (Labor Code 6302)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
8 CCR 15596	<u>Notice of employee rights to workers' compensation benefits</u>
Ed. Code 44984	<u>Required rules for industrial accident and illness leave</u>
Ed. Code 45192	<u>Industrial accident and illness leave for classified employees</u>
Lab. Code 3200-4856	<u>Workers' compensation</u>
Lab. Code 3550-3553	<u>Notifications regarding workers' compensation benefits</u>
Lab. Code 3600-3605	<u>Conditions of liability</u>
Lab. Code 3760	<u>Report of injury to insurer</u>
Lab. Code 4600	<u>Provision of medical and hospital treatment by employer</u>
Lab. Code 4906	<u>Disclosures and statements</u>
Lab. Code 5400-5413	<u>Notice of injury or death</u>
Lab. Code 6302	<u>Definition of serious injury or illness</u>
Lab. Code 6409.1	<u>Reports</u>

Management Resources References

	Description
	<u>Workers' Compensation in California: A Guidebook for Injured Workers, CA Department of Industrial Relations Publication 2016</u>
	<u>Workers' Compensation Claim Form (DWC 1) & Notice of Potential Eligibility</u>
	<u>CA Department of Industrial Relations Publication</u>
	<u>CA Department of Industrial Relations Publication Notice to Employees - Injuries Caused by Work</u>
	<u>CA Department of Industrial Relations Publication Time of Hire Pamphlet</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
	<u>California Department of Industrial Relations, Division of Workers Compensation</u>
Website	<u>California Department of Industrial Relations, Occupational Safety and Health</u>
Website	<u>CSBA</u>
Website	<u>California Department of Public Health</u>

Cross References

	Description
1240	<u>Volunteer Assistance</u>
1240	<u>Volunteer Assistance</u>
3320	<u>Claims And Actions Against The District</u>
3320	<u>Claims And Actions Against The District</u>
3530	<u>Risk Management/Insurance</u>
3530	<u>Risk Management/Insurance</u> 4032 <u>Reasonable Accommodation</u>

4112.9	<u>Employee Notifications</u>
4112.9-E(1)	<u>Employee Notifications</u>
4113.4	<u>Temporary Modified/Light-Duty Assignment</u>
4113.5	<u>Working Remotely</u>
4154	<u>Health And Welfare Benefits</u>
4154	<u>Health And Welfare Benefits</u>
4157	<u>Employee Safety</u>
4157	<u>Employee Safety</u>
4157.2	<u>Ergonomics</u>
4161.1	<u>Personal Illness/Injury Leave</u>
4161.11	<u>Industrial Accident/Illness Leave</u>
4161.9	<u>Catastrophic Leave Program</u>
4161.9	<u>Catastrophic Leave Program</u>
4212.9	<u>Employee Notifications</u>
4212.9-E(1)	<u>Employee Notifications</u>
4213.4	<u>Temporary Modified/Light-Duty Assignment</u>
4213.5	<u>Working Remotely</u>
4254	<u>Health And Welfare Benefits</u>
4254	<u>Health And Welfare Benefits</u>
4257	<u>Employee Safety</u>
4257	<u>Employee Safety</u>
4257.2	<u>Ergonomics</u>
4261.11	<u>Industrial Accident/Illness Leave</u>
4261.9	<u>Catastrophic Leave Program</u>
4261.9	<u>Catastrophic Leave Program</u>
4312.9	<u>Employee Notifications</u>
4312.9-E(1)	<u>Employee Notifications</u>
4313.4	<u>Temporary Modified/Light-Duty Assignment</u>
4313.5	<u>Working Remotely</u>
4354	<u>Health And Welfare Benefits</u>
4354	<u>Health And Welfare Benefits</u>
4357	<u>Employee Safety</u>
4357	<u>Employee Safety</u>
4357.2	<u>Ergonomics</u>
4361.1	<u>Personal Illness/Injury Leave</u>
4361.11	<u>Industrial Accident/Illness Leave</u>
4361.9	<u>Catastrophic Leave Program</u>
4361.9	<u>Catastrophic Leave Program</u>

Policy 4218: Dismissal/Suspension/Disciplinary Action

Status: ADOPTED

Original Adopted Date: 07/01/2019 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Governing Board expects all employees to perform their jobs satisfactorily, to exhibit professional and appropriate conduct, and serve as positive role models both at school and in the community. A classified employee may be disciplined for unprofessional conduct or unsatisfactory performance in accordance with law or any applicable collective bargaining agreement, Board policy, or administrative regulation.

Disciplinary actions shall be based on the particular facts and circumstances involved and the severity of the employee's conduct or performance.

The Superintendent or designee shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner. In addition, an employee shall not be suspended, disciplined, reassigned, transferred, dismissed, or otherwise retaliated against solely for engaging in protected activities, or for acting to protect a student engaged in exercising any free speech or press right authorized by, or for refusing to infringe upon a student's conduct protected pursuant to, Education Code 48907 or 48950.

Disciplinary actions may include, but are not limited to, verbal and written warnings, involuntary reassignment, demotion, suspension or leave without pay, reduction of wages, or dismissal.

A probationary classified employee may be dismissed without cause anytime before the probationary period expires.

Permanent classified employees shall be subject to disciplinary action only for cause as specified in the accompanying administrative regulation. (Education Code 45113)

Procedures for Serious Disciplinary Proceedings

The Superintendent or designee shall develop disciplinary procedures for use when dismissal, suspension, demotion, involuntary reassignment, or other serious disciplinary action is contemplated against an employee. The procedures for such discipline shall include an opportunity for an employee for whom any such disciplinary action is recommended to meet with, or respond in writing to, a designated district official ("Skelly officer") who will determine whether the recommended discipline should proceed further or be modified or withdrawn.

After meeting with the employee or considering the employee's written response, if the Skelly officer determines that the recommended discipline should proceed, the Superintendent or designee shall send the employee a notice of the recommended disciplinary action, a statement of charges, and the results of the Skelly review process. The notice shall include a statement advising the employee of the right to request a Board hearing on the matter. (Education Code 45113, 45116)

If the employee fails to request a hearing within the time specified in the notice, the employee is deemed to have waived the right to do so, and the Board may order the recommended disciplinary action into effect immediately.

If a timely request is submitted, a hearing shall be conducted by the Board or by a third-party hearing officer, in accordance with law. (Education Code 45113, 45312)

A classified employee who timely requests a hearing may only be suspended, demoted, or dismissed pending the outcome of the hearing in accordance with Education Code 45113 and as specified in the accompanying administrative regulation.

The hearing shall be held at the earliest convenient date, taking into consideration the established schedule of the Board and the availability of legal counsel and witnesses. The employee shall be notified of the time and place of the hearing.

The hearing shall be held in closed session unless the employee requests that the matter be heard in an open session meeting. (Government Code 54957)

The employee shall be entitled to appear personally, produce evidence, and be represented by legal counsel.

The Board may use the services of its legal counsel in ruling upon procedural questions, objections to evidence, and issues of law. The Board may review and consider the records of any prior personnel action proceedings against the employee in which disciplinary action was ultimately sustained, and any records contained in the employee's personnel files and introduced into evidence at the hearing. The Board shall not be bound by rules of evidence used in California courts. Informality in any such hearing shall not invalidate any order or decision made by the Board.

At any time before a matter is submitted to the Board for decision, the Superintendent or designee may, with the consent of the Board, serve on the employee and file with the Board an amended or supplemental recommendation of disciplinary action. If the amended or supplemental recommendation includes new causes or allegations, the employee shall be afforded a reasonable opportunity to prepare a defense. Any new causes or allegations shall be deemed controverted and any objections to the amended or supplemental causes or allegations may be made orally at the hearing and shall be noted on the record.

Following the hearing or, if the employee has not requested a hearing, after reviewing the Superintendent or designee's recommendation for disciplinary action, the Board shall affirm, modify, or reject the recommended disciplinary action. The decision of the Board shall be in writing and shall contain findings of fact and the disciplinary action approved, if any. The decision of the Board shall be final.

Within 10 working days of the Board's final decision, a copy of the decision shall be delivered to the employee and/or designated representative personally or by registered mail.

Except for an allegation of egregious misconduct in which a minor is involved, the Board may delegate the authority to determine whether sufficient cause exists for disciplinary action to an impartial third-party hearing officer. When a matter is heard by a third-party hearing officer, the Board shall review the determination and adopt or reject the recommended decision. (Education Code 45113)

When any matter involves an allegation of egregious misconduct as defined in Education Code 44932 and involves a witness who is a minor, the matter shall be referred to an administrative law judge to determine whether sufficient cause exists for disciplinary action against the employee. In such cases, the ruling of the administrative law judge shall be binding on the district and the employee. (Education Code 45113)

Compulsory Leave of Absence

Upon being informed that a classified employee has been charged with a mandatory leave of absence offense, the Superintendent or designee shall immediately place the employee on a compulsory leave of absence. (Education Code 44940, 44940.5, 45304)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

CA Constitution Article 1, Section 1	<u>Inalienable rights</u>
Ed. Code 35161	<u>Board delegation of any powers or duties</u>
Ed. Code 44009	<u>Conviction of specified crimes</u>
Ed. Code 44010	<u>Sex offense; definitions</u>
Ed. Code 44011	<u>Controlled substance offense</u>
Ed. Code 44940	<u>Compulsory leave of absence for certificated persons</u>
Ed. Code 44940.5	<u>Procedures when employees are placed on compulsory leave of absence</u>
Ed. Code 45101	<u>Definitions; disciplinary action and cause</u>
Ed. Code 45109	<u>Fixing of duties</u>
Ed. Code 45113	<u>Notification of charges; classified employees</u>
Ed. Code 45116	<u>Notice of disciplinary action</u>
Ed. Code 45123	<u>Employment after conviction of controlled substance offense</u>
Ed. Code 45302	<u>Demotion and removal from permanent classified service</u>
Ed. Code 45303	<u>Additional cause for suspension or dismissal of employee charged with mandatory or optional leave of absence offense</u>
Ed. Code 45304	<u>Compulsory leave of absence for classified persons</u>
Gov. Code 12954	<u>Employment discrimination; cannabis use</u>
Veh. Code 1808.8	<u>School bus drivers; dismissal for safety-related cause</u>
Federal References	Description
42 USC 12101-12213	<u>Americans with Disabilities Act</u>
U.S. Constitution, First Amendment	<u>Free exercise, free speech, and establishment clauses</u>
Management Resources References	Description
Court Decision	<u>Visalia Unified School District v. Public Employment Relations Board (2024) 98 Cal.App.5th 844</u>
Court Decision	<u>Kennedy v. Bremerton (2022) 142 S.Ct. 2407</u>
Court Decision	<u>California School Employees v. Livingston Union School District (2007) 149 Cal. App. 4th 391</u>
Court Decision	<u>CSEA v. Foothill Community College District (1975) 52 Cal. App. 3rd 150</u>
Court Decision	<u>Skelly v. California Personnel Board (1975) 15 Cal.3d 194</u>
U.S. Department of Education Publication	<u>Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023</u>
Website	<u>Office of the Attorney General</u>
Website	<u>Office of Administrative Hearings</u>
Website	<u>Department of General Services, About Teacher Dismissal Case Type</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>U.S. Department of Education</u>
Website	<u>CSBA</u>
Cross References	Description
1114	<u>District-Sponsored Social Media</u>
1114	<u>District-Sponsored Social Media</u>
1312.1	<u>Complaints Concerning District Employees</u>

1312.1	<u>Complaints Concerning District Employees</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1312.3-E(2)	<u>Uniform Complaint Procedures</u>
3230	<u>Federal Grant Funds</u>
3230	<u>Federal Grant Funds</u>
3512	<u>Equipment</u>
3512-E(1)	<u>Equipment</u>
3513.3	<u>Tobacco-Free Schools</u>
3513.3	<u>Tobacco-Free Schools</u>
3513.4	<u>Drug And Alcohol Free Schools</u>
3515.2	<u>Disruptions</u>
3515.2	<u>Disruptions</u>
3515.21	<u>Unmanned Aircraft Systems (Drones)</u>
3515.3	<u>District Police/Security Department</u>
3515.3	<u>District Police/Security Department</u>
3516.2	<u>Bomb Threats</u>
3542	<u>School Bus Drivers</u>
4000	<u>Concepts And Roles</u>
4020	<u>Drug And Alcohol-Free Workplace</u>
4030	<u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u>
4040	<u>Employee Use Of Technology</u>
4040-E(1)	<u>Employee Use Of Technology</u>
4112.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4112.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4112.5	<u>Criminal Record Check</u>
4112.5-E(1)	<u>Criminal Record Check</u>
4112.6	<u>Personnel Files</u>
4113.5	<u>Working Remotely</u>
4119.1	<u>Civil And Legal Rights</u>
4119.12	<u>Title IX Sexual Harassment Complaint Procedures</u>
4119.12-E(1)	<u>Title IX Sexual Harassment Complaint Procedures</u>
4119.21	<u>Professional Standards</u>
4119.21-E(1)	<u>Professional Standards</u>
4119.22	<u>Dress And Grooming</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4119.24	<u>Maintaining Appropriate Adult-Student Interactions</u>
4119.25	<u>Political Activities Of Employees</u>
4119.25	<u>Political Activities Of Employees</u>
4127	<u>Temporary Athletic Team Coaches</u>
4127	<u>Temporary Athletic Team Coaches</u>

4136	<u>Nonschool Employment</u>
4141.6	<u>Concerted Action/Work Stoppage</u>
4141.6	<u>Concerted Action/Work Stoppage</u>
4154	<u>Health And Welfare Benefits</u>
4154	<u>Health And Welfare Benefits</u>
4157	<u>Employee Safety</u>
4157	<u>Employee Safety</u>
4158	<u>Employee Security</u>
4158	<u>Employee Security</u>
4159	<u>Employee Assistance Programs</u>
4161	<u>Leaves</u>
4161	<u>Leaves</u>
4161.11	<u>Industrial Accident/Illness Leave</u>
4200	<u>Classified Personnel</u>
4200	<u>Classified Personnel</u>
4212	<u>Appointment And Conditions Of Employment</u>
4212.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4212.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4212.5	<u>Criminal Record Check</u>
4212.5-E(1)	<u>Criminal Record Check</u>
4212.6	<u>Personnel Files</u>
4213.5	<u>Working Remotely</u>
4216	<u>Probationary/Permanent Status</u>
4219.1	<u>Civil And Legal Rights</u>
4219.12	<u>Title IX Sexual Harassment Complaint Procedures</u>
4219.12-E(1)	<u>Title IX Sexual Harassment Complaint Procedures</u>
4219.21	<u>Professional Standards</u>
4219.21-E(1)	<u>Professional Standards</u>
4219.22	<u>Dress And Grooming</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4219.24	<u>Maintaining Appropriate Adult-Student Interactions</u>
4219.25	<u>Political Activities Of Employees</u>
4219.25	<u>Political Activities Of Employees</u>
4227	<u>Temporary Athletic Team Coaches</u>
4227	<u>Temporary Athletic Team Coaches</u>
4236	<u>Nonschool Employment</u>
4241.6	<u>Concerted Action/Work Stoppage</u>
4241.6	<u>Concerted Action/Work Stoppage</u>
4254	<u>Health And Welfare Benefits</u>
4254	<u>Health And Welfare Benefits</u>
4257	<u>Employee Safety</u>
4257	<u>Employee Safety</u>
4258	<u>Employee Security</u>

4258	<u>Employee Security</u>
4259	<u>Employee Assistance Programs</u>
4261	<u>Leaves</u>
4261	<u>Leaves</u>
4261.11	<u>Industrial Accident/Illness Leave</u>
4312.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4312.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4312.5	<u>Criminal Record Check</u>
4312.5-E(1)	<u>Criminal Record Check</u>
4312.6	<u>Personnel Files</u>
4313.5	<u>Working Remotely</u>
4319.1	<u>Civil And Legal Rights</u>
4319.12	<u>Title IX Sexual Harassment Complaint Procedures</u>
4319.12-E(1)	<u>Title IX Sexual Harassment Complaint Procedures</u>
4319.21	<u>Professional Standards</u>
4319.21-E(1)	<u>Professional Standards</u>
4319.22	<u>Dress And Grooming</u>
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4319.24	<u>Maintaining Appropriate Adult-Student Interactions</u>
4319.25	<u>Political Activities Of Employees</u>
4319.25	<u>Political Activities Of Employees</u>
4327	<u>Temporary Athletic Team Coaches</u>
4327	<u>Temporary Athletic Team Coaches</u>
4336	<u>Nonschool Employment</u>
4354	<u>Health And Welfare Benefits</u>
4354	<u>Health And Welfare Benefits</u>
4357	<u>Employee Safety</u>
4357	<u>Employee Safety</u>
4358	<u>Employee Security</u>
4358	<u>Employee Security</u>
4359	<u>Employee Assistance Programs</u>
4361	<u>Leaves</u>
4361	<u>Leaves</u>
4361.11	<u>Industrial Accident/Illness Leave</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.71	<u>Title IX Sexual Harassment Complaint Procedures</u>
5145.71-E(1)	<u>Title IX Sexual Harassment Complaint Procedures</u>
5145.9	<u>Hate-Motivated Behavior</u>
6145.2	<u>Athletic Competition</u>
6145.2	<u>Athletic Competition</u>

6162.54

Test Integrity/Test Preparation

9000

Role Of The Board

9321

Closed Session

9321-E(1)

Closed Session

9321-E(2)

Closed Session

Regulation 4218: Dismissal/Suspension/Disciplinary Action

Status: ADOPTED

Original Adopted Date: 06/01/1994 | Last Revised Date: 03/01/2024 | Last Reviewed Date:
03/01/2024

Causes for Disciplinary Action

A permanent classified employee may be subject to suspension, demotion, involuntary reassignment, or dismissal for one or more of the following causes:

1. Immoral conduct, including, but not limited to, egregious misconduct that is the basis for a sex offense as defined in Education Code 44010, a controlled substance offense as defined in Education Code 44011, or child abuse and neglect as described in Penal Code 11165.2-11165.6
2. Conduct that constitutes a violent or serious felony as defined in Penal Code 667.5(c) or 1192.7(c)
3. Unlawful discrimination, including harassment, against any student or other employee
4. Violation of or refusal to obey state or federal law or regulation, Board policy, or district or school procedure
5. Falsification of any information supplied to the district, including, but not limited to, information supplied on application forms, employment records, or any other school district records
6. Unsatisfactory performance
7. Unprofessional conduct
8. Dishonesty
9. Neglect of duty or absence without leave
10. Insubordination
11. Use of alcohol or a controlled substance while on duty or in such close time proximity thereto as to affect the employee's performance
12. Destruction or misuse of district property
13. Failure to fulfill any ongoing condition of employment including, but not limited to, maintenance of any license, certificate, or other similar requirement specified in the employee's class specification or otherwise necessary for the employee to perform the duties of the position
14. A physical or mental condition which precludes the employee from the proper performance of duties and responsibilities as determined by competent medical authority, except as otherwise provided by a contract or by law
15. Retaliation against any person who, in good faith, reports, discloses, divulges, or otherwise brings to the attention of any appropriate authority any information relative to an actual or suspected violation of state or federal law occurring on or directly related to the job

16. Violation of Education Code 45303 or Government Code 1028 prohibiting the advocacy or teaching of communism

17. Any other misconduct which is of such nature that it causes discredit or injury to the district or the employee's position

No disciplinary action shall be taken for any cause that arose before the employee became permanent, nor for any cause that arose more than two years before the date of the filing of the notice of cause unless this cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee would have disclosed the facts to the district. (Education Code 45113)

Initiation and Notification of Charges

The Superintendent or designee shall provide notice to the employee of a recommendation for discipline, which includes the charges and materials upon which the recommendation is based. The notification shall identify an impartial district official ("Skelly officer") with whom the employee may meet at a specified time and place or to whom the employee may provide a written response to the recommendation of discipline. After meeting with the employee or considering any response from the employee, the Skelly officer shall recommend to the Superintendent or designee whether to proceed with the recommendation for discipline.

The Superintendent or designee shall file any final recommendation for disciplinary action in writing with the Governing Board. A copy of the recommendation shall be served upon the employee either personally or by registered or certified mail, return receipt requested, at the employee's last known address.

The notice shall, in ordinary and concise language, inform the employee of the specific charge(s) or cause(s) for the disciplinary action, the specific acts and omissions upon which the action is based, and, if applicable, the district rule or regulation that the employee has allegedly violated. In addition, the notice shall include the employee's right to a hearing on those charges, the time within which the hearing may be requested, which shall be not less than five days after service of the notice to the employee, and a card or paper which the employee may sign and file to deny the charges and request a hearing. (Education Code 45113, 45116)

Request for Board Hearing

Within the time specified in the notice of the recommendation of disciplinary action, the employee may request a hearing on the charges by signing and filing the card or paper included with the notice. (Education Code 45113)

Any other written document signed and appropriately filed within the specified time limit by the employee shall constitute sufficient notice of the request for a hearing. The request shall be delivered to the office of the Superintendent or designee during normal work hours of that office. If mailed to the office of the Superintendent or designee, it must be received or postmarked no later than the time limit specified by the district. In cases where an order of suspension without pay has been issued in conjunction with a recommendation of dismissal, any request for a hearing on the dismissal shall also constitute a request to hear the suspension order, and the necessity of the suspension order shall be an issue in the hearing.

Employment Status Pending a Disciplinary Hearing

A classified employee against whom a recommendation for disciplinary action has been issued may remain on active duty or may be placed on paid leave pending a hearing on the charges. The employee shall not be suspended without pay, suspended or demoted with a reduction in pay, or dismissed pending the outcome of a timely requested hearing, except as specified below. (Education Code 45113)

However, the disciplinary action may be imposed prior to the decision if the Board, or an impartial third-party hearing officer provided pursuant to a collective bargaining agreement, finds by a preponderance of

the evidence that at the time discipline was imposed, the employee (1) engaged in criminal misconduct, (2) engaged in misconduct that presents a risk of harm to students, staff, or property, or (3) committed habitual violations of the district's policies or regulations. Such finding(s) must be made at the conclusion of the Skelly review process. (Education Code 45113)

In such cases where the disciplinary action is imposed prior to the decision, the employee shall be given written notice of the disciplinary action and the findings made at the conclusion of the Skelly review process. Such written notice shall be served upon the employee personally.

In addition, the district may cease paying the employee if a decision has not been rendered by an impartial thirdparty hearing officer, pursuant to a collective bargaining agreement, or the Board within 30 days of the date the hearing was requested. (Education Code 45113)

Compulsory Leave of Absence

Upon being informed that a classified employee has been charged with a "mandatory leave of absence offense," the Superintendent or designee shall immediately place the employee on a leave of absence. A mandatory leave of absence offense includes: (Education Code 44940, 45304)

1. Any sex offense as defined in Education Code 44010
2. Violation or attempted violation of Penal Code 187, prohibiting murder or attempted murder
3. Any offense involving the unlawful sale, use, or exchange to minors of controlled substances as listed in Health and Safety Code 11054, 11055, and 11056

The Superintendent or designee may place on an immediate compulsory leave of absence a classified employee who is charged with an "optional leave of absence offense," defined as a controlled substance offense specified in Education Code 44011 and Health and Safety Code 11357-11361, 11363, 11364, and 11370.1 except as it relates to marijuana, mescaline, peyote, or tetrahydrocannabinol. (Education Code 44940, 44940.5, 45304)

An employee's compulsory leave for a mandatory or optional leave of absence offense may extend for not more than 10 days after the entry of judgment in the criminal proceedings. However, the compulsory leave may be extended if the Board gives notice, within 10 days after the entry of judgment in the proceedings, that the employee will be dismissed within 30 days from the date of service of the notice unless the employee demands a hearing on the dismissal. (Education Code 44940, 44940.5)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

State References	Description
CA Constitution Article 1, Section 1	<u>Inalienable rights</u>
Ed. Code 35161	<u>Board delegation of any powers or duties</u>
Ed. Code 44009	<u>Conviction of specified crimes</u>
Ed. Code 44010	<u>Sex offense; definitions</u>
Ed. Code 44011	<u>Controlled substance offense</u>
Ed. Code 44940	<u>Compulsory leave of absence for certificated persons</u>
Ed. Code 44940.5	<u>Procedures when employees are placed on compulsory leave of absence</u>
Ed. Code 45101	<u>Definitions; disciplinary action and cause</u>
Ed. Code 45109	<u>Fixing of duties</u>
Ed. Code 45113	<u>Notification of charges; classified employees</u>
Ed. Code 45116	<u>Notice of disciplinary action</u>

Ed. Code 45123	<u>Employment after conviction of controlled substance offense</u>
Ed. Code 45302	<u>Demotion and removal from permanent classified service</u>
Ed. Code 45303	<u>Additional cause for suspension or dismissal of employee charged with mandatory or optional leave of absence offense</u>
Ed. Code 45304	<u>Compulsory leave of absence for classified persons</u>
Gov. Code 12954	<u>Employment discrimination; cannabis use</u>
Veh. Code 1808.8	<u>School bus drivers; dismissal for safety-related cause</u>
Federal References	Description
42 USC 12101-12213	<u>Americans with Disabilities Act</u>
U.S. Constitution, First Amendment	<u>Free exercise, free speech, and establishment clauses</u>
Management Resources References	Description
Court Decision	<u>Visalia Unified School District v. Public Employment Relations Board (2024) 98 Cal.App.5th 844</u>
Court Decision	<u>Kennedy v. Bremerton (2022) 142 S.Ct. 2407</u>
Court Decision	<u>California School Employees v. Livingston Union School District (2007) 149 Cal. App. 4th 391</u>
Court Decision	<u>CSEA v. Foothill Community College District (1975) 52 Cal. App. 3rd 150</u>
Court Decision	<u>Skelly v. California Personnel Board (1975) 15 Cal.3d 194</u>
U.S. Department of Education Publication	<u>Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023</u>
Website	<u>Office of the Attorney General</u>
Website	<u>Office of Administrative Hearings</u>
Website	<u>Department of General Services, About Teacher Dismissal Case Type</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>U.S. Department of Education</u>
Website	<u>CSBA</u>
Cross References	Description
1114	<u>District-Sponsored Social Media</u>
1114	<u>District-Sponsored Social Media</u>
1312.1	<u>Complaints Concerning District Employees</u>
1312.1	<u>Complaints Concerning District Employees</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1312.3-E(2)	<u>Uniform Complaint Procedures</u>
3230	<u>Federal Grant Funds</u>
3230	<u>Federal Grant Funds</u>
3512	<u>Equipment</u>
3512-E(1)	<u>Equipment</u>
3513.3	<u>Tobacco-Free Schools</u>
3513.3	<u>Tobacco-Free Schools</u>
3513.4	<u>Drug And Alcohol Free Schools</u>

3515.2	<u>Disruptions</u>
3515.2	<u>Disruptions</u>
3515.21	<u>Unmanned Aircraft Systems (Drones)</u>
3515.3	<u>District Police/Security Department</u>
3515.3	<u>District Police/Security Department</u>
3516.2	<u>Bomb Threats</u>
3542	<u>School Bus Drivers</u>
4000	<u>Concepts And Roles</u>
4020	<u>Drug And Alcohol-Free Workplace</u>
4030	<u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u>
4040	<u>Employee Use Of Technology</u>
4040-E(1)	<u>Employee Use Of Technology</u>
4112.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4112.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4112.5	<u>Criminal Record Check</u>
4112.5-E(1)	<u>Criminal Record Check</u>
4112.6	<u>Personnel Files</u>
4113.5	<u>Working Remotely</u>
4119.1	<u>Civil And Legal Rights</u>
4119.12	<u>Title IX Sexual Harassment Complaint Procedures</u>
4119.12-E(1)	<u>Title IX Sexual Harassment Complaint Procedures</u>
4119.21	<u>Professional Standards</u>
4119.21-E(1)	<u>Professional Standards</u>
4119.22	<u>Dress And Grooming</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4119.24	<u>Maintaining Appropriate Adult-Student Interactions</u>
4119.25	<u>Political Activities Of Employees</u>
4119.25	<u>Political Activities Of Employees</u>
4127	<u>Temporary Athletic Team Coaches</u>
4127	<u>Temporary Athletic Team Coaches</u>
4136	<u>Nonschool Employment</u>
4141.6	<u>Concerted Action/Work Stoppage</u>
4141.6	<u>Concerted Action/Work Stoppage</u>
4154	<u>Health And Welfare Benefits</u>
4154	<u>Health And Welfare Benefits</u>
4157	<u>Employee Safety</u>
4157	<u>Employee Safety</u>
4158	<u>Employee Security</u>
4158	<u>Employee Security</u>
4159	<u>Employee Assistance Programs</u>
4161	<u>Leaves</u>
4161	<u>Leaves</u>

4161.11	<u>Industrial Accident/Illness Leave</u>
4200	<u>Classified Personnel</u>
4200	<u>Classified Personnel</u>
4212	<u>Appointment And Conditions Of Employment</u>
4212.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4212.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4212.5	<u>Criminal Record Check</u>
4212.5-E(1)	<u>Criminal Record Check</u>
4212.6	<u>Personnel Files</u>
4213.5	<u>Working Remotely</u>
4216	<u>Probationary/Permanent Status</u>
4219.1	<u>Civil And Legal Rights</u>
4219.12	<u>Title IX Sexual Harassment Complaint Procedures</u>
4219.12-E(1)	<u>Title IX Sexual Harassment Complaint Procedures</u>
4219.21	<u>Professional Standards</u>
4219.21-E(1)	<u>Professional Standards</u>
4219.22	<u>Dress And Grooming</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4219.24	<u>Maintaining Appropriate Adult-Student Interactions</u>
4219.25	<u>Political Activities Of Employees</u>
4219.25	<u>Political Activities Of Employees</u>
4227	<u>Temporary Athletic Team Coaches</u>
4227	<u>Temporary Athletic Team Coaches</u>
4236	<u>Nonschool Employment</u>
4241.6	<u>Concerted Action/Work Stoppage</u>
4241.6	<u>Concerted Action/Work Stoppage</u>
4254	<u>Health And Welfare Benefits</u>
4254	<u>Health And Welfare Benefits</u>
4257	<u>Employee Safety</u>
4257	<u>Employee Safety</u>
4258	<u>Employee Security</u>
4258	<u>Employee Security</u>
4259	<u>Employee Assistance Programs</u>
4261	<u>Leaves</u>
4261	<u>Leaves</u>
4261.11	<u>Industrial Accident/Illness Leave</u>
4312.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4312.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4312.5	<u>Criminal Record Check</u>
4312.5-E(1)	<u>Criminal Record Check</u>
4312.6	<u>Personnel Files</u>
4313.5	<u>Working Remotely</u>
4319.1	<u>Civil And Legal Rights</u>

4319.12	<u>Title IX Sexual Harassment Complaint Procedures</u>
4319.12-E(1)	<u>Title IX Sexual Harassment Complaint Procedures</u>
4319.21	<u>Professional Standards</u>
4319.21-E(1)	<u>Professional Standards</u>
4319.22	<u>Dress And Grooming</u>
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
	4319.24 <u>Maintaining Appropriate Adult-Student Interactions</u>
4319.25	<u>Political Activities Of Employees</u>
4319.25	<u>Political Activities Of Employees</u>
4327	<u>Temporary Athletic Team Coaches</u>
4327	<u>Temporary Athletic Team Coaches</u>
4336	<u>Nonschool Employment</u>
4354	<u>Health And Welfare Benefits</u>
4354	<u>Health And Welfare Benefits</u>
4357	<u>Employee Safety</u>
4357	<u>Employee Safety</u>
4358	<u>Employee Security</u>
4358	<u>Employee Security</u>
4359	<u>Employee Assistance Programs</u>
4361	<u>Leaves</u>
4361	<u>Leaves</u>
4361.11	<u>Industrial Accident/Illness Leave</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.71	<u>Title IX Sexual Harassment Complaint Procedures</u>
5145.71-E(1)	<u>Title IX Sexual Harassment Complaint Procedures</u>
5145.9	<u>Hate-Motivated Behavior</u>
6145.2	<u>Athletic Competition</u>
6145.2	<u>Athletic Competition</u>
6162.54	<u>Test Integrity/Test Preparation</u>
9000	<u>Role Of The Board</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>

Policy 4340: Bargaining Units

Status: ADOPTED

Original Adopted Date: 11/01/2011 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Governing Board recognizes the right of district employees to form a bargaining unit and to select an employee organization as the exclusive representative for the employees in the employees' employment relationship with the district. The Board is committed to negotiating in good faith with the exclusive representative and respecting the rights of employees and employee organizations.

The district shall not dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it. (Government Code 3543.5)

Employees shall not be prohibited from wearing union buttons, insignia, or other pictorial or written messages that favor or oppose the formation of a bargaining unit or any matter that is the subject of negotiations.

Formation of Bargaining Units

Certificated and classified employees shall not be included in the same bargaining unit. (Government Code 3545)

A bargaining unit of certificated or classified supervisory employees may only be recognized if the bargaining unit includes all certificated or classified supervisory employees, respectively, and is not represented by the same employee organization that represents district employees who are supervised by the supervisory employees. (Government Code 3545)

For this purpose, supervisory employee means any employee, regardless of job description, having authority, in the interest of the district, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to assign work to, direct, or adjust grievance of other employees, or effectively recommend that action, when the exercise of that authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 3540.1)

Employees serving in management, senior management, or confidential positions shall not be represented by an exclusive representative. In the employment relationship with the district, employees who serve in a management, senior management, or confidential position may represent themselves or be represented by an employee organization whose membership is composed entirely of employees designated as holding those positions. However, an employee organization representing management, senior management, or confidential employees shall not be permitted to meet and negotiate with the district on behalf of the employees. (Education Code 45100.5, Government Code 3543.4)

Management employee means an employee in a position having significant responsibilities for formulating district policies or administering district programs. (Government Code 3540.1)

Confidential employee means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions. (Government Code 3540.1) **Membership**

The district shall not deter or discourage employees or job applicants from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. In addition, the district shall not impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees,

or otherwise interfere with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (Government Code 3543.5, 3550, 3551.5)

District Communications to Employees

The Superintendent or designee may communicate with district employees regarding their rights to join and/or support or to refrain from joining or supporting an officially recognized employee organization. Such communications shall be factual and accurate and may not promise a benefit, threaten a reprisal, or in any way deter or discourage employees from joining an employee organization or paying dues.

The district may disseminate written documents, recorded messages, or other mass communications to actual or perspective employees represented by an exclusive representative concerning their rights to join and/or support, or refrain from joining and/or supporting, an employee organization only after the Superintendent or designee meets and confers with the exclusive representative concerning the content of the mass communication. If the district and exclusive representative do not come to agreement on the content of the mass communication and the district still chooses to disseminate it, the Superintendent or designee shall request that the exclusive representative provide a communication of reasonable length to the district that shall be disseminated to the employees at the same time as the district's own mass communication. (Government Code 3556)

Access to New Employee Orientations

The district shall permit each exclusive representative access to new employee orientation or onboarding process where newly hired employees represented by the exclusive representative are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide the exclusive representative at least 10 days' notice in advance of an orientation, except that a shorter notice may be provided where there is an urgent need critical to the district's operations that was not reasonably foreseeable. (Government Code 3556)

Following a request to negotiate by either party, the structure, time, and manner of access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative. If the district and exclusive representative fail to reach an agreement, the structure, time, and manner of access to the new employee orientation shall be subject to compulsory interest arbitration. The district and the exclusive representative may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The arbitrator's decision shall be issued within 10 days and shall be final and binding on the parties. (Government Code 3556, 3557)

The date, time, and place of a new employee orientation shall not be disclosed to anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation.
(Government Code 3556)

Until June 30, 2025, unless the district and the exclusive representative have agreed otherwise, when the district has not conducted an in-person orientation within 30 days of hiring a new employee, the Superintendent or designee shall permit the exclusive representative to schedule an in-person meeting during employment hours at the new employee's worksite, during which the new employee shall have the opportunity to attend and shall be relieved of other duties for the purpose of attending the meeting. The district shall provide appropriate space at the worksite within seven calendar days of receiving a request from the exclusive representative. (Government Code 3556, 3557)

During this meeting, the exclusive representative shall be permitted to communicate directly with the new employees for up to 30 minutes of paid time. (Government Code 3556)

Access to Employee Contact Information

The Superintendent or designee shall provide an exclusive representative with the name, job title, department, work location, telephone numbers (work, home, and personal cell phone), of all employees represented by the exclusive representative on file with the district. An employee's personal email address shall only be disclosed if it used by the employee to conduct district business.

Such information shall be provided within 30 days of hire or by the first pay period of the month following hire for all new employees represented by the exclusive representative, unless the exclusive representative has agreed to a different interval for the provision of the information. Additionally, the Superintendent or designee shall provide the exclusive representative with the same information for all employees represented by the exclusive representative every 120 days, unless more frequent disclosure is required by agreement with the exclusive representative. (Government Code 3558, 7928.300)

However, the Superintendent or designee shall not disclose: (Government Code 3558, 6205-6210, 6215-6216, 7928.300)

1. The home address and any phone numbers on file for employees performing law enforcement-related functions
2. The home address, home telephone or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address confidentiality program pursuant to Government Code 6205-6210 and 6215-16
3. The employee's home address, home telephone and personal cell phone numbers, and personal email address of an employee not performing law enforcement related functions if the employee has submitted a written request to the district to keep such information private. In such instances, the Superintendent or designee shall also remove the employee's home address, home telephone number, and personal cell phone number from any mailing list maintained by the district unless the list is only used by the district to contact the employee.

Within 20 calendar days after an exclusive representative notifies the Superintendent or designee that a list of employees provided by the district is inaccurate or incomplete, the Superintendent or designee shall take steps to correct the list and provide a new list of employees to the exclusive representative. (Government Code 3558)

The Superintendent or designee shall review the list of contact information for district employees at the beginning of each school year, or more often as appropriate.

Communications with Employees by Employee Organizations

Subject to reasonable regulation by the district, employee organizations shall have access, at reasonable times, to the work areas of employees represented by the employee organization and to district facilities for the purpose of meeting with employees represented by the employee organization. Access may be limited in instances where it would be disruptive to district operations. (Government Code 3543.1)

Additionally, subject to reasonable regulation by the district, employee organizations shall have the ability to use institutional bulletin boards, mailboxes, and other means of communication to communicate with employees represented by the employee organization. (Government Code 3543.1)

Membership Dues or Other Payments to an Employee Organization

When drawing an order for the salary or wage payment of a bargaining unit employee of an employee organization, the district shall deduct any amount that has been requested by the employee in a revocable written authorization for the purpose of paying dues or other payments for any service,

program, or committee provided or sponsored by the employee organization. (Education Code 45060, 45168)

When an employee organization has certified to the district that it has and will maintain individual employee authorizations for payroll deductions, the district shall rely on information from the employee organization regarding the amounts of such payroll deductions and the employees to whom they apply and shall not handle or process employee written authorizations for the employees represented by such employee organization. The district also shall not require a copy of the written authorization to be submitted by the employee organization, except when there is a dispute about the existence or terms of the written authorization. (Education Code 45060, 45168)

A written authorization shall remain in effect until expressly revoked in writing by the employee and pursuant to the terms of the written authorization. Employee requests to cancel or change authorizations for payroll deductions for employee organizations shall be directed to the employee organization that represents the employee rather than the district. The employee organization shall be responsible for processing these requests. The district shall rely on the information provided by the employee organization regarding whether deductions for an employee organization were properly canceled or changed. The employee organization shall be required to indemnify the district for any claims made by an employee for deductions made by the district in reliance on information from the employee organization. (Education Code 45060, 45168)

When an employee organization has declined to certify that it will handle and process written authorizations from employee(s) represented by the employee organization and makes a request for payroll deductions, the district shall request a copy of the written authorization for an employee before making the payroll deductions for that employee. (Education Code 45060, 45168)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

8 CCR 33015-33490

8 CCR 33700-33710

Ed. Code 45060-45061.5

Ed. Code 45100.5

Ed. Code 45104.5

Ed. Code 45108.5

Ed. Code 45108.7

Ed. Code 45168

Ed. Code 45220-45320

Gov. Code 3500-3511

Gov. Code 3507.7

Gov. Code 3540-3549.3

Gov. Code 3540.1

Gov. Code 3543.4

Gov. Code 3545

Gov. Code 3550-3552

Gov. Code 3555-3559

Gov. Code 53260-53264

Gov. Code 6205-6210

Description

[Recognition of exclusive representative; proceedings](#)

[Severance of established unit](#)

[Deduction of fees from salary or wage payment; certificated employees](#)

[Senior classified management positions](#)

[Abolishment of senior classified management positions](#)

[Definition of senior classified management employees](#)

[Waiver of provisions of Education Code 45108.5](#)

[Deduction of fees from salary or wage payment; classified employees](#)

[Merit system; classified employees](#)

[Local public employee organizations](#)

[Representation of temporary employees](#)

[Educational Employment Relations Act](#)

[Public employment; definitions](#)

[Management and confidential positions; representation](#)

[Appropriateness of unit; basis](#)

[Prohibition on public employers deterring or discouraging union membership](#)

[Public employee communication, information and orientation](#)

[Employment contracts](#)

[Confidentiality of addresses for victims of domestic violence, sexual assault, stalking, or child abduction](#)

Gov. Code 6215-6216	<u>Address confidentiality for individuals who face threats or violence because of work for a public entity</u>
Gov. Code 6503.5	<u>Joint powers agencies; agreement</u>
Gov. Code 7928.300	<u>Disclosure of employee contact information to employee organization</u>
Management Resources References	Description
Court Decision	<u>County of Los Angeles v. Los Angeles County Employee Relations Commission (2013) 56 Cal. 4th 905</u>
Court Decision	<u>Friedrichs v. California Teachers Association, et al. (2016) 136 S.Ct. 1083</u>
Court Decision	<u>Janus v. American Federation of State, County and Municipal Employees, Council 31 (2018) 138 S.Ct. 2448</u>
Public Employment Relations Board Ruling	<u>Regents of the University of California (2004) PERB Dec. No. 1700-H.</u>
Public Employment Relations Board Ruling	<u>Desert Community College District (2007) PERB Dec. No. 1921</u>
Public Employment Relations Board Ruling	<u>East Whittier School District (2004) PERB Dec. No. 1727</u>
Public Employment Relations Board Ruling	<u>City of Sacramento (2019) PERB Dec. No. 2702</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>California Federation of Teachers</u>
Website	<u>California Public Employment Relations Board</u>
Website	<u>California School Employees Association</u>
Website	<u>California Teachers Association</u>
Website	<u>Association of California School Administrators</u>
Website	<u>CSBA</u>
Cross References	Description
0450	<u>Comprehensive Safety Plan</u>
0450	<u>Comprehensive Safety Plan</u>
0460	<u>Local Control And Accountability Plan</u>
0460	<u>Local Control And Accountability Plan</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
1431	<u>Waivers</u>
4113	<u>Assignment</u>
4113	<u>Assignment</u>
4115	<u>Evaluation/Supervision</u>
4115	<u>Evaluation/Supervision</u>
4119.1	<u>Civil And Legal Rights</u>
4119.25	<u>Political Activities Of Employees</u>
4119.25	<u>Political Activities Of Employees</u>
4121	<u>Temporary/Substitute Personnel</u>
4121	<u>Temporary/Substitute Personnel</u>
4141	<u>Collective Bargaining Agreement</u>
4143	<u>Negotiations/Consultation</u>
4151	<u>Employee Compensation</u>

4154	<u>Health And Welfare Benefits</u>
4154	<u>Health And Welfare Benefits</u>
4158	<u>Employee Security</u>
4158	<u>Employee Security</u>
4161.2	<u>Personal Leaves</u>
4219.1	<u>Civil And Legal Rights</u>
4219.25	<u>Political Activities Of Employees</u>
4219.25	<u>Political Activities Of Employees</u>
4241	<u>Collective Bargaining Agreement</u>
4243	<u>Negotiations/Consultation</u>
4251	<u>Employee Compensation</u>
4254	<u>Health And Welfare Benefits</u>
4254	<u>Health And Welfare Benefits</u>
4261.2	<u>Personal Leaves</u>
4300	<u>Administrative And Supervisory Personnel</u>
4300	<u>Administrative And Supervisory Personnel</u>
4301	<u>Administrative Staff Organization</u>
4312.1	<u>Contracts</u>
4315	<u>Evaluation/Supervision</u>
4319.1	<u>Civil And Legal Rights</u>
4319.25	<u>Political Activities Of Employees</u>
4319.25	<u>Political Activities Of Employees</u>
4351	<u>Employee Compensation</u>
4354	<u>Health And Welfare Benefits</u>
4354	<u>Health And Welfare Benefits</u>
4361.2	<u>Personal Leaves</u>
9000	<u>Role Of The Board</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>

Policy 5141.21: Administering Medication And Monitoring Health Conditions

Status: ADOPTED

Original Adopted Date: 11/01/2011 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should be able to participate in the educational program.

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing parents/guardians to administer medication to their child at school, designate other individuals to do so on their behalf, and, with the student's authorized health care provider's approval, request the district's permission for the student to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

The Superintendent or designee shall make epinephrine auto-injectors available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction.
(Education Code 49414)

In accordance with law, the Superintendent or designee may make naloxone hydrochloride or another opioid antagonist and stock albuterol inhalers available at each school for providing emergency medical aid to any person suffering or reasonably believed to be suffering from opioid overdose or respiratory distress. (Education Code 49414.3, 49414.7)

Because of the conflict between state and federal law regarding the legality of medicinal cannabis, the Board prohibits the administration of medicinal cannabis to students on school grounds by parents/guardians or school personnel.

The Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

Administration of Medication by School Personnel

When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such

medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual.

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 600-611

Description

[Administering medication to students](#)

Bus. Code 2700-2837

[Nursing](#)

Bus. Code 3500-3546

[Physician assistants](#)

Bus. Code 4119.2

[Acquisition of epinephrine auto-injectors](#)

Bus. Code 4119.8

[Acquisition of naloxone hydrochloride or another opioid antagonist](#)

Ed. Code 48980

[Parent/Guardian notifications](#)

Ed. Code 49407

[Liability for treatment](#)

Ed. Code 49408

[Student emergency information](#)

Ed. Code 49414

[Emergency epinephrine auto-injectors](#)

Ed. Code 49414.3

[Emergency medical assistance; administration of medication for opioid overdose](#)

Ed. Code 49414.4

[Opioid Misuse](#)

Ed. Code 49414.5

[Providing school personnel with voluntary emergency training](#)

Ed. Code 49414.7

[Emergency albuterol inhalers](#)

Ed. Code 49414.8

[Funding for emergency opioid antagonists; requirements](#)

Ed. Code 49422-49427

[Employment of medical personnel](#)

Ed. Code 49423

[Administration of prescribed medication for student](#)

Ed. Code 49423.1

[Inhaled asthma medication](#)

Ed. Code 49426.5

[Licensed vocational nurses](#)

Ed. Code 49468-49468.5

[The Seizure Safe Schools Act](#)

Ed. Code 49480

[Continuing medication regimen; notice](#)

H&S 1799.113

[Opioid overdose treatment](#)

H&S Code 11362.7-11362.85

[Medicinal cannabis](#)

Federal References

Description

20 USC 1232g

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)

20 USC 1400-1482

[Individuals with Disabilities Education Act](#)

21 USC 812

[Schedule of controlled substances](#)

21 USC 844

[Penalties for possession of controlled substance](#)

29 USC 794

[Rehabilitation Act of 1973; Section 504](#)

34 CFR 99.30

[Conditions under which prior written consent is required to disclose information](#)

Management Resources References

Description

American Diabetes Association Publication

[Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007](#)

American Diabetes Association Publication	<u>Program Advisory on Medication Administration, 2005</u>
American Diabetes Association Publication	<u>Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006</u>
Court Decision	<u>American Nurses Association v. Torlakson (2013) 57 Cal.4th 570</u> <u>Helping the Student with Diabetes Succeed: A Guide for School Personnel,</u>
National Diabetes Education Program Publication	<u>June 2003</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>National Diabetes Education Program</u>
Website	<u>U.S. Department of Health and Human Services, National Heart, Lung, and</u>
Website	<u>Blood Institute</u>
Website	<u>American Diabetes Association</u>
Website	<u>California Department of Education, Health Services and School Nursing</u>
Website	<u>CSBA</u>
Website	<u>California Department of Public Health</u>

Cross References

Description

3513.4	<u>Drug And Alcohol Free Schools</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u>
4112.9	<u>Employee Notifications</u>
4112.9-E(1)	<u>Employee Notifications</u>
4119.43	<u>Universal Precautions</u>
4119.43	<u>Universal Precautions</u>
4131	<u>Staff Development</u>
4212.9	<u>Employee Notifications</u>
4212.9-E(1)	<u>Employee Notifications</u>
4219.43	<u>Universal Precautions</u>
4219.43	<u>Universal Precautions</u>
4231	<u>Staff Development</u>
4312.9	<u>Employee Notifications</u>
4312.9-E(1)	<u>Employee Notifications</u>
4319.43	<u>Universal Precautions</u>
4319.43	<u>Universal Precautions</u>
5022	<u>Student And Family Privacy Rights</u>
5022	<u>Student And Family Privacy Rights</u>
5113	<u>Absences And Excuses</u>
5113	<u>Absences And Excuses</u>
5113.1	<u>Chronic Absence And Truancy</u>
5113.1	<u>Chronic Absence And Truancy</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5131.62	<u>Tobacco</u>
5131.62	<u>Tobacco</u>

Policy 5144: Discipline

Status: ADOPTED

Original Adopted Date: 04/01/2014 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Governing Board 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 responding appropriately to 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 responding to 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. (Education Code 48900.5)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

A student shall not be denied recess unless the student's participation poses an immediate threat to the physical safety of the student or to the physical safety of one or more of the student's peers. If, due to such immediate threat, a student is denied recess, staff shall make all reasonable efforts to resolve the threat and minimize the student's exclusion from recess, to the greatest extent practicable. (Education Code 49056)

Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with district regulations. (Education Code 49005.2)

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

The principal or designee at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and administrative regulations. The Board, at an open meeting, may review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan. (Education Code 32282, 35291.5)

At all times, the safety of students and staff, providing interventions and supports to students, as well as 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 support and/or 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.

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively and equitably implement the disciplinary strategies adopted for district schools, including, but not limited to, knowledge of school and classroom management skills and their consistent application, effective accountability and positive intervention techniques, and the tools to form strong, cooperative relationships with parents/guardians.

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety and connectedness to the school community, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

At the beginning of each school year, the Superintendent or designee may report to the Board regarding disciplinary strategies used in district schools in the immediately preceding school year and their effect on student learning.

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State References

5 CCR 307

Description

Participation in school activities until departure of bus

5 CCR 353

Detention after school

Civ. Code 1714.1

Liability of parent or guardian for act of willful misconduct by a minor

Ed. Code 32280-32289.5

School safety plans

Ed. Code 35146

Closed sessions

Ed. Code 35291-35291.5

Rules

Ed. Code 35291.5

School-adopted discipline rules

Ed. Code 37223

Weekend classes

Ed. Code 48900-48926

Suspension and expulsion

Ed. Code 48980-48985

Parent/Guardian notifications

Ed. Code 49005-49006.4

Seclusion and restraint

Ed. Code 49055

Restorative justice practices

Ed. Code 49056

Recess restriction

Ed. Code 49330-49335

Injurious objects

Ed. Code 49414.4

Opioid misuse; alternative to referral to law enforcement

Ed. Code 49550-49564.5

Meals for needy students

Ed. Code 52060-52077

Local control and accountability plan

Federal References

Description

20 USC 1400-1482

Individuals with Disabilities Education Act

29 USC 794

Rehabilitation Act of 1973; Section 504

42 USC 1751-1769j

School Lunch Program

42 USC 1773

School Breakfast Program

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
5 CCR 307	<u>Participation in school activities until departure of bus</u>
5 CCR 353	<u>Detention after school</u>
Civ. Code 1714.1	<u>Liability of parent or guardian for act of willful misconduct by a minor</u>
Ed. Code 32280-32289.5	<u>School safety plans</u>
Ed. Code 35146	<u>Closed sessions</u>
Ed. Code 35291-35291.5	<u>Rules</u>
Ed. Code 35291.5	<u>School-adopted discipline rules</u>
Ed. Code 37223	<u>Weekend classes</u>
Ed. Code 48900-48926	<u>Suspension and expulsion</u>
Ed. Code 48980-48985	<u>Parent/Guardian notifications</u>
Ed. Code 49005-49006.4	<u>Seclusion and restraint</u>
Ed. Code 49055	<u>Restorative justice practices</u>
Ed. Code 49056	<u>Recess restriction</u>
Ed. Code 49330-49335	<u>Injurious objects</u>
Ed. Code 49414.4	<u>Opioid misuse; alternative to referral to law enforcement</u>
Ed. Code 49550-49564.5	<u>Meals for needy students</u>
Ed. Code 52060-52077	<u>Local control and accountability plan</u>

Federal References

	Description
20 USC 1400-1482	<u>Individuals with Disabilities Education Act</u>
29 USC 794	<u>Rehabilitation Act of 1973; Section 504</u>
42 USC 1751-1769j	<u>School Lunch Program</u>
42 USC 1773	<u>School Breakfast Program</u>

Management Resources References

	Description
California Dept of Education Program Advisories	<u>Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000</u>
CSBA Publication	<u>The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014</u>
CSBA Publication	<u>Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015</u>
CSBA Publication	<u>Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011</u>
CSBA Publication	<u>Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014</u>
CSBA Publication	<u>Maximizing Opportunities for Physical Activity During the School Day, Fact Sheet, November 2009</u>
Fix School Discipline Project	<u>Sample alternative discipline policy</u>
U.S. DOE, Office for Civil Rights Publication	<u>Resource on Confronting Racial Discrimination in Student Discipline</u>

U.S. DOE, Office for Civil Rights Publication

[Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973](#)

U.S. DOE, Office for Civil Rights Publication

[Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014](#)

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[Public Counsel](#)

Website

[U.S. Department of Education, Office for Civil Rights](#)

Website

[California Department of Education](#)

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[CSBA](#)

Cross References

Description

0450

[Comprehensive Safety Plan](#)

0450

[Comprehensive Safety Plan](#)

0460

[Local Control And Accountability Plan](#)

0460

[Local Control And Accountability Plan](#)

1114

[District-Sponsored Social Media](#)

1114

[District-Sponsored Social Media](#)

1312.3

[Uniform Complaint Procedures](#)

1312.3

[Uniform Complaint Procedures](#)

1312.3-E(1)

[Uniform Complaint Procedures](#)

1312.3-E(2)

[Uniform Complaint Procedures](#)

1313

[Civility](#)

3512

[Equipment](#)

3512-E(1)

[Equipment](#)

3513.3

[Tobacco-Free Schools](#)

3513.3

[Tobacco-Free Schools](#)

3513.4

[Drug And Alcohol Free Schools](#)

3515

[Campus Security](#)

3515

[Campus Security](#)

3515.21

[Unmanned Aircraft Systems \(Drones\)](#)

3515.3

[District Police/Security Department](#)

3515.3

[District Police/Security Department](#)

3515.31

[School Resource Officers](#)

3515.4

[Recovery For Property Loss Or Damage](#)

3515.4

[Recovery For Property Loss Or Damage](#)

3543

[Transportation Safety And Emergencies](#)

4131

[Staff Development](#)

4158

[Employee Security](#)

4158

[Employee Security](#)

4258

[Employee Security](#)

4258

[Employee Security](#)

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[Employee Security](#)

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[Employee Security](#)

5000

[Concepts And Roles](#)

5020	<u>Parent Rights And Responsibilities</u>
5020	<u>Parent Rights And Responsibilities</u>
5030	<u>Student Wellness</u>
5112.1	<u>Exemptions From Attendance</u>
5112.1	<u>Exemptions From Attendance</u>
5112.5	<u>Open/Closed Campus</u>
5113.1	<u>Chronic Absence And Truancy</u>
5113.1	<u>Chronic Absence And Truancy</u>
5116.2	<u>Involuntary Student Transfers</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5127	<u>Graduation Ceremonies And Activities</u>
5131	<u>Conduct</u>
5131.1	<u>Bus Conduct</u>
5131.1	<u>Bus Conduct</u>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5131.4	<u>Student Disturbances</u>
5131.4	<u>Student Disturbances</u>
5131.41	<u>Use Of Seclusion And Restraint</u>
5131.5	<u>Vandalism And Graffiti</u>
5131.6	<u>Alcohol And Other Drugs</u>
5131.6	<u>Alcohol And Other Drugs</u>
5131.62	<u>Tobacco</u>
5131.62	<u>Tobacco</u>
5131.63	<u>Steroids</u>
5131.63	<u>Steroids</u>
5131.7	<u>Weapons And Dangerous Instruments</u>
5131.7	<u>Weapons And Dangerous Instruments</u>
5131.9	<u>Academic Honesty</u>
5132	<u>Dress And Grooming</u>
5132	<u>Dress And Grooming</u>
5137	<u>Positive School Climate</u>
5138	<u>Conflict Resolution/Peer Mediation 5141.4</u> <u>Child Abuse Prevention And Reporting</u>
5141.4	<u>Child Abuse Prevention And Reporting</u>
5142	<u>Safety</u>
5142	<u>Safety</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.2	<u>Suspension And Expulsion/Due Process (Students With Disabilities)</u>
5144.4	<u>Required Parental Attendance</u>
5144.4	<u>Required Parental Attendance</u>

5145.2	<u>Freedom Of Speech/Expression</u>	
5145.2	<u>Freedom Of Speech/Expression</u>	
5145.3	<u>Nondiscrimination/Harassment</u>	
5145.3	<u>Nondiscrimination/Harassment</u>	
5145.6	<u>Parent/Guardian Notifications</u>	
5145.6-E(1)	<u>Parent/Guardian Notifications</u>	
5145.7	<u>Sexual Harassment</u>	
5145.7	<u>Sexual Harassment</u>	
5145.71	<u>Title IX Sexual Harassment Complaint Procedures</u>	
5145.71-E(1)	<u>Title IX Sexual Harassment Complaint Procedures</u>	
5145.9	<u>Hate-Motivated Behavior</u>	
5148.2	<u>Before/After School Programs</u>	
5148.2	<u>Before/After School Programs</u>	
6145	<u>Extracurricular And Cocurricular Activities</u>	
6145	<u>Extracurricular And Cocurricular Activities</u>	
6145.2	<u>Athletic Competition</u>	
6145.2	<u>Athletic Competition</u>	
6145.8	<u>Assemblies And Special Events</u>	
6153	<u>School-Sponsored Trips</u>	
6153	<u>School-Sponsored Trips</u>	
6159.4	<u>Behavioral Interventions For Special Education Students</u>	
6162.54	<u>Test Integrity/Test Preparation</u>	
6163.4	<u>Student Use Of Technology</u>	
6163.4-E(1)	<u>Student Use Of Technology</u>	
6164.2	<u>Guidance/Counseling Services</u>	
6164.5	<u>Student Success Teams</u>	
6164.5	<u>Student Success Teams</u>	
6184	<u>Continuation Education</u>	
6184	<u>Continuation Education</u> 6185	<u>Community</u>
	<u>Day School</u>	
6185	<u>Community Day School</u>	
9321	<u>Closed Session</u>	
9321-E(1)	<u>Closed Session</u>	
9321-E(2)	<u>Closed Session</u>	

Regulation 5144: Discipline

Status: ADOPTED

Original Adopted Date: 11/01/2012 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

Site-Level Rules

Site-level rules shall be consistent with state law and Board policies and administrative regulations. In developing site-level disciplinary rules, the principal or designee shall solicit the participation, views, and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in state law, district discipline policies and regulations, and/or goals for school safety and climate as specified in the district's local control and accountability plan. A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.

School rules shall be communicated to students clearly and in an age-appropriate manner.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291.5)

Disciplinary Strategies

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when students' presence causes a danger to themselves or others or they commit a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension, supervised suspension, or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff, the student, and the student's parents/guardians
2. Referral of the student to the school counselor or other school support service personnel for case management and counseling
3. Convening of a study team, guidance team, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and the student's parents/guardians
4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program (IEP) or a Section 504 plan
5. Enrollment in a program for teaching prosocial behavior or anger management
6. Participation in a restorative justice program
7. A positive behavior support approach with tiered interventions that occur during the school day on campus

8. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably
9. Participation in a program that is sensitive to the traumas experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner
10. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities
11. Suspension and expulsion in accordance with law, Board policy, and administrative regulation

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

When a student has been suspended, or other means of correction have been implemented against the student, for an incident of racist bullying, harassment, or intimidation, the principal or designee shall engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

When disciplining a student who has been identified for special education and related services, the procedures specified in Administrative Regulation 5144.2 - Suspension And Expulsion/Due Process (Students With Disabilities) shall be applied. If a student has not been identified as a student with a disability and the district suspects the behavior that resulted in discipline may be based in an unidentified disability, the district shall conduct an evaluation to determine if the student has a disability which requires an IEP or 504 plan. (U.S.C. 1412(a)(3))

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 35291, 48980)

The Superintendent or designee shall also provide written notice of disciplinary rules to parents/guardians of transfer students at the time of their enrollment in the district.

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State References

State References	Description
5 CCR 307	<u>Participation in school activities until departure of bus</u>
5 CCR 353	<u>Detention after school</u>
Civ. Code 1714.1	<u>Liability of parent or guardian for act of willful misconduct by a minor</u>
Ed. Code 32280-32289.5	<u>School safety plans</u>
Ed. Code 35146	<u>Closed sessions</u>
Ed. Code 35291-35291.5	<u>Rules</u>
Ed. Code 35291.5	<u>School-adopted discipline rules</u>

Ed. Code 37223	Weekend classes
Ed. Code 48900-48926	Suspension and expulsion
Ed. Code 48980-48985	Parent/Guardian notifications
Ed. Code 49005-49006.4	Seclusion and restraint
Ed. Code 49055	Restorative justice practices
Ed. Code 49056	Recess restriction
Ed. Code 49330-49335	Injurious objects
Ed. Code 49414.4	Opioid misuse; alternative to referral to law enforcement
Ed. Code 49550-49564.5	Meals for needy students
Ed. Code 52060-52077	Local control and accountability plan

Federal References

Description

20 USC 1400-1482	Individuals with Disabilities Education Act
29 USC 794	Rehabilitation Act of 1973; Section 504
42 USC 1751-1769j	School Lunch Program
42 USC 1773	School Breakfast Program

Management Resources References

Description

California Dept of Education Program Advisories

[Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000](#)
[The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014](#)

CSBA Publication

[Sheet, April 2014](#)

CSBA Publication

[Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015](#)

CSBA Publication

[Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011](#)

CSBA Publication

[Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014](#)

CSBA Publication

[Maximizing Opportunities for Physical Activity During the School Day, Fact Sheet, November 2009](#)

Fix School Discipline Project

[Sample alternative discipline policy](#)

U.S. DOE, Office for Civil Rights Publication

[Resource on Confronting Racial Discrimination in Student Discipline](#)

U.S. DOE, Office for Civil Rights Publication

[Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973](#)

U.S. DOE, Office for Civil Rights Publication

[Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014](#)

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[Public Counsel](#)

Website

[U.S. Department of Education, Office for Civil Rights](#)

Website

[California Department of Education](#)

Website

[CSBA](#)

Cross References

Description

0450

[Comprehensive Safety Plan](#)

0450	<u>Comprehensive Safety Plan</u>
0460	<u>Local Control And Accountability Plan</u>
0460	<u>Local Control And Accountability Plan</u>
1114	<u>District-Sponsored Social Media</u>
1114	<u>District-Sponsored Social Media</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1312.3-E(2)	<u>Uniform Complaint Procedures</u>
1313	<u>Civility</u>
3512	<u>Equipment</u>
3512-E(1)	<u>Equipment</u>
3513.3	<u>Tobacco-Free Schools</u>
3513.3	<u>Tobacco-Free Schools</u>
3513.4	<u>Drug And Alcohol Free Schools</u>
3515	<u>Campus Security</u>
3515	<u>Campus Security</u>
3515.21	<u>Unmanned Aircraft Systems (Drones)</u>
3515.3	<u>District Police/Security Department</u>
3515.3	<u>District Police/Security Department</u>
3515.31	<u>School Resource Officers</u>
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Policy 6141.2: Recognition Of Religious Beliefs And Customs

Status: ADOPTED

Original Adopted Date: 12/01/1988 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Governing Board recognizes that students' education would be incomplete without an understanding of the role of religion in society. As appropriate for a particular course, teachers may objectively discuss the influences of various religions, using religious works and symbols to illustrate their relationship with culture, literature, or the arts. The Board expects that such instruction will identify principles common to all religions and foster respect for the diversity of religions and customs in the world and be consistent with the adopted instructional materials and state standards, as applicable.

In order to respect each student's individual right to freedom of religious practice, religious indoctrination is forbidden in public schools. The Superintendent or designee shall ensure that instruction about religion does not promote or denigrate the beliefs or customs of any particular religion or sect, nor that a preference be shown for one religious viewpoint over another. Staff members shall be highly sensitive to their obligation not to interfere with the religious development of any student in whatever tradition the student embraces, and treat all religions and religious conviction, including nonbelief, with fairness and respect.

Staff shall not endorse, encourage, or solicit religious or anti-religious expression or activities among students during class time.

Staff shall not coerce students in prayer or other religious activities as part of their official duties. However, Staff are not prohibited, when acting in their private capacity, from encouraging students' participation in personal prayer or other religious activity. Additionally, staff shall not prohibit or discourage any student from praying or otherwise expressing the student's religious belief so long as this does not disrupt the classroom or other school sponsored activity.

Students may express their beliefs about religion in their homework, artwork, and other class work if the expression is germane to the assignment. Such work shall be judged by ordinary academic standards, relevance, and other legitimate pedagogical objectives.

While teaching about religious holidays is a permissible part of the educational program, celebrating religious holidays is not allowed in the district. School-sponsored programs shall not be, nor have the effect of being, religiously oriented or a religious celebration. School and classroom decorations may express seasonal themes that are not religious in nature. The use of religious symbols that are part of a religious holiday is permitted as a teaching aid or resource provided that such symbols are displayed as an example of cultural and religious heritage of the holiday and temporary in nature.

Classroom methods in instruction about religion shall not include religious role-playing activities or simulated religious devotional acts.

Music, art, literature or drama programs having religious themes are permitted as part of the curriculum for schoolsponsored activities and programs if presented in an objective manner and as a traditional part of cultural and religious heritage.

District schools shall not prohibit religious activities if the same or similar non-religious activities are permitted.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References
Ed. Code 38130-38139

Description
[Civic Center Act](#)

Ed. Code 46014
Ed. Code 51511
Ed. Code 51938

[Absences for religious purposes](#)
[Religious matters properly included in courses of study](#)
[Right of parent/guardian to excuse from sexual health instruction](#)

Federal References

20 USC 4071-4074
20 USC 6061
20 USC 7904

Description

[Equal Access Act](#)
[School prayer](#)
[School prayer](#)

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[Fellowship of Christian Athletes v. San Jose Unified School District Board of Education \(2023\) 82 F.4th 664](#)
[Kennedy v. Bremerton \(2022\) 142 S.Ct. 2407](#)
[Cole v. Oroville Union High School District \(2000, 9th Cir.\) 228 F.3d 1092](#)
[Lassonde v. Pleasanton Unified School District \(2003, 9th Cir.\) 320 F.3d 979](#)
[Lemon v. Kurtzman \(1971\) 403 U.S. 602](#)
[Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023](#)
[CSBA District and County Office of Education Legal Services](#)
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Regulation 6141.2: Recognition Of Religious Beliefs And Customs

Status: ADOPTED

Original Adopted Date: 05/01/1985 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Superintendent or designee shall ensure the following for the recognition of religious beliefs and customs in district schools:

1. The approach to religion is academic and not devotional
2. The goal is for student awareness of religion in historical and contemporary societies
3. The students may not be pressed to accept any one religion
4. The school may include the study of religion as part of the history-social science curriculum, but the practice of religions may not be sponsored
5. The students may be exposed to and educated about a diversity of religious views and beliefs, but a particular view or belief may not be imposed, nor may any one religion be promoted or denigrated

Staff shall make every effort to schedule one-time events, such as examinations, school-sponsored trips, special laboratories, picture-taking days, and class parties, to minimize conflicts with major religious holidays of all faiths such that no one faith is disproportionately impacted.

Programs and Exhibits

When school programs and exhibits are in any way related to instruction about religion or religious holidays, the following guidelines shall be observed:

1. The principal or designee shall ensure that school-sponsored programs are presented in an objective manner, consistent with Board policy.
2. The principal or designee shall be kept informed of the program's development.
3. Program or exhibit planners shall take into consideration the diverse religious faiths represented in the community, student body and staff.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 38130-38139
Ed. Code 46014
Ed. Code 51511
Ed. Code 51938

Description

[Civic Center Act](#)
[Absences for religious purposes](#)
[Religious matters properly included in courses of study](#)
[Right of parent/guardian to excuse from sexual health instruction](#)

Federal References

20 USC 4071-4074
20 USC 6061
20 USC 7904

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[Equal Access Act](#)
[School prayer](#)
[School prayer](#)

Management Resources References

Description

California Department of Education Publication [Appendix F history social science framework for California public schools](#)

Court Decision

[Florey v. Sioux Falls \(1980\) 619 F.2d 1311](#)

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[Lassonde v. Pleasanton Unified School District \(2003, 9th Cir.\) 320 F.3d 979](#)

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[Lemon v. Kurtzman \(1971\) 403 U.S. 602](#)

[Guidance on Constitutionally Protected Prayer and Religious Expression in](#)

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[Public Elementary and Secondary Schools, May 2023](#)

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[CSBA District and County Office of Education Legal Services](#)

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Bylaw 9320: Meetings And Notices

Status: ADOPTED

Original Adopted Date: 03/01/2008 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

Meetings of the Governing Board are conducted for the purpose of accomplishing district business. In accordance with applicable 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 the opportunity for members of the public to directly address the Board. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations.

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. (Government Code 54952.2)

In accordance with law and as specified in Board Bylaw 9012 - Board Member Electronic Communications, 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)

However, the Superintendent or designee 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)

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. Any doubt about a request for accommodation shall be resolved in favor of accessibility. Notice of the procedure for receiving and resolving such requests for accommodation shall be given in each instance in which notice of the time of a meeting is otherwise given or the agenda for the meeting is otherwise posted. (Government Code 54953, 54953.2, 54954.1, 54954.2)

Regular Meetings

Unless otherwise determined by the Board, the Board shall hold _____ p.m. _____ (day(s)) regular meeting(s) each month starting on _____ the _____ at _____ of the month at _____ (name of facility and address).

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 website. (Government Code 54954.2)

Consistent with Government Code 54957.5 and Board Bylaw 9322 - Agenda/Meeting Materials, 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. The records shall be posted on the

district website at the time the materials are distributed to all or a majority of the Board if distributed outside of business hours.

Special Meetings

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members on any topic within the subject matter jurisdiction of the Board unless otherwise prohibited by law or as specified in BB 9323.2 - Actions by the Board. (Government Code 54956)

At least 24 hours before the time of the meeting, 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 website, and, at least 24 hours before the time of 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

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. (Government Code 54956.5)

The Board may meet in closed session during emergency meetings so long as two-thirds of the members present at the meeting agree or, if less than two-thirds of the members are present, by unanimous vote of the members present. (Government Code 54956.5)

The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

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 shall 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. (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)

An *emergency* means 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. (Government Code 54956.5)

A *dire emergency* means a crippling disaster, mass destruction, terrorist act, 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. (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/continue such a meeting. If no Board members are present, the secretary or the clerk may declare the meeting adjourned/continued to a later time and location and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment/continuance, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the location where the meeting was held. (Government Code 54955)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

The Board may 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. Any such meeting, regardless of title or topic, shall be held as a regular or special meeting, as appropriate, and shall comply with all other requirements for regular or special meetings. (Government Code 54956)

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 established pursuant to Board Bylaw 9130 - Board Committees, provided that the Board members who are not members of the standing committee attend only as observers

Individual contacts or conversations between a Board member and any other person that are not part of a series of communications prohibited by the Brown Act are permitted. (Government Code 54952.2)

Location of Meetings

Unless the Board is holding a teleconference meeting during a proclaimed state of emergency, all 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
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

All meetings, regardless of location, shall comply with the applicable notice and open meeting requirements. Additionally, no such meeting may 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, 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)

If a fire, flood, earthquake, or other emergency renders the posted regular or special meeting location unsafe and the deadline for posting the location has passed, the meeting shall be held at a location designated by the Board president or designee, who shall so inform all news media who have requested notice of meetings pursuant to Government Code 54956 by the most rapid available means of communication.

Traditional Teleconferencing

A Board member may participate in any meeting by teleconference, which includes both audio or video/audio so long as the following conditions are met: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency
3. The location of the Board member participating by teleconference is open and accessible to the public during the meeting, except during closed session, such that members of the public may observe in person the Board member participating by teleconference, may hear/listen to the meeting to the same extent as the Board member participating by teleconference, and may make public comment during the same portion of the agenda as others members of the public from the same location as the Board member participating by teleconference
4. The location of the Board member participating by teleconference is noted in the agenda and the agenda is posted at the location of the Board member participating by teleconference in advance of the meeting as statutorily required based on the type of meeting

5. At least a quorum of the members is within the district boundaries.

Teleconferencing by Individual Board Member Due to Just Cause

Until January 1, 2026, when there is "just cause" preventing a Board member from attending a Board meeting in person, that Board member may participate in that meeting by teleconference without: (Government Code 54953)

1. Including the location of the Board member participating by teleconference in the agenda
2. Making the location of the Board member participating by teleconference open and accessible to the public
3. Posting the agenda at the location of the Board member participating by teleconference

A Board member needing to participate by teleconference for just cause shall notify the Board at the earliest possible opportunity, including at the start of a regular meeting, of the need to do so and include a general description of the circumstances relating to the need to appear by teleconference at the given meeting. (Government Code 54953)

For the Board member to participate by teleconference under this section, all of the following are required:

(Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. At least a quorum of the Board participates in person from a singular physical location clearly identified on the agenda
3. The Board member participating by teleconference utilizes both audio and visual technology to participate in the meeting
4. The Board member participating by teleconference publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the Board member's location and the general nature of the member's relationship with each such individual
5. The public is able to access the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the platform or service, in addition to public comment being available in person

The platform or service may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the district

6. The agenda for the meeting includes information describing how members of the public can access the platform or service

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board may not take action on any agenda item until the disruption is resolved. (Government Code 54953)

A Board member shall be permitted to participate by teleconference for just cause for no more than two meetings per calendar year. (Government Code 54953)

For purposes of this section, "just cause" may exist for any of the following: (Government Code 54953)

1. A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires a Board member to participate remotely

2. A contagious illness prevents a Board member from attending in person
3. A Board member has a need related to a physical or mental disability not otherwise reasonably accommodated
4. A Board member is traveling while on official business of the Board or another state or local agency

Teleconferencing by Individual Board Member Due to Emergency Circumstances

Until January 1, 2026, when a physical or family medical emergency would prevent a Board member from attending a Board meeting in person, that Board member may request to participate in such meeting by teleconference. The Board member requesting to appear remotely shall submit the request as soon as possible and include a concise general description of the emergency that necessitated the request. The Board member shall not be required to disclose any disability, medical diagnosis, or personal medical information exempt under existing law. (Government Code 54953)

If the request is received timely, it shall be added to the agenda as the first item of business at the meeting, even before any closed session items. If the request is not received timely, it shall be taken up by the Board before the first item of business at the meeting. The request shall only be granted upon a vote by the majority of the Board. (Government Code 54953, 54954.2)

If the request is granted by the Board, the Board member may participate by teleconference without: (Government Code 54953)

1. Including the location of the Board member participating by teleconference in the agenda
2. Making the location of the Board member participating by teleconference open and accessible to the public
3. Posting the agenda at the location of the Board member participating by teleconference

For the Board member to participate by teleconference due to emergency circumstances, all of the following are required: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. At least a quorum of the Board participates in person from a singular physical location clearly identified on the agenda
3. The Board member participating by teleconference utilizes both audio and visual technology to participate in the meeting
4. The Board member participating by teleconference publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the Board member's location and the general nature of the member's relationship with each such individual
5. The public is able to access the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the platform or service, in addition to public comment being available in person

The platform or service may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the district

6. The agenda for the meeting includes information describing how members of the public can access the platform or service

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board shall not take action on any agenda item until the disruption is resolved. (Government Code 54953)

In total, a Board member may not participate by teleconference due to emergency circumstances alone, or together with teleconference due to just cause, as specified above, for more than 20 percent of the Board's regular meetings or for more than three consecutive months. If the Board meets less than 10 times in a calendar year, a Board member may not appear remotely due to emergency circumstances for more than two meetings. (Government Code 54953)

Teleconference Meetings During a Proclaimed State of Emergency

The Board may conduct a Board meeting entirely by teleconference during a proclaimed state of emergency pursuant to Government Code 8625-8629 in any of the following circumstances: (Government Code 54953)

1. For the purpose of determining whether meeting in person would present imminent risks to the health or safety of attendees due to the emergency
2. When the Board has been determined, pursuant to Item #1 above, that meeting in person would present imminent risks to the health or safety of attendees due to the emergency

The Board may hold a meeting by teleconference during a proclaimed state of emergency without: (Government Code 54953):

1. Including the location of Board members in the agenda
2. Making the locations of Board members open and accessible to the public
3. Posting the agenda at the locations of Board members

For the Board to hold such meeting, all of the following are required: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. The public is able to access the meeting via a call-in service or an internet-based platform or service, with realtime public comment being allowed via the platform or service

If an internet-based platform or service is utilized, it may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the district

3. The agenda for the meeting includes information describing how members of the public can access the platform or service

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board may not take action on any agenda item until the disruption is resolved. (Government Code 54953)

For any public comment period with a time limit, the Board may not close that public comment period or the opportunity to register until the full time for public comment has elapsed. For any other public comment period, the Board shall allow a reasonable amount of time to allow members of the public to provide public comment and to register to do so. (Government Code 54953)

The Board may continue to conduct all meetings by teleconference throughout one or more 45-day periods so long as, prior to the beginning of each 45-day period, the Board has reconsidered the circumstances of the state of emergency and determines that it continues to directly impact the ability of the Board to meet safely in person. (Government Code 54953)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 35140	<u>Time and place of meetings</u>
Ed. Code 35143	<u>Annual organizational meetings; date and notice</u>
Ed. Code 35144	<u>Special meeting</u>
Ed. Code 35145	<u>Public meetings</u>
Ed. Code 35145.5	<u>Agenda; public participation and regulations</u>
Ed. Code 35146	<u>Closed sessions; student matters</u>
Ed. Code 35147	<u>Open meeting laws exceptions</u>
Gov. Code 11135	<u>Prohibition of discrimination</u>
Gov. Code 3511.1	<u>Local agency executives</u>
Gov. Code 54950-54963	<u>The Ralph M. Brown Act</u>
Gov. Code 54953	<u>Oral summary of recommended salary and benefits of superintendent</u>
Gov. Code 54954	<u>Time and place of regular meetings</u>
Gov. Code 54954.2	<u>Agenda posting requirements; board actions</u>
Gov. Code 54956	<u>Special Meetings</u>
Gov. Code 54956.5	<u>Emergency meetings</u>
Gov. Code 7920.000-7930.215	<u>California Public Records Act</u>
Gov. Code 8625-8629	<u>California Emergency Services Act</u>

Federal References

28 CFR 35.160	<u>Effective communications for individuals with disabilities</u>
28 CFR 36.303	<u>Nondiscrimination on the basis of disability, public accommodations, auxiliary aids, and services</u>
42 USC 12101-12213	<u>Americans with Disabilities Act</u>

Management Resources References

Attorney General Opinion	<u>78 Ops.Cal.Atty.Gen. 327 (1995)</u>
Attorney General Opinion	<u>79 Ops.Cal.Atty.Gen. 69 (1996)</u>
Attorney General Opinion	<u>84 Ops.Cal.Atty.Gen. 181 (2001)</u>
Attorney General Opinion	<u>84 Ops.Cal.Atty.Gen. 30 (2001)</u>
Attorney General Opinion	<u>88 Ops.Cal.Atty.Gen. 218 (2005)</u>
Court Decision	<u>Knight First Amendment Institute at Columbia University v. Trump (2019) 928 F.3d 226</u>
Court Decision	<u>Garnier v. Poway Unified School District (S.D. Cal. September 26, 2019) No. 17-cv-2215-W (JLB), 2019 WL 4736208</u>
Court Decision	<u>Wolfe v. City of Fremont (2006) 144 Cal.App. 4th 533</u>
CSBA Publication	<u>The Brown Act: School Boards and Open Meeting Laws, rev. 2019</u>
Institute for Local Government Publication	<u>The ABCs of Open Government Laws</u>
League of California Cities Publication	<u>Open and Public V: A Guide to the Ralph M. Brown Act, 2016</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>CSBA, GAMUT Meetings</u>
Website	<u>Institute for Local Government</u>

Website	League of California Cities
Website	California Attorney General's Office
Website	CSBA
Cross References	Description
0410	Nondiscrimination In District Programs And Activities
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.43	Charter School Revocation
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1113	District And School Websites
1113	District And School Websites
1113-E(1)	District And School Websites
1160	Political Processes
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1330	Use Of School Facilities
1330	Use Of School Facilities
1340	Access To District Records
1340	Access To District Records
1431	Waivers
2000	Concepts And Roles
2111	Superintendent Governance Standards
2121	Superintendent's Contract
2210	Administrative Discretion Regarding Board Policy
3100	Budget
3100	Budget
3280	Sale Or Lease Of District-Owned Real Property
3280	Sale Or Lease Of District-Owned Real Property
3311	Bids
3311	Bids
3312	Contracts
3314	Payment For Goods And Services
3314	Payment For Goods And Services
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
4117.14	Postretirement Employment
4141.6	Concerted Action/Work Stoppage
4141.6	Concerted Action/Work Stoppage
4241.6	Concerted Action/Work Stoppage
4241.6	Concerted Action/Work Stoppage

4312.1	<u>Contracts</u>
4317.14	<u>Postretirement Employment</u>
6112	<u>School Day</u>
6112	<u>School Day</u>
6117	<u>Year-Round Schedules</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
7150	<u>Site Selection And Development</u>
7150	<u>Site Selection And Development</u>
7214	<u>General Obligation Bonds</u>
7214	<u>General Obligation Bonds</u>
7310	<u>Naming Of Facility 9000</u> <u>Role Of The Board</u>
9005	<u>Governance Standards</u>
9012	<u>Board Member Electronic Communications</u>
9100	<u>Organization</u>
9121	<u>President</u>
9130	<u>Board Committees</u>
9140	<u>Board Representatives</u>
9220	<u>Governing Board Elections</u>
9230	<u>Orientation</u>
9270	<u>Conflict Of Interest</u>
9270-E(1)	<u>Conflict Of Interest</u>
9310	<u>Board Policies</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>
9322	<u>Agenda/Meeting Materials</u>
9323	<u>Meeting Conduct</u>
9323.2	<u>Actions By The Board</u>
9323.2-E(1)	<u>Actions By The Board</u>
9324	<u>Minutes And Recordings</u>
9400	<u>Board Self-Evaluation</u>

Bylaw 9323.2: Actions By The Board

Status: ADOPTED

Original Adopted Date: 03/01/2011 | Last Revised Date: 03/01/2024 | Last Reviewed Date: 03/01/2024

The Governing Board shall act by a majority vote of all of the membership constituting the Board, unless otherwise required by law. (Education Code 35164, 35165)

An "action" by the Board means: (Government Code 54952.6)

1. A collective decision by a majority of the Board members
2. A collective commitment or promise by a majority of the Board members to make a positive or negative decision
3. A vote by a majority of the Board members when sitting as the Board upon a motion, proposal, resolution, order, or ordinance

The Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)

Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145) **Action on Non-Agenda Items**

The Board may take action on a subject not appearing on the posted meeting agenda only after publicly identifying the item and if any one of the following conditions are met: (Government Code 54954.2)

1. When a majority of the Board determines that an emergency situation exists, as defined for emergency meetings pursuant to Government Code 54956.5
2. When two-thirds of the members present, or if less than two-thirds of the members are present then by a unanimous vote of all members present, determine that the need to take immediate action came to the district's attention after the agenda was posted
3. When an item appeared on the agenda of, and was continued from, a meeting that occurred not more than five days earlier
4. Until December 31, 2025, when a Board member requests to participate by teleconference due to emergency circumstances pursuant to Government Code 54953 so long as the timing of the request did not allow for sufficient time to place it on the agenda

Challenging Board Actions

Before seeking to file a civil action to stop or prevent a Brown Act violation or to invalidate a prior action taken by the Board, the district attorney's office or interested person shall first present a demand to "cure and correct" the alleged violation to the district. If the district receives a proper demand from the district attorney's office or any interested person to "cure and correct" an alleged violation of the Brown Act, the Board shall consult with legal counsel on if and how to respond as provided by law. (Government Code 54960-54960.5)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Code of Civil Procedure 1245.240

Description

[Eminent domain vote requirements](#)

Code of Civil Procedure 1245.245	<u>Eminent domain; resolution adopting different use</u>
Code of Civil Procedure 425.16	<u>Special motion to strike in connection with a public issue</u>
Ed. Code 15266	<u>School construction bonds</u>
Ed. Code 17466	<u>Declaration of intent to sell or lease real property</u>
Ed. Code 17481	<u>Lease of property with residence for nondistrict purposes</u>
Ed. Code 17510-17512	<u>Leasing for production of gas; resolution requiring unanimous vote</u>
Ed. Code 17546	<u>Private sale of personal property</u>
Ed. Code 17556-17561	<u>Dedication of real property</u>
Ed. Code 35140-35149	<u>Meetings</u>
Ed. Code 35150	<u>Prohibition to terminate superintendent or assistant superintendent at specified meetings or times</u>
Ed. Code 35160-35178.4	<u>Powers and duties</u>
Ed. Code 48660-48661	<u>Community day schools; establishment and restrictions</u>
Gov. Code 53090-53097.5	<u>Regulation of local agencies by counties and cities</u>
Gov. Code 53724	<u>Parcel tax resolution requirements</u>
Gov. Code 53790-53792	<u>Exceeding the budget</u>
Gov. Code 53820-53833	<u>Temporary borrowing</u>
Gov. Code 53850-53858	<u>Temporary borrowing</u>
Gov. Code 54230.5	<u>Disposal of surplus land and receipt of notice of violation</u>
Gov. Code 54230.7	<u>Disposal of surplus land and receipt of notice of violation</u>
Gov. Code 54950-54963	<u>The Ralph M. Brown Act</u>
Gov. Code 54952.6	<u>Action taken; definition</u>
Gov. Code 54953	<u>Meetings to be open and public; attendance</u>
Gov. Code 54960-54960.5	<u>Actions to prevent violations</u>
Gov. Code 65352.2	<u>Communicating and coordinating of school sites</u>
Pub. Cont. Code 20110-20118.44	<u>School district contracts</u>
Pub. Cont. Code 20113	<u>Emergencies; award of contracts without bids</u>
Pub. Cont. Code 20114	<u>Repairs, maintenance, and improvements to district facilities by day labor or force account</u>
Pub. Cont. Code 22034	<u>Uniform Public Construction Cost Accounting Act informal bidding ordinance</u>
Pub. Cont. Code 22035	<u>Repair or replacement of facilities in case of emergency</u>
Pub. Cont. Code 22050	<u>Emergency contracting procedures</u>
Pub. Cont. Code 3400	<u>Bid specifications</u>
Management Resources References	Description
Attorney General Publication	<u>The Brown Act: Open Meetings for Legislative Bodies, rev. 2003</u>
Court Decision	<u>Bell v. Vista Unified School District (2002) 82 Cal.App.4th 672</u>
Court Decision	<u>Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109</u>
Court Decision	<u>Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003) 112 Cal.App.4th 1313</u>
Court Decision	<u>McKee v. Orange Unified School District (2003) 110 Cal.App.4th 1310</u>
CSBA Publication	<u>The Brown Act: School Boards and Open Meeting Laws, rev. 2019</u>

League of California Cities Publication	<u>Open and Public IV: A Guide to the Ralph M. Brown Act 2nd Edition, rev. July 2010</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>Institute for Local Government</u>
Website	<u>California Office of the Attorney General</u>
Website	<u>CSBA</u>

Cross References

	Description
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3270	<u>Sale And Disposal Of Books, Equipment And Supplies</u>
3270	<u>Sale And Disposal Of Books, Equipment And Supplies</u>
3280	<u>Sale Or Lease Of District-Owned Real Property</u>
3280	<u>Sale Or Lease Of District-Owned Real Property</u>
3311	<u>Bids</u>
3311	<u>Bids</u>
3311.1	<u>Uniform Public Construction Cost Accounting Procedures</u>
3311.1	<u>Uniform Public Construction Cost Accounting Procedures</u>
3471	<u>Parcel Taxes</u>
6185	<u>Community Day School</u>
6185	<u>Community Day School</u>
7131	<u>Relations With Local Agencies</u>
7150	<u>Site Selection And Development</u>
7150	<u>Site Selection And Development</u>
7160	<u>Charter School Facilities</u>
7160	<u>Charter School Facilities</u>
7213	<u>School Facilities Improvement Districts</u>
7214	<u>General Obligation Bonds</u>
7214	<u>General Obligation Bonds</u>
9000	<u>Role Of The Board</u>
9005	<u>Governance Standards</u>
9012	<u>Board Member Electronic Communications</u>
9150	<u>Student Board Members</u>
9200	<u>Limits Of Board Member Authority</u>
9223	<u>Filling Vacancies</u>
9310	<u>Board Policies</u>
9320	<u>Meetings And Notices</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>
9322	<u>Agenda/Meeting Materials</u>
9323	<u>Meeting Conduct</u>
9324	<u>Minutes And Recordings</u>

Exhibit 9323.2-E(1): Actions By The Board

Status: ADOPTED

Original Adopted Date: 10/01/2016 | Last Revised Date: 03/01/2024 | Last Reviewed Date:
03/01/2024

RESTRICTIONS ON BOARD ACTIONS

This exhibit is a non-exhaustive list of the Governing Board actions that require more than a majority vote as well as restrictions and prohibitions on when the Board may take certain actions. Other such actions may exist and may be identified in the future.

Actions Requiring a Two-Thirds Vote of the Membership of the Board

1. Resolution declaring the Board's intention to sell or lease real property (Education Code 17466)
2. Resolution declaring the Board's intent to convey or dedicate property to the state or any political subdivision for the purposes specified in Education Code 17556 (Education Code 17557)
3. Resolution authorizing and directing the Board president, or any other presiding officer, secretary, or member, to execute a deed of dedication or conveyance of property to the state or a political subdivision (Education Code 17559)
4. Lease, for up to three months, of school property which has a residence on it and which cannot be developed for district purposes because funds are unavailable (Education Code 17481)
5. Request for temporary borrowing of funds needed for immediate requirements of the district to pay district obligations incurred before the receipt of district income for the fiscal year sufficient to meet the payment(s) (Government Code 53821)
6. Upon complying with Government Code 65352.2 and Public Resources Code 21151.2, action to render city or county zoning ordinances inapplicable to a proposed use of the property by the district so long the proposed use of property is not for nonclassroom facilities (Government Code 53094)
7. When the district is organized to serve only grades K-8, action to establish a community day school for any of grades K-8 (Education Code 48660)
8. When the district is organized to serve only grades K-8, has an average daily attendance (ADA) of 2,500 or less, or desires to operate a community day school to serve any of grades K-6 (and no higher grades) and seeks to situate a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)
9. Decision to pursue the authorization and issuance of general obligation bonds pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution (Education Code 15266)
10. Resolution of necessity to proceed with an eminent domain action and, if the Board subsequently desires to use the property for a different use than stated in the resolution of necessity, a subsequent resolution so authorizing the different use (Code of Civil Procedure 1245.240, 1245.245)
11. When the district has a three-member Board and has adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act (UPCCAA), action to respond to an emergency facilities condition without giving notice for bids to award contracts, including the repair or replacement of district facilities, the taking of any other action that is directly related to and

immediately required by that emergency, the procurement of the necessary equipment, services, and supplies for those purposes, the delegation of authority to the Superintendent or designee to take such action, and the determination during a regular Board meeting of the need to continue the action (Public Contract Code 22035, 22050)

Actions Requiring a Two-Thirds Vote of the Board Members Present at the Meeting

1. Determination that there is a need to take immediate action and that the need for action came to the district's attention after the posting of the agenda. If less than two-thirds of the Board members are present at the meeting, a unanimous vote of all members present is required. (Government Code 54954.2)
2. Determination that a closed session is necessary during an emergency meeting. If less than two-thirds of the Board members are present, a unanimous vote of all members present is required. (Government Code 54956.5)

Actions Requiring a Four-Fifths Vote of the Membership of the Board

1. Resolution for district borrowing based on issuance of notes, tax anticipation warrants, or other evidences of indebtedness, in an amount up to 50 percent of the district's estimated income and revenue for the fiscal year or the portion not yet collected at the time of the borrowing (Government Code 53822, 53824)
2. Resolution for district borrowing, between July 15 and August 30 of any fiscal year, of up to 25 percent of the estimated income and revenue to be received by the district during that fiscal year from apportionments based on ADA for the preceding school year (Government Code 53823, 53824)
3. Declaration of an emergency in order to authorize the district to include a particular brand name or product in a bid specification (Public Contract Code 3400)
4. When the district has a five-member or seven-member Board and has adopted the procedures set forth in UPCCAA, action to respond to an emergency facilities condition without giving notice for bids to award contracts, including the repair or replacement of district facilities, the taking of any other action that is directly related to and immediately required by that emergency, the procurement of the necessary equipment, services, and supplies for those purposes, the delegation of authority to the Superintendent or designee to take such action, and the determination during a regular Board meeting of the need to continue the action (Public Contract Code 22035, 22050)
5. Resolution to award a contract for a public works project at \$212,500 or less to the lowest responsible bidder, when the district is using the informal process authorized under the UPCCAA for projects of \$200,000 or less, all bids received are in excess of \$200,000, and the Board determines that the district's cost estimate was reasonable (Public Contract Code 22034)

Actions Requiring a Four-Fifths Vote of the Board Members Present at the Meeting

1. Approval of the expenditure and transfer of necessary funds and use of district property or personnel to meet a national or local emergency created by war, military, naval, or air attack, or sabotage, or to provide for adequate national or local defense (Government Code 53790-53792)

Actions Requiring a Unanimous Vote of the Membership of the Board

1. Resolution authorizing and prescribing the terms of a lease of district property for extraction and taking of gas not associated with oil (Education Code 17510, 17511)
2. Authorization of the use of day labor or force account, or waiver of the competitive bid process pursuant to Public Contract Code 20111, when the Board determines that an emergency exists

requiring the repair, alteration, work, or improvement to any facility to permit the continuance of existing classes or to avoid danger to life or property, and upon approval of the County Superintendent of Schools (Public Contract Code 20113)

Actions Requiring a Unanimous Vote of the Board Members Present at the Meeting

1. Private sale of surplus property without advertisement in order to establish that such property is not worth more than \$2,500. Disposal of surplus property or donation to a charitable organization requires the unanimous vote of the Board members present to establish that the value of such property would not defray the cost of arranging its sale. (Education Code 17546)

Actions Required to Occur During a Regular Board Meeting

1. Termination of the Superintendent or an assistant superintendent without cause (Education Code 35150)
2. Discussion or action regarding the contract, 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)

Prohibitions on Certain Board Actions

1. Termination of the Superintendent or an assistant superintendent without cause within 30 days after the first convening of the Board after an election at which one or more Board members are elected or recalled (Education Code 35150)
2. When the District is disposing of surplus land and has received a notification from the Department of Housing and Community Development pursuant to Government Code 54230.5 with regard to the surplus land, final action to ratify or approve the proposed disposal of surplus land unless the district holds an open and public meeting in compliance with Government Code 54230.7 to review and consider the substance of the notice

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

State References	Description
Code of Civil Procedure 1245.240	Eminent domain vote requirements
Code of Civil Procedure 1245.245	Eminent domain; resolution adopting different use
Code of Civil Procedure 425.16	Special motion to strike in connection with a public issue
Ed. Code 15266	School construction bonds
Ed. Code 17466	Declaration of intent to sell or lease real property
Ed. Code 17481	Lease of property with residence for nondistrict purposes
Ed. Code 17510-17512	Leasing for production of gas; resolution requiring unanimous vote
Ed. Code 17546	Private sale of personal property
Ed. Code 17556-17561	Dedication of real property
Ed. Code 35140-35149	Meetings
Ed. Code 35150	Prohibition to terminate superintendent or assistant superintendent at specified meetings or times
Ed. Code 35160-35178.4	Powers and duties
Ed. Code 48660-48661	Community day schools; establishment and restrictions
Gov. Code 53090-53097.5	Regulation of local agencies by counties and cities
Gov. Code 53724	Parcel tax resolution requirements
Gov. Code 53790-53792	Exceeding the budget

Gov. Code 53820-53833	<u>Temporary borrowing</u>
Gov. Code 53850-53858	<u>Temporary borrowing</u>
Gov. Code 54230.5	<u>Disposal of surplus land and receipt of notice of violation</u>
Gov. Code 54230.7	<u>Disposal of surplus land and receipt of notice of violation</u>
Gov. Code 54950-54963	<u>The Ralph M. Brown Act</u>
Gov. Code 54952.6	<u>Action taken; definition</u>
Gov. Code 54953	<u>Meetings to be open and public; attendance</u>
Gov. Code 54960-54960.5	<u>Actions to prevent violations</u>
Gov. Code 65352.2	<u>Communicating and coordinating of school sites</u>
Pub. Cont. Code 20110-20118.44	<u>School district contracts</u>
Pub. Cont. Code 20113	<u>Emergencies; award of contracts without bids</u>
Pub. Cont. Code 20114	<u>Repairs, maintenance, and improvements to district facilities by day labor or force account</u>
Pub. Cont. Code 22034	<u>Uniform Public Construction Cost Accounting Act informal bidding ordinance</u>
Pub. Cont. Code 22035	<u>Repair or replacement of facilities in case of emergency</u>
Pub. Cont. Code 22050	<u>Emergency contracting procedures</u>
Pub. Cont. Code 3400	<u>Bid specifications</u>
Management Resources References	Description
Attorney General Publication	<u>The Brown Act: Open Meetings for Legislative Bodies, rev. 2003</u>
Court Decision	<u>Bell v. Vista Unified School District (2002) 82 Cal.App.4th 672</u>
Court Decision	<u>Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109</u>
Court Decision	<u>Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003) 112 Cal.App.4th 1313</u>
Court Decision	<u>McKee v. Orange Unified School District (2003) 110 Cal.App.4th 1310</u>
CSBA Publication	<u>The Brown Act: School Boards and Open Meeting Laws, rev. 2019</u>
League of California Cities Publication	<u>Open and Public IV: A Guide to the Ralph M. Brown Act 2nd Edition, rev. July 2010</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>Institute for Local Government</u>
Website	<u>California Office of the Attorney General</u>
Website	<u>CSBA</u>
Cross References	Description
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3270	<u>Sale And Disposal Of Books, Equipment And Supplies</u>
3270	<u>Sale And Disposal Of Books, Equipment And Supplies</u>
3280	<u>Sale Or Lease Of District-Owned Real Property</u>
3280	<u>Sale Or Lease Of District-Owned Real Property</u>
3311	<u>Bids</u>
3311	<u>Bids</u>
3311.1	<u>Uniform Public Construction Cost Accounting Procedures</u>

3311.1	<u>Uniform Public Construction Cost Accounting Procedures</u>
3471	<u>Parcel Taxes</u>
6185	<u>Community Day School</u>
6185	<u>Community Day School</u>
7131	<u>Relations With Local Agencies</u>
7150	<u>Site Selection And Development</u>
7150	<u>Site Selection And Development</u>
7160	<u>Charter School Facilities</u>
7160	<u>Charter School Facilities</u>
7213	<u>School Facilities Improvement Districts</u>
7214	<u>General Obligation Bonds</u>
7214	<u>General Obligation Bonds</u>
9000	<u>Role Of The Board</u>
9005	<u>Governance Standards</u>
9012	<u>Board Member Electronic Communications</u>
9150	<u>Student Board Members</u>
9200	<u>Limits Of Board Member Authority</u>
9223	<u>Filling Vacancies</u>
9310	<u>Board Policies</u>
9320	<u>Meetings And Notices</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>
9322	<u>Agenda/Meeting Materials</u>
9323	<u>Meeting Conduct</u>
9324	<u>Minutes And Recordings</u>

Checks Dated 04/01/2024 through 04/30/2024						
Check Number	Check Date	Pay to the Order of	FF-RRRR-Y-GGGG-FFFF-O000-SSS-MMM	Comment	Expensed Amount	Check Amount
1061611	04/01/2024	AT&T				
				01-0000-0-0000-2700-5900-200-2801 INTERNET		187.31
1061612	04/01/2024	Beweys Cleaning, Inc.				
				01-0000-0-0000-8100-5524-200-2801 JANITORIAL SERVICE	3,255.00	
				01-2600-0-0000-8100-5524-200-0000 JANITORIAL SERVICE	1,085.00	4,340.00
1061613	04/01/2024	BOWIE, CRAIG				
				01-0084-0-1110-1000-5800-200-0000 GARDEN COORDINATOR	40.00	
				01-9009-0-1110-1000-5800-200-OPLL GARDEN COORDINATOR	1,400.00	1,440.00
1061614	04/01/2024	ESSENTIAL OPERATIONS INC				
				01-0000-0-0000-8100-5800-200-2801 SEPTIC		1,545.00
1061615	04/01/2024	Lynd, Paige L				
				01-0000-0-0000-7200-5200-200-2801 MILEAGE REIMBURSEMENT		130.65
1061616	04/01/2024	MRC SMART TECHNOLOGY SOLUTIONS				
				01-1100-0-0000-7100-5600-200-3000 COPIER USAGE	22.91	
				01-1100-0-0000-7200-5600-200-3000 COPIER USAGE	91.68	
				01-1100-0-1110-1000-5600-200-3000 COPIER USAGE	343.79	458.38
1061617	04/01/2024	PACIFIC GAS & ELECTRIC				
				01-0000-0-0000-8100-5511-200-2801 ELECTRIC	933.17	
				01-2600-0-0000-8100-5511-200-0000 ELECTRIC	311.06	1,244.23
1061618	04/01/2024	STAPLES				
				01-0000-0-0000-2700-4350-200-2801 SAFETY CHAIR MAT	40.22	
				01-0084-0-1110-1000-4300-200-0000 TECH HEADSETS PARCEL	167.59	
				01-9009-0-1110-1000-4300-200-RM01 ROOM 1 MATERIALS AND SUPPLIES	63.78	271.59
1061619	04/01/2024	Stewart, Michelle A				
				01-0000-0-0000-7200-5200-200-2801 REIMBURSE FOR PROF DEV		45.28
1061620	04/01/2024	Tom-Conway, Katherine E				
				01-9009-0-1110-1000-4300-200-MURT REIMBURSE GUITAR STRINGS		35.93
1062319	04/08/2024	ACE PORTABLE SERVICES				
				01-0000-0-0000-8100-5515-200-2801 PORTA POTTY		205.47
1062320	04/08/2024	CARLY PERLMAN				
				01-6546-0-1110-3120-5800-200-0000 COUNSELING SERVICES	1,560.00	
				01-6546-0-5760-3120-5800-200-0000 COUNSELING SERVICES	975.00	2,535.00
1062321	04/08/2024	DeMeyer-Guyer, Sarah E				
				01-2600-0-1110-1000-4300-200-0000 ELOP AFTER SCHOOL MATERIALS AND SUPPLIES		33.26

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ReqPay12d

Board Report

Checks Dated 04/01/2024 through 04/30/2024

Check Number	Check Date	Pay to the Order of	FF-RRRR-Y-GGGG-FFFF-O000-SSS-MMMM	Comment	Expensed Amount	Check Amount
1062322	04/08/2024	Doolan, Lindsey A	01-2600-0-1110-1000-4300-200-0000	ELOP AFTER SCHOOL MATERIALS AND SUPPLIES	12.68	12.68
1062323	04/08/2024	SANTA CRUZ MUNICIPAL UTILITIES	01-0000-0-0000-8100-5514-200-2801	WATER	250.16	250.16
1062324	04/08/2024	SC SYSTEMS INC	01-2600-0-0000-8100-5514-200-0000	WATER	83.38	333.54
1062325	04/08/2024	SISC 3	01-0000-0-0000-8100-5800-200-2801	FIRE ALARM MONITORING	105.00	105.00
1062326	04/08/2024	US BANK	01- - - - -9514- - APRIL MEDICA 01-0000-0- - -9524- - APRIL MEDICA		11,794.00 2,016.00	13,810.00
1062831	04/15/2024	19six Architects	01-0000-0-0000-3700-4300-200-3007	MULTIPLE ACCOUNTS	339.62	339.62
1062832	04/15/2024	A TOOL SHED	01-0000-0-0000-7100-5200-200-2801	MULTIPLE ACCOUNTS	358.93	358.93
1062833	04/15/2024	ABRITE	01-0000-0-0000-8100-4350-200-2801	MULTIPLE ACCOUNTS	29.41	29.41
1062834	04/15/2024	AT&T	01-0700-0-1110-1000-4300-200-2801	MULTIPLE ACCOUNTS	129.41	129.41
1062835	04/15/2024	B&H FOTO & ELECTRONICS CORP	01-1100-0-0000-2700-4350-200-3000	MULTIPLE ACCOUNTS	35.40	35.40
1062836	04/15/2024	DASSEL'S PETROLEUM	01-2600-0-1110-1000-4300-200-0000	MULTIPLE ACCOUNTS	197.29	197.29
			01-6300-0-1110-1000-4100-200-3000	MULTIPLE ACCOUNTS	81.36	81.36
			01-7435-0-1110-1000-4300-200-0000	MULTIPLE ACCOUNTS	11.00	11.00
			01-9009-0-1110-1000-4300-200-RM03	MULTIPLE ACCOUNTS	116.57	1,298.99
			01-0000-0-0000-8100-5800-200-2801	DSA CLOSEOUT PROJECT	143.75	143.75
			35-9719-0-0000-8500-5800-200-0000	ARCH MODERNIZATION PROJECT	7,900.00	8,043.75
			01-0000-0-0000-8100-5600-200-2801	CHIPPER FOR HILLSIDE	1,018.80	1,018.80
			01-6500-0-5760-1190-5100-200-1304	SPED AIDE	6,235.35	6,235.35
			01-0000-0-0000-2700-5900-200-2801	PHONE	116.55	116.55
			01-0000-0-0000-7200-5900-200-2801	PHONE	38.85	155.40
			01-0000-0-0000-2700-4350-200-2801	TWO WAY RADIO - SAFETY	51.80	51.80
			01-0000-0-0000-8100-5511-200-2801	PROPANE	688.73	688.73
			01-2600-0-0000-8100-5511-200-0000	PROPANE	229.57	918.30

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1062837	04/15/2024	ESSENTIAL OPERATIONS INC	01-0000-0-0000-8100-5800-200-2801	PUMP SERVICE TO SEPTIC SYSTEM		2,491.50
1062838	04/15/2024	ESTRADA HERRERA, CARLOS	01-0000-0-0000-8100-4350-200-2801	YARD MAINT AND SUPPLIES	10.68	
1062839	04/15/2024	GREENWASTE RECOVERY INC	01-0000-0-0000-8100-5800-200-2801	YARD MAINT AND SUPPLIES	350.00	360.68
1062840	04/15/2024	IVAN DEI ROSSI	01-0000-0-0000-8100-5523-200-2801	GARBAGE		571.08
1062841	04/15/2024	OHLSEN FOODS	01-0084-0-1110-1000-5800-200-0000	TECH SUPPORT PROJECTS		2,266.92
1062842	04/15/2024	PROJECT SUPPORT SERVICES, INC	01-0000-0-0000-3700-5800-200-3007	MARCH LUNCHES		4,913.50
1062843	04/15/2024	US BANK EQUIPMENT FINANCE	01-0000-0-0000-8100-5800-200-2801	DSA CLOSEOUT SUPPORT		262.50
1063617	04/22/2024	BLOOM PEDIATRIC OT	01-1100-0-0000-7100-5600-200-3000	COPIER LEASE	33.13	
			01-1100-0-0000-7200-5600-200-3000	COPIER LEASE	132.54	
			01-1100-0-1110-1000-5600-200-3000	COPIER LEASE	497.03	662.70
			01-6500-0-5760-3140-5800-200-1304	SPED OT	1,225.00	
			01-7435-0-0000-3140-5800-200-0000	TK/K OT LEARNING RECOVERY BLOCK GRANT	150.00	1,375.00
1063618	04/22/2024	CUMMING MANAGEMENT GROUP, INC	35-9719-0-0000-8500-5800-200-0000	MODERNIZATION PROJECT MANAGEMENT		11,160.00
1063619	04/22/2024	EMPLOYMENT DEVELOPMENT DEPT	01-0000-0- -9515- -SUI QUARTER 1			162.44
1063620	04/22/2024	LOZANO SMITH	01-0000-0-0000-7191-5809-200-2801	UNION NEGOTIATIONS		3,704.64
1063621	04/22/2024	MICHELLE HODSDON	01-6546-0-1110-3120-5800-200-0000	PSYCH SERVICES	4,515.00	
			01-6547-0-5760-3120-5800-200-0000	PSYCH SERVICES	306.25	4,821.25
1063622	04/22/2024	Rossi, Angela M	01-9009-0-1110-1000-4300-200-RM05	REIMBURSE ROOM 5 MATERIALS AND SUPPLIES		21.75
1063623	04/22/2024	SC CHILDREN'S MUSEUM OF DISC	01-6770-0-1110-1000-5808-200-0000	FIELD TRIP MOD ROOM 5		160.00
1063624	04/22/2024	SPROUTS SC	01-2600-0-1110-1000-5800-200-0000	AFTER SCHOOL PROGRAM		2,206.50

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ReqPay12d

Board Report

Checks Dated 04/01/2024 through 04/30/2024

Check Number	Check Date	Pay to the Order of	FF-RRRR-Y-GGGG-FFFF-0000-SSS-MMMM	Comment	Expensed Amount	Check Amount
1064385	04/29/2024	MRC SMART TECHNOLOGY SOLUTIONS				
			01-1100-0-0000-7100-5600-200-3000	COPIER USAGE	10.72	
			01-1100-0-0000-7200-5600-200-3000	COPIER USAGE	42.89	
			01-1100-0-1110-1000-5600-200-3000	COPIER USAGE	160.84	214.45
1064386	04/29/2024	PACIFIC GAS & ELECTRIC				
			01-0000-0-0000-8100-5511-200-2801	ELECTRIC	641.76	
				STREET LIGHT	10.37	652.13
1064387	04/29/2024	SAN LORENZO LUMBER				
			01-0000-0-0000-8100-4350-200-2801	SHED DOOR		1,034.30
1064388	04/29/2024	SANTA CRUZ MUNICIPAL UTILITIES				
			01-0000-0-0000-8100-5514-200-2801	WATER		160.02
1064389	04/29/2024	TREETOP PUBLISHING INC				
			01-6300-0-1110-1000-4100-200-3000	TEXT BOOK		106.60
Total Number of Checks					44	81,763.67

Fund Recap

Fund	Description	Check Count	Expensed Amount
01	GENERAL FUND	43	62,703.67
35	COUNTY SCHOOL FACILITIE:	2	19,060.00
Total Number of Checks		44	81,763.67
Less Unpaid Tax Liability			.00
Net (Check Amount)			81,763.67

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