

**HAPPY VALLEY SCHOOL DISTRICT
BOARD OF TRUSTEES**

**August 24, 2022
3:30 pm, Multi-Purpose Room**

A. Approval of Agenda

B. Approval of Minutes- Regular Board Meeting, June 15, 2022

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. Information Items

1. CAASPP Scores

The Board will receive information regarding Happy Valleys 2021-2022 CAASPP scores.

2. Community Foundation of Santa Cruz

The Board will receive an update regarding the Happy Valley School Foundation Fund through June 30, 2022.

3. Heroes of Happy Valley

The Board will discuss the Legacy Grove, Heroes of Happy Valley.

H. Action Items

1. Local Control and Accountability Plan (LCAP) Update and Federal Addendum

The Board will consider approval of the 2022-2023 LCAP update and Federal Addendum.

2. CE Speech Teacher Salary Schedule

The Board will consider approval of a new salary schedule for the CE Speech Teacher position effective August 1, 2022.

3. Quarterly Status Report of Uniform Complaint

The Board will receive the 4th quarterly report of 2021/2022 Uniform Complaints related to the Williams Settlement

4. Board Policy Updates

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

I. Consent Agenda

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

J. Communications and Announcements

1. Aug. 31- Back to School Night, 5:30 pm
2. Sept. 5- No School, Labor Day
3. Sept. 14- Board Meeting, 3:30 pm, Multi-Purpose Room
4. Sept. 20- Picture Day, Stage

K. Closed Session

Negotiations

L. Report Out of Closed Session

M. Adjournment

Happy Valley School District
Regular Board Meeting
June 15, 2022
MINUTES

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

BOARD MEMBERS PRESENT: Freeman, Frandle, Hodges

BOARD MEMBERS ABSENT: Click Richardson, Willet

STAFF MEMBERS PRESENT: Stewart, Lynd

- A. APPROVAL OF THE AGENDA
MSC HODGES/FRANDLE to approve the Board Meeting agenda as written. Unanimous.
- B. APPROVAL OF THE MINUTES
MSC FRANDLE/FREEMAN to approve the minutes from the Regular Board Meeting June 8, 2022. Unanimous.
- C. COMMUNITY INPUT
None.
- D. BOARD REPORT
None.
- E. SUPERINTENDENT'S REPORT
Michelle Stewart informed the Board of the following:
 - 1. Working on closing the fiscal year.
 - 2. Still looking for a Spanish teacher.
 - 3. The Parent Club is looking at having a painting day over the summer.
 - 4. Offering the teachers paid time to get ready for Reader's Workshop.
 - 5. Appreciates the Board's support this year.
- F. STAFF REPORT
None.
- G. ACTION ITEMS
 - 1. APPROVAL OF THE 2022/2023 LCAP
MSC FRANDLE/HODGES to approve the 2022/2023 LCAP, which includes LCFF Budget Overview for Parents. Unanimous.
 - 2. APPROVAL OF THE 2022/2023 BUDGET
MSC FREEMAN/FRANDLE to approve the budget for the 2022/2023 school year. Unanimous.
 - 3. AB1200 PUBLIC DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT WITH THE HAPPY VALLEY EDUCATION ASSOCIATION
MSC HODGES/FRANDLE to approve the district's disclosure of the fiscal

impact of the 2022-2024 Collective Bargaining Agreement over the relevant fiscal year. Unanimous.

4. CONTRACT AGREEMENT

MSC HODGES/FRANDLE to approve the Collective Bargaining Agreement for July 1, 2022-June 30, 2024, with the Happy Valley Education Association. Unanimous.

5. REVISED SCHOOL CALENDAR

MSC HODGES/FRANDLE to approve the revised school calendar adding August 5th as a teacher workday. Unanimous.

6. REVISED BOARD SCHEDULE

MSC HODGES/FREEMAN to approve the revised 22-23 Board Schedule. Unanimous.

7. BOARD POLICY 3100

MSC FRANDLE/HODGES to approve the changes to Board Policy 3100. Unanimous.

8. SALARY SCHEDULE FOR ADMINISTRATIVE ASSISTANTS

MSC FRANDLE/HODGES to approve the 8% increase effective July 1, 2022 to the following salary schedules.

1. Classified CLCONF - Administrative Assistant, Confidential. Unanimous.

2. Classified CLADASST - Administrative Assistant I. Unanimous.

9. MEDICAL CAP INCREASE

MSC HODGES/FRANDLE to approve an increase to the District's Medical Cap to \$1400 effective 10/1/22 and \$1500 effective 10/1/23 to match the Certificated Collective Bargaining Agreement for the following positions:

1. Classified CLCONF - Administrative Assistant, Confidential. Unanimous.

2. Classified CLADASST - Administrative Assistant I. Unanimous.

3. Superintendent/Principal. Unanimous.

H. CONSENT AGENDA

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

I. COMMUNICATION AND ANNOUNCEMENTS

1. August 10, 2022 - First Day of School

2. August 17, 2022 - Board Meeting, 3:30pm, Library

3. August 31, 2022 - Back to School Night, Time TBA

J. CLOSED SESSION

The Board adjourned into closed session at 3:48pm to discuss the Superintendent/Principal contract.

K. REPORT OUT OF CLOSED SESSION

The Board reported out of closed session, at 3:54pm.

1. MSC CLIFF/HODGES to approve the Superintendent/Principal contract for

2022-2023. Unanimous.

L. ADJOURNMENT

MSC HODGES/FRANDLE to adjourn the meeting, there being no further business, 3:55pm. Unanimous.

pl

	2019 ELA	2019 Math	2019 Science	2022 ELA	2022 Math	2022 Science
3rd	94%	94%	n/a	100%	95%	n/a
4th	76%	76%	n/a	82%	53%	n/a
5th	88%	75%	87%	85%	50%	33%
6th	90%	63%	n/a	79%	53%	n/a
OVERALL	87%	77%	87%	87%	63%	33%

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 - Donor Gifts - HVSDDG

#not on books

Fund Type: Designated Fund

Date Established: October 30, 2017

Investment Pool: Endowed - Socially Responsible Long Term Pool

Fund Report for April 01, 2022 – June 30, 2022

	Current Period 4/1/2022 – 6/30/2022	Year To Date 1/1/2022 – 6/30/2022
Beginning Fund Balance	\$677,886.46	\$737,259.28
INCOME		
Contributions	\$25.00	\$75.00
Earnings/(Losses)	\$(72,800.23)	\$(119,964.72)
Total Income	<u>\$(72,775.23)</u>	<u>\$(119,889.72)</u>
DISTRIBUTIONS		
Distributions for Fund Purpose	\$0.00	\$10,495.00
Foundation Services Fee*	\$1,633.00	\$3,396.33
Total Expenditures	<u>\$1,633.00</u>	<u>\$13,891.33</u>
Ending Fund Balance	\$603,478.23	\$603,478.23

*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: \$1,599,484.26

(including county treasury amount of: \$74,289.77)

last quarter total fund 57: 1,808,825.45

(including county treasury amount of: \$74,289.77)



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 - Donor Gifts - HVSDDG

Gifts received for the period April 01, 2022 through June 30, 2022

Date	Donor	Amount
2022-04-24	Anonymous	25.00
	Total Gifts:	\$25.00



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 April 01, 2022 – June 30, 2022

	Current Period 4/1/2022 – 6/30/2022	Year To Date 1/1/2022 – 6/30/2022
Beginning Fund Balance	\$260,401.25	\$278,935.31
INCOME		
Earnings/(Losses)	\$(27,964.72)	\$(45,827.44)
Total Income	\$(27,964.72)	\$(45,827.44)
DISTRIBUTIONS		
Foundation Services Fee*	\$627.28	\$1,298.62
Total Expenditures	\$627.28	\$1,298.62
Ending Fund Balance	\$231,809.25	\$231,809.25

*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 - HVSD

Fund Type: Agency Fund

Date Established: February 26, 1998

Investment Pool: Endowed - Socially Responsible Long Term Pool

Fund Report for April 01, 2022 – June 30, 2022

	Current Period 4/1/2022 – 6/30/2022	Year To Date 1/1/2022 – 6/30/2022
Beginning Fund Balance	\$774,105.22	\$859,181.74
INCOME		
Contributions	\$850.00	\$850.00
Earnings/(Losses)	\$(83,182.00)	\$(138,072.59)
Total Income	\$(82,332.00)	\$(137,222.59)
DISTRIBUTIONS		
Distributions for Fund Purpose	\$0.00	\$28,148.00
Foundation Services Fee*	\$1,866.21	\$3,904.14
Total Expenditures	\$1,866.21	\$32,052.14
Ending Fund Balance	\$689,907.01	\$689,907.01

*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.



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

Happy Valley School Foundation Fund - HVSD

Gifts received for the period April 01, 2022 through June 30, 2022

Date	Donor	Amount
2022-04-12	Happy Valley Elementary School	100.00
2022-04-25	Happy Valley Elementary School	550.00
2022-05-16	Happy Valley Elementary School	200.00
	Total Gifts:	\$850.00

LCFF Budget Overview for Parents

Local Educational Agency (LEA) Name: Happy Valley Elementary School District

CDS Code: 44697576049571

School Year: 2022-23

LEA contact information:

Michelle Stewart

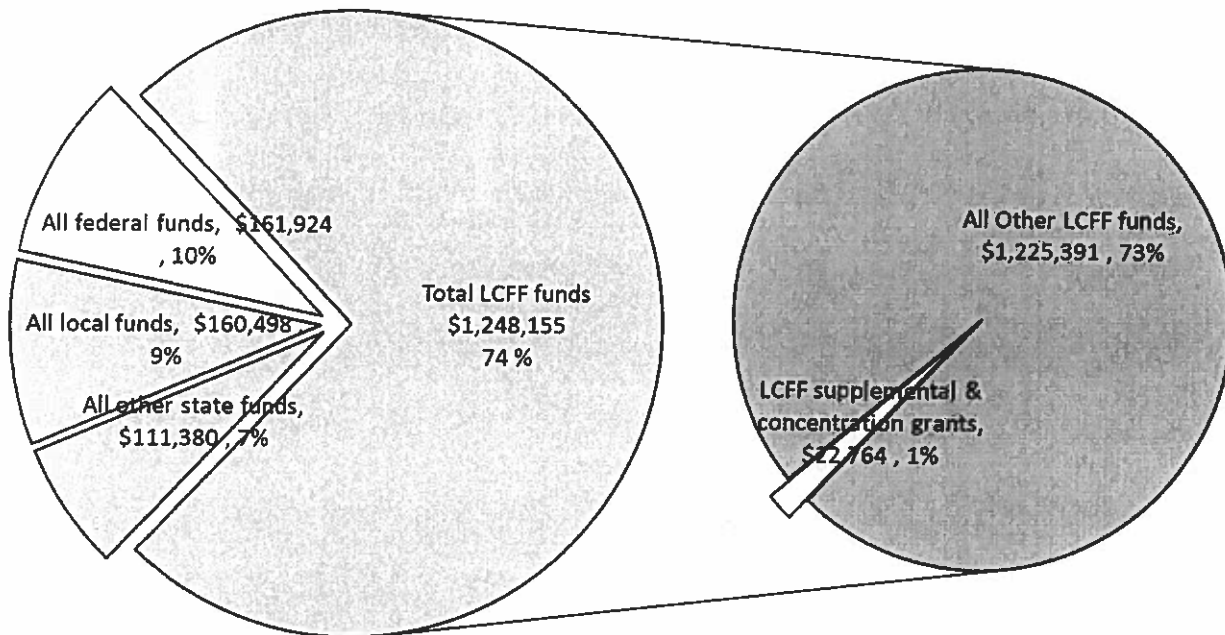
Superintendent

831-429-1456

School districts receive funding from different sources: state funds under the Local Control Funding Formula (LCFF), other state funds, local funds, and federal funds. LCFF funds include a base level of funding for all LEAs and extra funding - called "supplemental and concentration" grants - to LEAs based on the enrollment of high needs students (foster youth, English learners, and low-income students).

Budget Overview for the 2022-23 School Year

Projected Revenue by Fund Source



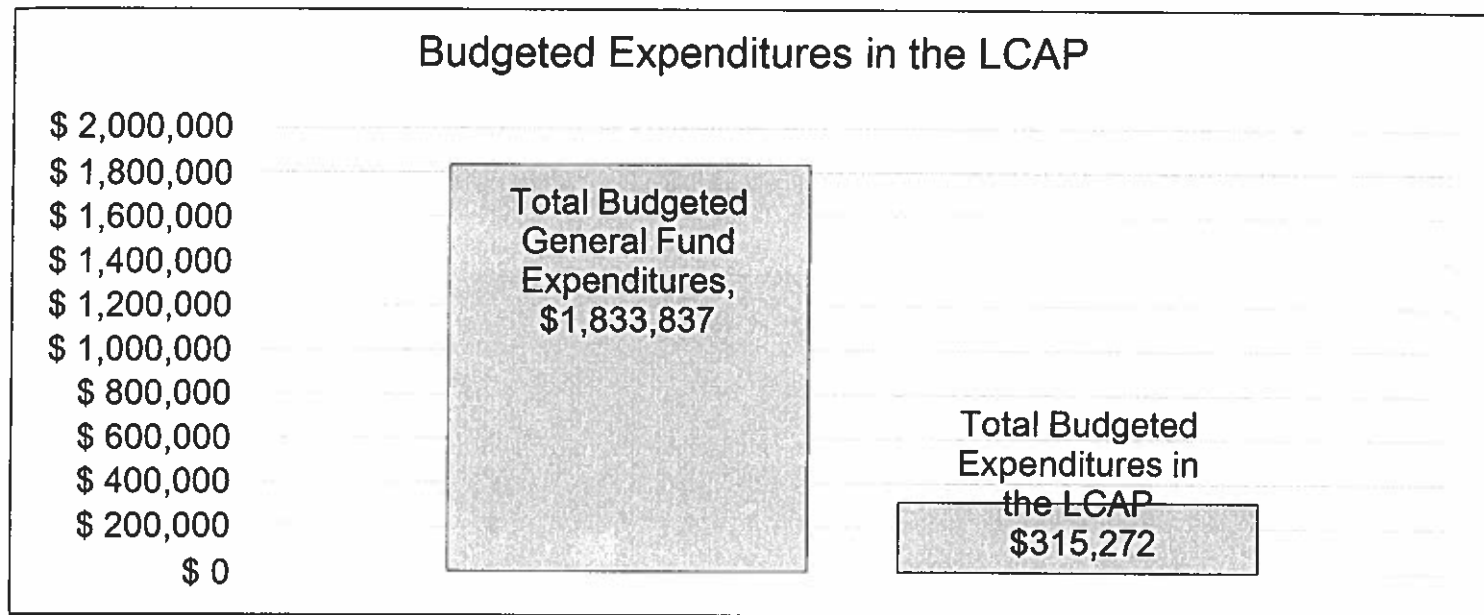
This chart shows the total general purpose revenue Happy Valley Elementary School District expects to receive in the coming year from all sources.

The text description for the above chart is as follows: The total revenue projected for Happy Valley Elementary School District is \$1,681,957.7, of which \$12,481,55 is Local Control Funding Formula (LCFF), \$111,380.24 is

other state funds, \$160,498.46 is local funds, and \$161,924 is federal funds. Of the \$12,481,55 in LCFF Funds, \$22,764 is generated based on the enrollment of high needs students (foster youth, English learner, and low-income students).

LCFF Budget Overview for Parents

The LCFF gives school districts more flexibility in deciding how to use state funds. In exchange, school districts must work with parents, educators, students, and the community to develop a Local Control and Accountability Plan (LCAP) that shows how they will use these funds to serve students.



This chart provides a quick summary of how much Happy Valley Elementary School District plans to spend for 2022-23. It shows how much of the total is tied to planned actions and services in the LCAP.

The text description of the above chart is as follows: Happy Valley Elementary School District plans to spend \$1,833,836.84 for the 2022-23 school year. Of that amount, \$315,272.00 is tied to actions/services in the LCAP and \$1,518,564.84 is not included in the LCAP. The budgeted expenditures that are not included in the LCAP will be used for the following:

Happy Valley revises its budget twice in any given year. The majority of general funds are dedicated to salaries and facilities in Happy Valley.

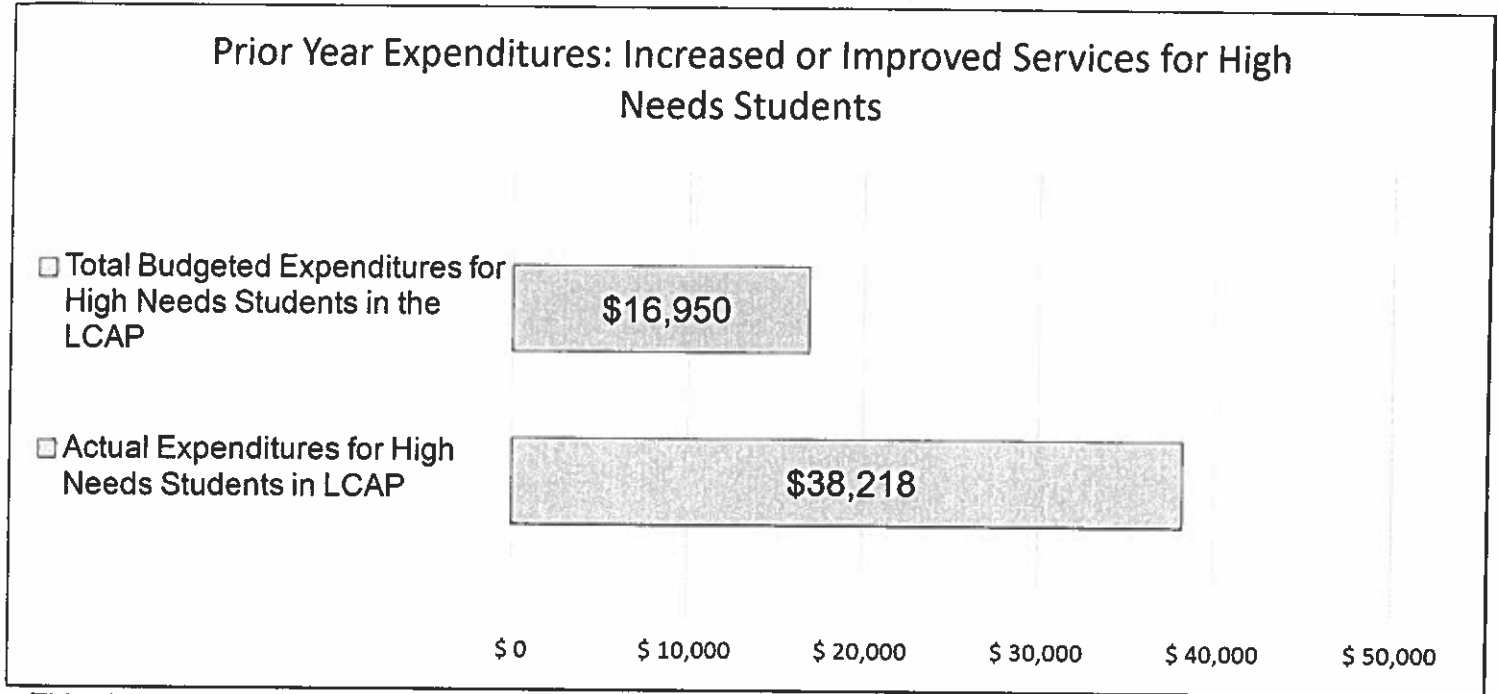
Increased or Improved Services for High Needs Students in the LCAP for the 2022-23 School Year

In 2022-23, Happy Valley Elementary School District is projecting it will receive \$22,764 based on the enrollment of foster youth, English learner, and low-income students. Happy Valley Elementary School District must describe how it intends to increase or improve services for high needs students in the LCAP. Happy Valley Elementary School District plans to spend \$23,750.00 towards meeting this requirement, as described in the LCAP.

The amount require to provide services for high needs students is 1.82%, which the LCAP has accounted for.

LCFF Budget Overview for Parents

Update on Increased or Improved Services for High Needs Students in 2021-22



This chart compares what Happy Valley Elementary School District budgeted last year in the LCAP for actions and services that contribute to increasing or improving services for high needs students with what Happy Valley Elementary School District estimates it has spent on actions and services that contribute to increasing or improving services for high needs students in the current year.

The text description of the above chart is as follows: In 2021-22, Happy Valley Elementary School District's LCAP budgeted \$16,950.00 for planned actions to increase or improve services for high needs students. Happy Valley Elementary School District actually spent \$38,218.00 for actions to increase or improve services for high needs students in 2021-22.

Supplement to the Annual Update to the 2021–22 Local Control and Accountability Plan

Local Educational Agency (LEA) Name	Contact Name and Title	Email and Phone
Happy Valley Elementary School District	Michelle Stewart Superintendent/Principal	mstewart@hvesd.com (831)429-1456

California’s 2021–22 Budget Act, the federal American Rescue Plan Act of 2021, and other state and federal relief acts have provided local educational agencies (LEAs) with a significant increase in funding to support students, teachers, staff, and their communities in recovering from the COVID-19 pandemic and to address the impacts of distance learning on students. The following is a one-time mid-year report to the local governing board or body and educational partners related to engagement on, and implementation of, these Acts.

A description of how and when the LEA engaged, or plans to engage, its educational partners on the use of funds provided through the Budget Act of 2021 that were not included in the 2020–21 Local Control and Accountability Plan (LCAP).

Happy Valley engaged numerous stakeholder groups, including the Board, teachers, staff and parents, to address all funding allocated through the Budget Act of 2021. Part of their charge was to review and identify areas of need beyond what was already accounted for in the 2021-22 Local Control and Accountability Plan (LCAP). Our goal is to come up with plans and support that have and will provide the best supplemental instruction and support to students as possible, focusing on academic learning loss, social-emotional supports. The funds have gone toward implementing both with personnel and support materials.

A description of how the LEA used, or plans to use, the additional concentration grant add-on funding it received to increase the number of staff who provide direct services to students on school campuses with an enrollment of students who are low-income, English learners, and/or foster youth that is greater than 55 percent.

Happy Valley does not receive any concentration funds.

A description of how and when the LEA engaged its educational partners on the use of one-time federal funds received that are intended to support recovery from the COVID-19 pandemic and the impacts of distance learning on pupils.

The LEA engaged the following groups on the following days to discuss one-time federal funds.

2022-23 Local Control Accountability Plan for Happy Valley Elementary School District

Parent Club 8/18/2021, 10/20/2021
Staff 10/1
Board 10/13

Because funds and resources are limited, the groups determined the best use of the funds is for personnel, including a full-time academic coach and intervention aide. There have also been additional garden and counseling hours added.

A description of how the LEA is implementing the federal American Rescue Plan Act and federal Elementary and Secondary School Emergency Relief expenditure plan, and the successes and challenges experienced during implementation.

Happy Valley is primarily using ESSER III to support students through a full time academic intervention teacher, an intervention aide, and garden hours. While 1/2 the class in engaged in the garden, the teacher is able to target skills in the classes with small groups. A small portion of the money has been used to purchase PPE.

A description of how the LEA is using its fiscal resources received for the 2021–22 school year in a manner that is consistent with the applicable plans and is aligned with the LEA's 2021–22 LCAP and Annual Update.

The action steps in this update were developed in consultation with stakeholders after soliciting public comment via electronic surveys, staff meetings, and board meetings and parent nights. Greater detail for involvement can be found on our LCAP.

Instructions for the Supplement to the Annual Update for the 2021–22 Local Control and Accountability Plan Year

For additional questions or technical assistance related to the completion of the Supplement to the Annual Update to the 2021–22 Local Control and Accountability Plan (LCAP), please contact the local county office of education (COE), or the California Department of Education's (CDE's) Local Agency Systems Support Office, by phone at 916-319-0809 or by email at lcff@cde.ca.gov.

Introduction

California's 2021–22 Budget Act, the federal American Rescue Plan Act of 2021, and other state and federal relief acts have provided local educational agencies (LEAs) with a significant increase in funding to support students, teachers, staff, and their communities in recovering from the COVID-19 pandemic and to address the impacts of distance learning on students. Section 124(e) of Assembly Bill 130 requires LEAs to present an update on the Annual Update to the 2021–22 LCAP and Budget Overview for Parents on or before February 28, 2022, at a regularly scheduled meeting of the governing board or body of the LEA. At this meeting, the LEA must include all of the following:

- The Supplement to the Annual Update for the 2021–22 LCAP (2021–22 Supplement);
- All available mid-year outcome data related to metrics identified in the 2021–22 LCAP; and
- Mid-year expenditure and implementation data on all actions identified in the 2021–22 LCAP.

When reporting available mid-year outcome, expenditure, and implementation data, LEAs have flexibility to provide this information as best suits the local context, provided that it is succinct and contains a level of detail that is meaningful and accessible for the LEA's educational partners.

The 2021–22 Supplement is considered part of the 2022–23 LCAP for the purposes of adoption, review, and approval, and must be included with the LCAP as follows:

- The 2022–23 Budget Overview for Parents
- The 2021–22 Supplement
- The 2022–23 LCAP
- The Action Tables for the 2022–23 LCAP
- The Instructions for the LCAP Template

As such, the 2021–22 Supplement will be submitted for review and approval as part of the LEA's 2022–23 LCAP.

Instructions

Respond to the following prompts, as required. In responding to these prompts, LEAs must, to the greatest extent practicable, provide succinct responses that contain a level of detail that will be meaningful and accessible for the LEA's educational partners and the broader public and must, to the greatest extent practicable, use language that is understandable and accessible to parents.

In responding to these prompts, the LEA has flexibility to reference information provided in other planning documents. An LEA that chooses to reference information provided in other planning documents must identify the plan(s) being referenced, where the plan(s) are located (such as a link to a web page), and where in the plan the information being referenced may be found.

Prompt 1: *"A description of how and when the LEA engaged, or plans to engage, its educational partners on the use of funds provided through the Budget Act of 2021 that were not included in the 2020–21 Local Control and Accountability Plan (LCAP)."*

In general, LEAs have flexibility in deciding what funds are included in the LCAP and to what extent those funds are included. If the LEA received funding through the Budget Act of 2021 that it would have typically included within its LCAP, identify the funds provided in the Budget Act of 2021 that were not included in the LCAP and provide a description of how the LEA has engaged its educational partners on the use of funds. If an LEA included the applicable funds in its adopted 2021–22 LCAP, provide this explanation.

Prompt 2: “A description of how LEA used, or plans to use, the concentration grant add-on funding it received to increase the number of staff who provide direct services to students on school campuses with an enrollment of students who are low-income, English learners, and/or foster youth that is greater than 55 percent.”

If LEA does not receive a concentration grant or the concentration grant add-on, provide this explanation.

Describe how the LEA is using, or plans to use, the concentration grant add-on funds received consistent with California Education Code Section 42238.02, as amended, to increase the number of certificated staff, classified staff, or both, including custodial staff, who provide direct services to students on school campuses with greater than 55 percent unduplicated pupil enrollment, as compared to schools with an enrollment of unduplicated students that is equal to or less than 55 percent.

In the event that the additional concentration grant add-on is not sufficient to increase the number of staff providing direct services to students at a school with an enrollment of unduplicated students that is greater than 55 percent, describe how the LEA is using the funds to retain staff providing direct services to students at a school with an enrollment of unduplicated students that is greater than 55 percent.

Prompt 3: “A description of how and when the LEA engaged its educational partners on the use of one-time federal funds received that are intended to support recovery from the COVID-19 pandemic and the impacts of distance learning on pupils.”

If the LEA did not receive one-time federal funding to support recovery from the COVID-19 pandemic and the impacts of distance learning on students, provide this explanation.

Describe how and when the LEA engaged its educational partners on the use of one-time federal funds it received that are intended to support recovery from the COVID-19 pandemic and the impacts of distance learning on students. See the COVID-19 Relief Funding Summary Sheet web page (<https://www.cde.ca.gov/fq/cr/relieffunds.asp>) for a listing of COVID-19 relief funding and the Federal Stimulus Funding web page (<https://www.cde.ca.gov/fq/cr/>) for additional information on these funds. The LEA is not required to describe engagement that has taken place related to state funds.

Prompt 4: “A description of how the LEA is implementing the federal American Rescue Plan Act and federal Elementary and Secondary School Emergency Relief expenditure plan, and the successes and challenges experienced during implementation.”

If an LEA does not receive ESSER III funding, provide this explanation.

Describe the LEA's implementation of its efforts to maintain the health and safety of students, educators, and other staff and ensure the

continuity of services, as required by the federal American Rescue Plan Act of 2021, and its implementation of the federal Elementary and Secondary School Emergency Relief (ESSER) expenditure plan to date, including successes and challenges.

Prompt 5: “A description of how the LEA is using its fiscal resources received for the 2021–22 school year in a manner that is consistent with the applicable plans and is aligned with the LEA’s 2021–22 LCAP and Annual Update.”

Summarize how the LEA is using its fiscal resources received for the 2021–22 school year to implement the requirements of applicable plans in a manner that is aligned with the LEA’s 2021–22 LCAP. For purposes of responding to this prompt, “applicable plans” include the Safe Return to In-Person Instruction and Continuity of Services Plan and the ESSER III Expenditure Plan.

California Department of Education
November 2021

Local Control Accountability Plan

The instructions for completing the Local Control and Accountability Plan (LCAP) follow the template.

Local Educational Agency (LEA) Name	Contact Name and Title	Email and Phone
Happy Valley Elementary School District	Michelle Stewart Superintendent	mstewart@hvesd.com 831-429-1456

Plan Summary [2022-23]

General Information

A description of the LEA, its schools, and its students in grades transitional kindergarten–12, as applicable to the LEA.

The Happy Valley School District, established in 1864, is a single school, Basic Aid district with a well established history of community and parent involvement. The Local Control and Accountability Plan (LCAP) fits into this small school culture as stakeholder input is both valued and appreciated. The Board, LCAP Parent Advisory Committee, Parent Club, and Staff routinely have open meeting discussions regarding student achievement, Common core standards aligned implementation, and alignment of spending priorities. Happy Valley School District serves the students and community with a mission and vision of continuous improvement, dedication to the arts and music, developing the whole child, and providing students with an academic setting that will ensure success both in secondary and college settings. Happy Valley has a long standing reputation for excellence and has traditionally been one of the top ranked schools in Santa Cruz County, and in the top 10% of schools in the state for over the past 10 years.

With a current enrollment of 115, Happy Valley School District has been awarded the Ocean Guardian grant and is in the process of becoming a Green School. The District is K-6 and is comprised of inter-district and in district students. A wait list of over 100 students is maintained. Because of an increase of properties for sale in the Happy Valley School district boundaries, the demographics have changed and the school district rarely accepts new inter-district transfer students, thus changing a long tradition. Parents fundraise to maintain art, music, garden, and library. The goal of the Parent Club is to raise \$100,000 a year with the ability to put a percentage of the money into the Happy Valley Endowment Fund that is held at the Community Foundation. Started in 1990, the Endowment Fund currently has a balance of over \$1.8 million, thanks to a \$571,000 gift from a community member who left HVS as a beneficiary. This funds the instructional aides each year. The short term goal was to raise the fund to a \$1 million and that has been reached, with a long term goal of \$3 million, thus lessening the burden on the parents to fundraise at the current level. In June of 2018, a parcel tax was passed to "support academic excellence, maintain quality art and music programs, integrate technology into the classrooms, retain high quality teachers and provide local funding that cannot be taken away by the state." In the 2021-22 school year, HVS utilized the parcel tax for teacher stipends, a Tech Design and Science teacher, Tech Support and materials, curriculum support resources.

All required metrics outlined by the CDE have been included with the exception of those listed that do not apply to our K-6 District: Advanced Placement scores, Career and Technical Ed (CTE) preparation, Early Assessment Program (EAP) scores, Middle or High School dropout rates, and High School graduation rates. In addition, there are no statistically significant Racial/Ethnic subgroups, or Foster Youth attending school in our District. In 2015-2016, 10 goals were implemented to meet the needs of all students including Special Education students with identified learning targets on their Individualized Educational Plans (IEP) and unduplicated students. In 2016-2017, the goals were consolidated from 10 to 3: Engagement, Access and Opportunity, and Pupil Achievement. Since Happy Valley School is a small school district, and because HVS is an LEA that doesn't have significant subgroups, we principally direct the use of the supplemental funds to have instructional aides in each and every class. Although all students benefit from a classroom aide, this model was put in place to intentionally meet the needs of our unduplicated students as well as at risk students.

Reflections: Successes

A description of successes and/or progress based on a review of the California School Dashboard (Dashboard) and local data.

Happy Valley is committed to support the safety, academic, and social-emotional needs of students and staff. This was especially important when the school returned to in-person learning following the pandemic. Although there is a small number of students who are socio-economically disadvantaged, English Learners and Foster Youth, Happy Valley ensures that the students in these groups are considered first when planning resources and actions. Because of the Pandemic, the California School Dashboard does not have data regarding student performance. However, local benchmarks are given throughout the year, and it is clear that students are making progress in both English Language Arts (ELA) and Math. Staff, Parent and Student surveys have been given throughout the year, and it is apparent that the community is happy with the current focus areas and support that are outlined in the LCAP.

Reflections: Identified Need

A description of any areas that need significant improvement based on a review of Dashboard and local data, including any areas of low performance and significant performance gaps among student groups on Dashboard indicators, and any steps taken to address those areas.

The greatest need for Happy Valley still is the aging facility and the need for Modernization. At this time, the school district has a restroom approval plan submitted to DSA. The Modernization of the Administrative office will follow with added scope to maximize funding opportunities. Two portable replacements have been added to the plan. In response to parent and staff surveys, the District determined that training for Tiered intervention, equity training, and a focus on SEL for families and children to build community have been top priorities for the 2021-2022 school year. Although students showed sufficient progress throughout the year, the scores appear lower than the baseline benchmarks. However, with distance learning, it was difficult to find a true assessment of all students. We feel that by collecting data throughout the year, we have a clearer picture of student progress. For 2022-23, continued support will be given in both academics and Social Emotional Learning.

LCAP Highlights

A brief overview of the LCAP, including any key features that should be emphasized.

Because of the small size of Happy Valley School, and the lack of significant subgroups, the LCAP is written to meet the needs of all students, with supplemental funds principally directed towards unduplicated students. All strategies and staffing decisions made are designed to support those students, including staffing for small class sizes and instructional aides. In 2021-2022, a 1.0 FTE Academic Coach and Intervention Specialist were hired to assist teachers with assessments, intervention, SST's, 504's and Tiered Support. Another focus has been on community wide SEL (Social Emotional Learning), equity training and continued in class Peacebuilder programs.. All programs that were shut down due to the pandemic fully reopened.

LCAP Goals are:

Goal 1: ENGAGEMENT: Happy Valley School District will provide a safe and engaging environment for students and families will be actively involved in the educational process.

Goal 2: PUPIL ACHIEVEMENT: Happy Valley School District will fully implement Common Core Standards. The teachers will be fully trained and provided with appropriate, aligned materials and technology integration to ensure all students are college and career ready. Social and emotional well being of the students will be a priority.

Goal 3: ACCESS AND OPPORTUNITY Happy Valley School District will ensure facilities, communication, and course access are responsive to the needs of all of our students.

Comprehensive Support and Improvement

An LEA with a school or schools eligible for comprehensive support and improvement must respond to the following prompts.

Schools Identified

A list of the schools in the LEA that are eligible for comprehensive support and improvement.

Happy Valley ESD is not identified for CSI

Support for Identified Schools

A description of how the LEA has or will support its eligible schools in developing comprehensive support and improvement plans.

Happy Valley ESD is not identified for CSI

Monitoring and Evaluating Effectiveness

A description of how the LEA will monitor and evaluate the plan to support student and school improvement.

N/A

Engaging Educational Partners

A summary of the process used to engage educational partners and how this engagement was considered before finalizing the LCAP.

Happy Valley School District works hard to keep our community informed, up-to-date, and engaged in the educational process. Multiple Stakeholders have been engaged with both remote and face to face meetings. Surveys to parents, staff, and students were given to receive input regarding programs, identified needs, areas of growth, success and needs going forward. The Santa Cruz County SELPA is a direct partner with HVS. The SELPA director works hand in hand with the HVS Superintendent and on a continuous basis to collaborate with regards to Special Education placements, and best practices. This plan was reviewed by the SELPA in late May of 2022.

STAFF: 8/13/2021, 4/15/2022, 4/20/2022
BOARD: 9/8/2021, 4/20/2022
SCHOOL SITE COUNCIL: 10/20/21, 3/10/2022
PARENT SURVEY: 11/2021, 5/2022
PARENT CLUB: 11/17/2021, 3/16/2022
STUDENTS: March, 2022

A summary of the feedback provided by specific educational partners.

Previous feedback was information obtained through the parents survey, 2020-21. Areas of strength: Student access to reading, writing, and math, respect, awareness of fundraising needs, and school responsiveness. Most notably, almost all parents feel that the school helps students to be their best selves during the day.. Areas of focus: Communication regarding social emotional curriculum and discipline policies and procedures.

2021-22:

The Staff and Parent Club both expressed appreciation for the current focused goals and services.

The Board of Trustees had questions regarding funding and suggestions for action steps. School Site Council (SSC) gave input to the parent survey.

Two parents surveys were given, one in the fall and one in the spring. Participation in fall was over 59%, while in the spring it was 52%. Areas of strength continue to be communication and school responsiveness, and that parents feel their children's academic and social needs are met. One of the highest responses was that OVER 95% of parents responded, "My student feels safe at school." The main focus area is allowing volunteers, which was severely impacted by COVID restrictions. Parents asked that the school consider after school activities, provide school lunches, offer Spanish, upgrade the field, and offer challenge to students who are currently at or above grade level. Numerous ideas were given to facilitate parent engagement.

All students were surveyed. Most students feel adults care for them and they feel safe in the classroom. Some students do not feel as safe on the playground, due mostly to balls that might hit them or lots of students on the equipment. Most feel the work is "just right". More students said that some students respect each other, rather than most of them. Many said that what they love best about the school is how caring, fun and close the community is.

Input on Goals and Services:

Goal 1 ENGAGEMENT: Because attendance was greatly impacted by the pandemic, consider moving the money set aside for attendance initiative to the SEL program. (Board); Continue offering extra counseling support. (Staff)
Goal 2 PUPIL ACHIEVEMENT: Add an action step for the planned dedicated library space, more library books (Board, Parents, Students); Add an action step about the Garden and becoming a Green Business (Board); Consider adding a dedicated science room (Staff)
Goal 3 ACCESS AND OPPORTUNITY: Consider adding additional supports, such as a PE coach or PE equipment (Staff, Students); Consider adding a Spanish teacher (Parents, Board); Provide after school activities (Parents)

A description of the aspects of the LCAP that were influenced by specific input from educational partners.

In 2022-23, there will be a continued focus on Social-Emotional Learning. With the adoption of a new Social Studies Curriculum, teachers will be trained in implementing diverse lessons into their curriculum. There will be a new library and the adoption of Reader's Workshop., and new books will be purchased that are specifically focused on inclusion, diversity and kindness. The District will investigate hiring a Spanish teacher, as well as creating a dedicated science room. Happy Valley will serve hot lunch next year. Most of the actions in the LCAP will continue.

Goals and Actions

Goal

Goal #	Description
1	ENGAGEMENT: Happy Valley School District will provide a safe and engaging environment for students and families will be actively involved in the educational process.

An explanation of why the LEA has developed this goal.

HVESD recognizes that a supportive and safe, engaging environment is necessary for active learning.

Measuring and Reporting Results

Metric	Baseline	Year 1 Outcome	Year 2 Outcome	Year 3 Outcome	Desired Outcome for 2023–24
Classified and Certificated support for the arts and classrooms.	All classes have access to art and music library and garden. Aides are provided in every classroom.	All classes have access to art and music library and garden. Aides are provided in every classroom.			Maintain access to the arts for all students. Maintain aides in classrooms.
Attendance rates Tardies and late rates	95.6% attendance rate in 2018-2019 7.5% tardy rate in 2018-19	2021-22 Absences 92% Tardy rate 1%			Maintain or increase high attendance rate as compared with rate established in the 2018-19 baseline. Maintain or decrease low tardy rate.
Suspension and expulsion rates	0% in 2020-2021.	0% in 2021-22.			Maintain suspension rate of less than 1%.
Volunteer Sign in	2018-19 750 volunteer hours	We could not have volunteers for most of the year due to the Pandemic.			At least 500 volunteer hours will be logged. (Lower than baseline, as volunteers will

Metric	Baseline	Year 1 Outcome	Year 2 Outcome	Year 3 Outcome	Desired Outcome for 2023–24
Training for staff in social justice and equity awareness	No training has been given in the areas of social justice or equity awareness.	All staff received social justice training in October and purchased kits for every classroom of curriculum.			need to adhere to unknown future COVID restrictions.) All staff will be trained in social justice and equity awareness.
Social-Emotional Learning (SEL) program	Peacebuilders Program given to all staff, mental health counselor available 10 hours a week.	The mental health counseling hours were increased. The parent and staff handbooks were updated, and every teacher used the PeaceBuilder program. A student council was elected.			Parent and staff handbook will outline Discipline, SEL and Peacebuilders Program, including student leadership. All classes will regularly implement the PeaceBuilders program and students will support the program on the playground. A mental health counselor will be available to all students as needed.

Actions

Action #	Title	Description	Total Funds	Contributing
1.1	All classes have access to art and music library and garden, and there are	Instructional aides will be integrated into the instructional program to provide small group support, a VAPA arts and music program to provide teachers with valuable time to prepare and collaborate, Garden so the students can learn about native plants and implement	\$55,000.00	No

Action #	Title	Description	Total Funds	Contributing
	aides provided in every classroom.	the Ocean Guardian Grant, and the Library to accessed each week with a credentialed librarian.		
1.2	Attendance initiative program	Maintain current attendance. Continue letters home to maintain awareness of tardies and lates. Communicate the importance of good attendance through emails, phone calls and newsletters. Send out letters to parents regarding chronic absences and the importance of seat time at the beginning of school.	\$0.00	No
1.3	Social Emotional Learning	A Social Emotional counselor will be available for students who are identified needing support. The identification process will be through SST, or parent or staff referral. In addition, the staff will re-engage in the existing Peacebuilder SEL program as well as to investigate a more robust program. Unduplicated students will be considered first for counseling hours.	\$9,000.00	Yes
1.4	School Positive Discipline Program	Maintain a less than 1% suspension rate by maintaining awareness of school rules, how to resolve conflict, safe play, and provide a place for in school consequences instead of sending a student home for disciplinary action.		No
1.5	Volunteer Activity Log	Teachers will actively involve parents as volunteers as evidenced by parent volunteer logs which track numbers of parents at events and classroom participation.		No
1.6	Social Justice and Equity Training	The staff will work with social justice and equity trainers to provide professional development and to implement this curriculum into their classrooms.	\$2,000.00	No

Action #	Title	Description	Total Funds	Contributing
1.7	School Website	The school website has a page for resources that parents can access for programs in math, science, ELA, history, coding and more. The parents can access this and use it as a tool for enrichment and/or remediation at home. In 2021-22, the website will be upgraded and become more parent friendly.	\$2,200.00	No

Goal Analysis [2021-22]

An analysis of how this goal was carried out in the previous year.

A description of any substantive differences in planned actions and actual implementation of these actions.

Happy Valley is very proud of the actions that were implemented in this year as we returned to school after the shut downs in 2020 and 2021. The mental health counseling hours were increased, parent and staff handbooks were updated, and every teacher used the PeaceBuilder program. A student council was elected with representatives in each class, and there were monthly PeaceBuilder assemblies. The staff received social justice training in October and the District purchased kits for every classroom with diversity curriculum and lessons. We could not have volunteers for most of the year due to the Pandemic. Letters were sent to parents regarding chronic absences, although an attendance initiative program was not recommended because of the spread of COVID-19.

An explanation of material differences between Budgeted Expenditures and Estimated Actual Expenditures and/or Planned Percentages of Improved Services and Estimated Actual Percentages of Improved Services.

The money set aside for attendance will be used to support social-emotional learning. \$100,000 was a general estimate toward the cost of library, music, art, garden and teaching assistants. Some of the expenditures were paid from one time money. Because money was not needed for Social Justice training, the expenditures were charged to counseling.

An explanation of how effective the specific actions were in making progress toward the goal.

Every family who requested counseling was able to have their student served. There were small groups offered, and the mental health counselors presented lessons in every classroom. With one-time funding, an occupational therapist visited every classroom and supported students and families with activities to support students. In addition to monthly PeaceBuilder assembly, there was a weekly flag raising ceremony that all students participated, and the classes took turns presenting. The school voted on a new mascot, Harriet the Hawk, named by the 6th grade class. Parents, staff and students have all expressed that there is a positive culture at Happy Valley. Of the 14 students who qualify as unduplicated, all were considered for counseling, and 3 of them received regular support.

A description of any changes made to the planned goal, metrics, desired outcomes, or actions for the coming year that resulted from reflections on prior practice.

Although attendance is important, incentivizing attendance is not recommended at this time.,

In 2022-23, the District will invest in a company to support the school website, with an increased cost of \$2200. Feedback from stakeholders has informed the decision, as communication will be increased.

A report of the Total Estimated Actual Expenditures for last year's actions may be found in the Annual Update Table. A report of the Estimated Actual Percentages of Improved Services for last year's actions may be found in the Contributing Actions Annual Update Table.

Goals and Actions

Goal

Goal #	Description
2	PUPIL ACHIEVEMENT: Happy Valley School District will fully implement Common Core Standards. The teachers will be fully trained and provided with appropriate, aligned materials and technology integration to ensure all students are college and career ready.
An explanation of why the LEA has developed this goal.	
HVS developed this goal to maintain academic status and to ensure continuous growth.	

Measuring and Reporting Results

Metric	Baseline	Year 1 Outcome	Year 2 Outcome	Year 3 Outcome	Desired Outcome for 2023-24
Results of CAASPP tests.	2019 SBAC results 3rd-6th ELA: 87% Math: 79% Science 87%	2022 SBAC results 3rd-6th grades ELA: 87% Math: 63% Science 33%			Students will achieve at least 80% on the SBAC results 3rd-6th grade in Math and at least 87% in ELA and Science.
Technology restructure and replacement plan		Tech plan in the process			By 2023-24, a technology plan will be in place, including a replacement plan.
Benchmark results	Benchmark Results 2020-21 School Wide Primary Proficient Writing 89% Reading 84% Math 96%	Benchmark Results 2021-22 School Wide Primary Proficient Writing 77% Reading 88% Math 88%			Benchmarks results in primary and intermediate grades will maintain or improve from the baseline.

Metric	Baseline	Year 1 Outcome	Year 2 Outcome	Year 3 Outcome	Desired Outcome for 2023–24
	School Wide Intermediate Proficient (Meeting or Above Standards) Writing 73% Reading 89% Math 68%	School Wide Intermediate Proficient (Meeting or Above Standards) Writing 65% Reading 89% Math 57%			
Teachers will be fully credentialed and there will be no misassignments	100% of teachers are fully credentialed. There are no misassignments.	Maintain			Maintain
All students will have full access to standards aligned curriculum and materials.	There were 0 reports of students who did not have full access to standards aligned curriculum and materials.	Maintain			Maintain

Actions

Action #	Title	Description	Total Funds	Contributing
2.1	FOSS Science Curriculum purchase and training	Staff and the HVS board will adopt and purchase the new science curriculum for grades K-6 and have vertical articulation and training around that adoption. Two of the three sets have been purchased.	\$11,000.00	No
2.2	TTP (Teaching Through Problem Solving) Lesson Study	Teachers will continue the work with TTP to develop benchmarks.	\$0.00	No
2.3	Lucy Calkins Writers Workshop	Staff will continue to use the Lucy Calkins Writers workshop curriculum and work as a team on conferencing skills with students.	\$0.00	No

Action #	Title	Description	Total Funds	Contributing
2.4	Benchmark Assessments	Benchmarks in math, reading and writing will continue to be used three times per year to create flexible group settings, reteach areas of need or give enrichment to students who have scored 95% or more on the benchmark assessment. The instructional aides will be available to work with students who need extra help with these areas.	\$3,000.00	No
2.5	Lucy Calkins Readers Workshop	By 2022-23, the school will implement Readers Workshop Curriculum.	\$25,000.00	No
2.6	Intervention Teacher	During the 2021-2022 school year, an intervention teacher will provide support with assessments, individual, and small group intervention. Students who are unduplicated will first be considered for support.	\$31,000.00	Yes
2.7	An instructional aide will be added to support intervention.	Aide schedule will show that all students who need assistance will receive academic support. Students who are unduplicated will first be considered for support.	\$16,300.00	Yes

Goal Analysis [2021-22]

An analysis of how this goal was carried out in the previous year.

A description of any substantive differences in planned actions and actual implementation of these actions.

There were no substantive differences in planned actions and actual implementation of these actions.

An explanation of material differences between Budgeted Expenditures and Estimated Actual Expenditures and/or Planned Percentages of Improved Services and Estimated Actual Percentages of Improved Services.

Due to the fact that the pandemic prevented teachers from fully implementing FOSS over the last few years, Happy Valley has not yet purchased the 3rd unit of FOSS. There was not a need to participate in extensive TTP development. Although Staff continued to use the Lucy Calkins Writers workshop curriculum and work as a team on conferencing skills with students, there was not a cost to the work. The cost of the additional instructional assistant was more than was originally allocated.

An explanation of how effective the specific actions were in making progress toward the goal.

All staff were trained in Writer's and Reader's workshop, with planned ongoing training and support in 2022-23. The teachers participated in a schoolwide writing calibration. Benchmark assessment results were analyzed three times a year as a staff, and information was used individually, classwide, and schoolwide. Intervention was provided as appropriate. Of the 14 unduplicated students, 10 needed and received intervention services. The other 4 students were at grade level, and regularly assessed. Two of other students were English Learners and received additional support. Of the 10 students who received support, they all either maintained or improved their scores on the benchmarks in ELA and Math. CAASPP scores show a need for increased focus in Science and Math.

A description of any changes made to the planned goal, metrics, desired outcomes, or actions for the coming year that resulted from reflections on prior practice.

The metric for 6th grade was removed because it is not required by the state. Intervention will focus on Reading and Math.

A report of the Total Estimated Actual Expenditures for last year's actions may be found in the Annual Update Table. A report of the Estimated Actual Percentages of Improved Services for last year's actions may be found in the Contributing Actions Annual Update Table.

Goals and Actions

Goal

Goal #	Description
3	ACCESS AND OPPORTUNITY Happy Valley School District will ensure facilities, communication, and course access are responsive to the needs of all of our students.

An explanation of why the LEA has developed this goal.

Happy Valley developed this goal to ensure 100% of families and students at HVS have equal access and opportunities for all programs and services.

Measuring and Reporting Results

Metric	Baseline	Year 1 Outcome	Year 2 Outcome	Year 3 Outcome	Desired Outcome for 2023–24
Academic Coach, SST & 504 coordinator	A teacher has been hired to support all student academics, and coordinate SSTs and 504s.	A teacher has been hired to support all student academics, and coordinate SSTs and 504s. Trimester 1 - 25 students K-6 Trimester 2 - 30 students K-6 Trimester 3 - 27 students K-6 25% of our students received intervention support!			Regular schedule of support, SST logs, and 504 documentation will show that all students who need assistance will receive academic support.
Art and Music for 100% of students	100% of students are provided art and music twice a week for 100 minutes.	100% of students are provided art and music twice a week for approximately 100 minutes.			Continue to provide art and music to all students, for 100 minutes a week.

Metric	Baseline	Year 1 Outcome	Year 2 Outcome	Year 3 Outcome	Desired Outcome for 2023–24
Technology	Chrome books or iPads are available to all students who need a home device. HV had 1:1 devices in 4th-6th grade. Primary grades have 10 iPads per class.	Chrome books or iPads are available to all students who need a home device. HV had 1:1 devices in 4th-6th grade. Primary grades have 10 iPads per class.			Continue to maintain or replace Chromebooks and/or iPads for student use at school and home.
Mental Health Counseling	A mental health counselor is available to students on an as-needed basis.	A mental health counselor is available to students on an as-needed basis.			Additional hours will be set aside for unduplicated students to access a mental health counselor.
Phone calls returned in 48 hours or less	Return phone call satisfaction 96%	95% of parents feel the teachers and staff respond appropriately to concerns or questions.			Maintain at least a 96% satisfaction rate responding to questions or concerns
Parents engagement (surveys)	Survey results in 2020-21 88% feel the newsletter is informative and useful 88% feel the child's academic needs are met 79% feel social and emotional needs are met 97% say the school treats their child with respect	88% feel the newsletter is informative and useful 88% feel the child's academic needs are met 91% feel social and emotional needs are met 93% believe Happy Valley teaches respect, kindness, acceptance and inclusion of all students.			Maintain or increase high satisfaction rates on parent surveys.

Metric	Baseline	Year 1 Outcome	Year 2 Outcome	Year 3 Outcome	Desired Outcome for 2023–24
		Added: Overall return rate:52% 95% feel their child is safe at school 95% feel welcomed			

Actions

Action #	Title	Description	Total Funds	Contributing
3.1	Academic Coach	An academic coach and TOSA was hired to give all students who need assistance academically will receive it, provide teachers with professional development, and coordinate SSTs and 504s.	\$100,000.00	No
3.2	Fund art, music, technology, and retain highly qualified staff.	Parcel Tax passed by 78%. maintenance and retention of highly qualified staff.	\$52,272.00	No
3.3	Accessible Master Schedule	The Master Schedule will be designed so 100% students will have equal access to art and music. In addition, the schedule will give priority to the upper grade classes.		No
3.4	Mental Health Counselor	A mental health counselor will continue to provide services to students who are either identified by teacher or parent. Unduplicated Students will be considered first for counseling.	\$1,500.00	Yes
3.5	Fund extracurricular activities	Support and resources will be available to provide access for all students with any extra curricular activities which includes field trips, science camp, arts alive.The school will follow up with unduplicated students when services are offered.	\$1,000.00	Yes

Action #	Title	Description	Total Funds	Contributing
3.6	Communication with Stakeholders	Teachers and staff will return phone calls and emails within the 48 hour window. 96% of the parents will be satisfied with this communication as evidenced by the parent survey.		No
3.7	Technology	Replace iPads or Chromebooks as needed for student use both at school and home.	\$5,000.00	No
3.8	English Learners	Specific time is set aside for students who are English Learners to ensure they have access and are meeting standards.	\$1,000.00	Yes

Goal Analysis [2021-22]

An analysis of how this goal was carried out in the previous year.

A description of any substantive differences in planned actions and actual implementation of these actions.

There were not any substantive differences in planned actions and expenditures.

An explanation of material differences between Budgeted Expenditures and Estimated Actual Expenditures and/or Planned Percentages of Improved Services and Estimated Actual Percentages of Improved Services.

Students who requested financial support or extra curricular activities were provided funding. The cost of the academic coach was more than originally budgeted. No iPads or Chromebooks were purchased.

An explanation of how effective the specific actions were in making progress toward the goal.

Staff and student surveys reflected that the Intervention program and work of the academic coach were very successful. The analysis of benchmarks showed that students who participated made academic growth. Students who saw the counselor were able to receive ongoing support.

A description of any changes made to the planned goal, metrics, desired outcomes, or actions for the coming year that resulted from reflections on prior practice.

Although English Learners have been given the support needed in the class, specific time was spent with the kindergarten and intervention teachers to ensure extra support. A specific action step has been added to address this support.

A report of the Total Estimated Actual Expenditures for last year's actions may be found in the Annual Update Table. A report of the Estimated Actual Percentages of Improved Services for last year's actions may be found in the Contributing Actions Annual Update Table.

Increased or Improved Services for Foster Youth, English Learners, and Low-Income Students [2022-23]

Projected LCFF Supplemental and/or Concentration Grants	Projected Additional LCFF Concentration Grant (15 percent)
\$22,764	

Required Percentage to Increase or Improve Services for the LCAP Year

Projected Percentage to Increase or Improve Services for the Coming School Year	LCFF Carryover — Percentage	LCFF Carryover — Dollar	Total Percentage to Increase or Improve Services for the Coming School Year
2.16%	0.00%	\$0.00	2.16%

The Budgeted Expenditures for Actions identified as Contributing may be found in the Contributing Actions Table.

Required Descriptions

For each action being provided to an entire school, or across the entire school district or county office of education (COE), an explanation of (1) how the needs of foster youth, English learners, and low-income students were considered first, and (2) how these actions are effective in meeting the goals for these students.

HVESD is anticipating 10% unduplicated pupil percentage (UPP) in 2022-2023 and principally directs the supplemental funding to its disadvantaged population on a school wide basis. The staff meets regularly to review classroom and school wide data to consider what is working and what needs we still have. During these date discussions, we review observational data, student work samples, local formative assessments results, and IEP progress. Additional funds from the base are allocated towards services provided to small groups that include disadvantaged and individual students in those designated subgroups. As the district is a small, one school TK-6 district of approximately 120 students (projected for 2022-2023), these methods ensure that the services can be delivered in a grade-appropriate manner to our students in designated subgroups.

Low income students perform slightly lower than all students in benchmarks. However, all students in this category showed gains over the course of the year in ELA and math, either on benchmarks or on their IEP goals. Additionally, all were considered for intervention support and the majority received intervention services. 3 students required and received counseling services throughout the year. 5 of the students will not be at Happy Valley next year, but we will be sure to assess the remaining students early and provide intervention as quickly and as often as possible. We expected that services provided by the intervention teacher and assistant will increase or improve outcomes for all of our low income students..

The district is delivering increased and improved services for unduplicated students beyond the basic program for its unduplicated population, in excess of the 2.16% required. Because the district is so small and because the students in the subgroups are so few, most supplemental funds are used on a school wide basis and are principally directed to meet the needs of those unduplicated students. While we acknowledge that other students will benefit from services provided by those principally directed actions delivered on a school wide basis, these actions were intentionally developed to meet the needs of our unduplicated student groups. \$23,500.00 is budgeted to increase or improve services, \$22,764 of which are supplemental LCFF funds. The district provides direct ELD services in the classroom for its English Language Learners and additional support through one on one instruction if needed. The district also hired a 1.0 FTE intervention teacher with COVID funds as well as a .3875 FTE intervention instructional aide to assist with students which will also allow for more focus on unduplicated students.

A description of how services for foster youth, English learners, and low-income students are being increased or improved by the percentage required.

The staff at Happy Valley School District recognize the importance of support for our foster, low income, and English language learners. Our intervention staff and instructional aides prioritize additional 1.82% support and supplemental supports for this special population of students on our campus.

A description of the plan for how the additional concentration grant add-on funding identified above will be used to increase the number of staff providing direct services to students at schools that have a high concentration (above 55 percent) of foster youth, English learners, and low-income students, as applicable.

Staff-to-student ratios by type of school and concentration of unduplicated students	Schools with a student concentration of 55 percent or less	Schools with a student concentration of greater than 55 percent
Staff-to-student ratio of classified staff providing direct services to students		
Staff-to-student ratio of certificated staff providing direct services to students		

2022-23 Total Expenditures Table

Totals		LCFF Funds	Other State Funds	Local Funds	Federal Funds	Total Funds	Total Personnel	Total Non-personnel
Totals		\$45,750.00	\$16,000.00	\$117,472.00	\$136,050.00	\$315,272.00	\$219,800.00	\$95,472.00

Goal	Action #	Action Title	Student Group(s)	LCFF Funds	Other State Funds	Local Funds	Federal Funds	Total Funds
1	1.1	All classes have access to art and music library and garden, and there are aides provided in every classroom.	All			\$55,000.00		\$55,000.00
1	1.2	Attendance initiative program	All	\$0.00				\$0.00
1	1.3	Social Emotional Learning	English Learners Foster Youth Low Income	\$5,250.00			\$3,750.00	\$9,000.00
1	1.4	School Positive Discipline Program	All					
1	1.5	Volunteer Activity Log	All					
1	1.6	Social Justice and Equity Training	All	\$2,000.00				\$2,000.00
1	1.7	School Website	All			\$2,200.00		\$2,200.00
2	2.1	FOSS Science Curriculum purchase and training	All		\$11,000.00			\$11,000.00
2	2.2	TTP (Teaching Through Problem Solving) Lesson Study	All			\$0.00		\$0.00
2	2.3	Lucy Calkins Writers Workshop	All			\$0.00		\$0.00
2	2.4	Benchmark Assessments	All			\$3,000.00		\$3,000.00

Goal	Action #	Action Title	Student Group(s)	LCFF Funds	Other State Funds	Local Funds	Federal Funds	Total Funds
2	2.5	Lucy Calkins Readers Workshop	All	\$20,000.00	\$5,000.00			\$25,000.00
2	2.6	Intervention Teacher	English Learners Foster Youth Low Income	\$15,000.00			\$16,000.00	\$31,000.00
2	2.7	An instructional aide will be added to support intervention.	English Learners Foster Youth Low Income				\$16,300.00	\$16,300.00
3	3.1	Academic Coach	All				\$100,000.00	\$100,000.00
3	3.2	Fund art, music, technology, and retain highly qualified staff.	All			\$52,272.00		\$52,272.00
3	3.3	Accessible Master Schedule	All					
3	3.4	Mental Health Counselor	English Learners Foster Youth Low Income	\$1,500.00				\$1,500.00
3	3.5	Fund extracurricular activities	English Learners Foster Youth Low Income	\$1,000.00				\$1,000.00
3	3.6	Communication with Stakeholders	All					
3	3.7	Technology	All			\$5,000.00		\$5,000.00
3	3.8	English Learners	English Learners	\$1,000.00				\$1,000.00

2022-23 Contributing Actions Table

1. Projected LCFF Base Grant	2. Projected LCFF Supplemental and/or Concentration Grants	3. Projected Percentage to Increase or Improve Services for the Coming School Year (2 divided by 1)	LCFF Carryover — Percentage (Percentage from Prior Year)	Total Percentage to Increase or Improve Services for the Coming School Year (3 + Carryover %)	4. Total Planned Contributing Expenditures (LCFF Funds)	5. Total Planned Percentage of Improved Services (%)	Planned Percentage to Increase or Improve Services for the Coming School Year (4 divided by 1, plus 5)	Totals by Type	Total LCFF Funds
\$1,055,585	\$22,764	2.16%	0.00%	2.16%	\$23,750.00	0.00%	2.25 %	Total:	\$23,750.00

LEA-wide Total:	\$0.00
Limited Total:	\$1,000.00
Schoolwide Total:	\$22,750.00

Goal	Action #	Action Title	Contributing to Increased or Improved Services?	Scope	Unduplicated Student Group(s)	Location	Planned Expenditures for Contributing Actions (LCFF Funds)	Planned Percentage of Improved Services (%)
1	1.3	Social Emotional Learning	Yes	Schoolwide	English Learners Foster Youth Low Income	All Schools	\$5,250.00	
2	2.6	Intervention Teacher	Yes	Schoolwide	English Learners Foster Youth Low Income	All Schools	\$15,000.00	
2	2.7	An instructional aide will be added to support intervention.	Yes	Schoolwide	English Learners Foster Youth Low Income	All Schools		
3	3.4	Mental Health Counselor	Yes	Schoolwide	English Learners Foster Youth Low Income	All Schools	\$1,500.00	
3	3.5	Fund extracurricular activities	Yes	Schoolwide	English Learners Foster Youth Low Income	All Schools	\$1,000.00	
3	3.8	English Learners	Yes	Limited to Unduplicated Student Group(s)	English Learners	Specific Schools: Happy Valley	\$1,000.00	

2021-22 Annual Update Table

Totals		Last Year's Total Planned Expenditures (Total Funds)	Total Estimated Expenditures (Total Funds)
Totals		\$333,258.15	\$388,579.00

Last Year's Goal #	Last Year's Action #	Prior Action/Service Title	Contributed to Increased or Improved Services?	Last Year's Planned Expenditures (Total Funds)	Estimated Actual Expenditures (Input Total Funds)
1	1.1	All classes have access to art and music library and garden, and there are aides provided in every classroom.	No	\$100,000.00	\$169,888
1	1.2	Attendance initiative program	No	\$200.00	0
1	1.3	Social Emotional Learning	Yes	\$6,600.00	\$4425.94
1	1.4	School Positive Discipline Program	No		
1	1.5	Volunteer Activity Log	No		0
1	1.6	Social Justice and Equity Training	No	\$5,000.00	0
1	1.7	School Website	No		\$318.00
2	2.1	FOSS Science Curriculum purchase and training	No	\$11,000.00	0
2	2.2	TTP (Teaching Through Problem Solving) Lesson Study	No	\$5,000.00	\$260.75
			Yes		

Last Year's Goal #	Last Year's Action #	Prior Action/Service Title	Contributed to Increased or Improved Services?	Last Year's Planned Expenditures (Total Funds)	Estimated Actual Expenditures (Input Total Funds)
2	2.3	Lucy Calkins Writers Workshop	No	\$2,000.00	0
2	2.4	Benchmark Assessments	No		
2	2.5	6th grade readiness for Middle School	No		
2	2.6	Lucy Calkins Readers Workshop	No	\$10,000.00	0
2	2.7	Intervention Teacher	Yes	\$27,300.00	\$12,001.31
2	2.8	An instructional aide will be added to support intervention.	Yes	\$13,936.15	\$7,600.00
2	2.9				\$27,698.00
2	2.10				\$16,300.00
3	3.1	Academic Coach	No	\$92,600.00	\$92,600.00
3	3.2	Fund art, music, technology, and retain highly qualified staff.	No	\$52,272.00	\$52,272.00
3	3.3	Accessible Master Schedule	No		0
3	3.4	Mental Health Counselor	Yes	\$500.00	\$4850
3	3.5	Fund extracurricular activities	Yes	\$1,850.00	\$365
3	3.6	Communication with Stakeholders	No		0

Last Year's Goal #	Last Year's Action #	Prior Action/Service Title	Contributed to Increased or Improved Services?	Last Year's Planned Expenditures (Total Funds)	Estimated Actual Expenditures (Input Total Funds)
3	3.7	Technology		\$5,000.00	0

2021-22 Contributing Actions Annual Update Table

6. Estimated LCFF Supplemental and/or Concentration Grants (Input Dollar Amount)		4. Total Planned Contributing Expenditures (LCFF Funds)	7. Total Estimated Expenditures for Contributing Actions (LCFF Funds)	Difference Between Planned and Estimated Expenditures for Contributing Actions (Subtract 7 from 4)	5. Total Planned Percentage of Improved Services (%)	8. Total Estimated Percentage of Improved Services (%)	Difference Between Planned and Estimated Percentage of Improved Services (Subtract 5 from 8)
\$19,026		\$16,950.00	\$21,913.00	(\$4,963.00)	0.00%	0.00%	0.00%
Last Year's Goal #	Last Year's Action #	Prior Action/Service Title	Contributing to Increased or Improved Services?	Last Year's Planned Expenditures for Contributing Actions (LCFF Funds)	Estimated Actual Expenditures for Contributing Actions (Input LCFF Funds)	Planned Percentage of Improved Services	Estimated Actual Percentage of Improved Services (Input Percentage)
1	1.3	Social Emotional Learning	Yes	\$1,600.00	4425.94		
2	2.2	TTP (Teaching Through Problem Solving) Lesson Study	Yes		260.75		
2	2.7	Intervention Teacher	Yes	\$13,000.00	12001.31		
2	2.8	An instructional aide will be added to support intervention.	Yes				
3	3.4	Mental Health Counselor	Yes	\$500.00	4850		
3	3.5	Fund extracurricular activities	Yes	\$1,850.00	\$375		

2021-22 LCFF Carryover Table

9. Estimated Actual LCFF Base Grant (Input Dollar Amount)	6. Estimated Actual LCFF Supplemental and/or Concentration Grants	LCFF Carryover — Percentage (Percentage from Prior Year)	10. Total Percentage to Increase or Improve Services for the Current School Year (6 divided by 9 + Carryover %)	7. Total Estimated Actual Expenditures for Contributing Actions (LCFF Funds)	8. Total Estimated Actual Percentage of Improved Services (%)	11. Estimated Actual Percentage of Increased or Improved Services (7 divided by 9, plus 8)	12. LCFF Carryover — Dollar Amount (Subtract 11 from 10 and multiply by 9)	13. LCFF Carryover — Percentage (12 divided by 9)
\$952,614	\$19,026	0%	2.00%	\$21,913.00	0.00%	2.30%	\$0.00	0.00%

Instructions

Plan Summary

Engaging Educational Partners

Goals and Actions

Increased or Improved Services for Foster Youth, English Learners, and Low-Income Students

For additional questions or technical assistance related to the completion of the Local Control and Accountability Plan (LCAP) template, please contact the local county office of education (COE), or the California Department of Education's (CDE's) Local Agency Systems Support Office, by phone at 916-319-0809 or by email at lcff@cde.ca.gov.

Introduction and Instructions

The Local Control Funding Formula (LCFF) requires local educational agencies (LEAs) to engage their local educational partners in an annual planning process to evaluate their progress within eight state priority areas encompassing all statutory metrics (COEs have 10 state priorities). LEAs document the results of this planning process in the LCAP using the template adopted by the State Board of Education.

The LCAP development process serves three distinct, but related functions:

- **Comprehensive Strategic Planning:** The process of developing and annually updating the LCAP supports comprehensive strategic planning (California Education Code [EC] Section 52064[e][1]). Strategic planning that is comprehensive connects budgetary decisions to teaching and learning performance data. LEAs should continually evaluate the hard choices they make about the use of limited resources to meet student and community needs to ensure opportunities and outcomes are improved for all students.
- **Meaningful Engagement of Educational Partners:** The LCAP development process should result in an LCAP that reflects decisions made through meaningful engagement (EC Section 52064[e][1]). Local educational partners possess valuable perspectives and insights about an LEA's programs and services. Effective strategic planning will incorporate these perspectives and insights in order to identify potential goals and actions to be included in the LCAP.
- **Accountability and Compliance:** The LCAP serves an important accountability function because aspects of the LCAP template require LEAs to show that they have complied with various requirements specified in the LCFF statutes and regulations, most notably:
 - Demonstrating that LEAs are increasing or improving services for foster youth, English learners, and low-income students in proportion to the amount of additional funding those students generate under LCFF (EC Section 52064[b][4-6]).
 - Establishing goals, supported by actions and related expenditures, that address the statutory priority areas and statutory metrics (EC sections 52064[b][1] and [2]).
 - Annually reviewing and updating the LCAP to reflect progress toward the goals (EC Section 52064[b][7]).

The LCAP template, like each LEA's final adopted LCAP, is a document, not a process. LEAs must use the template to memorialize the outcome of their LCAP development process, which should: (a) reflect comprehensive strategic planning (b) through meaningful engagement with educational partners that (c) meets legal requirements, as reflected in the final adopted LCAP. The sections included within the LCAP template do not and cannot reflect the full development process, just as the LCAP template itself is not intended as a tool for engaging educational partners.

If a county superintendent of schools has jurisdiction over a single school district, the county board of education and the governing board of the school district may adopt and file for review and approval a single LCAP consistent with the requirements in *EC* sections 52060, 52062, 52066, 52068, and 52070. The LCAP must clearly articulate to which entity's budget (school district or county superintendent of schools) all budgeted and actual expenditures are aligned.

The revised LCAP template for the 2021–22, 2022–23, and 2023–24 school years reflects statutory changes made through Assembly Bill 1840 (Committee on Budget), Chapter 243, Statutes of 2018. These statutory changes enhance transparency regarding expenditures on actions included in the LCAP, including actions that contribute to meeting the requirement to increase or improve services for foster youth, English learners, and low-income students, and to streamline the information presented within the LCAP to make adopted LCAPs more accessible for educational partners and the public.

At its most basic, the adopted LCAP should attempt to distill not just what the LEA is doing for students in transitional kindergarten through grade twelve (TK–12), but also allow educational partners to understand why, and whether those strategies are leading to improved opportunities and outcomes for students. LEAs are strongly encouraged to use language and a level of detail in their adopted LCAPs intended to be meaningful and accessible for the LEA's diverse educational partners and the broader public.

In developing and finalizing the LCAP for adoption, LEAs are encouraged to keep the following overarching frame at the forefront of the strategic planning and educational partner engagement functions:

Given present performance across the state priorities and on indicators in the California School Dashboard (Dashboard), how is the LEA using its budgetary resources to respond to TK–12 student and community needs, and address any performance gaps, including by meeting its obligation to increase or improve services for foster youth, English learners, and low-income students?

LEAs are encouraged to focus on a set of metrics and actions that the LEA believes, based on input gathered from educational partners, research, and experience, will have the biggest impact on behalf of its TK–12 students.

These instructions address the requirements for each section of the LCAP, but may include information about effective practices when developing the LCAP and completing the LCAP itself. Additionally, information is included at the beginning of each section emphasizing the purpose that each section serves.

Plan Summary

Purpose

A well-developed Plan Summary section provides a meaningful context for the LCAP. This section provides information about an LEA's community as well as relevant information about student needs and performance. In order to provide a meaningful context for the rest of the LCAP, the content of this section should be clearly and meaningfully related to the content included in the subsequent sections of the LCAP.

Requirements and Instructions

General Information – Briefly describe the LEA, its schools, and its students in grades TK–12, as applicable to the LEA. For example, information about an LEA in terms of geography, enrollment, or employment, the number and size of specific schools, recent community challenges, and other such information as an LEA wishes to include can enable a reader to more fully understand an LEA's LCAP.

Reflections: Successes – Based on a review of performance on the state indicators and local performance indicators included in the Dashboard, progress toward LCAP goals, local self-assessment tools, input from educational partners, and any other information, what progress is the LEA most proud of and how does the LEA plan to maintain or build upon that success? This may include identifying specific examples of how past increases or improvements in services for foster youth, English learners, and low-income students have led to improved performance for these students.

Reflections: Identified Need – Referring to the Dashboard, identify: (a) any state indicator for which overall performance was in the “Red” or “Orange” performance category or any local indicator where the LEA received a “Not Met” or “Not Met for Two or More Years” rating AND (b) any state indicator for which performance for any student group was two or more performance levels below the “all student” performance. What steps is the LEA planning to take to address these areas of low performance and performance gaps? An LEA that is required to include a goal to address one or more consistently low-performing student groups or low-performing schools must identify that it is required to include this goal and must also identify the applicable student group(s) and/or school(s). Other needs may be identified using locally collected data including data collected to inform the self-reflection tools and reporting local indicators on the Dashboard.

LCAP Highlights – Identify and briefly summarize the key features of this year's LCAP.

Comprehensive Support and Improvement – An LEA with a school or schools identified for comprehensive support and improvement (CSI) under the Every Student Succeeds Act must respond to the following prompts:

- **Schools Identified:** Identify the schools within the LEA that have been identified for CSI.
- **Support for Identified Schools:** Describe how the LEA has or will support the identified schools in developing CSI plans that included a school-level needs assessment, evidence-based interventions, and the identification of any resource inequities to be addressed through the implementation of the CSI plan.
- **Monitoring and Evaluating Effectiveness:** Describe how the LEA will monitor and evaluate the implementation and effectiveness of the CSI plan to support student and school improvement.

Engaging Educational Partners

Purpose

Significant and purposeful engagement of parents, students, educators, and other educational partners, including those representing the student groups identified by LCFF, is critical to the development of the LCAP and the budget process. Consistent with statute, such engagement should support comprehensive strategic planning, accountability, and improvement across the state priorities and locally identified priorities (EC Section 52064[e][1]). Engagement of educational partners is an ongoing, annual process.

This section is designed to reflect how the engagement of educational partners influenced the decisions reflected in the adopted LCAP. The goal is to allow educational partners that participated in the LCAP development process and the broader public understand how the LEA engaged educational partners and the impact of that engagement. LEAs are encouraged to keep this goal in the forefront when completing this section.

Statute and regulations specify the educational partners that school districts and COEs must consult when developing the LCAP: teachers, principals, administrators, other school personnel, local bargaining units of the LEA, parents, and students. Before adopting the LCAP, school districts and COEs must share it with the Parent Advisory Committee and, if applicable, to its English Learner Parent Advisory Committee. The superintendent is required by statute to respond in writing to the comments received from these committees. School districts and COEs must also consult with the special education local plan area administrator(s) when developing the LCAP.

Statute requires charter schools to consult with teachers, principals, administrators, other school personnel, parents, and students in developing the LCAP. The LCAP should also be shared with, and LEAs should request input from, schoolsite-level advisory groups, as applicable (e.g., schoolsite councils, English Learner Advisory Councils, student advisory groups, etc.), to facilitate alignment between schoolsite and district-level goals and actions.

Information and resources that support effective engagement, define student consultation, and provide the requirements for advisory group composition, can be found under Resources on the following web page of the CDE's website: <https://www.cde.ca.gov/re/lc/>.

Requirements and Instructions

Below is an excerpt from the 2018–19 *Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting*, which is provided to highlight the legal requirements for engagement of educational partners in the LCAP development process:

Local Control and Accountability Plan:

For county offices of education and school districts only, verify the LEA:

- a) Presented the local control and accountability plan to the parent advisory committee in accordance with Education Code section 52062(a)(1) or 52068(a)(1), as appropriate.
- b) If applicable, presented the local control and accountability plan to the English learner parent advisory committee, in accordance with Education Code section 52062(a)(2) or 52068(a)(2), as appropriate.

- c) Notified members of the public of the opportunity to submit comments regarding specific actions and expenditures proposed to be included in the local control and accountability plan in accordance with Education Code section 52062(a)(3) or 52068(a)(3), as appropriate.
- d) Held at least one public hearing in accordance with Education Code section 52062(b)(1) or 52068(b)(1), as appropriate.
- e) Adopted the local control and accountability plan in a public meeting in accordance with Education Code section 52062(b)(2) or 52068(b)(2), as appropriate.

Prompt 1: "A summary of the process used to engage educational partners and how this engagement was considered before finalizing the LCAP."

Describe the engagement process used by the LEA to involve educational partners in the development of the LCAP, including, at a minimum, describing how the LEA met its obligation to consult with all statutorily required educational partners as applicable to the type of LEA. A sufficient response to this prompt must include general information about the timeline of the process and meetings or other engagement strategies with educational partners. A response may also include information about an LEA's philosophical approach to engaging its educational partners.

Prompt 2: "A summary of the feedback provided by specific educational partners."

Describe and summarize the feedback provided by specific educational partners. A sufficient response to this prompt will indicate ideas, trends, or inputs that emerged from an analysis of the feedback received from educational partners.

Prompt 3: "A description of the aspects of the LCAP that were influenced by specific input from educational partners."

A sufficient response to this prompt will provide educational partners and the public with clear, specific information about how the engagement process influenced the development of the LCAP. The response must describe aspects of the LCAP that were influenced by or developed in response to the educational partner feedback described in response to Prompt 2. This may include a description of how the LEA prioritized requests of educational partners within the context of the budgetary resources available or otherwise prioritized areas of focus within the LCAP. For the purposes of this prompt, "aspects" of an LCAP that may have been influenced by educational partner input can include, but are not necessarily limited to:

- Inclusion of a goal or decision to pursue a Focus Goal (as described below)
- Inclusion of metrics other than the statutorily required metrics
- Determination of the desired outcome on one or more metrics
- Inclusion of performance by one or more student groups in the Measuring and Reporting Results subsection
- Inclusion of action(s) or a group of actions
- Elimination of action(s) or group of actions
- Changes to the level of proposed expenditures for one or more actions

- Inclusion of action(s) as contributing to increased or improved services for unduplicated services
- Determination of effectiveness of the specific actions to achieve the goal
- Determination of material differences in expenditures
- Determination of changes made to a goal for the ensuing LCAP year based on the annual update process
- Determination of challenges or successes in the implementation of actions

Goals and Actions

Purpose

Well-developed goals will clearly communicate to educational partners what the LEA plans to accomplish, what the LEA plans to do in order to accomplish the goal, and how the LEA will know when it has accomplished the goal. A goal statement, associated metrics and expected outcomes, and the actions included in the goal should be in alignment. The explanation for why the LEA included a goal is an opportunity for LEAs to clearly communicate to educational partners and the public why, among the various strengths and areas for improvement highlighted by performance data and strategies and actions that could be pursued, the LEA decided to pursue this goal, and the related metrics, expected outcomes, actions, and expenditures.

A well-developed goal can be focused on the performance relative to a metric or metrics for all students, a specific student group(s), narrowing performance gaps, or implementing programs or strategies expected to impact outcomes. LEAs should assess the performance of their student groups when developing goals and the related actions to achieve such goals.

Requirements and Instructions

LEAs should prioritize the goals, specific actions, and related expenditures included within the LCAP within one or more state priorities. LEAs should consider performance on the state and local indicators, including their locally collected and reported data for the local indicators that are included in the Dashboard in determining whether and how to prioritize its goals within the LCAP.

In order to support prioritization of goals, the LCAP template provides LEAs with the option of developing three different kinds of goals:

- **Focus Goal:** A Focus Goal is relatively more concentrated in scope and may focus on a fewer number of metrics to measure improvement. A Focus Goal statement will be time bound and make clear how the goal is to be measured.
- **Broad Goal:** A Broad Goal is relatively less concentrated in its scope and may focus on improving performance across a wide range of metrics.
- **Maintenance of Progress Goal:** A Maintenance of Progress Goal includes actions that may be ongoing without significant changes and allows an LEA to track performance on any metrics not addressed in the other goals of the LCAP.

At a minimum, the LCAP must address all LCFF priorities and associated metrics.

Focus Goal(s)

Goal Description: The description provided for a Focus Goal must be specific, measurable, and time bound. An LEA develops a Focus Goal to address areas of need that may require or benefit from a more specific and data intensive approach. The Focus Goal can explicitly reference the metric(s) by which achievement of the goal will be measured and the time frame according to which the LEA expects to achieve the goal.

Explanation of why the LEA has developed this goal: Explain why the LEA has chosen to prioritize this goal. An explanation must be based on Dashboard data or other locally collected data. LEAs must describe how the LEA identified this goal for focused attention, including relevant consultation with educational partners. LEAs are encouraged to promote transparency and understanding around the decision to pursue a focus goal.

Broad Goal

Goal Description: Describe what the LEA plans to achieve through the actions included in the goal. The description of a broad goal will be clearly aligned with the expected measurable outcomes included for the goal. The goal description organizes the actions and expected outcomes in a cohesive and consistent manner. A goal description is specific enough to be measurable in either quantitative or qualitative terms. A broad goal is not as specific as a focus goal. While it is specific enough to be measurable, there are many different metrics for measuring progress toward the goal.

Explanation of why the LEA has developed this goal: Explain why the LEA developed this goal and how the actions and metrics grouped together will help achieve the goal.

Maintenance of Progress Goal

Goal Description: Describe how the LEA intends to maintain the progress made in the LCFF State Priorities not addressed by the other goals in the LCAP. Use this type of goal to address the state priorities and applicable metrics not addressed within the other goals in the LCAP. The state priorities and metrics to be addressed in this section are those for which the LEA, in consultation with educational partners, has determined to maintain actions and monitor progress while focusing implementation efforts on the actions covered by other goals in the LCAP.

Explanation of why the LEA has developed this goal: Explain how the actions will sustain the progress exemplified by the related metrics.

Required Goals

In general, LEAs have flexibility in determining what goals to include in the LCAP and what those goals will address; however, beginning with the development of the 2022–23 LCAP, LEAs that meet certain criteria are required to include a specific goal in their LCAP.

Consistently low-performing student group(s) criteria: An LEA is eligible for Differentiated Assistance for three or more consecutive years based on the performance of the same student group or groups in the Dashboard. A list of the LEAs required to include a goal in the LCAP based on student group performance, and the student group(s) that lead to identification, may be found on the CDE's Local Control Funding Formula web page at <https://www.cde.ca.gov/fq/aa/lc/>.

- **Consistently low-performing student group(s) goal requirement:** An LEA meeting the consistently low-performing student group(s) criteria must include a goal in its LCAP focused on improving the performance of the student group or groups that led to the LEA's eligibility for Differentiated

Assistance. This goal must include metrics, outcomes, actions, and expenditures specific to addressing the needs of, and improving outcomes for, this student group or groups. An LEA required to address multiple student groups is not required to have a goal to address each student group; however, each student group must be specifically addressed in the goal. This requirement may not be met by combining this required goal with another goal.

- **Goal Description:** Describe the outcomes the LEA plans to achieve to address the needs of, and improve outcomes for, the student group or groups that led to the LEA's eligibility for Differentiated Assistance.
- **Explanation of why the LEA has developed this goal:** Explain why the LEA is required to develop this goal, including identifying the student group(s) that lead to the LEA being required to develop this goal, how the actions and associated metrics included in this goal differ from previous efforts to improve outcomes for the student group(s), and why the LEA believes the actions, metrics, and expenditures included in this goal will help achieve the outcomes identified in the goal description.

Low-performing school(s) criteria: The following criteria only applies to a school district or COE with two or more schools; it does not apply to a single-school district. A school district or COE has one or more schools that, for two consecutive years, received the two lowest performance levels on all but one of the state indicators for which the school(s) receive performance levels in the Dashboard and the performance of the "All Students" student group for the LEA is at least one performance level higher in all of those indicators. A list of the LEAs required to include a goal in the LCAP based on school performance, and the school(s) that lead to identification, may be found on the CDE's Local Control Funding Formula web page at <https://www.cde.ca.gov/fg/aa/lc/>.

- **Low-performing school(s) goal requirement:** A school district or COE meeting the low-performing school(s) criteria must include a goal in its LCAP focusing on addressing the disparities in performance between the school(s) and the LEA as a whole. This goal must include metrics, outcomes, actions, and expenditures specific to addressing the needs of, and improving outcomes for, the students enrolled at the low-performing school or schools. An LEA required to address multiple schools is not required to have a goal to address each school; however, each school must be specifically addressed in the goal. This requirement may not be met by combining this goal with another goal.
- **Goal Description:** Describe what outcomes the LEA plans to achieve to address the disparities in performance between the students enrolled at the low-performing school(s) and the students enrolled at the LEA as a whole.
- **Explanation of why the LEA has developed this goal:** Explain why the LEA is required to develop this goal, including identifying the school(s) that lead to the LEA being required to develop this goal; how the actions and associated metrics included in this goal differ from previous efforts to improve outcomes for the school(s); and why the LEA believes the actions, metrics, and expenditures included in this goal will help achieve the outcomes for students enrolled at the low-performing school or schools identified in the goal description.

Measuring and Reporting Results:

For each LCAP year, identify the metric(s) that the LEA will use to track progress toward the expected outcomes. LEAs are encouraged to identify metrics for specific student groups, as appropriate, including expected outcomes that would reflect narrowing of any existing performance gaps.

Include in the baseline column the most recent data associated with this metric available at the time of adoption of the LCAP for the first year of the three-year plan. LEAs may use data as reported on the 2019 Dashboard for the baseline of a metric only if that data represents the most recent available (e.g., high school graduation rate).

Using the most recent data available may involve reviewing data the LEA is preparing for submission to the California Longitudinal Pupil Achievement Data System (CALPADS) or data that the LEA has recently submitted to CALPADS. Because final 2020–21 outcomes on some metrics may not be computable at the time the 2021–24 LCAP is adopted (e.g., graduation rate, suspension rate), the most recent data available may include a point in time calculation taken each year on the same date for comparability purposes.

The baseline data shall remain unchanged throughout the three-year LCAP.

Complete the table as follows:

- **Metric:** Indicate how progress is being measured using a metric.
- **Baseline:** Enter the baseline when completing the LCAP for 2021–22. As described above, the baseline is the most recent data associated with a metric. Indicate the school year to which the data applies, consistent with the instructions above.
- **Year 1 Outcome:** When completing the LCAP for 2022–23, enter the most recent data available. Indicate the school year to which the data applies, consistent with the instructions above.
- **Year 2 Outcome:** When completing the LCAP for 2023–24, enter the most recent data available. Indicate the school year to which the data applies, consistent with the instructions above.
- **Year 3 Outcome:** When completing the LCAP for 2024–25, enter the most recent data available. Indicate the school year to which the data applies, consistent with the instructions above. The 2024–25 LCAP will be the first year in the next three-year cycle. Completing this column will be part of the Annual Update for that year.
- **Desired Outcome for 2023–24:** When completing the first year of the LCAP, enter the desired outcome for the relevant metric the LEA expects to achieve by the end of the 2023–24 LCAP year.

Timeline for completing the “**Measuring and Reporting Results**” part of the Goal.

Metric	Baseline	Year 1 Outcome	Year 2 Outcome	Year 3 Outcome	Desired Outcome for Year 3 (2023–24)
Enter information in this box when completing the LCAP for 2021–22.	Enter information in this box when completing the LCAP for 2021–22.	Enter information in this box when completing the LCAP for 2022–23. Leave blank until then.	Enter information in this box when completing the LCAP for 2023–24. Leave blank until then.	Enter information in this box when completing the LCAP for 2024–25. Leave blank until then.	Enter information in this box when completing the LCAP for 2021–22 or when adding a new metric.

The metrics may be quantitative or qualitative; but at minimum, an LEA's LCAP must include goals that are measured using all of the applicable metrics for the related state priorities, in each LCAP year as applicable to the type of LEA. To the extent a state priority does not specify one or more metrics (e.g., implementation of state academic content and performance standards), the LEA must identify a metric to use within the LCAP. For these state priorities, LEAs are encouraged to use metrics based on or reported through the relevant self-reflection tool for local indicators within the Dashboard.

Actions: Enter the action number. Provide a short title for the action. This title will also appear in the action tables. Provide a description of the action. Enter the total amount of expenditures associated with this action. Budgeted expenditures from specific fund sources will be provided in the summary tables. Indicate whether the action contributes to meeting the increase or improved services requirement as described in the Increased or Improved Services section using a "Y" for Yes or an "N" for No. (Note: for each such action offered on an LEA-wide or schoolwide basis, the LEA will need to provide additional information in the Increased or Improved Summary Section to address the requirements in *California Code of Regulations*, Title 5 [5 CCR] Section 15496(b) in the Increased or Improved Services Section of the LCAP).

Actions for English Learners: School districts, COEs, and charter schools that have a numerically significant English learner student subgroup must include specific actions in the LCAP related to, at a minimum, the language acquisition programs, as defined in EC Section 306, provided to students and professional development activities specific to English learners.

Actions for Foster Youth: School districts, COEs, and charter schools that have a numerically significant Foster Youth student subgroup are encouraged to include specific actions in the LCAP designed to meet needs specific to Foster Youth students.

Goal Analysis:

Enter the LCAP Year.

Using actual annual measurable outcome data, including data from the Dashboard, analyze whether the planned actions were effective in achieving the goal. Respond to the prompts as instructed.

- Describe the overall implementation of the actions to achieve the articulated goal. Include a discussion of relevant challenges and successes experienced with the implementation process. This must include any instance where the LEA did not implement a planned action or implemented a planned action in a manner that differs substantively from how it was described in the adopted LCAP.
- Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures and between the Planned Percentages of Improved Services and Estimated Actual Percentages of Improved Services, as applicable. Minor variances in expenditures or percentages do not need to be addressed, and a dollar-for-dollar accounting is not required.
- Describe the effectiveness of the specific actions to achieve the articulated goal as measured by the LEA. In some cases, not all actions in a goal will be intended to improve performance on all of the metrics associated with the goal. When responding to this prompt, LEAs may assess the effectiveness of a single action or group of actions within the goal in the context of performance on a single metric or group of specific metrics within the goal that are applicable to the action(s). Grouping actions with metrics will allow for more robust analysis of whether the strategy the LEA is using to impact a specified set of metrics is working and increase transparency for educational partners. LEAs are encouraged to use such an approach when goals include multiple actions and metrics that are not closely associated.
- Describe any changes made to this goal, expected outcomes, metrics, or actions to achieve this goal as a result of this analysis and analysis of the data provided in the Dashboard or other local data, as applicable.

Increased or Improved Services for Foster Youth, English Learners, and Low-Income Students

Purpose

A well-written Increased or Improved Services section provides educational partners with a comprehensive description, within a single dedicated section, of how an LEA plans to increase or improve services for its unduplicated students in grades TK–12 as compared to all students in grades TK–12, as applicable, and how LEA-wide or schoolwide actions identified for this purpose meet regulatory requirements. Descriptions provided should include sufficient detail yet be sufficiently succinct to promote a broader understanding of educational partners to facilitate their ability to provide input. An LEA's description in this section must align with the actions included in the Goals and Actions section as contributing.

Requirements and Instructions

Projected LCFF Supplemental and/or Concentration Grants: Specify the amount of LCFF supplemental and concentration grant funds the LEA estimates it will receive in the coming year based on the number and concentration of low income, foster youth, and English learner students.

Projected Additional LCFF Concentration Grant (15 percent): Specify the amount of additional LCFF concentration grant add-on funding, as described in EC Section 42238.02, that the LEA estimates it will receive in the coming year.

Projected Percentage to Increase or Improve Services for the Coming School Year: Specify the estimated percentage by which services for unduplicated pupils must be increased or improved as compared to the services provided to all students in the LCAP year as calculated pursuant to 5 CCR Section 15496(a)(7).

LCFF Carryover — Percentage: Specify the LCFF Carryover — Percentage identified in the LCFF Carryover Table. If a carryover percentage is not identified in the LCFF Carryover Table, specify a percentage of zero (0.00%).

LCFF Carryover — Dollar: Specify the LCFF Carryover — Dollar amount identified in the LCFF Carryover Table. If a carryover amount is not identified in the LCFF Carryover Table, specify an amount of zero (\$0).

Total Percentage to Increase or Improve Services for the Coming School Year: Add the Projected Percentage to Increase or Improve Services for the Coming School Year and the Proportional LCFF Required Carryover Percentage and specify the percentage. This is the LEAs percentage by which services for unduplicated pupils must be increased or improved as compared to the services provided to all students in the LCAP year, as calculated pursuant to 5 CCR Section 15496(a)(7).

Required Descriptions:

For each action being provided to an entire school, or across the entire school district or COE, an explanation of (1) how the needs of foster youth, English learners, and low-income students were considered first, and (2) how these actions are effective in meeting the goals for these students.

For each action included in the Goals and Actions section as contributing to the increased or improved services requirement for unduplicated pupils and provided on an LEA-wide or schoolwide basis, the LEA must include an explanation consistent with 5 CCR Section 15496(b). For any such actions continued into the 2021–24 LCAP from the 2017–2020 LCAP, the LEA must determine whether or not the action was effective as expected, and this determination must reflect evidence of outcome data or actual implementation to date.

Principally Directed and Effective: An LEA demonstrates how an action is principally directed towards and effective in meeting the LEA's goals for unduplicated students when the LEA explains how:

- It considers the needs, conditions, or circumstances of its unduplicated pupils;
- The action, or aspect(s) of the action (including, for example, its design, content, methods, or location), is based on these considerations; and
- The action is intended to help achieve an expected measurable outcome of the associated goal.

As such, the response provided in this section may rely on a needs assessment of unduplicated students.

Conclusory statements that a service will help achieve an expected outcome for the goal, without an explicit connection or further explanation as to how, are not sufficient. Further, simply stating that an LEA has a high enrollment percentage of a specific student group or groups does not meet the increase or improve services standard because enrolling students is not the same as serving students.

For example, if an LEA determines that low-income students have a significantly lower attendance rate than the attendance rate for all students, it might justify LEA-wide or schoolwide actions to address this area of need in the following way:

After assessing the needs, conditions, and circumstances of our low-income students, we learned that the attendance rate of our low-income students is 7 percent lower than the attendance rate for all students. (Needs, Conditions, Circumstances [Principally Directed])

In order to address this condition of our low-income students, we will develop and implement a new attendance program that is designed to address some of the major causes of absenteeism, including lack of reliable transportation and food, as well as a school climate that does not emphasize the importance of attendance. Goal N, Actions X, Y, and Z provide additional transportation and nutritional resources as well as a districtwide educational campaign on the benefits of high attendance rates. (Contributing Action[s])

These actions are being provided on an LEA-wide basis and we expect/hope that all students with less than a 100 percent attendance rate will benefit. However, because of the significantly lower attendance rate of low-income students, and because the actions meet needs most associated with the chronic stresses and experiences of a socio-economically disadvantaged status, we expect that the attendance rate for our low-income students will increase significantly more than the average attendance rate of all other students. (Measurable Outcomes [Effective In])

COEs and Charter Schools: Describe how actions included as contributing to meeting the increased or improved services requirement on an LEA-wide basis are principally directed to and effective in meeting its goals for unduplicated pupils in the state and any local priorities as described above. In the case of COEs and charter schools, schoolwide and LEA-wide are considered to be synonymous.

For School Districts Only:

Actions Provided on an LEA-Wide Basis:

Unduplicated Percentage > 55 percent: For school districts with an unduplicated pupil percentage of 55 percent or more, describe how these actions are principally directed to and effective in meeting its goals for unduplicated pupils in the state and any local priorities as described above.

Unduplicated Percentage < 55 percent: For school districts with an unduplicated pupil percentage of less than 55 percent, describe how these actions are principally directed to and effective in meeting its goals for unduplicated pupils in the state and any local priorities. Also describe how the actions are the **most effective use of the funds** to meet these goals for its unduplicated pupils. Provide the basis for this determination, including any alternatives considered, supporting research, experience, or educational theory.

Actions Provided on a Schoolwide Basis:

School Districts must identify in the description those actions being funded and provided on a schoolwide basis, and include the required description supporting the use of the funds on a schoolwide basis.

For schools with 40 percent or more enrollment of unduplicated pupils: Describe how these actions are principally directed to and effective in meeting its goals for its unduplicated pupils in the state and any local priorities.

For school districts expending funds on a schoolwide basis at a school with less than 40 percent enrollment of unduplicated pupils: Describe how these actions are principally directed to and how the actions are the most effective use of the funds to meet its goals for foster youth, English learners, and low-income students in the state and any local priorities.

A description of how services for foster youth, English learners, and low-income students are being increased or improved by the percentage required.

Consistent with the requirements of 5 CCR Section 15496, describe how services provided for unduplicated pupils are increased or improved by at least the percentage calculated as compared to the services provided for all students in the LCAP year. To improve services means to grow services in quality and to increase services means to grow services in quantity. Services are increased or improved by those actions in the LCAP that are included in the Goals and Actions section as contributing to the increased or improved services requirement, whether they are provided on an LEA-wide or schoolwide basis or provided on a limited basis to unduplicated students. A limited action is an action that only serves foster youth, English learners, and/or low-income students. This description must address how these action(s) are expected to result in the required proportional increase or improvement in services for unduplicated pupils as compared to the services the LEA provides to all students for the relevant LCAP year.

For any action contributing to meeting the increased or improved services requirement that is associated with a Planned Percentage of Improved Services in the Contributing Summary Table rather than an expenditure of LCFF funds, describe the methodology that was used to determine the contribution of the action towards the proportional percentage. See the instructions for determining the Planned Percentage of Improved Services for information on calculating the Percentage of Improved Services.

A description of the plan for how the additional concentration grant add-on funding identified above will be used to increase the number of staff providing direct services to students at schools that have a high concentration (above 55 percent) of foster youth, English learners, and low-income students, as applicable.

An LEA that receives the additional concentration grant add-on described in EC Section 42238.02 is required to demonstrate how it is using these funds to increase the number of staff who provide direct services to students at schools with an enrollment of unduplicated students that is greater than 55 percent as compared to the number of staff who provide direct services to students at schools with an enrollment of unduplicated students that is equal to or less than 55 percent. The staff who provide direct services to students must be certificated staff and/or classified staff employed by the LEA; classified staff includes custodial staff.

Provide the following descriptions, as applicable to the LEA:

An LEA that does not receive a concentration grant or the concentration grant add-on must indicate that a response to this prompt is not applicable.

Identify the goal and action numbers of the actions in the LCAP that the LEA is implementing to meet the requirement to increase the number of staff who provide direct services to students at schools with an enrollment of unduplicated students that is greater than 55 percent.

An LEA that does not have comparison schools from which to describe how it is using the concentration grant add-on funds, such as an LEA that only has schools with an enrollment of unduplicated students that is greater than 55 percent, must describe how it is using the funds to increase the number of credentialed staff, classified staff, or both, including custodial staff, who provide direct services to students at selected schools and the criteria used to determine which schools require additional staffing support.

In the event that an additional concentration grant add-on is not sufficient to increase staff providing direct services to students at a school with an enrollment of unduplicated students that is greater than 55 percent, the LEA must describe how it is using the funds to retain staff providing direct services to students at a school with an enrollment of unduplicated students that is greater than 55 percent.

Complete the table as follows:

- Provide the staff-to-student ratio of classified staff providing direct services to students with a concentration of unduplicated students that is 55 percent or less and the staff-to-student ratio of classified staff providing direct services to students at schools with a concentration of unduplicated students that is greater than 55 percent, as applicable to the LEA. The LEA may group its schools by grade span (Elementary, Middle/Junior High, and High Schools), as applicable to the LEA. The staff-to-student ratio must be based on the number of full time equivalent (FTE) staff and the number of enrolled students as counted on the first Wednesday in October of each year.
- Provide the staff-to-student ratio of certificated staff providing direct services to students at schools with a concentration of unduplicated students that is 55 percent or less and the staff-to-student ratio of certificated staff providing direct services to students at schools with a concentration of unduplicated students that is greater than 55 percent, as applicable to the LEA. The LEA may group its schools by grade span (Elementary, Middle/Junior High, and High Schools), as applicable to the LEA. The staff-to-student ratio must be based on the number of FTE staff and the number of enrolled students as counted on the first Wednesday in October of each year.

Action Tables

Complete the Data Entry Table for each action in the LCAP. The information entered into this table will automatically populate the other Action Tables. Information is only entered into the Data Entry Table, the Annual Update Table, the Contributing Actions Annual Update Table, and the LCFF Carryover Table. With the exception of the Data Entry Table, the word "input" has been added to column headers to aid in identifying the column(s) where information will be entered. Information is not entered on the remaining Action tables.

The following tables are required to be included as part of the LCAP adopted by the local governing board or governing body:

- Table 1: Total Planned Expenditures Table (for the coming LCAP Year)

- Table 2: Contributing Actions Table (for the coming LCAP Year)
- Table 3: Annual Update Table (for the current LCAP Year)
- Table 4: Contributing Actions Annual Update Table (for the current LCAP Year)
- Table 5: LCFF Carryover Table (for the current LCAP Year)

Note: The coming LCAP Year is the year that is being planned for, while the current LCAP year is the current year of implementation. For example, when developing the 2022–23 LCAP, 2022–23 will be the coming LCAP Year and 2021–22 will be the current LCAP Year.

Data Entry Table

The Data Entry Table may be included in the LCAP as adopted by the local governing board or governing body, but is not required to be included. In the Data Entry Table, input the following information for each action in the LCAP for that applicable LCAP year:

- **LCAP Year:** Identify the applicable LCAP Year.
- **1. Projected LCFF Base Grant:** Provide the total amount of LCFF funding the LEA estimates it will receive for the coming school year, excluding the supplemental and concentration grants and the add-ons for the Targeted Instructional Improvement Grant Program and the Home to School Transportation Program, pursuant to 5 CCR Section 15496(a)(8).

See EC sections 2574 (for COEs) and 42238.02 (for school districts and charter schools), as applicable, for LCFF apportionment calculations.

- **2. Projected LCFF Supplemental and/or Concentration Grants:** Provide the total amount of LCFF supplemental and concentration grants the LEA estimates it will receive on the basis of the number and concentration of unduplicated students for the coming school year.
- **3. Projected Percentage to Increase or Improve Services for the Coming School Year:** This percentage will not be entered; it is calculated based on the Projected LCFF Base Grant and the Projected LCFF Supplemental and/or Concentration Grants, pursuant to 5 CCR Section 15496(a)(8). This is the percentage by which services for unduplicated pupils must be increased or improved as compared to the services provided to all students in the coming LCAP year.
- **LCFF Carryover — Percentage:** Specify the LCFF Carryover — Percentage identified in the LCFF Carryover Table from the prior LCAP year. If a carryover percentage is not identified in the LCFF Carryover Table, specify a percentage of zero (0.00%).
- **Total Percentage to Increase or Improve Services for the Coming School Year:** This percentage will not be entered; it is calculated based on the Projected Percentage to Increase or Improve Services for the Coming School Year and the LCFF Carryover —

Percentage. This is the percentage by which the LEA must increase or improve services for unduplicated pupils as compared to the services provided to all students in the coming LCAP year.

- **Goal #:** Enter the LCAP Goal number for the action.
- **Action #:** Enter the action's number as indicated in the LCAP Goal.
- **Action Title:** Provide a title of the action.
- **Student Group(s):** Indicate the student group or groups who will be the primary beneficiary of the action by entering "All," or by entering a specific student group or groups.
- **Contributing to Increased or Improved Services?:** Type "Yes" if the action is included as contributing to meeting the increased or improved services; OR, type "No" if the action is not included as contributing to meeting the increased or improved services.
- If "Yes" is entered into the Contributing column, then complete the following columns:
 - **Scope:** The scope of an action may be LEA-wide (i.e., districtwide, countywide, or charterwide), schoolwide, or limited. An action that is LEA-wide in scope upgrades the entire educational program of the LEA. An action that is schoolwide in scope upgrades the entire educational program of a single school. An action that is limited in its scope is an action that serves only one or more unduplicated student groups.
 - **Unduplicated Student Group(s):** Regardless of scope, contributing actions serve one or more unduplicated student groups. Indicate one or more unduplicated student groups for whom services are being increased or improved as compared to what all students receive.
 - **Location:** Identify the location where the action will be provided. If the action is provided to all schools within the LEA, the LEA must indicate "All Schools." If the action is provided to specific schools within the LEA or specific grade spans only, the LEA must enter "Specific Schools" or "Specific Grade Spans." Identify the individual school or a subset of schools or grade spans (e.g., all high schools or grades transitional kindergarten through grade five), as appropriate.
- **Time Span:** Enter "ongoing" if the action will be implemented for an indeterminate period of time. Otherwise, indicate the span of time for which the action will be implemented. For example, an LEA might enter "1 Year," or "2 Years," or "6 Months."
- **Total Personnel:** Enter the total amount of personnel expenditures utilized to implement this action.
- **Total Non-Personnel:** This amount will be automatically calculated based on information provided in the Total Personnel column and the Total Funds column.

- **LCFF Funds:** Enter the total amount of LCFF funds utilized to implement this action, if any. LCFF funds include all funds that make up an LEA's total LCFF target (i.e., base grant, grade span adjustment, supplemental grant, concentration grant, Targeted Instructional Improvement Block Grant, and Home-To-School Transportation).
 - **Note:** For an action to contribute towards meeting the increased or improved services requirement it must include some measure of LCFF funding. The action may also include funding from other sources, however the extent to which an action contributes to meeting the increased or improved services requirement is based on the LCFF funding being used to implement the action.
- **Other State Funds:** Enter the total amount of Other State Funds utilized to implement this action, if any.
- **Local Funds:** Enter the total amount of Local Funds utilized to implement this action, if any.
- **Federal Funds:** Enter the total amount of Federal Funds utilized to implement this action, if any.
- **Total Funds:** This amount is automatically calculated based on amounts entered in the previous four columns.
- **Planned Percentage of Improved Services:** For any action identified as contributing, being provided on a Limited basis to unduplicated students, and that does not have funding associated with the action, enter the planned quality improvement anticipated for the action as a percentage rounded to the nearest hundredth (0.00%). A limited action is an action that only serves foster youth, English learners, and/or low-income students.
 - As noted in the instructions for the Increased or Improved Services section, when identifying a Planned Percentage of Improved Services, the LEA must describe the methodology that it used to determine the contribution of the action towards the proportional percentage. The percentage of improved services for an action corresponds to the amount of LCFF funding that the LEA estimates it would expend to implement the action if it were funded.

For example, an LEA determines that there is a need to analyze data to ensure that instructional aides and expanded learning providers know what targeted supports to provide to students who are foster youth. The LEA could implement this action by hiring additional staff to collect and analyze data and to coordinate supports for students, which the LEA estimates would cost \$165,000. Instead, the LEA chooses to utilize a portion of existing staff time to analyze data relating to students who are foster youth. This analysis will then be shared with site principals who will use the data to coordinate services provided by instructional assistants and expanded learning providers to target support to students. In this example, the LEA would divide the estimated cost of \$165,000 by the amount of LCFF Funding identified in the Data Entry Table and then convert the quotient to a percentage. This percentage is the Planned Percentage of Improved Service for the action.

Contributing Actions Table

As noted above, information will not be entered in the Contributing Actions Table; however, the 'Contributing to Increased or Improved Services?' column will need to be checked to ensure that only actions with a "Yes" are displaying. If actions with a "No" are displayed or if actions that are contributing are not displaying in the column, use the drop-down menu in the column header to filter only the "Yes" responses.

Annual Update Table

In the Annual Update Table, provide the following information for each action in the LCAP for the relevant LCAP year:

- **Estimated Actual Expenditures:** Enter the total estimated actual expenditures to implement this action, if any.

Contributing Actions Annual Update Table

In the Contributing Actions Annual Update Table, check the 'Contributing to Increased or Improved Services?' column to ensure that only actions with a "Yes" are displaying. If actions with a "No" are displayed or if actions that are contributing are not displaying in the column, use the drop-down menu in the column header to filter only the "Yes" responses. Provide the following information for each contributing action in the LCAP for the relevant LCAP year:

- **6. Estimated Actual LCFF Supplemental and/or Concentration Grants:** Provide the total amount of LCFF supplemental and concentration grants the LEA estimates it will actually receive based on of the number and concentration of unduplicated students in the current school year.
- **Estimated Actual Expenditures for Contributing Actions:** Enter the total estimated actual expenditure of LCFF funds used to implement this action, if any.
- **Estimated Actual Percentage of Improved Services:** For any action identified as contributing, being provided on a Limited basis only to unduplicated students, and that does not have funding associated with the action, enter the total estimated actual quality improvement anticipated for the action as a percentage rounded to the nearest hundredth (0.00%).
 - Building on the example provided above for calculating the Planned Percentage of Improved Services, the LEA in the example implements the action. As part of the annual update process, the LEA reviews implementation and student outcome data and determines that the action was implemented with fidelity and that outcomes for foster youth students improved. The LEA reviews the original estimated cost for the action and determines that had it hired additional staff to collect and analyze data and to coordinate supports for students that estimated actual cost would have been \$169,500 due to a cost of living adjustment. The LEA would divide the estimated actual cost of \$169,500 by the amount of LCFF Funding identified in the Data Entry Table and then convert the quotient to a percentage. This percentage is the Estimated Actual Percentage of Improved Services for the action.

LCFF Carryover Table

- **9. Estimated Actual LCFF Base Grant:** Provide the total amount of LCFF funding the LEA estimates it will receive for the current school year, excluding the supplemental and concentration grants and the add-ons for the Targeted Instructional Improvement Grant Program and the Home to School Transportation Program, pursuant to 5 CCR Section 15496(a)(8).

- **10. Total Percentage to Increase or Improve Services for the Current School Year:** This percentage will not be entered. The percentage is calculated based on the amounts of the Estimated Actual LCFF Base Grant (9) and the Estimated Actual LCFF Supplemental and/or Concentration Grants (6), pursuant to 5 CCR Section 15496(a)(8), plus the LCFF Carryover – Percentage from the prior year. This is the percentage by which services for unduplicated pupils must be increased or improved as compared to the services provided to all students in the current LCAP year.

Calculations in the Action Tables

To reduce the duplication of effort of LEAs, the Action Tables include functionality such as pre-population of fields and cells based on the information provided in the Data Entry Table, the Annual Update Summary Table, and the Contributing Actions Table. For transparency, the functionality and calculations used are provided below.

Contributing Actions Table

- 4. Total Planned Contributing Expenditures (LCFF Funds)
 - This amount is the total of the Planned Expenditures for Contributing Actions (LCFF Funds) column
- 5. Total Planned Percentage of Improved Services
 - This percentage is the total of the Planned Percentage of Improved Services column
- Planned Percentage to Increase or Improve Services for the coming school year (4 divided by 1, plus 5)
 - This percentage is calculated by dividing the Total Planned Contributing Expenditures (4) by the Projected LCFF Base Grant (1), converting the quotient to a percentage, and adding it to the Total Planned Percentage of Improved Services (5).

Contributing Actions Annual Update Table

- Pursuant to EC Section 42238.07(c)(2), if the Total Planned Contributing Expenditures (4) is less than the Estimated Actual LCFF Supplemental and Concentration Grants (6), the LEA is required to calculate the difference between the Total Planned Percentage of Improved Services (5) and the Total Estimated Actual Percentage of Improved Services (7). If the Total Planned Contributing Expenditures (4) is equal to or greater than the Estimated Actual LCFF Supplemental and Concentration Grants (6), the Difference Between Planned and Estimated Actual Percentage of Improved Services will display "Not Required."
- 6. Estimated Actual LCFF Supplemental and Concentration Grants
 - This is the total amount of LCFF supplemental and concentration grants the LEA estimates it will actually receive based on of the number and concentration of unduplicated students in the current school year.
 - 4. Total Planned Contributing Expenditures (LCFF Funds)
 - This amount is the total of the Last Year's Planned Expenditures for Contributing Actions (LCFF Funds)

- 7. Total Estimated Actual Expenditures for Contributing Actions
 - This amount is the total of the Estimated Actual Expenditures for Contributing Actions (LCFF Funds)
- Difference Between Planned and Estimated Actual Expenditures for Contributing Actions (Subtract 7 from 4)
 - This amount is the Total Estimated Actual Expenditures for Contributing Actions (7) subtracted from the Total Planned Contributing Expenditures (4)
- 5. Total Planned Percentage of Improved Services (%)
 - This amount is the total of the Planned Percentage of Improved Services column
- 8. Total Estimated Actual Percentage of Improved Services (%)
 - This amount is the total of the Estimated Actual Percentage of Improved Services column
- Difference Between Planned and Estimated Actual Percentage of Improved Services (Subtract 5 from 8)
 - This amount is the Total Planned Percentage of Improved Services (5) subtracted from the Total Estimated Actual Percentage of Improved Services (8)

LCFF Carryover Table

- 10. Total Percentage to Increase or Improve Services for the Current School Year (6 divided by 9 + Carryover %)
 - This percentage is the Estimated Actual LCFF Supplemental and/or Concentration Grants (6) divided by the Estimated Actual LCFF Base Grant (9) plus the LCFF Carryover – Percentage from the prior year.
 - 11. Estimated Actual Percentage of Increased or Improved Services (7 divided by 9, plus 8)
 - This percentage is the Total Estimated Actual Expenditures for Contributing Actions (7) divided by the LCFF Funding (9), then converting the quotient to a percentage and adding the Total Estimated Actual Percentage of Improved Services (8).
 - 12. LCFF Carryover — Dollar Amount LCFF Carryover (Subtract 11 from 10 and multiply by 9)
 - If the Estimated Actual Percentage of Increased or Improved Services (11) is less than the Estimated Actual Percentage to Increase or Improve Services (10), the LEA is required to carry over LCFF funds.
- The amount of LCFF funds is calculated by subtracting the Estimated Actual Percentage to Increase or Improve Services (11) from the Estimated Actual Percentage of Increased or Improved Services (10) and then multiplying by the Estimated Actual LCFF Base Grant (9). This amount is the amount of LCFF funds that is required to be carried over to the coming year.

- 13. LCFF Carryover — Percentage (12 divided by 9)

- This percentage is the unmet portion of the Percentage to Increase or Improve Services that the LEA must carry over into the coming LCAP year. The percentage is calculated by dividing the LCFF Carryover (12) by the LCFF Funding (9).

California Department of Education
January 2022

**Local Control and Accountability Plan (LCAP)
Every Student Succeeds Act (ESSA)
Federal Addendum Template**

LEA Name

Happy Valley Elementary School District

CDS Code:

44697576049571

Link to the LCAP:

(optional)

For which ESSA programs apply to your LEA?

Choose From:

TITLE I, PART A

Improving Basic Programs Operated by
State and Local Educational Agencies

TITLE II, PART A

Supporting Effective Instruction

(note: This list only includes ESSA programs with LEA plan requirements; not all ESSA programs.)

In the following pages, ONLY complete the sections for the corresponding programs.

Instructions

The LCAP Federal Addendum is meant to supplement the LCAP to ensure that eligible LEAs have the opportunity to meet the Local Educational Agency (LEA) Plan provisions of the ESSA.

The LCAP Federal Addendum Template must be completed and submitted to the California Department of Education (CDE) to apply for ESSA funding. LEAs are encouraged to review the LCAP Federal Addendum annually with their LCAP, as ESSA funding should be considered in yearly strategic planning.

The LEA must address the Strategy and Alignment prompts provided on the following page.

Each provision for each program must be addressed, unless the provision is not applicable to the LEA.

In addressing these provisions, LEAs must provide a narrative that addresses the provision **within the LCAP Federal Addendum Template.**

Under State Priority Alignment, state priority numbers are provided to demonstrate where an ESSA provision aligns with state priorities. This is meant to assist LEAs in determining where ESSA provisions may already be addressed in the LEA's LCAP, as it demonstrates the LEA's efforts to support the state priorities.

The CDE emphasizes that **the LCAP Federal Addendum should not drive LCAP development.** ESSA funds are supplemental to state funds, just as the LCAP Federal Addendum supplements your LCAP. LEAs are encouraged to integrate their ESSA funds into their LCAP development as much as possible to promote strategic planning of all resources; however, this is not a requirement. In reviewing the LCAP Federal Addendum, staff will evaluate the LEA's responses to the ESSA plan provisions. There is no standard length for the responses. LEAs will be asked to clarify insufficient responses during the review process.

California's ESSA State Plan significantly shifts the state's approach to the utilization of federal resources in support of underserved student groups. This LCAP Federal Addendum provides LEAs with the opportunity to document their approach to maximizing the impact of federal investments in support of underserved students.

The implementation of ESSA in California presents an opportunity for LEAs to innovate with their federally-funded programs and align them with the priority goals they are realizing under the state's Local Control Funding Formula (LCFF).

LCFF provides LEAs flexibility to design programs and provide services that meet the needs of students in order to achieve readiness for college, career, and lifelong learning. The LCAP planning process supports continuous cycles of action, reflection, and improvement.

Please respond to the prompts below, and in the pages that follow, to describe the LEA's plan for making the best use of federal ESEA resources in alignment with other federal, state, and local programs as described in the LEA's LCAP.

Strategy

Explain the LEA's strategy for using federal funds to supplement and enhance local priorities or initiatives funded with state funds, as reflected in the LEA's LCAP. This shall include describing the rationale/evidence for the selected use(s) of federal funds within the context of the LEA's broader strategy reflected in the LCAP.

At Happy Valley School District, students are given every opportunity to succeed. It is important to all of the stakeholders that we support the continuum of abilities for all learners, especially our English learners, Economically Disadvantaged, and Special education students. In addition, HVS wants to support and encourage the students who are achieving grade level or above benchmarks by enriching the curriculum as needed. Stakeholder input has driven our LCAP goals to support and enrich all students at HVS which includes K-6 intervention in both math and ELA for students who are identified through the benchmark and SST data, enrichment activities for students who are proficient in the subject matter, instructional materials specifically designed to support differentiation and intervention at all grade levels. HVS has a dedicated RTI program and staff that supports students where needed. Title II funds are used for professional development which includes Lucy Calkins and TTP (Teaching through problem solving) strategies.

Federal funds are used to supplement LCAP goals. The funding for HVS is Basic Aid, local and federal funding. The federal Title I funds are used to tier the academic and emotional support of the students while the Title II funds are used for professional development in the area of ELA and Math. In 2022-2023, HVS has a 1.0 FTE intervention specialist to work with students with identified needs in K-6. This teacher also coordinates 504's, gives local assessments and coordinate SST's.

Alignment

Describe the efforts that the LEA will take to align use of federal funds with activities funded by state and local funds and, as applicable, across different federal grant programs.

All funding HVS receives is used to provide a seamless program that is driven by LCAP goals. Throughout the LCAP, activities and goals have been written to include all students with equal access. Because HVS is a basic aid school and only gets supplemental funding, the targeted programs are used for students who are failing to reach benchmarks or assessments. We look at federal dollars as being used to provide the strategic interventions that align with our base program which is funded through state and local funds.

ESSA Provisions Addressed Within the LCAP

Within the LCAP an LEA is required to describe its goals, and the specific actions to achieve those goals, for each of the LCFF state priorities. In an approvable LCAP it will be apparent from the descriptions of the goals, actions, and services how an LEA is acting to address the following ESSA provisions through the aligned LCFF state priorities and/or the state accountability system.

TITLE I, PART A

Monitoring Student Progress Towards Meeting Challenging State Academic Standards

ESSA SECTION	STATE PRIORITY ALIGNMENT
1112(b)(1) (A–D)	1, 2, 4, 7, 8 (as applicable)

Describe how the LEA will monitor students' progress in meeting the challenging state academic standards by:

- (A) developing and implementing a well-rounded program of instruction to meet the academic needs of all students;
- (B) identifying students who may be at risk for academic failure;

- (C) providing additional educational assistance to individual students the LEA or school determines need help in meeting the challenging State academic standards; and
- (D) identifying and implementing instructional and other strategies intended to strengthen academic programs and improve school conditions for student learning.

Overuse in Discipline Practices that Remove Students from the Classroom

ESSA SECTION	STATE PRIORITY ALIGNMENT
1112(b)(11)	6 <i>(as applicable)</i>

Describe how the LEA will support efforts to reduce the overuse of discipline practices that remove students from the classroom, which may include identifying and supporting schools with high rates of discipline, disaggregated by each of the student groups, as defined in Section 1111(c)(2).

Career Technical and Work-based Opportunities

ESSA SECTION	STATE PRIORITY ALIGNMENT
1112(b)(12)(A–B)	2, 4, 7 <i>(as applicable)</i>

If determined appropriate by the LEA, describe how such agency will support programs that coordinate and integrate:

- (A) academic and career and technical education content through coordinated instructional strategies, that may incorporate experiential learning opportunities and promote skills attainment important to in-demand occupations or industries in the State; and
- (B) work-based learning opportunities that provide students in-depth interaction with industry professionals and, if appropriate, academic credit.

ESSA Provisions Not Addressed in the LCAP

For the majority of LEAs the ESSA provisions on the following pages do not align with state priorities. **Each provision for each program provided on the following pages must be addressed**, unless the provision is not applicable to the LEA. In addressing these provisions, LEAs must provide a narrative that addresses the provision **within this addendum**.

As previously stated, the CDE emphasizes that the LCAP Federal Addendum should not drive LCAP development. ESSA funds are supplemental to state funds, just as the LCAP Federal Addendum supplements your LCAP. LEAs are encouraged to integrate their ESSA funds into their LCAP development as much as possible to promote strategic planning of all resources; however, this is not a requirement. In reviewing the LCAP Federal Addendum, staff will evaluate the LEA's responses to the ESSA plan provisions. There is no standard length for the responses. LEAs will be asked to clarify insufficient responses during the review process.

TITLE I, PART A

Educator Equity

ESSA SECTION 1112(b)(2)

Describe how the LEA will identify and address, as required under State plans as described in Section 1111(g)(1)(B), any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Because HVS is a small one site school district, (seven teachers), there are no teachers that are ineffective, inexperienced or out of field. Therefore, there are no disparities that result in low-income students or minority students being taught in an inequitable setting. As a Superintendent/Principal who is also the Human Resources Director, I have been able to hire 100% highly qualified teachers. When we have hired new teachers, HVS supports new teachers to clear their credentials by utilizing the New Teacher Project by providing and paying for a mentor teacher for two years.

Parent and Family Engagement

ESSA SECTIONS 1112(B)(3) AND 1112(B)(7)

Describe how the LEA will carry out its responsibility under Section 1111(d).

See below for specifics.

Describe the strategy the LEA will use to implement effective parent and family engagement under Section 1116.

THIS ESSA PROVISION IS ADDRESSED BELOW:

HVS is not identified as TSI, CSI, or ATSI improvement efforts. For the 21-22 school year planning, the school site council, staff, parents and board worked to create a plan to serve students who need extra academic support in ELA and Math.

We are a very small community, (120 students) and have ongoing and regular meetings with parents and stakeholders. Parent and family engagement is sought after and delivered in many ways. The annual Parent survey, weekly newsletters, News blast from the Superintendent, LCAP Forum, Back to School Night, Parent club meetings, School Site Council, Board meetings and one on one meetings to name a few of the ways that parents are encouraged to participate. Based on the annual Parent survey, goals are developed for the upcoming year including academics, social and emotional, facilities, and extra curricular activities.

Happy Valley will provide assistance to parents of children served by the school or local educational agency, as appropriate, in understanding such topics as the challenging State academic standards, State and local academic assessments, the requirements of this part, and how to monitor a child's progress and work with educators to improve the achievement of their children.

Happy Valley will provide materials and training to help parents to work with their children to improve their children's achievement by having parent night, Back to School night and available resources online. Chrome Books are available to any families that need a device at home.

Happy Valley will educate teachers, specialized instructional support personnel, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school. This is done by parent club meetings, education nights, Back to School nights, Open House and community events co-sponsored by the school and the parent club. In 2020-2021, all meetings were held virtually.

Happy Valley will ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format the parents can understand and to provide translators if needed. We also provide reasonable accommodations based on family need to support informed parent participation.

The school worked with the families to develop our student/Parent Title I compact which will include information on how to monitor a child's progress and how to work with your child's teacher to improve your child's educational achievement. Going forward, this will be given out at fall conferences to participating student's families.

HVS is not identified as TSI, CSI, or ATSI improvement efforts.

Happy Valley will provide assistance to parents of children served by the school as appropriate, in understanding such topics as the challenging State academic standards, State and local academic assessments and how to monitor a child's progress and work with educators to improve the achievement of their children.

Happy Valley will provide materials and training to help parents to work with their children to improve their children's achievement by having parent night, Back to School night and available resources online. Chrome Books are available to any families that need a device at home.

Happy Valley will educate teachers, specialized instructional support personnel, with the assistance of parents, in the value of contributions of parents, and how to communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school.

Happy Valley will ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand by sending out information in the language that the parent understands and to provide translators if needed. Happy Valley does not have migratory student based on information for the last 10 years due to the small school size and location. We have programs in place for our EL students and would have a program in place if and when we receive a migratory student.

Happy Valley provides reasonable accommodations based on family need to support informed parent participation for families with disabilities.

Schoolwide Programs, Targeted Support Programs, and Programs for Neglected or Delinquent Children

ESSA SECTIONS 1112(b)(5) and 1112(b)(9)

Describe, in general, the nature of the programs to be conducted by the LEA's schools under sections 1114 and 1115 and, where appropriate, educational services outside such schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs.

Describe how teachers and school leaders, in consultation with parents, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program under Section 1115, will identify the eligible children most in need of services under this part.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Happy Valley will provide services to students who are at risk for failure or retention. The staff meets with the administration and literacy coach three times a year to review student records, performance based assessments to create caseloads to be served by either pull out or push in intervention program based on grades, benchmarks, and local assessments. Parents will be notified, consulted and will enter into an agreement if their child is found to be eligible for assistance. Students could qualify for assistance based on local assessment scores of standard NEARLY MET or NOT MET in 3rd through 6th. Assistance of the students identified will be tied to state standards to increase academic achievement. Student progress will be monitored quarterly through the Student Study Team process.

Homeless Children and Youth Services

ESSA SECTION 1112(b)(6)

Describe the services the LEA will provide homeless children and youths, including services provided with funds reserved under Section 1113(c)(3)(A), to support the enrollment, attendance, and success of homeless children and youths, in coordination with the services the LEA is providing under the McKinney-Vento Homeless Assistance Act (42 United States Code 11301 et seq.).

THIS ESSA PROVISION IS ADDRESSED BELOW:

Happy Valley currently does not have any homeless or Foster Youth. Our plan is to work with our partners from the Santa Cruz County Office of Education Homeless liaison to make sure the school district supports the emotional, social, and academic needs of these children and assure that they have equal access to all educational opportunities and they do not encounter any educational barriers.

Student Transitions

ESSA SECTIONS 1112(b)(8), 1112(b)(10), and 1112(b)(10) (A–B)

Describe, if applicable, how the LEA will support, coordinate, and integrate services provided under this part with early childhood education programs at the LEA or individual school level, including plans for the transition of participants in such programs to local elementary school programs.

Describe, if applicable, how the LEA will implement strategies to facilitate effective transitions for students from middle grades to high school and from high school to postsecondary education including:

- (A) coordination with institutions of higher education, employers, and other local partners; and
- (B) increased student access to early college high school or dual or concurrent enrollment opportunities, or career counseling to identify student interests and skills.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Since the school is a TK-6 school, our students transition to the middle school in 7th grade. There are shadow days that our students participate in, math placement tests are given to assure the right placement in math, and our students and parents participate in the incoming student night. Since there are so many schools that our students attend after they leave Happy Valley, all of the middle school activities are regularly updated and reported by the 6th grade teacher. The principal also meets with parents if they request, to discuss best option for middle school. Any student that has a 504 or IEP also has a transition meeting when entering Happy Valley. Although these services are not paid for by Title I, it is important for HVS to have a transition plan in place for incoming and outgoing students.

Additional Information Regarding Use of Funds Under this Part
ESSA SECTION 1112(b)(13) (A–B)

Provide any other information on how the LEA proposes to use funds to meet the purposes of this part, and that the LEA determines appropriate to provide, which may include how the LEA will:

- (A) assist schools in identifying and serving gifted and talented students; and
- (B) assist schools in developing effective school library programs to provide students an opportunity to develop digital literacy skills and improve academic achievement.

THIS ESSA PROVISION IS ADDRESSED BELOW:



TITLE I, PART D

Description of Program ESSA SECTION 1423(1)

Provide a description of the program to be assisted [by Title I, Part D].

THIS ESSA PROVISION IS ADDRESSED BELOW:

Formal Agreements ESSA SECTION 1423(2)

Provide a description of formal agreements, regarding the program to be assisted, between the LEA and correctional facilities and alternative school programs serving children and youth involved with the juvenile justice system, including such facilities operated by the Secretary of the Interior and Indian tribes.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Comparable Education Program ESSA SECTION 1423(3)

As appropriate, provide a description of how participating schools will coordinate with facilities working with delinquent children and youth to ensure that such children and youth are participating in an education program comparable to one operating in the local school such youth would attend.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Successful Transitions ESSA SECTION 1423(4)

Provide a description of the program operated by participating schools to facilitate the successful transition of children and youth returning from correctional facilities and, as appropriate, the types of services that such schools will provide such children and youth and other at-risk children and youth.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Educational Needs ESSA SECTION 1423(5)

Provide a description of the characteristics (including learning difficulties, substance abuse problems, and other special needs) of the children and youth who will be returning from correctional facilities and, as appropriate, other at-risk children and youth expected to be served by the program, and a description of how the school will coordinate existing educational programs to meet the unique educational needs of such children and youth.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Social, Health, and Other Services
ESSA SECTION 1423(6)

As appropriate, provide a description of how schools will coordinate with existing social, health, and other services to meet the needs of students returning from correctional facilities, at-risk children or youth, and other participating children or youth, including prenatal health care and nutrition services related to the health of the parent and the child or youth, parenting and child development classes, child care, targeted reentry and outreach programs, referrals to community resources, and scheduling flexibility.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Postsecondary and Workforce Partnerships
ESSA SECTION 1423(7)

As appropriate, provide a description of any partnerships with institutions of higher education or local businesses to facilitate postsecondary and workforce success for children and youth returning from correctional facilities, such as through participation in credit-bearing coursework while in secondary school, enrollment in postsecondary education, participation in career and technical education programming, and mentoring services for participating students.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Parent and Family Involvement
ESSA SECTION 1423(8)

Provide a description of formal agreements, regarding the program to be assisted, between the

- (A) LEA; and
- (B) correctional facilities and alternative school programs serving children and youth involved with the juvenile justice system, including such facilities operated by the Secretary of the Interior and Indian tribes.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Program Coordination
ESSA SECTION 1423(9–10)

Provide a description of how the program under this subpart will be coordinated with other Federal, State, and local programs, such as programs under title I of the Workforce Innovation and Opportunity Act and career and technical education programs serving at-risk children and youth.

Include how the program will be coordinated with programs operated under the Juvenile Justice and Delinquency Prevention Act of 1974 and other comparable programs, if applicable.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Probation Officer Coordination

ESSA SECTION 1423(11)

As appropriate, provide a description of how schools will work with probation officers to assist in meeting the needs of children and youth returning from correctional facilities.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Individualized Education Program Awareness

ESSA SECTION 1423(12)

Provide a description of the efforts participating schools will make to ensure correctional facilities working with children and youth are aware of a child's or youth's existing individualized education program.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Alternative Placements

ESSA SECTIONS 1423(13)

As appropriate, provide a description of the steps participating schools will take to find alternative placements for children and youth interested in continuing their education but unable to participate in a traditional public school program.

THIS ESSA PROVISION IS ADDRESSED BELOW:

TITLE II, PART A

Professional Growth and Improvement

ESSA SECTION 2102(b)(2)(B)

Provide a description of the LEA's systems of professional growth and improvement, such as induction for teachers, principals, or other school leaders and opportunities for building the capacity of teachers and opportunities to develop meaningful teacher leadership.

THIS ESSA PROVISION IS ADDRESSED BELOW:

The system of professional growth and improvement at Happy Valley begins with the new teacher induction and two year BTSA through the County Office of Education. For ongoing teachers, there are opportunities for professional development through TTP (Teaching Through Problem Solving), Lucy Calkins Writers and Reader's Workshop and RTI, and are aligned with our LCAP Goals. Staff is involved in planning of LCAP goals and which in turns drives our professional development calendar.

Prioritizing Funding

ESSA SECTION 2102(b)(2)(C)

Provide a description of how the LEA will prioritize funds to schools served by the agency that are implementing comprehensive support and improvement activities and targeted support and improvement activities under Section 1111(d) and have the highest percentage of children counted under Section 1124(c).

THIS ESSA PROVISION IS ADDRESSED BELOW:

Title II funding plays a very small role at HVS in the overall percentage of funding allocated to professional development activities. Our funding is directed at increasing teacher competency which is aligned with our LCAP goals. We are currently not identified for CSI or TSI activities but if we were, we would direct our Title II funding and the professional development to meet the needs of addressing our programmatic issues and/or the identified student groups who needed additional support. Each year, we look at our data, develop our LCAP goals and align our funding to assure our teachers are continuously being provided the necessary professional development to meet the needs of our students.

Data and Ongoing Consultation to Support Continuous Improvement

ESSA SECTION 2102(b)(2)(D)

Provide a description of how the LEA will use data and ongoing consultation described in Section 2102(b)(3) to continually update and improve activities supported under this part.

THIS ESSA PROVISION IS ADDRESSED BELOW:

The data that HVS uses to decide Professional Development activities include upcoming adoptions, implementation of new standard based programs, staff input, parent surveys, LCAP development process input, school board and county office of education countywide programs and opportunities. Being a small school, we regularly meet with all of our stakeholders to discuss our priorities, discuss data and make recommendations for the LCAP goals and development. All input is then used to develop LCAP goals which drive our work as our strategic document. As part of the LCAP process we analyze the effectiveness of our activities and make adjustments as necessary going forward. This is part of a continuous cycle of improvement with the entire school community.

TITLE III, PART A

Title III Professional Development

ESSA SECTION 3115(c)(2)

Describe how the eligible entity will provide effective professional development to classroom teachers, principals and other school leaders, administrators, and other school or community-based organizational personnel.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Enhanced Instructional Opportunities

ESSA SECTIONS 3115(e)(1) and 3116

Describe how the eligible entity will provide enhanced instructional opportunities for immigrant children and youth.

THIS ESSA PROVISION IS ADDRESSED BELOW:

Title III Programs and Activities

ESSA SECTIONS 3116(b)(1)

Describe the effective programs and activities, including language instruction educational programs, proposed to be developed, implemented, and administered under the subgrant that will help English learners increase their English language proficiency and meet the challenging State academic standards.

THIS ESSA PROVISION IS ADDRESSED BELOW:

English Proficiency and Academic Achievement

ESSA SECTIONS 3116(b)(2)(A-B)

Describe how the eligible entity will ensure that elementary schools and secondary schools receiving funds under Subpart 1 assist English learners in:

- (C) achieving English proficiency based on the State's English language proficiency assessment under Section 1111(b)(2)(G), consistent with the State's long-term goals, as described in Section 1111(c)(4)(A)(ii); and
- (D) meeting the challenging State academic standards.

THIS ESSA PROVISION IS ADDRESSED BELOW:

TITLE IV, PART A

Title IV, Part A Activities and Programs

ESSA SECTION 4106(e)(1)

Describe the activities and programming that the LEA, or consortium of such agencies, will carry out under Subpart 1, including a description of:

- (A) any partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities under this subpart;
- (B) if applicable, how funds will be used for activities related to supporting well-rounded education under Section 4107;
- (C) if applicable, how funds will be used for activities related to supporting safe and healthy students under Section 4108;
- (D) if applicable, how funds will be used for activities related to supporting the effective use of technology in schools under Section 4109; and
- (E) the program objectives and intended outcomes for activities under Subpart 1, and how the LEA, or consortium of such agencies, will periodically evaluate the effectiveness of the activities carried out under this section based on such objectives and outcomes.

THIS ESSA PROVISION IS ADDRESSED BELOW:



Happy Valley Certificated CE Speech
Effective 8-1-2022

2022-2023 CE Speech

Step	
1	\$59.62
2	\$65.45
3	\$66.30
4	\$69.36
5	\$70.75
6	\$73.16
7	\$74.61
8	\$76.08

**QUARTERLY DISTRICT STATUS REPORT OF UNIFORM COMPLAINTS
TO THE COUNTY SUPERINTENDENT OF SCHOOLS
QUARTER ENDED June 30, 2022**

DISTRICT: Happy Valley Elementary Date Reported to District Governing Board August 17, 2022

I. INSTRUCTIONAL MATERIALS

A) Insufficient textbooks or instructional materials in the classroom:

# of Complaints 0	# of Complaints Resolved 0	# of Complaints Unresolved* 0
----------------------	-------------------------------	----------------------------------

- Explanation: _____

B) Insufficient textbooks or instructional materials to take home:

# of Complaints 0	# of Complaints Resolved 0	# of Complaints Unresolved* 0
----------------------	-------------------------------	----------------------------------

- Explanation: _____

C) Textbooks or instructional materials in poor or unusable condition:

# of Complaints 0	# of Complaints Resolved 0	# of Complaints Unresolved* 0
----------------------	-------------------------------	----------------------------------

- Explanation: _____

II. TEACHER VACANCY OR MISASSIGNMENT

A) No assigned certified teacher at beginning of the semester:

# of Complaints 0	# of Complaints Resolved 0	# of Complaints Unresolved* 0
----------------------	-------------------------------	----------------------------------

- Explanation: _____

**B) Teacher lacking credentials or training to teach English Language Learners (ELL) with
More than 20% ELL in class:**

# of Complaints 0	# of Complaints Resolved 0	# of Complaints Unresolved* 0
----------------------	-------------------------------	----------------------------------

- Explanation: _____

D) Teacher instructing class lacking subject matter competency:

# of Complaints 0	# of Complaints Resolved 0	# of Complaints Unresolved* 0
----------------------	-------------------------------	----------------------------------

- Explanation: _____

III. FACILITIES

A) Conditions pose an emergency or urgent threat to the health or safety of students/staff:

# of Complaints 0	# of Complaints Resolved 0	# of Complaints Unresolved* 0
----------------------	-------------------------------	----------------------------------

- Explanation: _____

CSBA UPDATE CHECKLIST – June 2022

District Name: Hesperia Valley Elementary School

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

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
BP 0420.41	Charter School Oversight		<u>N/A</u>
E(1) 0420.41	Charter School Oversight		<u>N/A</u>
E(1) 1113	District and School Web Sites		
AR 1312.4	Williams Uniform Complaint Procedures		
E(2) 1312.4	Williams Uniform Complaint Procedures	Fill in Blanks <u>Superintendent /</u> <u>Principal or</u> <u>designee</u>	
BP 3110	Transfer of Funds		
AR 3517	Facilities Inspection		
E(1) 3517	Facilities Inspection	NEW EXHIBIT Fill in Blanks <u>Superintendent /</u> <u>Principal or</u> <u>designee</u>	
BP 3523	Electronic Signatures	NEW POLICY	
AR 3523	Electronic Signatures	NEW REGULATION	
BP 3550	Food Service/Child Nutrition Program		
AR 3550	Food Service/Child Nutrition Program		
BP 3551	Food Service Operations/Cafeteria Fund	OPTION 1: <input type="checkbox"/> OPTION 2: <input checked="" type="checkbox"/> <u>N/A</u>	

CSBA UPDATE CHECKLIST – June 2022

District Name: _____

HVS

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
AR 3551	Food Service Operations/Cafeteria Fund		
BP 3553	Free and Reduced Price Meals		
AR 3553	Free and Reduced Price Meals		
AR 4112.2	Certification		
AR 4161.8	Family Care and Medical Leave	<p>OPTION 1: <input type="checkbox"/></p> <p>OPTION 2: <input type="checkbox"/></p> <p>OPTION 3: <input checked="" type="checkbox"/></p> <p>OPTION 4: <input type="checkbox"/></p> <p>AND</p> <p>OPTION 1: <input type="checkbox"/></p> <p>OPTION 2: <input checked="" type="checkbox"/></p>	
AR 4261.8	Family Care and Medical Leave	<p>OPTION 1: <input type="checkbox"/></p> <p>OPTION 2: <input type="checkbox"/></p> <p>OPTION 3: <input checked="" type="checkbox"/></p> <p>OPTION 4: <input type="checkbox"/></p> <p>AND</p> <p>OPTION 1: <input type="checkbox"/></p> <p>OPTION 2: <input checked="" type="checkbox"/></p>	

CSBA UPDATE CHECKLIST – June 2022

District Name: _____

HVS

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
AR 4361.8	Family Care and Medical Leave	<p>OPTION 1: <input type="checkbox"/></p> <p>OPTION 2: <input type="checkbox"/></p> <p>OPTION 3: <input checked="" type="checkbox"/></p> <p>OPTION 4: <input type="checkbox"/></p> <p>AND</p> <p>OPTION 1: <input type="checkbox"/></p> <p>OPTION 2: <input checked="" type="checkbox"/></p>	
AR 6173.1	Education for Foster Youth	<p>Fill in Blanks</p> <p><u>Superintendent/</u></p> <p><u>Principal.</u></p> <p>_____</p> <p>_____</p>	

CSBA POLICY GUIDE SHEET
June 2022

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

Board Policy 0420.41 - Charter School Oversight

Policy updated to reflect that a charter school proposing to expand operations to one or more additional sites or grade levels is required to request a material revision to its charter and notify the Governing Board of the additional locations or grade levels whether a proposal to expand operations is concurrent with or unrelated to a renewal, add a new section heading "Fees/Charges for Supervisorial Oversight" and rearrange material within this section for clarity, provide that it is the County Superintendent of Schools who may request that the California Collaborative for Educational Excellence be assigned to provide assistance to a charter school that fails to improve outcomes in regard to state or school priorities identified in the charter, as specified, and add that complaints alleging noncompliance with Education Code 47606.5 (annual update of school goals, actions, and related expenditures or 47607.3 (technical assistance or intervention based on the school's failure to improve student outcomes) may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

Exhibit(1) 0420.41 - Charter School Oversight

Exhibit updated to reflect **NEW ATTORNEY GENERAL OPINION (20-102, 2021)** which found that a charter school's executive director or any of a charter school's employees may not serve as a member of the county board of education in the county where the charter school is located, **NEW LAW (AB 27, 2021) and (SB 400, 2021)** regarding identification of homeless children and unaccompanied youth, **(SB 224, 2021)** regarding the requirement to include instruction in mental health in health education course(s), **(AB 132, 2021)** regarding the completion and submission of the Free Application for Federal Student Aid and the California Dream Act Application, **(AB 643, 2021)** regarding notification to apprenticeship programs when a charter school is planning to hold a college or career fair, and **NEW LAW (AB 130, 2021)** regarding (1) phased in starting dates for which districts are required to offer a transitional kindergarten (TK) program; (2) the requirement to develop a plan for offering independent study if an affidavit is necessitated by an emergency condition that resulted in a school closure; (3) qualifications for TK teachers and adult to student ratios for TK classrooms; (4) verification of a valid criminal records summary for employees of entities that a charter school contracts with; and (5) the requirement to provide a breakfast and/or lunch free of charge during each school day to students requesting a meal regardless of the student's free or reduced-price meal eligibility. Exhibit also updated to reflect **NEW LAW (SB 722, 2021)** regarding the required presence of at least one adult with a valid certification of cardiopulmonary resuscitation training when hosting an on-campus event in or around a swimming pool that is not part of an interscholastic athletic program, and **(AB 367, 2021)** regarding the requirement to stock school restrooms with an adequate supply of free menstrual products, as specified. Additionally, exhibit updated to add or amend requirements related to high school graduation, the review of potential misassignments and vacant positions, the public employees retirement system, and the training of security officers.

Exhibit(1) 1113 - District and School Web Sites

Exhibit updated to reflect **NEW LAW (AB 27, 2021)** which includes posting requirements related to the identification of homeless students and **NEW LAW (AB 819, 2021)** which includes posting requirements related to specified environmental review documents as required by the California Environmental Quality Act. Exhibit also updated to add posting requirements related to posters published by the California Department of Fair Employment and Housing, and amend the item regarding the district's meal payment collection policy and procedures to reference a different memorandum regarding unpaid meal charges.

Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures

Regulation updated to reflect **NEW STATE REGULATIONS (Register 2020, No. 21)** which amends the definition of "beginning of the year or semester" and **NEW LAW (AB 367, 2021)** which requires any school serving any of grades 6-12 to, at all times, stock and make available and accessible free of cost an adequate

supply of menstrual products in specified restrooms beginning with the 2022-23 school year. Regulation also updated to clarify that the principal or Superintendent's designee is required to send a written resolution of the complaint to the mailing address of the complainant when the complainant has indicated on the complaint form a desire to receive a response to the complaint.

Exhibit(2) 1312.4 - Williams Uniform Complaint Procedures

Exhibit updated to include that, for a school that serves any of grades 6-12, a complaint may be filed for failure to, at all times, stock and make available and accessible free of cost an adequate supply of menstrual products in specified restrooms, as required by **NEW LAW (AB 367, 2021)**.

Board Policy 3110 - Transfer of Funds

Policy updated to delete an authorization for the temporary transfer of funds which only pertained to the 2020-21 and 2021-22 fiscal years.

Administrative Regulation 3517 - Facilities Inspection

Regulation updated to reflect **NEW LAW (AB 367, 2021)** which requires any school serving any of grades 6-12 to, at all times, stock and make available and accessible free of cost an adequate supply of menstrual products in specified restrooms beginning with the 2022-23 school year, and to post a notice, as specified, regarding this requirement in a prominent and conspicuous location.

NEW - Exhibit(1) 3517 - Facilities Inspection

New exhibit presents a sample of the required notification to be posted in a prominent and conspicuous location in each restroom where free menstrual products are required to be stocked, pursuant to **NEW LAW (AB 367, 2021)**.

NEW - Board Policy 3523 - Electronic Signatures

New policy reflects the authorization for districts to use electronic signatures in their communications and operations, including the benefits of electronic records and signatures, the requirement that electronic signatures conform with criteria described in law and that the level of security is sufficient for the transaction being conducted, and that electronic records are retained in accordance with law and regulations and as specified in board policy and administrative regulation.

NEW - Administrative Regulation 3523 - Electronic Signatures

New regulation establishes procedures for district use of electronic signatures, including that in any business transaction electronic signatures may be used only when each party has agreed to conduct the transaction in such a manner and that in other district operations electronic signatures may be required, criteria that must be met in order for an electronic signature to be used, and specific requirements for notarized signatures and statements that are required to be signed under penalty of perjury.

Board Policy 3550 - Food Service/Child Nutrition Program

Policy updated to reflect **NEW LAW (AB 130, 2021)** which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, and **NEW LAW (AB 486, 2021)** which authorizes the coordination of food service programs with classroom instruction and other related district programs.

Administrative Regulation 3550 - Food Service/Child Nutrition Program

Regulation updated to reflect changes necessary to implement **NEW LAW (AB 130, 2021)** which requires the provision of a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, and make other clarifying changes in the "Food Safety" section.

Board Policy 3551 - Food Service Operations/Cafeteria Fund

Policy updated to reflect **NEW LAW (AB 130, 2021)** which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, including revisions to the "Meal Sales" and "Program Monitoring and Evaluation" sections.

Administrative Regulation 3551 - Food Service Operations/Cafeteria Fund

Regulation updated to reflect **NEW LAW (AB 130, 2021)** which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility. Updated Regulation includes revision to "Payment for Meals," "Cafeteria Funds," and "Contracts with Outside Services" sections to make them generally applicable to all food service programs and the deletion of the "Unpaid and Delinquent Meal Charges" section which is no longer applicable.

Board Policy 3553 - Free and Reduced Price Meals

Policy updated to reflect **NEW LAW (AB 130, 2021)** which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility. Updated policy includes general requirements applicable to federal National School Lunch and Breakfast Programs as well as the state Universal Meal Program. Updated Policy also includes revision to the "Confidentiality/Release of Records" section to permit the use of student information to facilitate the provision of targeted educational services to a student based on the local control and accountability plan, as clarified in the California Department of Education's Management Bulletin SNP-02-2018.

Administrative Regulation 3553 - Free and Reduced Price Meals

Regulation updated to reflect **NEW LAW (AB 130, 2021)** which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, and includes program implementation changes to "Verification of Eligibility" and "Nondiscrimination Plan" sections and the deletion of the "Prices" section which is no longer necessary.

Administrative Regulation 4112.2 - Certification

Regulation updated to expand the section on "Basic Skills Proficiency" to include a list of the ways a person may demonstrate basic skills proficiency, and reflect **NEW LAW (AB 130, 2021)** which exempts a person from the basic skills proficiency test requirement by earning at least a letter grade of B in qualifying coursework and, in conjunction with **NEW LAW (AB 167, 2021)**, exempts a person from the basic skills proficiency test requirement if it is determined that a person has demonstrated proficiency through a combination of coursework, passage of a component(s) of the basic skills proficiency test, and other specified exams. Section also updated to reflect **NEW LAW (AB 320, 2021)** which impacts what is "qualifying coursework" by defining a "regionally accredited institution" to include an institution of higher education that held preaccreditation status at the time the degree of an applicant for a credential was conferred if the institution achieved full accreditation status within five years of earning preaccreditation status, in addition to an institution of higher education that has already been designated as regionally accredited at the time the degree of an applicant for a credential was conferred. Additionally, regulation updated to provide more detail for when an out-of-state prepared teacher is not required to meet the basic skills requirement within one year of being issued a California preliminary credential by the California Commission on Teacher Credentialing.

Administrative Regulation 4161.8/4261.8/4361.8 - Family Care and Medical Leave

Regulation updated to reflect **NEW LAW (AB 1033, 2021)** which changed the definition of "parent" to include a parent-in-law for the purposes of the California Family Rights Act (CFRA), by adding "parent-in-law" to the definitions of "eligible family member" and "parent" within the "Definitions" section. Regulation also updated to delete the last sentence in the first body paragraph in the "Terms of Leave" section, as it is no longer legally accurate.

Administrative Regulation 6173.1 - Education for Foster Youth

Regulation updated to reflect **NEW LAW (AB 1055, 2021)** which modified the definition of "foster youth" to include a dependent child of a court of an Indian tribe, consortium of tribes, or tribal organization, and includes the definition of "foster youth" as specified in law. Regulation also updated to make clarifying changes to the responsibilities of the district liaison for foster youth.

Policy 0420.41: Charter School Oversight

Status: ADOPTED

Original Adopted Date: 10/01/2013 | Last Revised Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

The Governing Board recognizes its ongoing responsibility to oversee that any charter school authorized by the Board is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the Board. (Education Code 47604.32)

The Superintendent or designee shall visit each charter school at least annually and may inspect or observe any part of a charter school at any time. (Education Code 47604.32, 47607)

The Superintendent or designated charter school contact shall attend meetings of the charter school governing body whenever possible and shall periodically meet with a representative of the charter school.

Waivers

If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall submit such a waiver request to SBE on behalf of the charter school.

Provision of District Services

The charter school may purchase administrative or other services from the district or any other source. (Education Code 47613)

Whenever the district agrees to provide administrative or support services to a charter school, the district and the charter school shall develop a memorandum of understanding (MOU) which clarifies the financial and operational agreements between them.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The district may charge the charter school for the actual costs of the reporting services, but shall not require the charter school to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Material Revisions to Charter

Material revisions to a charter may only be made with Board approval. Material revisions shall be governed by the same standards and criteria that apply to petitions for the authorization of charter schools as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If an approved charter school proposes to expand operations to one or more additional sites or grade levels, whether concurrently with or unrelated to a renewal, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations or grade levels. The Board shall consider approval of the additional locations or grade levels at an open meeting. (Education Code 47605, 47607)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision of the approved charter.

Monitoring Charter School Performance

Any charter school authorized by the Board shall be monitored by the Superintendent or designee to determine whether the charter school complies with all legal requirements applicable to charter schools, including all reports required of charter schools by law, as specified in Education Code 47604.32. Any violations of law shall be reported to the Board.

The Board shall monitor each charter school to determine whether it is achieving the measurable student outcomes set forth in the charter, both schoolwide and for each numerically significant student subgroup served by the school as defined in Education Code 52052. This determination shall be based on the measures specified in the approved charter and any applicable MOU, and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP), as reported in the California School Dashboard.

The Board shall monitor the fiscal condition of the charter school based on any financial report or information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, LCAP and annual update of the charter school's LCAP, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

Fees/Charges for Supervisorial Oversight

The district may charge for district supervisorial oversight as follows: (Education Code 47613; 5 CCR 11969.7)

1. Actual costs up to one percent of the charter school's revenue if the district provides the charter school with facilities under Education Code 47614 and charges the charter school a pro-rata share of the facilities cost
2. Actual costs up to three percent of the charter school's revenue if the district provides the charter school substantially rent-free facilities
3. Actual costs if the district is assigned supervisorial oversight responsibility for the charter school by SBE when authorized on appeal

Technical Assistance/Intervention

Whenever a charter school is identified for technical assistance based on the performance of one or more numerically significant student subgroups on SBE-established criteria, the charter school shall receive technical assistance from the County Superintendent of Schools. Such technical assistance shall be focused on building the charter school's capacity to develop and implement actions and services responsive to student and community needs, including, but not limited to, any of the following: (Education Code 47607.3)

1. Assisting the charter school to identify its strengths and weaknesses in regard to the state priorities applicable to the charter school pursuant to Education Code 47605. This shall include working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard and other relevant local data and to identify effective, evidence-based programs or practices that address any areas of weakness.
2. Working collaboratively with the charter school to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the charter school. Another service provider, including, but not limited to, a school district, county office of education, or charter school, may be solicited to act as a partner to the charter school in need of technical assistance.
3. Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in Items #1 and 2 or substantially similar activities, or has selected another service provider to work with the charter school to complete the activities described in Items #1 and 2 or substantially similar activities, and ongoing communication with the Board to assess the charter school's progress in improving student outcomes.

In addition, if, in three out of four consecutive school years, a charter school fails to improve outcomes for three or

more numerically significant student subgroups, or for all of the student subgroups if the school has fewer than three subgroups, in regard to one or more state or school priorities identified in the charter, the County Superintendent may request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074. (Education Code 47607.3; 52072)

In accordance with law, the Board may deny a charter school's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regard to inadequate academic achievement of all numerically significant subgroups of students served by the charter school.

Complaints

Each charter school shall establish and maintain policies and procedures in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4670 to enable any person alleging the school's noncompliance with Education Code 47606.5 or 47607.3 to file a complaint with the charter school. (Education Code 52075)

A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

School Closure

In the event that the Board revokes or denies renewal of a charter or the charter school ceases operation for any reason, the Superintendent or designee shall, when applicable in accordance with the charter and/or an MOU, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out of the charter school.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, if renewal of a charter is denied, a charter is revoked, or a charter school will cease operation for any reason.

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

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 11700-11705

Independent study

5 CCR 11960-11969.10

Charter schools

5 CCR 4600-4670

Uniform complaint procedures

Bus. Code 7583.45

Training for security officers

CA Constitution Article 16, Section 8.5

Public finance; school accountability report card -

<https://simbli.eboardsolutions.com/SU/5WGQeQCplusFH2CplOCVLEpzQ==>

CA Constitution Article 9, Section 5

Common school system -

<https://simbli.eboardsolutions.com/SU/5LDHgacplGqiftuxZapsishQg==>

Corp. Code 5110-6910

Nonprofit public benefit corporations -

<https://simbli.eboardsolutions.com/SU/up9YZpTJb4gRf50Hwlsish9Qg==>

Ed. Code 1006

Prohibition against school district employees serving on county board of education -

<https://simbli.eboardsolutions.com/SU/Qnj8IKKU84qMv8ZX5ZPu1w==>

Ed. Code 17070.10-17079.30

Ed. Code 17280-17317

Ed. Code 17365-17374

Ed. Code 215

Ed. Code 215.5

Ed. Code 220

Ed. Code 221.61

Ed. Code 221.9

Ed. Code 222

Ed. Code 222.5

Ed. Code 231.5-231.6

Ed. Code 234.4

Ed. Code 234.6

Ed. Code 234.7

Ed. Code 32282

Ed. Code 32283.5

Ed. Code 33479-33479.9

Ed. Code 35179.4-35179.6

Ed. Code 35183.1

Ed. Code 35292.6

Ed. Code 35330

Ed. Code 38001.5

Ed. Code 38080-38086

Ed. Code 39831.3

Ed. Code 39843

Ed. Code 41024

Ed. Code 42100

Ed. Code 44030.5

Ed. Code 44237

Ed. Code 44258.9

Ed. Code 44691

Ed. Code 44830.1

Ed. Code 45122.1

Ed. Code 45125.1

Ed. Code 46015

Ed. Code 46390-46393

Ed. Code 47600-47616.7

Ed. Code 47634.2

Ed. Code 47640-47647

Leroy F. Greene School Facilities Act -

<https://simbli.eboardsolutions.com/SU/fu4PsUtUAb4qYYOY9breHg==>

Field Act; approval of plans and supervision of construction

Field Act; fitness for occupancy; liability of board members

Suicide prevention policies

Student identification cards; inclusion of safety hotlines

Prohibition of discrimination

Posting of Title IX information on web site

Sex equity in competitive athletics

Reasonable accommodations; lactating students

Pregnant and parenting students; notification of rights

Sexual harassment policy

Mandated policy on bullying prevention

Bullying and harassment prevention information

Student protections relating to immigration and citizenship status

School safety plans

Bullying; online training

The Eric Parades Sudden Cardiac Arrest Prevention Act

Interscholastic athletic programs, safety; swimming pool safety that is not part of interscholastic athletic program

Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance

Stocking of menstrual products

Field trips and excursions; student fees

Training for security officers

School meals

Transportation safety plan

Disciplinary action against bus driver; report to Department of Motor Vehicles

Report of expenditure of state facility funds

Annual statement of receipts and expenditures

Reporting change in employment status due to alleged misconduct

Criminal record summary

Monitoring of teacher assignments

Information on detection of child abuse; annual training

Certificated employees; conviction of a violent or serious felony

Classified employees; conviction of a violent or serious felony

Criminal records summary; employees of contracting entity

Accommodations for pregnant and parenting students; parental leave

Emergency average daily attendance

Charter Schools Act of 1992

Nonclassroom-based instruction

Special education funding for charter schools

Ed. Code 47651	Apportionment of funds; charter schools
Ed. Code 48000	Minimum age of admission for kindergarten; transitional kindergarten
Ed. Code 48010-48011	Minimum age of admission (first grade)
Ed. Code 48206.3-48208	Students with temporary disabilities; individual instruction
Ed. Code 48850-48859	Education of foster youth and homeless students
Ed. Code 48901.1	Suspension and expulsion; willful defiance
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48913.5	Suspended students; homework assignments
Ed. Code 48950	Speech and other communication
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 49005-49006.4	Seclusion and restraint
Ed. Code 49011	Student fees
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49061	Definitions, directory information
Ed. Code 49062.5	Student records, name or gender change
Ed. Code 49070	Challenging student records
Ed. Code 49073.2	Privacy of student and parent/guardian personal information; minutes of board meeting
Ed. Code 49076.7	Student records; data privacy; social security numbers
Ed. Code 49110	Authority to issue work permits
Ed. Code 49381	Human trafficking prevention
Ed. Code 49414	Epinephrine auto-injectors
Ed. Code 49414.3	Administration of opioid antagonist
Ed. Code 49428	Notification of mental health services
Ed. Code 49430-49434	The Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49431.9	Prohibition of advertisement of non-nutritious foods
Ed. Code 49475	Health and safety; concussions and head injuries
Ed. Code 49501.5	Free breakfast and lunch to all students
Ed. Code 49557.5	Child Hunger Prevention and Fair Treatment Act of 2017
Ed. Code 49564	Meals for needy students
Ed. Code 49564.3	Provision of federal universal meal service
Ed. Code 49700-49701	Education of children of military families
Ed. Code 51224.7	Mathematics placement policy
Ed. Code 51225.1-51225.2	Exemption from local graduation requirements; acceptance of coursework
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51225.6	Instruction in cardiopulmonary resuscitation
Ed. Code 51225.7-51225.8	Completion and submission of the Free Application for Federal Student Aid and California Dream Act Application
Ed. Code 51413	Diploma of graduation without passage of high school exit examination
Ed. Code 51745-51749.6	Independent study
Ed. Code 51925-51929	Mandatory mental health education
Ed. Code 51930-51939	California Healthy Youth Act

Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Uniform complaint procedures
Ed. Code 56026	Special education
Ed. Code 56040.3	Availability of assistive technology device
Ed. Code 56145-56146	Special education services in charter schools
Ed. Code 56365-56366.12	Nonpublic, nonsectarian schools
Ed. Code 60600-60648.5	Assessment of academic achievement
Ed. Code 64000	Categorical programs included in consolidated application
Ed. Code 64001	School plan for student achievement; consolidated application programs
Ed. Code 65000-65001	School site councils
Ed. Code 69432.9-69432.92	Cal Grant program; notification of grade point average and high school graduation
Gov. Code 1090-1099	Prohibitions applicable to specified officers
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 3555-3559	Public employee communication, information and orientation
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 6250-6270	California Public Records Act
Gov. Code 81000-91014	Political Reform Act of 1974
H&S Code 104420	Tobacco Use Prevention Education grant program
H&S Code 104559	Tobacco-free schools
Lab. Code 1198.5	Personnel records related to performance and grievance
Lab. Code 3074.2	Notice of college and career fairs
Pen. Code 1192.7	Definition of serious felony
Pen. Code 667.5	Definition of violent felony
Veh. Code 28160	Child safety alert system

Federal References

20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6311	State plan
20 USC 7221-7221j	Charter schools
34 CFR 200.1-200.78	Accountability
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act

Management Resources References

Attorney General Opinion	104 Ops.Cal.Atty.Gen. 66 (2021)
Attorney General Opinion	101 Ops.Cal.Atty.Gen. 92 (2018)
Attorney General Opinion	78 Ops.Cal.Atty.Gen. 297 (1995)
Attorney General Opinion	89 Ops.Cal.Atty.Gen. 166 (2006)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 52 (1997)
CA Department of Education Publication	California School Accounting Manual
CA Office of Administrative Hearings Decisions	Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763

California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020
California Dept. of Pesticide Reg. Publication	School District Integrated Pest Management Plan Template
California Interscholastic Federation Publication	Pursuing Victory with Honor, 1999
Court Decision	Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986
CSBA Publication	Charter Schools: A Guide for Governance Teams, rev. 2016
CSBA Publication	Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017
CSBA Publication	Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018
U.S. DOE Guidance	Charter Schools Program: Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014
Website	U.S. Department of Agriculture - https://simbli.eboardsolutions.com/SU/RslshJVkZjGiBHO8TX9tA3tqQ==
Website	National Suicide Prevention Lifeline - https://simbli.eboardsolutions.com/SU/yAd89LtBVSINaH2almpg2Q==
Website	National Domestic Violence Hotline - https://simbli.eboardsolutions.com/SU/d1fBFepjosh4vvBXfU68zMWg==
Website	California State Teachers Retirement System - https://simbli.eboardsolutions.com/SU/dDkW9gdO2YplusqCVo1qG2vslshw==
Website	California Public Employees Retirement System - https://simbli.eboardsolutions.com/SU/BtrWsDRenb5z2ZZethXOCw==
Website	California Department of General Services, Office of Administrative Hearings - https://simbli.eboardsolutions.com/SU/hkXUvTmkSbRSTlh3V79tXg==
Website	California Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/Eg0pluss7NDrgK1KmPo9MgqplusA==
Website	California Commission on Peace Officer Standards and Training - https://simbli.eboardsolutions.com/SU/T42f3sLyPIGPzJCTWmplusqxA==
Website	California Bureau of Security and Investigative Services - https://simbli.eboardsolutions.com/SU/7cVjGFeMAXplusS8ldHUhceYQ==
Website	California State Controller - https://simbli.eboardsolutions.com/SU/P16GQ6rhv8osIqGWli7phA==
Website	California Department of Pesticide Regulation - https://simbli.eboardsolutions.com/SU/oAOBdjdOjGZedpcK5jhJiw==
Website	California Student Aid Commission - https://simbli.eboardsolutions.com/SU/YTrTI0NffiZjZQWWhb3fewg==
Website	National Association of Charter School Authorizers - https://simbli.eboardsolutions.com/SU/9nzhQG5X2VVH42kMjnO6kg==
Website	California Charter Schools Association - https://simbli.eboardsolutions.com/SU/aplushtDM8pluszN2tpwTckx11kA==
Website	California Department of Education, Charter Schools - https://simbli.eboardsolutions.com/SU/PdGgkCs2Yz3fwPslshslshoGe7IQ==
Website	California Interscholastic Federation - https://simbli.eboardsolutions.com/SU/QthhhDMKplusJ3akAI8GRP72g==
Website	California Office of the Attorney General - https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3Qxkk2FPsDsQBnMIENxGg==

Website

U.S. Department of Education -

<https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==>

Cross References

Description

0420.4

Charter School Authorization -

<https://simbli.eboardsolutions.com/SU/0i0m3LftdUnEuoDDGxB2mQ==>

0420.4

Charter School Authorization -

<https://simbli.eboardsolutions.com/SU/6aKw9KbSgexgJfcQrYo5eQ==>

0420.42

Charter School Renewal -

<https://simbli.eboardsolutions.com/SU/uulbZeec3V3u1wMajl8dHg==>

0420.43

Charter School Revocation -

<https://simbli.eboardsolutions.com/SU/ohXLQZICr9Y37KSqCta5dA==>

0460

Local Control And Accountability Plan -

<https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==>

0460

Local Control And Accountability Plan -

<https://simbli.eboardsolutions.com/SU/N8bGSx8fXalLgcLPJYKR9w==>

0500

Accountability -

<https://simbli.eboardsolutions.com/SU/PDWiti8tEaGKnqJbgZ4Q3g==>

1312.3

Uniform Complaint Procedures -

<https://simbli.eboardsolutions.com/SU/yvGJj2X8Pyr5mBYInybbQA==>

1312.3

Uniform Complaint Procedures -

<https://simbli.eboardsolutions.com/SU/qu1ox8qD0SpMJPXqVt6gag==>

1312.3-E PDF(1)

Uniform Complaint Procedures -

<https://simbli.eboardsolutions.com/SU/BslshPMK886oDyrBoOyAftUdg==>

1312.3-E PDF(2)

Uniform Complaint Procedures -

<https://simbli.eboardsolutions.com/SU/HDslshuPXC0G3Oslshr71TMVplus4Jw==>

1431

Waivers - <https://simbli.eboardsolutions.com/SU/9BuYxx0B2I1rRqC5ldthA==>

6162.51

State Academic Achievement Tests -

<https://simbli.eboardsolutions.com/SU/NdqSEfNslshhwaBKplusUkKH040A==>

6162.51

State Academic Achievement Tests -

<https://simbli.eboardsolutions.com/SU/oZbkKwYtcu0mkplusF9H7PNfQ==>

7160

Charter School Facilities -

<https://simbli.eboardsolutions.com/SU/plussx0ytUqrR6vrkEezQAiqg==>

7160

Charter School Facilities -

<https://simbli.eboardsolutions.com/SU/WxGxcu8vOqvCeGbLR3x1KA==>

Exhibit 0420.41-E(1): Charter School Oversight

Status: ADOPTED

Original Adopted Date: 07/01/2017 | Last Revised Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

REQUIREMENTS FOR CHARTER SCHOOLS

A charter school shall be subject to the terms of its charter; any memorandum of understanding between the school and the district Governing Board; the state and federal constitutions; applicable federal laws; state laws that apply to governmental agencies in general; and other legal requirements that are expressly applicable to charter schools, including, but not limited to, the following requirements.

Governance

1. Comply with the Ralph M. Brown Act (Government Code 54950-54963), California Public Records Act (Government Code 6250-6270), conflict of interest laws (Government Code 1090-1099), and Political Reform Act (Government Code 81000-91014), including the adoption of a conflict of interest code pursuant to Government Code 87300 (Education Code 47604.1)
2. Except as otherwise authorized by Government Code 54954, hold the meetings of its governing body within the physical boundaries of the county in which the charter school is located or, if a nonclassroom-based charter school that does not have a facility or operates one or more resource centers, hold governing body meetings within the physical boundaries of the county in which the greatest number of students enrolled in the charter school reside. In addition, a two-way teleconference location shall be established at the school site and/or resource center, as applicable. (Education Code 47604.1)
3. The charter school's executive director or any of the charter school's employees shall not serve as a member of the county board of education in the county where the charter school is located (Education Code 1006; Government Code 1099)

Operations

4. Not be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (Education Code 47604)
5. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)

Admission/Enrollment

6. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)
7. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)
8. Serve students with disabilities in the same manner as such students are served in other district schools (Education Code 47646, 56145)
9. Admit all students who wish to attend the charter school, according to the following criteria and procedures:
 - a. Admission to the charter school shall not be determined according to the student's or parent/guardian's place of residence within the state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within that school's former attendance area. (Education Code 47605)

If a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admission preference for students who are currently enrolled in that public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

- b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, with preference extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. (Education Code 47605)
 - c. Other admission preferences may be permitted by the Board of the district on an individual school basis consistent with law. (Education Code 47605)
10. Not discourage a student from enrolling or seeking to enroll in the charter school, nor encourage a current student from disenrolling, for any reason, including, but not limited to, the student's academic performance, nationality, race, ethnicity, or sexual orientation or because the student is a student with disabilities, academically low achieving, an English learner, neglected or delinquent, homeless, economically disadvantaged, or a foster youth. The charter school shall not request or require a student's records to be submitted before enrollment. The charter school shall post on its web site the California Department of Education's (CDE) notice of these requirements and shall provide the notice to parents/guardians or students age 18 and older when the parent/guardian or student inquires about enrollment, before conducting an enrollment lottery, and before disenrollment of a student. (Education Code 47605)
 11. Comply with the requirements of Education Code 48850-48859 regarding enrollment, identification, and placement of homeless children and unaccompanied youth (Education Code 48850, 48851, 48852.5, 48852.6; 42 USC 11431-11435)
 12. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)
 13. Allow a student who is enrolled in the charter school but receiving individual instruction at home or a hospital due to a temporary disability to return to the charter school when well enough to do so, provided the student returns during the school year in which the individual instruction was initiated (Education Code 48207.3)

Nondiscrimination

14. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)
15. Adopt policy that is consistent with the model policy developed by the California Attorney General addressing the charter school's response to immigration enforcement, notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, prohibit the collection of information or documents regarding the immigration status of students or their family members, and fulfill other requirements of Education Code 234.7
16. Post specified information related to the prohibition against discrimination under Title IX of the Education Amendments of 1972 in a prominent and conspicuous location on the school web site or on the web site of the charter operator (Education Code 221.61)
17. If the charter school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9)
18. Provide specified accommodations to pregnant and parenting students, including, but not limited to, the provision of parental leave and reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. The charter school shall notify pregnant and parenting students and parents/guardians of the rights and options available to pregnant and parenting students. (Education Code 222, 222.5, 46015)
19. If a direct-funded charter school, adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600)

Tuition and Fees

20. Not charge tuition (Education Code 47605)
21. Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools
22. Not bill, nor take any negative action against, a student or former student for a debt owed to the charter school. The school shall provide an itemized invoice for any amount owed by the parent/guardian on behalf of a student or former student before pursuing payment of the debt and shall provide a receipt to the parent/guardian for each payment made to the school. (Education Code 49014)

School Plans

23. Adopt a local control and accountability plan (LCAP) and update the plan by July 1 each year, after holding a public hearing, consulting with specified stakeholders, and using the template adopted by the State Board of Education (SBE). As part of the LCAP adoption and annual update to the LCAP, the governing body of the charter school shall separately adopt a local control funding formula budget overview for parents/guardians, based on the template developed by the SBE. (Education Code 47604.33, 47606.5, 52064, 52064.1)
24. If the charter school applies for federal and/or state categorical program funding through the state's consolidated application, establish a school site council to develop and annually review a school plan for student achievement, unless the school chooses to use its LCAP for this purpose (Education Code 64000-64001, 65000-65001)
25. Develop a comprehensive safety plan in accordance with Education Code 32282 and review and update the plan by March 1 each year (Education Code 47605)
26. Develop a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, youth bus, or child care motor vehicle and procedures for designating an adult chaperone, other than the driver, to accompany students on a school activity bus. In addition, ensure that each school bus, student activity bus, youth bus, or child care motor vehicle is equipped with a child safety alert system that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting, unless the student activity bus is exempted by law. (Education Code 39831.3; Vehicle Code 28160)

Curriculum and Instruction

27. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 47612.5)
28. If the charter school offers a kindergarten program, also offer a transitional kindergarten (TK) program to students in accordance with Education Code 48000
29. If the charter school serves students in grade 9, adopt a fair, objective, and transparent mathematics placement policy with specified components (Education Code 51224.7)
30. If the charter school serves students in any of grades 7-12, provide comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education at least once in junior high or middle school and once in high school (Education Code 51931, 51934)
31. If the charter school serves students in any of grades 6-12, identify and implement methods of informing parents/guardians of human trafficking prevention resources (Education Code 49381)
32. If the charter school serves students in middle or high school and offers one or more courses in health education, include in those courses instruction in mental health, as specified (Education Code 51925-51929)
33. If the charter school serves students in grade 12, comply with the requirements for student completion and submission of the Free Application for Federal Student Aid and California Dream Act Application (Education Code 51225.7, 51225.8)
34. If the charter school is planning to hold a college or career fair, the charter school shall notify each apprenticeship program in the same county as the charter school with the planned date, time, and location of

the fair (Labor Code 3074.2)

35. If the charter school provides independent study, meet the requirements of Education Code 51745-51749.6, except that the school may offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)
36. Develop a plan for offering independent study to affected students pursuant to Education Code 46393 if the governing body of the charter school submits an affidavit pursuant to Education Code 46392 necessitated by an emergency condition that resulted in a school closure (Education Code 46392, 46393)
37. Accept and provide full or partial credit for coursework satisfactorily completed by a foster youth, homeless student, former juvenile court school student, child of a military family, migrant student, or a student participating in a newcomer program while attending another school (Education Code 51225.2)
38. Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605)

Special Education

39. Provide assistive technology devices in a student's home or other settings if the individualized education program team determines that such access is necessary. The charter school shall also provide an assistive technology device or comparable device to a student who enrolls in another local educational agency, for two months after the student leaves the charter school or until alternative arrangements can be made, whichever occurs first. (Education Code 56040.3)
40. If the charter school is an independent member of a special education local plan area and has a master contract with a nonpublic, nonsectarian school:
 - a. Pay the full amount of the tuition or fees for students with disabilities enrolled in programs or services provided pursuant to that contract (Education Code 56365)
 - b. Conduct at least one onsite visit to the nonpublic, nonsectarian school prior to a student's placement and at least once each school year (Education Code 56366.1)

High School Graduation

41. Exempt a foster youth, homeless student, former juvenile court school student, child of a military family, or migrant student who transfers between schools after the second year of high school, or a student participating in a newcomer program for newly immigrant students in grades 11-12, from any of the charter school's graduation requirements that exceed state requirements, unless the charter school determines that the student is reasonably able to complete the requirements by the end of the fourth year of high school (Education Code 51225.1, 51225.2)
42. Grant a high school diploma to any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination (Education Code 51413)
43. Require students to meet the state minimum course requirements for graduation as specified in Education Code 51225.3, as well as any additional graduation requirements required by the governing body (Education Code 51225.3)

Student Expression

44. Allow a student to wear traditional tribal regalia or recognized objects of religious or cultural significance as an adornment at school graduation ceremonies, unless the charter school determines that an item is likely to cause a substantial disruption of, or material interference with, the ceremony (Education Code 35183.1)
45. Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950)

Staffing

46. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) as required for the teacher's certificated assignment. Teachers employed by the charter school during the 2019-20 school year shall have until July 1, 2025 to obtain the required certificate required. (Education Code 47605, 47605.4)
47. If the charter school offers TK, require credentialed teachers first assigned to a TK class to meet one of three specified criteria establishing qualification for the position by August 1, 2023, and to maintain adult to student ratios as specified in Education Code 48000 (Education Code 48000)
48. Review potential misassignments and vacant positions in the charter school, including data from CTC, respond to the County Superintendent of Schools when necessary to show that an employee is legally authorized for an assignment, and correct any misassignments if notified by the County Superintendent that an assignment is not legally authorized (Education Code 44258.9)
49. Not hire any person who has been convicted of a violent or serious felony except as otherwise provided by law, and, if the charter school contracts with an entity for specified services, verify that any employee of that entity who interacts with students outside of the immediate supervision and control of the student's parent/guardian or a school employee has a valid criminal records summary, unless an exception applies (Education Code 44830.1, 45122.1, 45125.1)
50. Report to CTC any change in a certificated employee's employment status (dismissal, nonreelection, resignation, suspension, unpaid administrative leave for more than 10 days, retirement, or other decision not to employ or reemploy) as a result of an allegation of misconduct or while an allegation of misconduct is pending (Education Code 44030.5)
51. If the charter school chooses to make the state teachers' retirement plan and/or the public employees retirement system available to its employees, meet the requirements of Education Code 47611 (Education Code 47610)
52. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)
53. If the charter school employs security officers and/or security officers work on the charter school campus, provide the latest course of training developed by the Bureau of Security and Investigative Services of the Department of Consumer Affairs in consultation with the Commission on Peace Officer Standards and Training, as specified (Education Code 38001.5; Business and Professions Code 7583.45)

Parent/Guardian Involvement

54. On a regular basis, consult with parents/guardians and teachers regarding the charter school's educational programs (Education Code 47605)
55. Notify parents/guardians of applicant students and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school (Education Code 47605)
56. If 15 percent or more of the students at the charter school speak a single primary language other than English, provide all notices, reports, statements, or records sent to parents/guardians in English and in the primary language (Education Code 48985)

Nutrition

57. Provide breakfast and/or lunch free of charge during each school day to students requesting a meal regardless of the student's free or reduced-price meal eligibility. If the charter school participates in the National School Lunch Program and School Breakfast Program and is a very high poverty school, as defined, the charter school shall apply to operate a federal universal meal service provision, and upon approval, apply such service (Education Code 49501.5, 49564.3)
58. Not promote any food or beverage during the school day that does not comply with state nutritional standards pursuant to Education Code 49430-49434, and not participate in a corporate incentive program that offers free or discounted non-nutritious foods or beverages as rewards for students who reach certain

academic goals (Education Code 49431.9)

Student Health

59. Adopt a policy on suicide prevention, intervention, and postvention for grades 7-12, and an age-appropriate policy for grades K-6, and review the policy at least every five years (Education Code 215)
60. If the charter school serves grades 7-12 and issues student identification cards, print the telephone numbers of the National Suicide Prevention Lifeline and the National Domestic Violence Hotline on the identification cards (Education Code 215.5)
61. Notify students and parents/guardians at least twice during the school year on how to initiate access to available student mental health services on campus or in the community (Education Code 49428)
62. Provide annual training on child abuse and neglect reporting requirements to employees and persons working on the charter school's behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691)
63. If the charter school offers an athletic program, annually provide information sheets about concussions/head injuries and sudden cardiac arrest to athletes and their parents/guardians, which must be signed and returned to the school before the athlete initiates practice or competition. In the event that an athlete is suspected of sustaining a concussion or head injury, passes out, or faints during or immediately after participation in an athletic activity, the student shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until the student is evaluated by a licensed health care provider and receives written clearance to do so. (Education Code 33479-33479.5, 49475)
64. If the charter school offers an interscholastic athletic program, develop and post a written emergency action plan that describes procedures to be followed in the event of sudden cardiac arrest and other medical emergencies, acquire at least one automated external defibrillator (AED) for the school, and make the AED available at on-campus athletic activities or events (Education Code 35179.4, 35179.6)
65. If the charter school sponsors or hosts an on-campus event in or around a swimming pool that is not part of an interscholastic athletic program, provide for the presence of at least one adult with a valid certification of cardiopulmonary resuscitation training throughout the duration of the event (Education Code 35179.6)
66. Provide school nurses or other voluntary, trained personnel with emergency epinephrine auto-injectors of the type required pursuant to Education Code 49414 (Education Code 49414)
67. If the charter school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, comply with the requirements of Education Code 49414.3, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist

Student Conduct/Discipline

68. Adopt a policy on bullying and cyberbullying prevention, post specified information on bullying and harassment prevention, and annually make CDE's online training module on bullying prevention available to school site certificated employees and other employees who have regular interaction with students (Education Code 234.4, 234.6, 32283.5)
69. Adopt and display a written policy on sexual harassment, include the policy as part of any orientation for new and continuing students, and post a poster notifying students of the policy (Education Code 231.5, 231.6)
70. Prohibit seclusion and behavioral restraint of students as a means of discipline, and only use such methods to control student behavior that poses a clear and present danger of serious physical harm to a student or others that cannot be immediately prevented by a less restrictive response (Education Code 49005-49006.4)
71. Neither recommend for expulsion a student in grades K-12 nor suspend a student in grades K-8 for disrupting school activities or otherwise willfully defying the authority of school personnel in the performance of their duties (Education Code 48901.1)
72. Upon request, provide a student who is suspended for two or more days with the homework assigned during

the period of suspension (Education Code 47606.2, 48913.5)

Student and Parent/Guardian Records

73. Not collect or solicit social security numbers or the last four digits of social security numbers from students or their parents/guardians unless otherwise required to do so by state or federal law (Education Code 49076.7)
74. Upon written request, not include the directory information of a student or the personal information of a parent/guardian, as defined, in the minutes of a meeting of the governing body (Education Code 49073.2)
75. If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)
76. If the charter school serves high school students, submit to the Student Aid Commission (CSAC), for use in the Cal Grant program, the grade point average (GPA) of all students in grade 12 and verification of high school graduation or its equivalent for students who graduated in the prior academic year. However, such information shall not be submitted when students opt out or are permitted by the rules of CSAC to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)
77. Upon receipt of government-issued documentation of a change of name or gender or, if such documentation is not available, upon request in accordance with the procedure in Education Code 49070, update, and reissue if requested, a former student's records to include the student's updated legal name or gender (Education Code 49062.5, 49070)

Facilities

78. Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)
 - a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.
 - b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.
79. If the charter school serves students in any of grades 6-12, stock the school's restrooms at all times with an adequate supply of menstrual products available and accessible free of cost in all women's restrooms, all-gender restrooms, and in at least one men's restroom (Education Code 35292.6)

Finance

80. Promptly respond to all reasonable inquiries from the district, the county office of education, or the Superintendent of Public Instruction (SPI), including, but not limited to, inquiries regarding the charter school's financial records (Education Code 47604.3)
81. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)
82. Identify and report to the SPI any portion of the charter school's average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)
83. Annually prepare and submit financial reports to the Board and the County Superintendent in accordance with the following reporting cycle:
 - a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)

- b. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)
- c. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)
- d. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)
- e. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the State Controller and CDE. (Education Code 47605)

84. If the charter school receives state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30), annually report a detailed list of all expenditures of state funds, and of the school's matching funds for completed projects, and submit an audit of completed facilities projects within one year of project completion (Education Code 41024)

Accountability

85. Annually adopt a school accountability report card (Education Code 47612; California Constitution, Article 16, Section 8.5)

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 11700-11705	Independent study
5 CCR 11960-11969.10	Charter schools
5 CCR 4600-4670	Uniform complaint procedures
Bus. Code 7583.45	Training for security officers
CA Constitution Article 16, Section 8.5	Public finance; school accountability report card - https://simbli.eboardsolutions.com/SU/5WGQeQCplusFH2CplOCVLEpzQ==
CA Constitution Article 9, Section 5	Common school system - https://simbli.eboardsolutions.com/SU/5LDHgacplGqiftuxZapsishQg==
Corp. Code 5110-6910	Nonprofit public benefit corporations - https://simbli.eboardsolutions.com/SU/up9YZpTJb4gRf50Hwlsish9Og==
Ed. Code 1006	Prohibition against school district employees serving on county board of education - https://simbli.eboardsolutions.com/SU/Qnj8IKKU84qMv8ZX5ZPu1w==
Ed. Code 17070.10-17079.30	Leroy F. Greene School Facilities Act - https://simbli.eboardsolutions.com/SU/fu4PsUtUAb4qYYOY9breHg==
Ed. Code 17280-17317	Field Act; approval of plans and supervision of construction
Ed. Code 17365-17374	Field Act; fitness for occupancy; liability of board members
Ed. Code 215	Suicide prevention policies
Ed. Code 215.5	Student identification cards; inclusion of safety hotlines
Ed. Code 220	Prohibition of discrimination
Ed. Code 221.61	Posting of Title IX information on web site
Ed. Code 221.9	Sex equity in competitive athletics
Ed. Code 222	Reasonable accommodations; lactating students

Ed. Code 222.5	Pregnant and parenting students; notification of rights
Ed. Code 231.5-231.6	Sexual harassment policy
Ed. Code 234.4	Mandated policy on bullying prevention
Ed. Code 234.6	Bullying and harassment prevention information
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 32282	School safety plans
Ed. Code 32283.5	Bullying; online training
Ed. Code 33479-33479.9	The Eric Parades Sudden Cardiac Arrest Prevention Act
Ed. Code 35179.4-35179.6	Interscholastic athletic programs, safety; swimming pool safety that is not part of interscholastic athletic program
Ed. Code 35183.1	Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
Ed. Code 35292.6	Stocking of menstrual products
Ed. Code 35330	Field trips and excursions; student fees
Ed. Code 38001.5	Training for security officers
Ed. Code 38080-38086	School meals
Ed. Code 39831.3	Transportation safety plan
Ed. Code 39843	Disciplinary action against bus driver; report to Department of Motor Vehicles
Ed. Code 41024	Report of expenditure of state facility funds
Ed. Code 42100	Annual statement of receipts and expenditures
Ed. Code 44030.5	Reporting change in employment status due to alleged misconduct
Ed. Code 44237	Criminal record summary
Ed. Code 44258.9	Monitoring of teacher assignments
Ed. Code 44691	Information on detection of child abuse; annual training
Ed. Code 44830.1	Certificated employees; conviction of a violent or serious felony
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 45125.1	Criminal records summary; employees of contracting entity
Ed. Code 46015	Accommodations for pregnant and parenting students; parental leave
Ed. Code 46390-46393	Emergency average daily attendance
Ed. Code 47600-47616.7	Charter Schools Act of 1992
Ed. Code 47634.2	Nonclassroom-based instruction
Ed. Code 47640-47647	Special education funding for charter schools
Ed. Code 47651	Apportionment of funds; charter schools
Ed. Code 48000	Minimum age of admission for kindergarten; transitional kindergarten
Ed. Code 48010-48011	Minimum age of admission (first grade)
Ed. Code 48206.3-48208	Students with temporary disabilities; individual instruction
Ed. Code 48850-48859	Education of foster youth and homeless students
Ed. Code 48901.1	Suspension and expulsion; willful defiance
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48913.5	Suspended students; homework assignments
Ed. Code 48950	Speech and other communication
Ed. Code 48985	Notices to parents in language other than English

Ed. Code 49005-49006.4	Seclusion and restraint
Ed. Code 49011	Student fees
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49061	Definitions, directory information
Ed. Code 49062.5	Student records, name or gender change
Ed. Code 49070	Challenging student records
Ed. Code 49073.2	Privacy of student and parent/guardian personal information; minutes of board meeting
Ed. Code 49076.7	Student records; data privacy; social security numbers
Ed. Code 49110	Authority to issue work permits
Ed. Code 49381	Human trafficking prevention
Ed. Code 49414	Epinephrine auto-injectors
Ed. Code 49414.3	Administration of opioid antagonist
Ed. Code 49428	Notification of mental health services
Ed. Code 49430-49434	The Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49431.9	Prohibition of advertisement of non-nutritious foods
Ed. Code 49475	Health and safety; concussions and head injuries
Ed. Code 49501.5	Free breakfast and lunch to all students
Ed. Code 49557.5	Child Hunger Prevention and Fair Treatment Act of 2017
Ed. Code 49564	Meals for needy students
Ed. Code 49564.3	Provision of federal universal meal service
Ed. Code 49700-49701	Education of children of military families
Ed. Code 51224.7	Mathematics placement policy
Ed. Code 51225.1-51225.2	Exemption from local graduation requirements; acceptance of coursework
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51225.6	Instruction in cardiopulmonary resuscitation
Ed. Code 51225.7-51225.8	Completion and submission of the Free Application for Federal Student Aid and California Dream Act Application
Ed. Code 51413	Diploma of graduation without passage of high school exit examination
Ed. Code 51745-51749.6	Independent study
Ed. Code 51925-51929	Mandatory mental health education
Ed. Code 51930-51939	California Healthy Youth Act
Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Uniform complaint procedures
Ed. Code 56026	Special education
Ed. Code 56040.3	Availability of assistive technology device
Ed. Code 56145-56146	Special education services in charter schools
Ed. Code 56365-56366.12	Nonpublic, nonsectarian schools
Ed. Code 60600-60648.5	Assessment of academic achievement
Ed. Code 64000	Categorical programs included in consolidated application
Ed. Code 64001	School plan for student achievement; consolidated application programs

Ed. Code 65000-65001	School site councils
Ed. Code 69432.9-69432.92	Cal Grant program; notification of grade point average and high school graduation
Gov. Code 1090-1099	Prohibitions applicable to specified officers
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 3555-3559	Public employee communication, information and orientation
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 6250-6270	California Public Records Act
Gov. Code 81000-91014	Political Reform Act of 1974
H&S Code 104420	Tobacco Use Prevention Education grant program
H&S Code 104559	Tobacco-free schools
Lab. Code 1198.5	Personnel records related to performance and grievance
Lab. Code 3074.2	Notice of college and career fairs
Pen. Code 1192.7	Definition of serious felony
Pen. Code 667.5	Definition of violent felony
Veh. Code 28160	Child safety alert system
Federal References	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6311	State plan
20 USC 7221-7221j	Charter schools
34 CFR 200.1-200.78	Accountability
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
Management Resources References	Description
Attorney General Opinion	104 Ops.Cal.Atty.Gen. 66 (2021)
Attorney General Opinion	101 Ops.Cal.Atty.Gen. 92 (2018)
Attorney General Opinion	78 Ops.Cal.Atty.Gen. 297 (1995)
Attorney General Opinion	89 Ops.Cal.Atty.Gen. 166 (2006)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 52 (1997)
CA Department of Education Publication	California School Accounting Manual
CA Office of Administrative Hearings Decisions	Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763
California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020
California Dept. of Pesticide Reg. Publication	School District Integrated Pest Management Plan Template
California Interscholastic Federation Publication	Pursuing Victory with Honor, 1999
Court Decision	Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986
CSBA Publication	Charter Schools: A Guide for Governance Teams, rev. 2016
CSBA Publication	Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017
CSBA Publication	Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018

U.S. DOE Guidance

Charter Schools Program: Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014

Website

U.S. Department of Agriculture -

<https://simbli.eboardsolutions.com/SU/RslshJVkZjGiBHO8TX9tA3tqQ==>

Website

National Suicide Prevention Lifeline -

<https://simbli.eboardsolutions.com/SU/yAd89LtBVSiNaH2almpg2Q==>

Website

National Domestic Violence Hotline -

<https://simbli.eboardsolutions.com/SU/d1fBFpjosh4vvBXfU68zMWg==>

Website

California State Teachers Retirement System -

<https://simbli.eboardsolutions.com/SU/dDkW9gdO2YplusqCVo1qG2vslshw==>

Website

California Public Employees Retirement System -

<https://simbli.eboardsolutions.com/SU/BtrWsDRenb5z2ZZethXQCw==>

Website

California Department of General Services, Office of Administrative Hearings -

<https://simbli.eboardsolutions.com/SU/hkXUvTmkSbRSTlh3V79tXg==>

Website

California Commission on Teacher Credentialing -

<https://simbli.eboardsolutions.com/SU/Eg0pluss7NDrgK1KmPo9MgqplusA==>

Website

California Commission on Peace Officer Standards and Training -

<https://simbli.eboardsolutions.com/SU/T42f3sLyPIGPzJCTWmplusqxA==>

Website

California Bureau of Security and Investigative Services -

<https://simbli.eboardsolutions.com/SU/7cVjGFeMAXplusS8ldHUhceYQ==>

Website

California State Controller -

<https://simbli.eboardsolutions.com/SU/P16GQ6rhv8oslgGWli7phA==>

Website

California Department of Pesticide Regulation -

<https://simbli.eboardsolutions.com/SU/oAOBdjdOjGZedpcK5jhJiw==>

Website

California Student Aid Commission -

<https://simbli.eboardsolutions.com/SU/YTrTlONffizjQWhb3fewg==>

Website

National Association of Charter School Authorizers -

<https://simbli.eboardsolutions.com/SU/9nzhOG5X2VVH42kMjnO6kg==>

Website

California Charter Schools Association -

<https://simbli.eboardsolutions.com/SU/aplushtDM8pluszN2tpwTckx11kA==>

Website

California Department of Education, Charter Schools -

<https://simbli.eboardsolutions.com/SU/PdGgkCs2YZ3fwPslshslshoGe7iQ==>

Website

California Interscholastic Federation -

<https://simbli.eboardsolutions.com/SU/QthhhDMKplusJ3akAI8GRP72g==>

Website

California Office of the Attorney General -

<https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==>

Website

CSBA -

<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Website

U.S. Department of Education -

<https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==>

Cross References

Description

0420.4

Charter School Authorization -

<https://simbli.eboardsolutions.com/SU/0i0m3LftdUnEuoDDGxB2mQ==>

0420.4

Charter School Authorization -

<https://simbli.eboardsolutions.com/SU/6aKw9KbSgexgJfcQrYo5eQ==>

0420.42

Charter School Renewal -

<https://simbli.eboardsolutions.com/SU/uuLbZeec3V3u1wMajl8dHg==>

0420.43

Charter School Revocation -

<https://simbli.eboardsolutions.com/SU/ohXLQZICr9Y37KSqCta5dA==>

0460 Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==>

0460 Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/N8bGSx8fXaLLgcLPJYKR9w==>

0500 Accountability -
<https://simbli.eboardsolutions.com/SU/PDWiti8tEaGKnqJhgZ4Q3g==>

1312.3 Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/yvGJj2X8PyrSmBYInybbQA==>

1312.3 Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/qu1ox8qD0SpMJPXqVt6gag==>

1312.3-E PDF(1) Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/BslshPMK886oDyrBoQyAftUdg==>

1312.3-E PDF(2) Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/HDslshuPXC0G3Qslshr71TMVplus4Jw==>

1431 Waivers - <https://simbli.eboardsolutions.com/SU/9BuYxzx0B2l1rRqC5ldthA==>

6162.51 State Academic Achievement Tests -
<https://simbli.eboardsolutions.com/SU/NdqSEfNslshhwaBKplusUkKH040A==>

6162.51 State Academic Achievement Tests -
<https://simbli.eboardsolutions.com/SU/oZbkKwYtcu0mkplusF9H7PNfQ==>

7160 Charter School Facilities -
<https://simbli.eboardsolutions.com/SU/plussx0ytUqrR6vrkEezQAiqg==>

7160 Charter School Facilities -
<https://simbli.eboardsolutions.com/SU/WxGxcu8yOqvCeGbLR3x1KA==>

Exhibit 1113-E(1): District And School Web Sites

Status: ADOPTED

Original Adopted Date: 10/01/2020 | **Last Revised Date:** 06/01/2022 | **Last Reviewed Date:** 06/01/2022

MATERIALS REQUIRED TO BE POSTED ON DISTRICT WEB SITE

Materials to Prominently Display

The following must be posted in a prominent location on the district's web site, such as on the home page when required by law:

1. The district's local control and accountability plan (LCAP), any updates or revisions to the LCAP, and the local control funding formula budget overview (Education Code 52064.1, 52065). See AR 0460 - Local Control and Accountability Plan.
2. A direct link to the current board agenda containing the time and location of the meeting and a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session, or a link to the district's agenda management platform where the current agenda shall be the first available (Government Code 54954.2, 54956). Post at least 72 hours before a regular board meeting or 24 hours before a special meeting. See BB 9320 - Meetings and Notices and BB 9322 - Agenda/Meeting Materials.
3. The district's policy on student suicide prevention including, for grades K-6, the age appropriateness of the policy (Education Code 234.6). See BP 5141.52 - Suicide Prevention.
4. The district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media (Education Code 234.6). See AR 5131.2 - Bullying and AR 5145.3 - Nondiscrimination/Harassment.
5. The district's policy on preventing and responding to hate violence, if the district has adopted such a policy (Education Code 234.6). See BP 5145.9 - Hate-Motivated Behavior.
6. The definition of discrimination and harassment based on sex as described in Education Code 230, including the rights set forth in Education Code 221.8 (Education Code 234.6). See AR 5145.3 - Nondiscrimination/Harassment.
7. Information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the name and contact information of the Title IX Coordinator, the rights of students and the public as specified in Education Code 221.8, the responsibilities of the district under Title IX, web links to information about those rights and responsibilities on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights, a description of how to file a complaint of noncompliance under Title IX with specified components, and a link to Title IX information posted on the California Department of Education's (CDE) web site (Education Code 221.6, 221.61, 234.6; 34 CFR 106.8). See AR 5145.3 - Nondiscrimination/Harassment and AR 5145.7 - Sexual Harassment.
8. A link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families (Education Code 234.5, 234.6). See AR 5145.3 - Nondiscrimination/Harassment.
9. Posters published by the California Department of Fair Employment and Housing (DFEH) including, "California Law Prohibits Workplace Discrimination and Harassment," and for districts with five or more employees, "Transgender Rights in the Workplace," "Your Rights and Obligations as a Pregnant Employee," and "Family Care and Medical Leave and Pregnancy Disability Leave" (Government Code 12950). See AR 4030 - Nondiscrimination in Employment and AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave.
10. If the district has formed a community facilities district (Mello-Roos district) for the acquisition or improvement of school facilities, a copy of the annual report for the fiscal year if requested pursuant to Government Code 53343.1, the report provided to the California Debt and Investment Advisory Commission pursuant to

Government Code 53359.5, and the report provided to the State Controller's office pursuant to Government Code 12463.2 (Government Code 53343.2). Post within seven months after the last day of the fiscal year. See BP 7212 - Mello-Roos Districts.

Other Postings

The following materials are also required to be posted on the district web site. However, there are no specific requirements related to where they are posted on the web site.

1. The Special Education Local Plan Area's approved comprehensive local plan for special education, annual budget plan, annual service plan, and annual assurances support plan and any updates or revisions to the plans (Education Code 56205.5). See AR 0430 - Comprehensive Local Plan for Special Education.
2. The district's nondiscrimination policy and regulation, including the complaint procedure and the compliance coordinator's contact information (34 CFR 100.6, 106.8). See BP 0410 - Nondiscrimination in District Programs and Activities and AR 4030 - Nondiscrimination in Employment.
3. Training materials used to train the Title IX Coordinator, investigator(s), decisionmaker(s), and any person(s) who facilitate an informal resolution process in response to a Title IX sexual harassment complaint (34 CFR 106.45). See AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures and AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.
4. Contact information for the district's liaison(s) for homeless students and other persons as required by Education Code 48852.6, and information regarding the educational rights and resources available to persons experiencing homelessness (Education Code 48852.6). See AR 6173 - Education for Homeless Children.
5. For all schools offering competitive athletics, the total enrollment of the school classified by gender, the number of students enrolled at the school who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9). The information shall be posted at the end of the school year on the school's web site or, if the school does not have a web site, on the district's web site. See AR 6145.2 - Athletic Competition.
6. If the district has interdistrict attendance agreement(s), the procedures and timelines for requesting an interdistrict transfer permit, including, but not limited to, a link to the board's policy on interdistrict attendance, the date that the district will begin accepting applications, reasons that the district may approve/deny the request, the process for appeal, that failure to meet timelines will be deemed an abandonment of the request, and the condition under which an existing interdistrict transfer permit may be revoked or rescinded (Education Code 46600.2). See AR 5117 - Interdistrict Transfer.
7. If the district has elected to be a school district of choice, application information including, at a minimum, any applicable form, the timeline for a transfer, and an explanation of the selection process (Education Code 48301). See AR 5117 - Interdistrict Transfer.
8. For districts that offer grade 9, the district's policy and protocols related to student placement in mathematics courses (Education Code 51224.7). See AR 6152.1 - Placement in Mathematics Courses.
9. The section(s) of the district's employee code of conduct addressing interactions with students (Education Code 44050). Post these section(s) or a link to them on each school's web site or, if a school does not have its own web site, on the district's web site in a manner that is accessible to the public without a password. See BP 4119.21/4219.21/4319.21 - Professional Standards and BP 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions.
10. The district's meal payment collection policy and procedures (U.S. Department of Agriculture (USDA) Memorandum SP 46-2016). See BP/AR 3551 - Food Services Operations/Cafeteria Fund.
11. If the district includes information about the free and reduced-priced meal program on its web site, a nondiscrimination statement about the district's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the district (USDA FNS Instruction 113-1). For the required wording of the statement, see E 3555 - Nutrition Program Compliance.
12. The school's or district's integrated pest management plan, whenever a school chooses to use a pesticide not exempted pursuant to Education Code 17610.5 (Education Code 17611.5). Post on the school's web site or, if

the school does not have a web site, then on the district's web site. See AR 3514.2 Integrated Pest Management.

13. When the California Environmental Quality Act requires an environmental impact report, negative declaration, or mitigated negative declaration, those environmental review documents, public notice of the preparation and availability of such documents within a reasonable period of time prior to certification of the environmental impact report, adoption of a negative declaration, or determination that a proposed subsequent project will have no additional significant effect on the environment, and specified notices when written requests for notices have been filed (Public Resources Code 21082.1, 21092, 21092.2).
14. When a citizens' oversight committee is formed after the approval of a bond under the 55 percent majority threshold, the committee's minutes, documents received, and reports issued (Education Code 15280). See AR 7214 - General Obligation Bonds.
15. Copy of each school's school accountability report card, on or before February 1 of each year (Education Code 35258). See BP 0510 - School Accountability Report Card.
16. Results of the Western Association of Schools and Colleges (WASC) or other accrediting agency's inspection of a school, within 60 days of receiving the results. (This notification could be made in writing to parents/guardians instead of or in addition to posting the results on the district's web site.) In addition, if a school loses its WASC or other agency's accreditation, the district and school shall post on their web sites a notice of the loss of accreditation and potential consequences (Education Code 35178.4). See BP 6190 - Evaluation of the Instructional 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

Bus. Code 22580-22582	Privacy Rights for California Minors in the Digital World - https://simbli.eboardsolutions.com/SU/XpZUgtS77ETvzOJMtcapFA==
Bus. Code 22584-22585	Student Online Personal Information Protection Act - https://simbli.eboardsolutions.com/SU/FnauJhplusaffvcCQodyGJlmg==
Bus. Code 22586-22587	Early Learning Personal Information Protection Act - https://simbli.eboardsolutions.com/SU/HVBisqFqyGv3GFCOYAFARQ==
Ed. Code 35182.5	Contracts for advertising
Ed. Code 35258	Internet access to school accountability report cards
Ed. Code 48852.6	Information regarding homelessness
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 49061	Definitions, directory information
Ed. Code 49073	Release of directory information
Ed. Code 60048	Commercial brand names, contracts or logos
Gov. Code 11135	Nondiscrimination; accessibility to state web sites - https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKALQEtQ==
Gov. Code 12950	California Department of Fair Employment and Housing posters
Gov. Code 3307.5	Publishing identity of public safety officers
Gov. Code 6254.21	Publishing addresses and telephone numbers of officials
Gov. Code 6254.24	Definition of public safety official
Pen. Code 14029.5	Prohibition against publishing personal information of person in witness protection program
Pub. Res. Code 21082.1	California Environmental Quality Act environmental review documents

Pub. Res. Code 21092
Pub. Res. Code 21092.2

Federal References

16 CFR 312.1-312.12
17 USC 101-122
17 USC 504
20 USC 1232g
29 USC 705
29 USC 794
34 CFR 104.1-104.61
34 CFR 99.1-99.67
42 USC 12101-12213

Management Resources References

CA Dept of Fair Employment and Housing
Publication
CA Dept of Fair Employment and Housing
Publication
CA Dept of Fair Employment and Housing
Publication
CA Dept of Fair Employment and Housing
Publication
Court Decision
Court Decision
U.S. Department of Agriculture Publication
U.S. Department of Justice Publication
U.S. DOE Office For Civil Rights Publication
U.S. DOE Office for Civil Rights Publication

Website

Website

Website

Website

Website

Website

Website

Website

California Environmental Quality Act environmental review documents
California Environmental Quality Act environmental review documents

Description

Children's Online Privacy Protection Act
Subject matter and scope of copyright
Penalties for copyright infringement
Family Educational Rights and Privacy Act (FERPA) of 1974
Definitions; Vocational Rehabilitation Act
Rehabilitation Act of 1973; Section 504
Nondiscrimination on the basis of disability
Family Educational Rights and Privacy
Americans with Disabilities Act

Description

Family Care and Medical Leave and Pregnancy Disability Leave
California Law Prohibits Workplace Discrimination and Harassment
Transgender Rights in the Workplace
Your Rights and Obligations as a Pregnant Employee
Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112
City of San Jose v. Superior Court, (2017) 2 Cal.5th 608
Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016
Accessibility of State and Local Government Websites to People with
Disabilities, June 2003
Dear Colleague Letter, May 26, 2011
Joint Dear Colleague Letter: Electronic Book Readers, June 29, 2010
Governor's Office of Planning and Research, The California Environmental
Quality Act -
<https://simbli.eboardsolutions.com/SU/n5xh7yqpDQayP5DTOPda0A==>
California Department of Education, Web Accessibility Standards -
<https://simbli.eboardsolutions.com/SU/ZXERSyLs5Tm5Y5TnRI4NA==>
California School Public Relations Association -
<https://simbli.eboardsolutions.com/SU/csB0m6f7E6wVaFPfZWZFcw==>
U.S. Department of Justice, Civil Rights Division, Disability Rights Section -
<https://simbli.eboardsolutions.com/SU/9sZBTK5qxS6SpFY07h6ktA==>
World Wide Web Consortium, Web Accessibility Initiative -
<https://simbli.eboardsolutions.com/SU/bidXfpUplusS7mVvEQmsT1yhA==>
CSBA -
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>
U.S. Department of Education, Office for Civil Rights -
<https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==>
California Department of Fair Employment and Housing -
<https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==>

Cross References**Description**

0000	Vision - https://simbli.eboardsolutions.com/SU/KljZfslsh88rWzvlh7AJ98iog==
0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZIBFBO9dQ==
0440	District Technology Plan - https://simbli.eboardsolutions.com/SU/c3TEEZEDFLVMDh05wl0TCQ==
0440	District Technology Plan - https://simbli.eboardsolutions.com/SU/xvf0pluskxWXJhSWUIB3QBmhA==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQQAAdl7DbzBBg==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/N8bGSx8fXaLgclPJYKR9w==
0500	Accountability - https://simbli.eboardsolutions.com/SU/PDWiti8tEaGKnqJbgZ4Q3g==
0510	School Accountability Report Card - https://simbli.eboardsolutions.com/SU/tZgonRHxkvRwnPrVQ1WmBg==
1100	Communication With The Public - https://simbli.eboardsolutions.com/SU/m4slshfz41M67B2WioVNfzUDg==
1112	Media Relations - https://simbli.eboardsolutions.com/SU/slhlpe1iHlslshJABaNkEITAw==
1114	District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/oxiplus18K0ELhbFRHpReJLZw==
1114	District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/yjVorBCGm2rPCjkELGVV5A==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/yvGJj2X8Pyr5mBYInybbQA==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qu1ox8qD0SpMJPXqVt6gag==
1312.3-E PDF(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/BslshPMK886oDyrBoOyAftUdg==
1312.3-E PDF(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/HDslshuPXC0G3Oslshr71TMVplus4Jw==
1325	Advertising And Promotion - https://simbli.eboardsolutions.com/SU/TPq9ClqZ7JLx8c5lQjsyog==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/xf1Aslshslsh7GO4WA2Z2wFhc4ng==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/gcCBzokrVuucd9EFStBmQQ==
3290	Gifts, Grants And Bequests - https://simbli.eboardsolutions.com/SU/v0uP5OYKyNQGAvaslshoK4zOw==
3311	Bids - https://simbli.eboardsolutions.com/SU/HcK7HUZF9A9DplusJHCDH4Q==
3311	Bids - https://simbli.eboardsolutions.com/SU/ry0hLBz8DRvRct6kukvHHA==
3513.3	Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/YcXDCKQsxwpNcLpvl3ATIA==
3513.3	Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/PD0MCVslshDCYPHDWjcAvbVoQ==

3515.3	District Police/Security Department - https://simbli.eboardsolutions.com/SU/alawUcBgaoPCgRAFFsBZWa==
3515.3	District Police/Security Department - https://simbli.eboardsolutions.com/SU/islshVvU1K0PPplusBixiN5IS77w==
3515.7	Firearms On School Grounds - https://simbli.eboardsolutions.com/SU/oslshFhmBWrrp6toa9Ebffmbg==
3516	Emergencies And Disaster Preparedness Plan - https://simbli.eboardsolutions.com/SU/x6NWrXQFV0TusDr7guOmSQ==
3516	Emergencies And Disaster Preparedness Plan - https://simbli.eboardsolutions.com/SU/UzirPzb2Tud8LJ2LDo5W5w==
3516.5	Emergency Schedules - https://simbli.eboardsolutions.com/SU/GJMMbkTekoVslshhcplusb8hSIGA==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/aWC2AHy6NLmMLvqBaeqp7g==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/NslKZ3UxVB4jy5glgHITWg==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/wzUihV3gK9PplusFvGH4lt0Ew==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/byXci7oy4EQvJziZSatkag==
3580	District Records - https://simbli.eboardsolutions.com/SU/8fsDI9HykDCItBSvVLEIA==
3580	District Records - https://simbli.eboardsolutions.com/SU/gX132ogfrNaLpqF5dbh66Q==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/z8saAb1i9vjlsishyJNjIXOrA==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg==
4040	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/3Md2dsishuyFrpXYhjStKTrQw==
4040-E PDF(1)	Employee Use Of Technology - https://simbli.eboardsolutions.com/SU/josKeRFFqslshEcP1vE5cw0Gg==
4119.21	Professional Standards - https://simbli.eboardsolutions.com/SU/RUg2Aozy5plusrWMBTJVdlsyg==
4119.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/vF87GYLXyTUMmUN2SXjO0g==
4119.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/2wFCpNgtM48I3kplusPslshlOslshSw==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/70QvA0ysAx5YXC8kTtgs9Q==
4132	Publication Or Creation Of Materials - https://simbli.eboardsolutions.com/SU/A6lhj3LSheVqArWU9OaXjA==
4161.8	Family Care And Medical Leave - https://simbli.eboardsolutions.com/SU/R0ajur05Y0LDobGfDwFO7A==
4219.21	Professional Standards - https://simbli.eboardsolutions.com/SU/577ui4NZDgpHKG5NJplussQbA==
4219.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/52slshZb5LuY0skwfJSoBbVOQ==
4219.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/DzT84jcjiN31dA5odXslshFoA==

4231	Staff Development - https://simbli.eboardsolutions.com/SU/FAuFrJnlbcVy3kgsTslshNU6g==
4232	Publication or Creation of Materials - https://simbli.eboardsolutions.com/SU/sOOi3RNOQ8O2UrE6Qdbsubg==
4261.8	Family Care And Medical Leave - https://simbli.eboardsolutions.com/SU/nBLZm9LwJchMFF3Yja1slshFg==
4319.21	Professional Standards - https://simbli.eboardsolutions.com/SU/53YbPV2hoKqYj7h7jg34plusA==
4319.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/u6TpxPrplusLKIUDjY7bpOkaw==
4319.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/X3ta8p18splcxmJVplusXplusnZQ==
4331	Staff Development - https://simbli.eboardsolutions.com/SU/3BllBFE9slshf2AInllsFwZag==
4332	Publication or Creation of Materials - https://simbli.eboardsolutions.com/SU/GlslshGwQt15nlsUrEfg1bgaA==
4361.8	Family Care And Medical Leave - https://simbli.eboardsolutions.com/SU/qfxyeoli1LQ4rJjMbB8XNA==
5022	Student And Family Privacy Rights - https://simbli.eboardsolutions.com/SU/3to8RplnokMSGvb2EJ8Qmg==
5022	Student And Family Privacy Rights - https://simbli.eboardsolutions.com/SU/nplusdgJwa04NhAQWxYfv3GKA==
5125	Student Records - https://simbli.eboardsolutions.com/SU/Jw4xw3nB7slshn7ptplustrREa5A==
5125	Student Records - https://simbli.eboardsolutions.com/SU/9slshJjOjwllKjNefOpjUBtbg==
5125.1	Release Of Directory Information - https://simbli.eboardsolutions.com/SU/jYtwXJDslshkuKNsmoetBdSzQ==
5125.1	Release Of Directory Information - https://simbli.eboardsolutions.com/SU/A00pFFSMUslshDODL2a9HlbtQ==
5125.1-E PDF(1)	Release Of Directory Information - https://simbli.eboardsolutions.com/SU/u8Wpluss34VJFsqplusSplusApU7gow==
5131.2	Bullying - https://simbli.eboardsolutions.com/SU/Sw0juMyOrrGlgPDYIJ2Rvw==
5131.2	Bullying - https://simbli.eboardsolutions.com/SU/MwcrPaIVN3oQ15PFbAoQPA==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/8BBILRHFPN4Ze3lDgjitlg==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/Q0ib1gK3KHGsHNlpTjql8A==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/WjFHslshd0qO8WHJq9f7Kfh5Q==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/3b046reWKA4At9vT9uKSHg==
6152.1	Placement In Mathematics Courses - https://simbli.eboardsolutions.com/SU/jt6w4Ob9l5Fk3Zp4xZKDSQ==
6152.1	Placement In Mathematics Courses - https://simbli.eboardsolutions.com/SU/oGGI7Kob81ls1e8P3iauiA==
6162.6	Use Of Copyrighted Materials - https://simbli.eboardsolutions.com/SU/K58wRXLhiQ7HqkoPGCSxplusw==
6162.6	Use Of Copyrighted Materials - https://simbli.eboardsolutions.com/SU/gh5CLLEvMmcAhYPOAhkfIA==

6163.4	Student Use Of Technology - https://simbli.eboardsolutions.com/SU/JYZqEAGgHSQ8NKf76jfTkw==
6163.4-E PDF(1)	Student Use Of Technology - https://simbli.eboardsolutions.com/SU/liN2QJndz1plusqQ6wtTMtpZw==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/zsjkyhfKAplusFQR21mnjd3hw==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/vD4ZxTplusVHJDJcdnxYRslshQ3g==
6173-E PDF(1)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/WeRWxD20iReBezfn3aKzplusQ==
6173-E PDF(2)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/D7vRHxXZslshBORslshzL7t0wPgW==
6190	Evaluation Of The Instructional Program - https://simbli.eboardsolutions.com/SU/okRYD9py3tHKzr20XkWFZg==
7214	General Obligation Bonds - https://simbli.eboardsolutions.com/SU/dOKQx4NVWC5LFmUtiJEplusXw==
7214	General Obligation Bonds - https://simbli.eboardsolutions.com/SU/UHc8Hs9xMjvZltK9cK5rUw==
9010	Public Statements - https://simbli.eboardsolutions.com/SU/cOmQ32UPyLms8FYn6ghPXA==
9012	Board Member Electronic Communications - https://simbli.eboardsolutions.com/SU/Xl4RzcjjBhPgLiAhBeu5CA==
9310	Board Policies - https://simbli.eboardsolutions.com/SU/GplusMEzk1NsVWNthQXAx4LFQ==
9320	Meetings And Notices - https://simbli.eboardsolutions.com/SU/Y0cKfotkiMiw5r0OyNix2A==
9322	Agenda/Meeting Materials - https://simbli.eboardsolutions.com/SU/rPzCGxop9pluspluscD3iWn6mhcw==

Regulation 1312.4: Williams Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 11/01/2010 | Last Revised Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

Types of Complaints

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

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)
 - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
 - b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
 - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)
 - a. A semester begins and a teacher vacancy exists.
 - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
 - c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

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

Beginning of the year or semester means the time period from the first day students attend classes for a year-long course or semester-long course though not later than 20 business days afterwards.

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

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

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

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

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

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

In any school serving any of grades 6-12, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to, at all times, stock and make available and accessible free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom. (Education Code 35292.6)

Forms and Notices

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

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

The Superintendent or designee shall post in each classroom in each school a notice containing the components specified in Education Code 35186. (Education Code 35186)

Filing of Complaint

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

Investigation and Response

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

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

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

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

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

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

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

Reports

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

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 4600-4670

Description

Uniform complaint procedures

5 CCR 4680-4687

Williams uniform complaint procedures

Ed. Code 1240

County superintendent of schools, duties -

<https://simbli.eboardsolutions.com/SU/zxiNbLNKXQ1Z3w2H1beZIA==>

Ed. Code 17592.72

Urgent or emergency repairs; School Facility Emergency Repair Account

Ed. Code 234.1

Student protections relating to discrimination, harassment, intimidation, and bullying

Ed. Code 33126

School accountability report card

Ed. Code 35186

Williams uniform complaint procedures

Ed. Code 35292.5-35292.6

Restrooms; maintenance and cleanliness

Ed. Code 48985

Notices to parents in language other than English

Ed. Code 60119

Hearing on sufficiency of instructional materials

Federal References

20 USC 6314

Description

Title I schoolwide program

Management Resources References

Website

State Allocation Board, Office of Public School Construction -

<https://simbli.eboardsolutions.com/SU/UxUcDGuszWNedr16Dp8wuQ==>

Website

California Department of Education, Williams Case -

<https://simbli.eboardsolutions.com/SU/IgEokv15m4hnKA9yXFZS8A==>

Website

California County Superintendents Educational Services Association -

<https://simbli.eboardsolutions.com/SU/Wyr1WplusZPL9SDth52IMoLrg==>

Website

CSBA -

<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Cross References

Description

0460

Local Control And Accountability Plan -

<https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQQAAdl7DbzBBg==>

0460

Local Control And Accountability Plan -

<https://simbli.eboardsolutions.com/SU/N8bGSx8fXallgcLPJYKR9w==>

1100	Communication With The Public - https://simbli.eboardsolutions.com/SU/m4slshfz41M67B2WioVNfzUDg==
1250	Visitors/Outsiders - https://simbli.eboardsolutions.com/SU/fQeslYtQfPyCw4jPFcug3A==
1250	Visitors/Outsiders - https://simbli.eboardsolutions.com/SU/tWaslsh7PMJ3L8KcyZCNmtCCg==
1312.2	Complaints Concerning Instructional Materials - https://simbli.eboardsolutions.com/SU/4tJdaJKloaYSSEbRROYJaw==
1312.2	Complaints Concerning Instructional Materials - https://simbli.eboardsolutions.com/SU/WiQNe3KFNCO5p9iplusYuECZQ==
1312.2-E PDF(1)	Complaints Concerning Instructional Materials - https://simbli.eboardsolutions.com/SU/M8iCyLiEBtdadBi4mgLAsw==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/yvGJj2X8PyrSmBYInybbQA==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qu1ox8qD0SpMJPXqVt6gag==
1312.3-E PDF(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/BslshPMK886oDyrBoQyAftUdg==
1312.3-E PDF(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/HDslshuPXC0G3Qslshr71TMVplus4Jw==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/xf1Aslshslsh7GO4WA2Z2wFHc4ng==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/gcCBzkrVuucd9FFStBmQQ==
3270	Sale And Disposal Of Books, Equipment And Supplies - https://simbli.eboardsolutions.com/SU/4xVQspytceRtGBj5E9mJGQ==
3270	Sale And Disposal Of Books, Equipment And Supplies - https://simbli.eboardsolutions.com/SU/CPwhCGZXgC6KkTGvmlglw==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/FREeZf6a8MvAoYS87Pslshlplusw==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/BSLtfUgO3jNMI5qQwVEu7A==
3514.2	Integrated Pest Management - https://simbli.eboardsolutions.com/SU/b5iETQeqP351rst21A1Vxg==
3517	Facilities Inspection - https://simbli.eboardsolutions.com/SU/FwTPOhvRxliNJjshEW1LnHQ==
3517-E(1)	Facilities Inspection - https://simbli.eboardsolutions.com/SU/pluswdSb1sGBbeWLETO8P8yIQ==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/08qN2JplusCipasRtU7nhplus2qg==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/Qo9sz5aT68knWPk2vi8Djg==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/NtHKleuKt9J8bge0adj3gg==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/tUslshewyAvQpluseaA5VjQFaFlw==
4112.22	Staff Teaching English Learners - https://simbli.eboardsolutions.com/SU/fPplusfl4CbbT2rsQqrgrRhGQ==
4113	Assignment - https://simbli.eboardsolutions.com/SU/BhXFYknFTIZslshK6TX1rcPNw==

4113	Assignment - https://simbli.eboardsolutions.com/SU/BHJLvt0UWpluspJ20aXCvNAPQ==
4144	Complaints - https://simbli.eboardsolutions.com/SU/gUFnuw70jWGezEp60OAE0w==
4144	Complaints - https://simbli.eboardsolutions.com/SU/slshuuXuplus3vKAplusjaXKpilZpQQ==
4244	Complaints - https://simbli.eboardsolutions.com/SU/dpWU08slsh6hjddsVYvxoilag==
4244	Complaints - https://simbli.eboardsolutions.com/SU/T94gjCe5she2lllWxwooVA==
4344	Complaints - https://simbli.eboardsolutions.com/SU/0m0xiT7oKn9m9TLZpluszeRyA==
4344	Complaints - https://simbli.eboardsolutions.com/SU/35PWlyWDSzcCYbz2slshslshaWog==
6142.92	Mathematics Instruction - https://simbli.eboardsolutions.com/SU/fTMquy4qCooO0o5vPBAIDA==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/OknJQUnz7OqdbiwOmRU3OQQ==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/fXBcLMA6WABwBGWhEn0Y9Q==
6161.1-E PDF(1)	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/b1DLaOxc8rcgTsfoplusV89zg==
6161.2	Damaged Or Lost Instructional Materials - https://simbli.eboardsolutions.com/SU/pzjgEGaCof7djCAI2snnsQ==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkQFfduR9FE4g==
9012	Board Member Electronic Communications - https://simbli.eboardsolutions.com/SU/Xl4RzcjjBhPgLiAhBeu5CA==
9200	Limits Of Board Member Authority - https://simbli.eboardsolutions.com/SU/9D6eWnslshmj4aK9zGltm6Ow==
9322	Agenda/Meeting Materials - https://simbli.eboardsolutions.com/SU/rPzCGxop9pluspluscD3iWn6mhcw==

Exhibit 1312.4-E(2): Williams Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 11/01/2010 | Last Revised Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

**K-12 COMPLAINT FORM:
WILLIAMS UNIFORM COMPLAINT PROCEDURES**

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, or teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? ___ Yes ___ No

Contact information: (if response is requested)

Name: _____

Address: _____

Phone number: Day: _____ Evening: _____

E-mail address, if any: _____

Date problem was observed: _____

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

School name/address: _____

Course title/grade level and teacher name: _____

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

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

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

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)

- A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
- A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
- Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)

- A semester begins and a teacher vacancy exists. A *teacher vacancy* is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.
- A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
- A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facilities conditions: (Education Code 17592.72, 35186, 35292.5, 35292.6; 5 CCR 4683)

- A condition exists that poses an emergency or urgent threat to the health or safety of students or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the district.
- A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers.
- For a school serving any of grades 6-12, the school has not, at all times, stocked and made available and accessible free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom.
- The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when temporary closing of the restroom is necessary for student safety or to make repairs.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of students or staff.

Please file this complaint at the following location:

 (principal or designee)

 (address)

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

 (Signature)

 (Date)

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 4600-4670

5 CCR 4680-4687

Ed. Code 1240

Description

Uniform complaint procedures

Williams uniform complaint procedures

County superintendent of schools, duties -

<https://simbli.eboardsolutions.com/SU/zxiNbLNKXQ1Z3w2H1beZIA==>

Ed. Code 17592.72

Ed. Code 234.1

Ed. Code 33126

Ed. Code 35186

Ed. Code 35292.5-35292.6

Ed. Code 48985

Ed. Code 60119

Federal References

20 USC 6314

Management Resources References

Website

Website

Website

Website

Cross References

0460

0460

1100

1250

1250

1312.2

1312.2

1312.2-E PDF(1)

1312.3

1312.3

1312.3-E PDF(1)

1312.3-E PDF(2)

1340

Urgent or emergency repairs; School Facility Emergency Repair Account

Student protections relating to discrimination, harassment, intimidation, and bullying

School accountability report card

Williams uniform complaint procedures

Restrooms; maintenance and cleanliness

Notices to parents in language other than English

Hearing on sufficiency of instructional materials

Description

Title I schoolwide program

Description

State Allocation Board, Office of Public School Construction -
<https://simbli.eboardsolutions.com/SU/UxUcDGuszWNedr16Dp8wuQ==>

California Department of Education, Williams Case -
<https://simbli.eboardsolutions.com/SU/lgEokvl5m4hnKA9yXFZS8A==>

California County Superintendents Educational Services Association -
<https://simbli.eboardsolutions.com/SU/Wyr1WplusZPL9SDth52IMoIrg==>

CSBA -
<https://simbli.eboardsolutions.com/SU/W3OxkK2FPsDsQBnMIENxGg==>

Description

Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==>

Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/N8bGSx8fXallgcLPJYKR9w==>

Communication With The Public -
<https://simbli.eboardsolutions.com/SU/m4slshfz41M67B2WioVNfzUDg==>

Visitors/Outsiders -
<https://simbli.eboardsolutions.com/SU/fQeslYtQfPyCw4jPFcug3A==>

Visitors/Outsiders -
<https://simbli.eboardsolutions.com/SU/tWaslsh7PMJ3L8KcyZCNmtCCg==>

Complaints Concerning Instructional Materials -
<https://simbli.eboardsolutions.com/SU/4UdaJKloaYSSEbRROYJaw==>

Complaints Concerning Instructional Materials -
<https://simbli.eboardsolutions.com/SU/WiQNe3KFENCO5p9iplusYuECZQ==>

Complaints Concerning Instructional Materials -
<https://simbli.eboardsolutions.com/SU/M8iCyLIEBtdadBi4mgLASw==>

Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/yvGJj2X8PyrSmBYlNybbQA==>

Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/qu1ox8qD0SpMJPXqVt6gag==>

Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/BslshPMK886oDyrBoOyAftUdg==>

Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/HDslshuPXC0G3Qslshr71TMVplus4Jw==>

Access To District Records -
<https://simbli.eboardsolutions.com/SU/xf1Aslshslsh7GO4WA2Z2wFHc4ng==>

1340	Access To District Records - https://simbli.eboardsolutions.com/SU/gcCBzkrVuucd9EFSt8mQQ==
3270	Sale And Disposal Of Books, Equipment And Supplies - https://simbli.eboardsolutions.com/SU/4xVQsptceRtGBj5E9mJGQ==
3270	Sale And Disposal Of Books, Equipment And Supplies - https://simbli.eboardsolutions.com/SU/CPwhCGZXgC6KkTGvmlglw==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/FREeZf6a8MvAoYS87Pslshlplusw==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/BSLtfUgQ3jNMI5qQwVEu7A==
3514.2	Integrated Pest Management - https://simbli.eboardsolutions.com/SU/b5iETQeqP351rst21A1Vxg==
3517	Facilities Inspection - https://simbli.eboardsolutions.com/SU/FwTPOhvRxljNJslshEW1LnHQ==
3517-E(1)	Facilities Inspection - https://simbli.eboardsolutions.com/SU/pluswdSb1sGBbeWLETQ8P8ylQ==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/08qN2JplusCipasRtU7nhplus2qg==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/Qo9sz5aT68knWPk2vi8Djg==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/NtHKleuKt9J8bgeQadj3gg==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/tUslshewyAvQpluseaA5VjOFaFlw==
4112.22	Staff Teaching English Learners - https://simbli.eboardsolutions.com/SU/fPplusf4CbbT2rsQorgRhgQ==
4113	Assignment - https://simbli.eboardsolutions.com/SU/BhXFYknfTIZslshK6TX1rcPNw==
4113	Assignment - https://simbli.eboardsolutions.com/SU/BHJLvt0UWpluspJ20aXCvNAPQ==
4144	Complaints - https://simbli.eboardsolutions.com/SU/gUFnuw70jWGezEp60OAE0w==
4144	Complaints - https://simbli.eboardsolutions.com/SU/slshuuXuplus3vKApusjaXKpilZpQQ==
4244	Complaints - https://simbli.eboardsolutions.com/SU/dpWU08slsh6hjddsVYvxoilag==
4244	Complaints - https://simbli.eboardsolutions.com/SU/T94gjCe5she2llWxwooVA==
4344	Complaints - https://simbli.eboardsolutions.com/SU/0m0xiT7oKn9m9TLZpluszeRyA==
4344	Complaints - https://simbli.eboardsolutions.com/SU/35PWlyWDSczCYbz2slshslshaWog==
6142.92	Mathematics Instruction - https://simbli.eboardsolutions.com/SU/FTMquy4qCooO0o5vPBAIDA==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/OknJQUnz7OqdbiwOmRU3OQ==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/fXBclMA6WABwBGWhEnOY9Q==
6161.1-E PDF(1)	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/b1DLaOxc8rcgTsfoplusV89zg==

6161.2

Damaged Or Lost Instructional Materials -

<https://simbli.eboardsolutions.com/SU/pzjgEGaCof7djCAI2snnsQ==>

9000

Role Of The Board -

<https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFFduR9FE4g==>

9012

Board Member Electronic Communications -

<https://simbli.eboardsolutions.com/SU/Xl4RzcjjBhPgLiAhBeu5CA==>

9200

Limits Of Board Member Authority -

<https://simbli.eboardsolutions.com/SU/9D6eWnslshmc4aK9zGlTm6Qw==>

9322

Agenda/Meeting Materials -

<https://simbli.eboardsolutions.com/SU/rPzCGxop9pluspluscD3iWn6mhcw==>

Policy 3110: Transfer Of Funds

Status: ADOPTED

Original Adopted Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

The Governing Board recognizes its responsibility to monitor the district's fiscal practices to ensure accountability regarding the expenditure of public funds and compliance with legal requirements.

The total amount budgeted by the district for each major classification of expenditures, as listed in the California Department of Education's budget forms, shall be the maximum amount which the district may expend for that classification for the school year. (Education Code 42600)

However, when it is in the best interest of the district, the Board may:

1. At any time, adopt a written resolution providing for transfers from the designated fund balance or the unappropriated fund balance to any expenditure classification or between classifications. The resolution shall be filed with the County Superintendent of Schools and the County Auditor. (Education Code 42600)
2. Direct the temporary transfer of monies held in any district fund or account to another fund or account as necessary for the payment of obligations. Such borrowing shall occur only when the fund or account receiving the money will earn sufficient income during the current fiscal year to repay the amount transferred. No more than 75 percent of the maximum amount held in any fund or account during the current fiscal year may be transferred. Amounts transferred shall be repaid in the same fiscal year, or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year. (Education Code 42603)
3. At the close of a school year, request that the County Superintendent make transfers between the designated fund balance or the unappropriated fund balance and any expenditure classification(s), or balance any expenditure classifications of the district budget as necessary for the payment of obligations incurred during that school year. (Education Code 42601)
4. If any special reserve funds that are maintained for capital outlay or other purposes pursuant to Education Code 42842 are not actually encumbered for ongoing expenses, transfer those monies into the general fund for the general operating purposes of the district. If any monies remain in the special reserve fund at the conclusion of a project, the Board may submit a written request to the County Superintendent, Auditor, and Treasurer to discontinue the special reserve fund and transfer those monies to the district's general fund. (Education Code 42841-42843)
5. Transfer monies between other funds or accounts when authorized by law.

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

Ed. Code 16095	Transfer of district funds to district state school building fund - https://simbli.eboardsolutions.com/SU/DckNjgplus9tDnTa0uS0C6Kdw==
Ed. Code 41301	Section A state school fund allocation schedule
Ed. Code 42125	Designated and unappropriated fund balances
Ed. Code 42238-42251	Apportionments to districts
Ed. Code 42238.01-42238.07	Local control funding formula
Ed. Code 42600	District budget limitation on expenditure
Ed. Code 42601	Transfers between funds to permit payment of obligations at close of year
Ed. Code 42603	Transfer of monies held in any fund or account to another fund; repayment
Ed. Code 42840-42843	Special reserve fund
Ed. Code 5200	Districts governed by boards of education
Ed. Code 52616.4	Expenditures from adult education fund

Ed. Code 78

Definition, governing board

Management Resources References

CA Department of Education Publication

Website

California School Accounting Manual

California Department of Education -

<https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==>

Website

CSBA -

<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Website

Fiscal Crisis and Management Assistance Team -

<https://simbli.eboardsolutions.com/SU/1KDBnxplus9GCIDTyFvblOOxQ==>

Cross References

Description

0460

Local Control And Accountability Plan -

<https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7Dbz8Bg==>

0460

Local Control And Accountability Plan -

<https://simbli.eboardsolutions.com/SU/N8bGSx8fXaIlGcLPJYKR9w==>

3000

Concepts And Roles -

<https://simbli.eboardsolutions.com/SU/cplusZbQcQ4TXPVaA1IFqU7LQ==>

3100

Budget -

<https://simbli.eboardsolutions.com/SU/jyvplusBDTDZP2PfaNltUb1FQ==>

3100

Budget -

<https://simbli.eboardsolutions.com/SU/msAckulxvwNnuplus45O6T7slshw==>

3300

Expenditures And Purchases -

<https://simbli.eboardsolutions.com/SU/mVe0QYRtN4WLxpjXZCEPuQ==>

3350

Travel Expenses -

<https://simbli.eboardsolutions.com/SU/3iS9Ww7bWuqEabgSwrFJplusg==>

3400

Management Of District Assets/Accounts -

<https://simbli.eboardsolutions.com/SU/qQg2Qs0VtgXvS1coVhS0Pg==>

3400

Management Of District Assets/Accounts -

<https://simbli.eboardsolutions.com/SU/EEPE8KLEmi83u81NRq4qNw==>

3460

Financial Reports And Accountability -

<https://simbli.eboardsolutions.com/SU/0csifafQslshei8bwlwWEsitQ==>

3460

Financial Reports And Accountability -

<https://simbli.eboardsolutions.com/SU/IP5i9D5BpfgONQIUrXYkrQ==>

3470

Debt Issuance And Management -

<https://simbli.eboardsolutions.com/SU/uaUO1PsIshiQVjou0LbEBFgPg==>

3551

Food Service Operations/Cafeteria Fund -

<https://simbli.eboardsolutions.com/SU/aWC2AHy6NLmMLvqBaeqp7g==>

3551

Food Service Operations/Cafeteria Fund -

<https://simbli.eboardsolutions.com/SU/NslKZ3UxVB4jy5glgHITWg==>

Regulation 3517: Facilities Inspection

Status: ADOPTED

Original Adopted Date: 06/01/2022 | **Last Reviewed Date:** 06/01/2022

The Superintendent or designee shall inspect school facilities to ensure that they are maintained in good repair. At a minimum, the Superintendent or designee shall assess those facility conditions specified on the facilities inspection tool developed by the Office of Public School Construction, including, but not limited to, the following: (Education Code 17002, 35292.5)

1. **Gas Leaks:** Gas systems and pipes appear and smell safe, functional, and free of leaks.
2. **Mechanical Systems:** Heating, ventilation, and air conditioning systems, as applicable, are functional and unobstructed; appear to supply an adequate amount of air to all classrooms, work spaces, and facilities; and maintain interior temperatures within normally acceptable ranges.
3. **Windows and Doors:** Windows and doors are intact, functional, and open, close, and lock as designed, unless there is a valid reason they should not function as designed.
4. **Fences and Gates:** Fences and gates are intact, functional, and free of holes and other conditions that could present a safety hazard to students, staff, or others. Locks and other security hardware function as designed.
5. **Interior Surfaces (walls, floors, ceilings):** Interior surfaces are free of safety hazards from tears, holes, missing floor and ceiling tiles, torn carpet, water damage, or other cause. Ceiling tiles are intact. Surfaces display no evidence of mold or mildew.
6. **Hazardous Materials:** Hazardous and flammable materials are stored properly. No evidence of peeling, chipping, or cracking paint is apparent. No indicators of mold, mildew, or asbestos exposure are evident. There does not appear to be evidence of hazardous materials that may pose a threat to the health and safety of students or staff.
7. **Structures:** Posts, beams, supports for portable classrooms and ramps, and other structures appear intact, secure, and functional as designed. Ceilings and floors are not sloping or sagging beyond their intended design. There is no visible evidence of severe cracks, dry rot, mold, or damage that undermines structural components.
8. **Fire Safety and Emergency Equipment:** Fire sprinklers, fire extinguishers, emergency alarm systems, and all emergency equipment and systems appear to be functioning properly. Fire alarm pull stations are clearly visible. Fire extinguishers are current and placed in all required areas, including every classroom and assembly area. Emergency exits are clearly marked and unobstructed.
9. **Electrical Systems:** Electrical systems, components, and equipment, including switches, junction boxes, panels, wiring, outlets, and light fixtures, are securely enclosed, properly covered and guarded from student access, and appear to be working properly.
10. **Lighting:** Interior and exterior lighting appears to be adequate and working properly. Lights do not flicker, dim, or malfunction, and there is no unusual hum or noise from light fixtures.
11. **Pest/Vermin Infestation:** No visible or odorous indicators of pest or vermin infestation are evident.
12. **Drinking Fountains:** Interior and exterior drinking fountains are functional, accessible, and free of leaks. Drinking water pressure is adequate. Fountain water is clear and without unusual taste or odor, and moss, mold, or excessive staining is not evident.
13. **Restrooms:** Restrooms are fully operational, maintained and cleaned regularly, and stocked at all times with supplies (including toilet paper, soap, and paper towels or functional hand dryers) in accordance with Education Code 35292.5. The school keeps all restrooms open during school hours when students are not in classes and keeps a sufficient number of restrooms open during school hours when students are in classes, except when necessary to temporarily close a restroom for student safety or to repair the facility.

In addition, any school serving any of grades 6-12 shall, at all times, stock and make available and accessible

free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom. The district shall post in a prominent and conspicuous location a notice regarding this requirement that includes an email address and telephone number for a designated individual responsible for maintaining the requisite supply of menstrual products. (Education Code 35292.6)

14. Sewers: The sanitary sewer system controls odors as designed, displays no signs of stoppage, backup, or flooding in school facilities or on school grounds, and appears to be functioning properly.
15. Roofs: Roofs, gutters, roof drains, and downspouts appear to be functioning properly and are free of visible damage and evidence of disrepair when observed from the ground from inside and outside the building
16. Drainage: School grounds do not exhibit signs of drainage problems, such as visible evidence of flooded areas, eroded soil, water damage to asphalt playgrounds or parking areas, or clogged storm drain inlets.
17. Playground/School Grounds: Playground equipment (exterior fixtures, seating, tables, and equipment), school grounds, fields, walkways, and parking lot surfaces are functional and free of significant cracks, trip hazards, holes, deterioration that affects functionality or safety, and other health and safety hazards.
18. Overall Cleanliness: School grounds, buildings, common areas, and individual rooms appear to have been cleaned regularly and are free of accumulated refuse and unabated graffiti. Restrooms, drinking fountains, and food preparation or serving areas appear to have been cleaned each day that school is in session.

In addition, to ensure the health and safety of students, the Superintendent or designee shall provide for the testing of drinking water on campus and of the soil and painted surfaces of school facilities for the presence of lead and/or other harmful substances, in accordance with state and federal standards.

The Superintendent or designee shall ensure that any necessary repairs or removal of hazards identified during the inspection are made in a timely and expeditious manner.

An assessment of the safety, cleanliness, and adequacy of school facilities, including any needed maintenance to ensure good repair as defined in Education Code 17002, shall be reported on the school accountability report card. (Education Code 33126)

Any complaint alleging a school facility condition that poses an emergency or urgent threat to the health or safety of students or staff, or alleging that a school restroom is not clean, maintained, stocked, or kept open, shall be addressed in accordance with AR 1312.4 - Williams Uniform Complaint Procedures.

The Superintendent or designee shall provide the Governing Board with regular reports regarding the district's facility inspections and updates of any visits to district schools by the County Superintendent of Schools to review school facilities.

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

2 CCR 1859.300-1859.330

Ed. Code 1240

Ed. Code 17002

Ed. Code 17070.10-17077.10

Ed. Code 17565-17591

Description

Emergency Repair Program -

<https://simbli.eboardsolutions.com/SU/ZtX55Ue9ctaSCHdnkNBQAw==>

County superintendent of schools, duties -

<https://simbli.eboardsolutions.com/SU/zxiNbLNKXQ1Z3w2H1beZIA==>

State School Building Lease-Purchase Law, including definition of good repair -

<https://simbli.eboardsolutions.com/SU/SWCTtYtHlbJV2oTkKplusAVTw==>

Leroy F. Greene School Facilities Act of 1998 -

<https://simbli.eboardsolutions.com/SU/fu4PsUtUAb4qYYOY9breHg==>

Property maintenance and control

Ed. Code 17592.72

Ed. Code 33126

Ed. Code 35186

Ed. Code 35292.5-35292.6

Urgent or emergency repairs; School Facility Emergency Repair Account

School accountability report card

Complaints regarding teacher vacancy or misassignment

Restrooms; maintenance and cleanliness

Federal References

20 USC 6314

42 USC 300f-300j-27

Description

Schoolwide programs

Safe Drinking Water Act

Management Resources References

State Allocation Board, Public School Construction Facility Inspection Tool: School Facility Conditions Evaluation

Website

California County Superintendents Educational Services Association -
<https://simbli.eboardsolutions.com/SU/FJy7Gf2dJxDpluso3aMdrnckQ==>

Website

California Department of Education, Williams Case -
<https://simbli.eboardsolutions.com/SU/lgEokv15m4hnKA9yXFZS8A==>

Website

State Allocation Board, Office of Public School Construction -
<https://simbli.eboardsolutions.com/SU/UxUcDGuszWNedr16Dp8wuQ==>

Website

Coalition for Adequate School Housing -
<https://simbli.eboardsolutions.com/SU/zOaL3RZeCPBOQ9GOYjpAg==>

Website

CSBA -
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Cross References

0460

Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==>

0460

Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/N8bGSx8fXallGcLPJYKR9w==>

0510

School Accountability Report Card -
<https://simbli.eboardsolutions.com/SU/tZgonRHxkvRwnPrVQ1WmBg==>

1312.4

Williams Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/K4sSLEmfPDpDFCTIDy3T6A==>

1312.4-E(1)

Williams Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/jNRJER1z7850tslshkvfYJ15Q==>

1312.4-E(2)

Williams Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/cqrHyplusslshVG7skrok5E8EbRw==>

1330.1

Joint Use Agreements -
<https://simbli.eboardsolutions.com/SU/MAP1vZuzplus4Gqg6jSyK5KQ==>

3000

Concepts And Roles -
<https://simbli.eboardsolutions.com/SU/cplusZbQcQ4TXPVaA1IFqU7LQ==>

3311

Bids -
<https://simbli.eboardsolutions.com/SU/HcK7HUZEN9Aj9DplusJHCDH4Q==>

3311

Bids - <https://simbli.eboardsolutions.com/SU/ry0hLBz8DRvRct6kukvHHA==>

3511.1

Integrated Waste Management -
<https://simbli.eboardsolutions.com/SU/Y9FyWGORGdKIGNRslshKMofg==>

3511.1

Integrated Waste Management -
<https://simbli.eboardsolutions.com/SU/UNTbKiqKQcpcemKmiFAE2w==>

3514

Environmental Safety -
<https://simbli.eboardsolutions.com/SU/FREeZf6a8MvAoYS87Pslshplusw==>

3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/BSLtfUgQ3jNMI5qQwVEu7A==
3514.2	Integrated Pest Management - https://simbli.eboardsolutions.com/SU/b5iETQeqP351rst21A1Vxg==
3516	Emergencies And Disaster Preparedness Plan - https://simbli.eboardsolutions.com/SU/x6NWrX0FV0TusDr7guOmSQ==
3516	Emergencies And Disaster Preparedness Plan - https://simbli.eboardsolutions.com/SU/UzirPzb2Tud8LJ2LDo5W5w==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/08qN2JplusCipasRtU7nhplus2qg==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/Qo9sz5aT68knWpk2vi8Djg==
6117	Year-Round Schedules - https://simbli.eboardsolutions.com/SU/PGJ0eo0EaMcrbETUgSfnfg==
7110	Facilities Master Plan - https://simbli.eboardsolutions.com/SU/H0PXuOCfbbfkplussVfoH3BEA==
7111	Evaluating Existing Buildings - https://simbli.eboardsolutions.com/SU/goJJck1h6pJu8MfDmEnYslshg==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFduR9FE4g==

Exhibit 3517-E(1): Facilities Inspection

Status: ADOPTED

Original Adopted Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

NOTICE REGARDING MENSTRUAL PRODUCTS

Education Code 35292.6 requires that:

- a. On or before the start of the 2022–23 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, shall stock the school's restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom.
- b. A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils.
- c. A public school described in subdivision (a) shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section. This notice shall include the text of this section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products.
- d. For purposes of this section, "menstrual products" means menstrual pads and tampons for use in connection with the menstrual cycle.
- e. This section shall become operative on July 1, 2022.

The name and contact information for the individual responsible for maintaining the requisite supply of menstrual products is:

(name and/or title/position)

(telephone number)

(email address)

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

2 CCR 1859.300-1859.330

Emergency Repair Program -
<https://simbli.eboardsolutions.com/SU/ZtX55Ue9ctaSCHdnkNBQAw==>

Ed. Code 1240

County superintendent of schools, duties -
<https://simbli.eboardsolutions.com/SU/zxiNbLNKXQ1Z3w2H1beZIA==>

Ed. Code 17002

State School Building Lease-Purchase Law, including definition of good repair -
<https://simbli.eboardsolutions.com/SU/SWCTtYtHLbJV2oTkKplusAVTw==>

Ed. Code 17070.10-17077.10

Leroy F. Greene School Facilities Act of 1998 -
<https://simbli.eboardsolutions.com/SU/fu4PsUtUAb4qYYOY9breHg==>

Ed. Code 17565-17591

Property maintenance and control

Ed. Code 17592.72

Urgent or emergency repairs; School Facility Emergency Repair Account

Ed. Code 33126
Ed. Code 35186
Ed. Code 35292.5-35292.6

School accountability report card
Complaints regarding teacher vacancy or misassignment
Restrooms; maintenance and cleanliness

Federal References

20 USC 6314
42 USC 300f-300j-27

Description

Schoolwide programs
Safe Drinking Water Act

Management Resources References

State Allocation Board, Public School Construction Facility Inspection Tool: School Facility Conditions Evaluation

Website

California County Superintendents Educational Services Association -
<https://simbli.eboardsolutions.com/SU/FJy7Gf2dixDpluso3aMdrnckQ==>

Website

California Department of Education, Williams Case -
<https://simbli.eboardsolutions.com/SU/IgEokv15m4hnKA9yXFZS8A==>

Website

State Allocation Board, Office of Public School Construction -
<https://simbli.eboardsolutions.com/SU/UxUcDGuszWNedr16Dp8wuQ==>

Website

Coalition for Adequate School Housing -
<https://simbli.eboardsolutions.com/SU/zOaL3RZeCPBOQ9GOYjpAg==>

Website

CSBA -
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Cross References

0460

Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==>

0460

Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/N8bGSx8fXallGcLPJYKR9w==>

0510

School Accountability Report Card -
<https://simbli.eboardsolutions.com/SU/tZgonRHxkvRwnPrVQ1WmBg==>

1312.4

Williams Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/K4sLEmfPDpDFCTIDy3T6A==>

1312.4-E(1)

Williams Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/jNRJER1z7850tslshkvfYJ15Q==>

1312.4-E(2)

Williams Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/cqrHypIusslshVG7skrok5E8EbRw==>

1330.1

Joint Use Agreements -
<https://simbli.eboardsolutions.com/SU/MApP1vZuzplus4Gqg6jSyK5KQ==>

3000

Concepts And Roles -
<https://simbli.eboardsolutions.com/SU/cplusZbQcQ4TXPVaA1fFqU7LQ==>

3311

Bids -
<https://simbli.eboardsolutions.com/SU/HcK7HUZFN9Aj9DplusJHCDH4Q==>

3311

Bids - <https://simbli.eboardsolutions.com/SU/ry0hLBz8DRvRct6kukvHHA==>

3511.1

Integrated Waste Management -
<https://simbli.eboardsolutions.com/SU/Y9FyWG0RGodKIGNRslshKMofg==>

3511.1

Integrated Waste Management -
<https://simbli.eboardsolutions.com/SU/UNtBkiqKOcpoemKmiFAE2w==>

3514

Environmental Safety -
<https://simbli.eboardsolutions.com/SU/FREzF6a8MvAoYS87PsIshlplusw==>

3514

Environmental Safety -
<https://simbli.eboardsolutions.com/SU/BSLtfUgO3jNMI5qQwVEu7A==>

3514.2

Integrated Pest Management -

<https://simbli.eboardsolutions.com/SU/b5iETQeqP351rst21A1Vxg==>

3516

Emergencies And Disaster Preparedness Plan -

<https://simbli.eboardsolutions.com/SU/x6NWrX0FV0TusDr7guOmSQ==>

3516

Emergencies And Disaster Preparedness Plan -

<https://simbli.eboardsolutions.com/SU/UzirPzb2Tud8LJ2LD05W5w==>

3550

Food Service/Child Nutrition Program -

<https://simbli.eboardsolutions.com/SU/08qN2JplusCipasRtU7nhplus2qg==>

3550

Food Service/Child Nutrition Program -

<https://simbli.eboardsolutions.com/SU/Qo9sz5aT68knWPk2vi8Djg==>

6117

Year-Round Schedules -

<https://simbli.eboardsolutions.com/SU/PGJ0eo0EaMcrbETUgSfnfg==>

7110

Facilities Master Plan -

<https://simbli.eboardsolutions.com/SU/H0PXuOCfbbfkplussVfoH3BEA==>

7111

Evaluating Existing Buildings -

<https://simbli.eboardsolutions.com/SU/goJJck1h6pJu8MfDmEnYslshg==>

9000

Role Of The Board -

<https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOFfduR9FE4g==>

Policy 3523: Electronic Signatures

Status: ADOPTED

Original Adopted Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

The Governing Board believes that the use of electronic records and signatures is a convenient paperless option that can increase efficiency in commercial and administrative transactions, reduce costs, and contribute to environmental sustainability in district operations. The Board authorizes the use of electronic signatures in district operations when authorized by law.

The Superintendent or designee shall ensure that any electronic signature utilized by the district conforms with criteria described in law and that the level of security is sufficient for the transaction being conducted. (Government Code 16.5; 2 CCR 22003, 22005)

The Superintendent or designee shall retain electronic records in accordance with law and regulations, and as specified in BP/AR 3580 - District Records.

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

2 CCR 22000-22005

5 CCR 16020-16022

5 CCR 16023-16027

5 CCR 430

5 CCR 432

Civ. Code 1633.1-1633.17

Civ. Code 1798.29

Ed. Code 35252-35255

Ed. Code 44031

Ed. Code 49060-49079.7

Ed. Code 8234

Gov. Code 16.5

Gov. Code 6252-6265

Gov. Code 811.2

Description

Public entity use of electronic signatures -

<https://simbli.eboardsolutions.com/SU/jjoxXkoplusnlsSsKsUaPsishQplusYg==>

Records, general provisions

District records, retention and destruction

Individual student records; definition

Student records

Uniform Electronic Transactions Act

District records; breach of security -

<https://simbli.eboardsolutions.com/SU/LBkkDX8OIBFu9JplusO9hdW9w==>

Records and reports

Personnel file contents and inspection

Student records

Electronic signatures; child care and development programs

Electronic signatures

Inspection of public records

Definition of public entity

Federal References

15 USC 7001-7006

20 USC 1232g

20 USC 1400-1482

34 CFR 300-300.818

34 CFR 99.1-99.8

Description

Electronic Records and Signatures in Commerce Act

Family Educational Rights and Privacy Act (FERPA) of 1974

Individuals with Disabilities Education Act

Assistance to states for the education of students with disabilities

Family Educational Rights and Privacy Act

Management Resources References

CA Department of Education Publication

Description

Management Bulletin 17-13, October 2017

Cross References

Description

3510 Green School Operations -
<https://simbli.eboardsolutions.com/SU/K0GKzAB8j2S6wgjILPFfUw==>

3580 District Records -
<https://simbli.eboardsolutions.com/SU/8fsDI9HykDCItBSyVLEIIA==>

3580 District Records -
<https://simbli.eboardsolutions.com/SU/gX132ogfrNaLpqF5dbh66Q==>

5148 Child Care And Development -
<https://simbli.eboardsolutions.com/SU/gV15kvM64fYni0slshEytQg3A==>

5148 Child Care And Development -
<https://simbli.eboardsolutions.com/SU/IPI7b2rD5MZYxulLH90nRA==>

5148.3 Preschool/Early Childhood Education -
<https://simbli.eboardsolutions.com/SU/3WD3cPzZ5cHkLGieytbEKA==>

5148.3 Preschool/Early Childhood Education -
<https://simbli.eboardsolutions.com/SU/yUGzYIAmdf85jnh2JwXT6Q==>

6159.1 Procedural Safeguards And Complaints For Special Education -
<https://simbli.eboardsolutions.com/SU/S0PIFWQ0dcwNeAZdN9bmYQ==>

6159.1 Procedural Safeguards And Complaints For Special Education -
<https://simbli.eboardsolutions.com/SU/3gc3YUKeG1b3e7zDpoTL3Q==>

Regulation 3523: Electronic Signatures

Status: ADOPTED

Original Adopted Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

When authorized by law, electronic signatures may be used in the operation of district business and/or administration.

In any business transaction, an electronic signature shall only be used when each party has agreed to conduct the transaction by electronic means. In other district operations, the Superintendent or designee may require the use of an electronic signature. (Civil Code 1633.5; 15 USC 7001)

A *digital signature* is defined as an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature. (Government Code 16.5)

An *electronic signature* consists of an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record. (Civil Code 1633.2)

In order for an electronic signature to be used, the electronic signature shall be: (Government Code 16.5; 2 CCR 22002)

1. Unique to the person using it
2. Capable of verification
3. Under the sole control of the person using it
4. Linked to data in such a manner that if the data are changed the electronic signature is invalidated
5. Conform to 2 CCR 22000-22005

Prior to accepting an electronic signature, the Superintendent or designee shall ensure the following: (2 CCR 22005)

1. That the signature is created by acceptable technology pursuant to 2 CCR 22003
2. That the level of security used to identify the signer of the document and to transmit the signature is sufficient for the transaction being conducted
3. That, if a certificate is a required component of the electronic signature, the certificate format used by the signer is sufficient for the security and interoperability needs of the district.

If a notarized signature is required with respect to an electronic signature, the electronic signature of the notary public together with all of the other information required by law to be included in a notarization shall accompany the electronic signature. (Civil Code 1633.11)

If a statement is required to be signed under penalty of perjury, the electronic signature shall include all of the information to which the declaration pertains together with a declaration under penalty of perjury by the person who submits the electronic signature that the information is true and correct. (Civil Code 1633.11)

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

2 CCR 22000-22005

5 CCR 16020-16022

Description

Public entity use of electronic signatures -
<https://simbli.eboardsolutions.com/SU/jjoxXkoplusnlSsKsUaPslshQplusYg==>

Records, general provisions

5 CCR 16023-16027

5 CCR 430

5 CCR 432

Civ. Code 1633.1-1633.17

Civ. Code 1798.29

Ed. Code 35252-35255

Ed. Code 44031

Ed. Code 49060-49079.7

Ed. Code 8234

Gov. Code 16.5

Gov. Code 6252-6265

Gov. Code 811.2

Federal References

15 USC 7001-7006

20 USC 1232g

20 USC 1400-1482

34 CFR 300-300.818

34 CFR 99.1-99.8

Management Resources References

CA Department of Education Publication

Cross References

3510

3580

3580

5148

5148

5148.3

5148.3

6159.1

6159.1

District records, retention and destruction

Individual student records; definition

Student records

Uniform Electronic Transactions Act

District records; breach of security -

<https://simbli.eboardsolutions.com/SU/LBkkDX8OIBFu9JplusO9hdW9w==>

Records and reports

Personnel file contents and inspection

Student records

Electronic signatures; child care and development programs

Electronic signatures

Inspection of public records

Definition of public entity

Description

Electronic Records and Signatures in Commerce Act

Family Educational Rights and Privacy Act (FERPA) of 1974

Individuals with Disabilities Education Act

Assistance to states for the education of students with disabilities

Family Educational Rights and Privacy Act

Description

Management Bulletin 17-13, October 2017

Description

Green School Operations -

<https://simbli.eboardsolutions.com/SU/K0GKzAB8i2S6wgjlLPfUw==>

District Records -

<https://simbli.eboardsolutions.com/SU/8fsDI9HykDCItBSvVLEIIA==>

District Records -

<https://simbli.eboardsolutions.com/SU/gX132ogfrNaLpqF5dbh66Q==>

Child Care And Development -

<https://simbli.eboardsolutions.com/SU/gV15kvM64fYni0slshEytQg3A==>

Child Care And Development -

<https://simbli.eboardsolutions.com/SU/lPI7b2rD5MZYxuILH90nRA==>

Preschool/Early Childhood Education -

<https://simbli.eboardsolutions.com/SU/3WD3cPzZ5cHkLGieytbEKA==>

Preschool/Early Childhood Education -

<https://simbli.eboardsolutions.com/SU/yUGzYIAmdf85jnh2JwXT6Q==>

Procedural Safeguards And Complaints For Special Education -

<https://simbli.eboardsolutions.com/SU/S0PIFWQ0dcwNeAZdN9bmYQ==>

Procedural Safeguards And Complaints For Special Education -

<https://simbli.eboardsolutions.com/SU/3gc3YUKeG1b3e7zDpoTL3Q==>

Policy 3550: Food Service/Child Nutrition Program

Status: ADOPTED

Original Adopted Date: 06/01/2022 | **Last Reviewed Date:** 06/01/2022

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 students' access to and participation in the district's food service programs and maintain fiscal integrity of the programs in accordance with law.

Foods and beverages available through the district's food service program shall:

1. Be carefully selected so as to contribute to students' nutritional well-being and the prevention of disease
2. Meet or exceed nutrition standards specified in law
3. Be prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits
4. Be served in age-appropriate portions
5. Be provided at no cost to students who request a meal

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 web site, social media, flyers, and school publications.

The district's food service program shall give priority to serving unprocessed foods and fresh fruits and vegetables.

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 and to support the district's nutrition education program.

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. To the extent possible, school, recess, and transportation schedules 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 the 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

	Description
5 CCR 15510	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 49500-49505	School meals
Ed. Code 49501.5	California Universal Meals Program
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 49550-49562	Meals for needy students
Ed. Code 49570	National School Lunch Act
Ed. Code 51795-51797	School instructional gardens
H&S Code 113700-114437	California Retail Food Code; sanitation and safety requirements

Federal References

	Description
42 USC 1751-1769j	National 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 210.1-210.31	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

CA Project Lean Publication	Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006
California Department of Education Publication	Healthy Children Ready to Learn, January 2005
California Department of Education Publication	Professional Standards in the School Nutrition Programs, Management Bulletin SNP-13-2020, Updated January 2022
CSBA Publication	Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009
CSBA Publication	Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007
CSBA Publication	Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007
CSBA Publication	Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006
U.S. Department of Agriculture Publication	School Breakfast Toolkit
U.S. Department of Agriculture Publication	Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005
U.S. Department of Agriculture Publication	Dietary Guidelines for Americans, 2005
U.S. Department of Agriculture Publication	Food Buying Guide for Child Nutrition Programs, December 2007
U.S. Department of Agriculture Publication	Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010
U.S. Department of Agriculture Publication	Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005
Website	U.S. Department of Agriculture, Food and Nutrition Service - https://simbli.eboardsolutions.com/SU/Wry6HD6BSTBkfn7BqplusR7BQ==
Website	California Farm Bureau Federation - https://simbli.eboardsolutions.com/SU/9DOFpfd6z2oylYgKzj0qKA==
Website	Nourish California - https://simbli.eboardsolutions.com/SU/5GeuVdU7HE4aLG3NFy4PTg==
Website	California Project LEAN (Leaders Encouraging Activity and Nutrition) - https://simbli.eboardsolutions.com/SU/lzuCbbhn3rBrfeZTSNnVCw==
Website	Centers for Disease Control and Prevention - https://simbli.eboardsolutions.com/SU/UUjirqtkk65lplusLWplusApdRjg==
Website	National Alliance for Nutrition and Activity - https://simbli.eboardsolutions.com/SU/GZJffQ4Hi71GbK8ILPjksg==
Website	California School Nutrition Association - https://simbli.eboardsolutions.com/SU/KnWOpY7WknrOcdh5fJ85QQ==
Website	California Department of Education, Nutrition Services Division - https://simbli.eboardsolutions.com/SU/Q5xpn2rTFL2uz0BslshlorGXQ==
Website	California Department of Public Health - https://simbli.eboardsolutions.com/SU/plusKghL3cnZRJOzDybcVsugA==
Website	California Healthy Kids Resource Center - https://simbli.eboardsolutions.com/SU/Ve9Yf61snLK7fRzOPU1xiQ==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Cross References

0470

0500

Description

COVID-19 Mitigation Plan - <https://simbli.eboardsolutions.com/SU/UonRXG6LPiZi7EgvplusqAd8g==>

Accountability - <https://simbli.eboardsolutions.com/SU/PDWiti8tEaGKnqJbgZ4Q3g==>

1312.4	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/K4sSLEmfPDpDFCTIDy3T6A==
1312.4-E(1)	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/jNRJER1z7850tslshkvfYJ15Q==
1312.4-E(2)	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/cqrHypIusslshVG7skrok5E8EbRw==
1325	Advertising And Promotion - https://simbli.eboardsolutions.com/SU/TPq9ClqZ7jLx8c5lQjsyog==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/xf1Aslshslsh7GO4WA2Z2wFHc4ng==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/gcCBzehrVuucd9EFStBmQQ==
3000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/cplusZbQcQ4TXPVaA1IFqU7LQ==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/46smJEFyHQTgoxbzQIEJJA==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/FeWbTzBdYgA9xdZd3xUExA==
3510	Green School Operations - https://simbli.eboardsolutions.com/SU/K0GKzAB8i2S6wgjILPFfUw==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/FREeZf6a8MvAoYS87Pslshlplusw==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/BSLtfUgQ3jNMI5qQwVEu7A==
3517	Facilities Inspection - https://simbli.eboardsolutions.com/SU/FwTPOhvRxliNJJsIshEW1LnHQ==
3517-E(1)	Facilities Inspection - https://simbli.eboardsolutions.com/SU/pluswdSb1sGBbeWLETO8P8yIQ==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/aWC2AHy6NLmMLvqBaeqp7g==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/NsIKZ3UxVB4jy5gIgHITWg==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/wzUihV3gK9PplusFxGH4lt0Ew==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/byXci7oy4EQvJziZSatkag==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/Y07PII5plus2xHEiLURmRHYzQ==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/0Q5co4sXK4An7L2TouWocg==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/XA2ZvkzJLpluswEugplusbBS1IVw==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/npluszuymEvcWm0UJgsNn6laQ==
3555	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/XKe0wQEvO2cheo7acL3BFA==
3555-E PDF(1)	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/ukhuacwucDP1t5CkuDdS3w==
3580	District Records - https://simbli.eboardsolutions.com/SU/8fsDI9HykDCItBSvVLEJJA==

3580	District Records - https://simbli.eboardsolutions.com/SU/gX132ogfrNaLpqF5dhh66Q==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/700vA0ysAx5YXC8kTtgs9Q==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/TtH8mfb4Zwc222YN76OTdg==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/nCKbnl3vsF4vwC2CzN850A==
4231	Staff Development - https://simbli.eboardsolutions.com/SU/FAuFrJnlbcVy3kgsTslshNU6g==
4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/8ghHTloULRupEkUU4HVtdg==
4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/W5ExJpluss6yHnQMElqyCk9IQ==
5030	Student Wellness - https://simbli.eboardsolutions.com/SU/CvzKilnplussCH4n5fplusplussl8ljA==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/MS09fykpcFTxfXADdn7slshBg==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/pbePTFFyvpXAZJEa77Eu6w==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/gV15kvM64fyNi0slshEytQg3A==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/IPI7b2rD5MZYxullH90nRA==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/ZCXkdpn0NQWtDDYWmvGMPw==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/6TCxij5d2ShJygXCj1JXQ==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/3WD3cPzZ5cHkLGieytbEKA==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/yUGzYIAmdf85jnh2JwXT6Q==
6142.8	Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/26yNHUwMmAXRvJ1b3jpT2g==
6142.8	Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/tbwOlmdoEz4Q1Vjo8rYnlQ==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/zsjkyhfKAplusFQR21mnjd3hw==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/vD4ZxTplusVHjDjcdnxYRslshQ3g==
6173-E PDF(1)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/WeRWxD20iReBezfn3aKzplusQ==
6173-E PDF(2)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/D7vRHxZXslshBORslshzL7t0wPgW==
6176	Weekend/Saturday Classes - https://simbli.eboardsolutions.com/SU/gT9qUoycslshwAqFdyaRaQF4w==
7110	Facilities Master Plan - https://simbli.eboardsolutions.com/SU/H0PXuQCfbfklussVfoH3BEA==

Regulation 3550: Food Service/Child Nutrition Program

Status: ADOPTED

Original Adopted Date: 06/01/2022 | **Last Reviewed Date:** 06/01/2022

Nutrition Standards for School Meals

Meals, food items, and beverages provided through the district's food services program shall: (Education Code 49501.5, 49553; 42 USC 1758, 1773)

1. Comply with National School Lunch and/or Breakfast Program standards for meal patterns, nutrient levels, and calorie requirements for the ages/grade levels served, as specified in 7 CFR 210.10 or 220.8 as applicable
2. Not be deep fried, par fried, or flash fried, as defined in Education Code 49430 and 49430.7

Drinking Water

The district shall provide access to free, fresh drinking water during meal times in food service areas at all district schools, including, but not limited to, areas where reimbursable meals under the National School Lunch or Breakfast Program are served or consumed. (Education Code 38086; 42 USC 1758)

Special Milk Program

Any school that does not participate in the National School Lunch or Breakfast Program may participate in the Special Milk Program to provide all enrolled students with reasonably priced milk. (7 CFR 215.7)

Food Safety

The Superintendent or designee shall ensure that the district's food service program meets the applicable sanitation and safety requirements of the California Retail Food Code as set forth in Health and Safety Code 113700-114437.

For all district schools participating in the National School Lunch and/or School Breakfast Program, the Superintendent or designee shall implement a written food safety program for the storage, preparation, and service of school meals which complies with the national Hazard Analysis and Critical Control Point (HACCP) system. The district's HACCP plan shall include, but is not limited to, a determination of critical control points and critical limits at each stage of food production, monitoring procedures, corrective actions, and recordkeeping procedures. (42 USC 1758; 7 CFR 210.13, 220.7)

The Superintendent or designee shall ensure that food service directors, managers, and staff complete an annual continuing education or training as required by law. Each new employee, including a substitute, or volunteer shall complete initial food safety training prior to handling food. For each employee, the Superintendent or designee shall document the date, trainer, and subject of each training.

The Superintendent or designee shall assign staff to maintain records and logs documenting food safety activities, including, but not limited to, records of food deliveries, time and temperature monitoring during food production, equipment temperature (freezer, cooler, thermometer calibration), corrective actions, verification or review of safety efforts, and staff training.

Inspection of Food Facilities

All food preparation and service areas shall be inspected in accordance with Health and Safety Code 113725-113725.1 and applicable county regulations.

Each school participating in the National School Lunch and/or Breakfast Program shall, during each school year, obtain a minimum of two food safety inspections conducted by the county environmental health agency. (42 USC 1758; 7 CFR 210.13, 220.7)

The Superintendent or designee shall retain records from the most recent food safety inspection. All schools shall post a notice indicating that the most recent inspection report is available to any interested person upon request. (Health and Safety Code 113725.1; 42 USC 1758; 7 CFR 210.13, 210.15, 220.7)

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

5 CCR 15530-15535

5 CCR 15550-15565

5 CCR 15575-15578

Ed. Code 35182.5

Ed. Code 38080-38103

Ed. Code 45103.5

Ed. Code 48432.3

Ed. Code 49430-49434

Ed. Code 49490-49494

Ed. Code 49500-49505

Ed. Code 49501.5

Ed. Code 49510-49520

Ed. Code 49530-49536

Ed. Code 49540-49546

Ed. Code 49547-49548.3

Ed. Code 49550-49562

Ed. Code 49570

Ed. Code 51795-51797

H&S Code 113700-114437

Description

Mandatory meals for needy students

Nutrition education

School lunch and breakfast programs

Requirements for foods and beverages outside the federal meals program

Contracts for advertising

Cafeteria; establishment and use

Contracts for management consulting services; restrictions

Voluntary enrollment in continuation education

Pupil Nutrition, Health, and Achievement Act of 2001

School breakfast and lunch programs

School meals

California Universal Meals Program

Nutrition

Child Nutrition Act

Child care food program

Comprehensive nutrition services

Meals for needy students

National School Lunch Act

School instructional gardens

California Retail Food Code; sanitation and safety requirements

Federal References

42 USC 1751-1769j

42 USC 1758b

42 USC 1761

42 USC 1769a

42 USC 1771-1793

42 USC 1772

42 USC 1773

7 CFR 210.1-210.31

7 CFR 215.1-215.18

7 CFR 220.2-220.22

Description

National School Lunch Program

Local wellness policy

Summer Food Service Program and Seamless Summer Feeding Option

Fresh Fruit and Vegetable Program

Child Nutrition Act

Special Milk Program

School Breakfast Program

National School Lunch Program

Special Milk Program

National School Breakfast Program

Management Resources References**Description**

CA Project Lean Publication

Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

California Department of Education Publication

Healthy Children Ready to Learn, January 2005

California Department of Education Publication

Professional Standards in the School Nutrition Programs, Management Bulletin SNP-13-2020, Updated January 2022

CSBA Publication

Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009

CSBA Publication

Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007

CSBA Publication

Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007

CSBA Publication

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006

U.S. Department of Agriculture Publication

School Breakfast Toolkit

U.S. Department of Agriculture Publication

Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005

U.S. Department of Agriculture Publication

Dietary Guidelines for Americans, 2005

U.S. Department of Agriculture Publication

Food Buying Guide for Child Nutrition Programs, December 2007

U.S. Department of Agriculture Publication

Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010

U.S. Department of Agriculture Publication

Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005

Website

U.S. Department of Agriculture, Food and Nutrition Service - <https://simbli.eboardsolutions.com/SU/Wry6HD6BSTBkfn7BqplusR7BQ==>

Website

California Farm Bureau Federation - <https://simbli.eboardsolutions.com/SU/9DOFpfd6z2oylYgKzj0qKA==>

Website

Nourish California - <https://simbli.eboardsolutions.com/SU/5GeuVdU7HE4aLG3NFy4PTg==>

Website

California Project LEAN (Leaders Encouraging Activity and Nutrition) - <https://simbli.eboardsolutions.com/SU/JzuCbbhn3rBrfeZTSNnVCw==>

Website

Centers for Disease Control and Prevention - <https://simbli.eboardsolutions.com/SU/UUjirqtk65lplusLWplusApdRjg==>

Website

National Alliance for Nutrition and Activity - <https://simbli.eboardsolutions.com/SU/GZJffQ4Hi71GbK8ILPjKsg==>

Website

California School Nutrition Association - <https://simbli.eboardsolutions.com/SU/KnWOpY7WknrQcdh5fJ85QQ==>

Website

California Department of Education, Nutrition Services Division - <https://simbli.eboardsolutions.com/SU/O5xpn2rTFL2uz0BslshlorGXQ==>

Website

California Department of Public Health - <https://simbli.eboardsolutions.com/SU/plusKghL3cnZRJOzDybcVsugA==>

Website

California Healthy Kids Resource Center - <https://simbli.eboardsolutions.com/SU/Ve9Yf61snLK7fRzOPU1xiQ==>

Website

CSBA - <https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>**Cross References****Description**

0470

COVID-19 Mitigation Plan - <https://simbli.eboardsolutions.com/SU/UonRXG6LPiZi7EgplusqAd8g==>

0500	Accountability - https://simbli.eboardsolutions.com/SU/PDWiti8tEaGKnqJbgZ4Q3g==
1312.4	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/K4sSLEmfPDpDFCTIDy3T6A==
1312.4-E(1)	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/jNRJER1z7850tslshkvFYJ15Q==
1312.4-E(2)	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/cqrHypIusslshVG7skrok5E8EbRw==
1325	Advertising And Promotion - https://simbli.eboardsolutions.com/SU/TPq9ClqZ7jLx8c5l0jsyog==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/xf1Aslshslsh7GO4WA2Z2wFHC4ng==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/gcCBzEkrVuucd9EFStBmQQ==
3000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/cplusZbQcQ4TXPVaA1IFqU7LQ==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/46smJEFyHQTgoxbzQIEJJA==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/FeWbTzBdYgA9xdZd3xUExA==
3510	Green School Operations - https://simbli.eboardsolutions.com/SU/K0GKzAB8i2S6wgjLPPfUw==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/FREeZf6a8MvAoYS87Pslshlplusw==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/BSLtfUgO3jNMI5qQwVEu7A==
3517	Facilities Inspection - https://simbli.eboardsolutions.com/SU/FwTPOhyRxlIJslshEW1LnHQ==
3517-E(1)	Facilities Inspection - https://simbli.eboardsolutions.com/SU/pluswdSb1sGBbeWLETQ8P8yIQ==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/aWC2AHy6NLmMLvqBaeqp7g==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/NslKZ3UxVB4jy5glgHITWg==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/wzUihV3gK9PplusFxGH4It0Ew==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/byXci7oy4EQvJziZSatkag==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/Y07PII5plus2xHEilURmRHYzQ==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/0Q5co4sXK4An7L2TouWocg==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/XA2ZvkzJlpluswEugplusbBS1IVw==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/npluszuymEvcWm0UlgSnn6laQ==
3555	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/XKe0wQEvO2cheo7acL3BFA==
3555-E PDF(1)	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/ukhuacwucDP1t5CkuDdS3w==

3580	District Records - https://simbli.eboardsolutions.com/SU/8fsDI9HykDCItBSvVLEIIA==
3580	District Records - https://simbli.eboardsolutions.com/SU/gX132ogfrNaLpqF5dbh66Q==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/700vAOysAx5YXC8kTtgs9Q==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/TtH8mfb4Zwc222YN76OTdg==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/nCKbnl3vsF4vwC2CzN850A==
4231	Staff Development - https://simbli.eboardsolutions.com/SU/FAuFrJnlbcVy3kgsTslshNU6g==
4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/8ghHTIoULRupEkUU4HVtdg==
4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/W5ExJpluss6yHnOMElqyCk9IQ==
5030	Student Wellness - https://simbli.eboardsolutions.com/SU/CvzKilnplusCH4n5fplusjplusl8lJA==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/MS09fvkpcFTxfXADdn7slshBg==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/pbePTFFyvpXAZJEa77Eu6w==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/gV15kvM64fYni0slshFytQg3A==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/lPI7b2rD5MZYxulLH90nRA==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/ZCXkdpn0NOWtDDYWmvGMPw==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/6TCzxiJ5d2ShJygXCj1JXQ==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/3WD3cPzZ5cHklGieybtEKA==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/yUGzYlAmdf85jnh2JwXT6Q==
6142.8	Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/26yNHUwMmAXRvJ1b3jpT2g==
6142.8	Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/tbwOlmdoEz4Q1Vjo8rYnlQ==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/zsjkyhfKAplusFOR21mnjd3hw==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/vD4ZxTplusVHjDjcdnxYRslshO3g==
6173-E PDF(1)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/WeRWxD20iReBezFN3aKzplusQ==
6173-E PDF(2)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/D7vRHxXZslshBORslshzL7t0wPgww==
6176	Weekend/Saturday Classes - https://simbli.eboardsolutions.com/SU/gT9qUoycslshwAqFdyaRaqF4w==
7110	Facilities Master Plan - https://simbli.eboardsolutions.com/SU/H0PXuOCfbbfkplussVfoH3BEA==

Policy 3551: Food Service Operations/Cafeteria Fund

Status: ADOPTED

Original Adopted Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

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.

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

Any student who requests a meal shall be served a nutritionally adequate breakfast and lunch free of charge, each school day. (Education Code 49501.5)

As permitted by law, additional or second meals, adult meals, and other nonprogram foods, such as smart snack compliant food and beverages sold in vending machines, may be sold to students. (Education Code 38082, 49501.5)

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.

OPTION 1: 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)

OPTION 1 ENDS HERE

OPTION 2: The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

OPTION 2 ENDS HERE

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)

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, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the use of the exception.

Furthermore, the district shall accept a bid or price for an agricultural product grown in California before accepting a bid or price for an agricultural product 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 of a 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

5 CCR 15550-15565
Ed. Code 38080-38086
Ed. Code 38090-38095
Ed. Code 38100-38103
Ed. Code 42646

Description

School lunch and breakfast programs
School meals
Cafeterias, funds and accounts
Cafeterias, allocation of charges
Alternate payroll procedure

Ed. Code 45103.5

Ed. Code 49490-49493

Ed. Code 49500-49505

Ed. Code 49550-49564.5

Ed. Code 49554

Ed. Code 49580-49581

F&A Code 58595

H&S Code 113700-114437

Pub. Cont. Code 2000-2002

Pub. Cont. Code 20111

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 210.1-210.31

7 CFR 210.1-210.33

7 CFR 220.1-220.21

7 CFR 220.1-220.22

7 CFR 245.8

7 CFR 250.1-250.70

Management Resources References

CA Department of Education Publication

California Department of Education Publication

California Department of Education Publication

California Department of Education Publication

California Department of Education Publication

California Department of Education Publication

U.S. Department of Agriculture Publication

U.S. Department of Agriculture Publication

U.S. Department of Agriculture Publication

U.S. Department of Agriculture Publication

Contracts for management consulting services; restrictions

School breakfast and lunch programs

School meals

Meals for needy students

Contract for services

Food recovery program

Preference for California-grown agricultural products

California Retail Food Code; sanitation and safety requirements

Responsive bidders

Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

Description

Appendix VII Indirect cost proposals

Procurement standards

Cost principles

Indirect costs, definition

School Lunch Program

Child nutrition

School Breakfast Program

National School Lunch Program

National School Lunch Program

National School Breakfast Program

National School Breakfast Program

Nondiscrimination practices for students eligible for free and reduced price meal and free milk

USDA foods

Description

California School Accounting Manual

Pricing of Adult Meals in the National School Lunch and School Breakfast Programs, NSD Management Bulletin, SNP-04-2021, August 2021

Procuring and Monitoring of Food Service Management Contracts, NSD Management Bulletin, SNP-13-2015, January 2015

Cafeteria Funds--Allowable Uses, NSD Management Bulletin, NSD-SNP-05-2020, February 2020

Food Distribution Program Administrative Manual

Storage and Inventory Management of U.S. Department of Agriculture Foods, NSD Management Bulletin, FDP-01-2018, January 2018

Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016

Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP-38-2017, June 2017

Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014

Unpaid Meal Charges: Local Meal Charge Policies, SP-46-2016, July 2016

U.S. Dept of Agriculture Publication

Website

Website

Website

School Meals - FAQs

U.S. Department of Agriculture, Food and Nutrition Service -
<https://simbli.eboardsolutions.com/SU/Wry6HD6BSTBkfn7BqplusR7BQ==>

California Department of Education, Nutrition Services Division -
<https://simbli.eboardsolutions.com/SU/O5xpn2rTFL2uz0BslshlorGXQ==>

California School Nutrition Association -
<https://simbli.eboardsolutions.com/SU/KnWOpY7WknrOcdh5fJ85QQ==>

Cross References

0410

Nondiscrimination In District Programs And Activities -
<https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==>

1113

District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/tuHL5JjVCCjJcBx3RI3Hfw==>

1113

District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/ZEOw4ZKHcT3nfqlxRTR1fw==>

1113-E(1)

District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/i5TLslsh83D1nplusoytHTIsM6ew==>

1340

Access To District Records -
<https://simbli.eboardsolutions.com/SU/xf1Aslshslsh7GO4WA2Z2wFHc4ng==>

1340

Access To District Records -
<https://simbli.eboardsolutions.com/SU/gcCBzokrVuucd9EFStBmQQ==>

3100

Budget -
<https://simbli.eboardsolutions.com/SU/jyvplusBDTDZP2PfaNJtUb1FQ==>

3100

Budget -
<https://simbli.eboardsolutions.com/SU/msAckulxvwNnuplus45O6T7slshw==>

3110

Transfer Of Funds -
<https://simbli.eboardsolutions.com/SU/g7jG6Z2VGWY4vyMKAjslshXplusA==>

3230

Federal Grant Funds -
<https://simbli.eboardsolutions.com/SU/QVH379RjC0a1aO7I1TFHYg==>

3230

Federal Grant Funds -
<https://simbli.eboardsolutions.com/SU/pHfysr2KHcXTIDFyCkoN8w==>

3260

Fees And Charges -
<https://simbli.eboardsolutions.com/SU/46smJEFyHQTgoxbzQIEJJA==>

3260

Fees And Charges -
<https://simbli.eboardsolutions.com/SU/FeWbTzBdYgA9xdZd3xUExA==>

3300

Expenditures And Purchases -
<https://simbli.eboardsolutions.com/SU/mVe0QYRtN4WLxpjXZCEPuQ==>

3311

Bids -
<https://simbli.eboardsolutions.com/SU/HcK7HUZF9Aj9DplusJHCDH4Q==>

3311

Bids - <https://simbli.eboardsolutions.com/SU/ry0hLBz8DRvRct6kukvHHA==>

3312

Contracts -
<https://simbli.eboardsolutions.com/SU/fXvC3hMz5b6WCslsh8VCWplus8QQ==>

3314.2

Revolving Funds -
<https://simbli.eboardsolutions.com/SU/JsishEYCCuajlw6avqMYfuJug==>

3400

Management Of District Assets/Accounts -
<https://simbli.eboardsolutions.com/SU/qQg2Qs0VtgXvS1coVhS0Pg==>

3400

Management Of District Assets/Accounts -
<https://simbli.eboardsolutions.com/SU/EEPE8KLEmi83u81NRq4qNw==>

3460

Financial Reports And Accountability -
<https://simbli.eboardsolutions.com/SU/0csifafQslshei8bwlwWFEsitQ==>

3460	Financial Reports And Accountability - https://simbli.eboardsolutions.com/SU/IP5i9D5BpfgONQjUrXYkrQ==
3510	Green School Operations - https://simbli.eboardsolutions.com/SU/K0GKzABBi2S6wgjLPfUw==
3511	Energy And Water Management - https://simbli.eboardsolutions.com/SU/6U4LYM8ognqwmrbp8zWccQ==
3511	Energy And Water Management - https://simbli.eboardsolutions.com/SU/iAnvY3u49coMifpxvKeARg==
3512	Equipment - https://simbli.eboardsolutions.com/SU/ezslshZHMnYpluscHnfpO2vztUslshg==
3512-E PDF(1)	Equipment - https://simbli.eboardsolutions.com/SU/vT6eQv7UTk9IkiR0gVplusiBg==
3515.6	Criminal Background Checks For Contractors - https://simbli.eboardsolutions.com/SU/geomrY9Sslshaklhn9Zl2plusQbA==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/08qN2JplusCipasRtU7nhplus2qg==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/Qo9sz5aT68knWPk2vi8Djg==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/wzUihV3gK9PplusFxGH4lt0Ew==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/byXci7oy4EQvJziZSatkag==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/Y07PII5plus2xHEiLURmRHYzQ==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/0Q5co4sXK4An7L2TouWocg==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/XA2ZvkzJLpluswEugplusbBS1IVw==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/npluszuymEvcWm0UlgSnn6laQ==
3555	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/XKe0wQEVO2cheo7acL3BFA==
3555-E PDF(1)	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/ukhuacwucDP1t5CkuDdS3w==
3580	District Records - https://simbli.eboardsolutions.com/SU/8fsDI9HykDCItBSvVLEIIA==
3580	District Records - https://simbli.eboardsolutions.com/SU/gX132ogfrNaLpqF5dbh66Q==
4112.4	Health Examinations - https://simbli.eboardsolutions.com/SU/slLMlslshxLI2YOPYoMMU2U7w==
4212	Appointment And Conditions Of Employment - https://simbli.eboardsolutions.com/SU/lxFxNaSMhpQ8wsNQbau8LA==
4212.4	Health Examinations - https://simbli.eboardsolutions.com/SU/RQiw5kZICOmkgEEHCuVAlA==
4231	Staff Development - https://simbli.eboardsolutions.com/SU/FAuFrJnlhcVy3kgsTslshNU6g==
4312.4	Health Examinations - https://simbli.eboardsolutions.com/SU/obiSk8rTaSgKJ7TuV2j8Xw==
4331	Staff Development - https://simbli.eboardsolutions.com/SU/3BIIBFE9slshf2AlnllsFw7ag==



5030

Student Wellness -

<https://simbli.eboardsolutions.com/SU/CvzKilnplusCH4n5fplusjplusl8ljA==>

5145.6

Parental Notifications -

<https://simbli.eboardsolutions.com/SU/SuvNxTtUJ0Xfallui15AA==>

5145.6-E PDF(1)

Parental Notifications -

<https://simbli.eboardsolutions.com/SU/3aQzL6ew2Hslshlwsish02DTFyMg==>



Regulation 3551: Food Service Operations/Cafeteria Fund

Status: ADOPTED

Original Adopted Date: 06/01/2022 | **Last Reviewed Date:** 06/01/2022

Payments for Meals

The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

At the beginning of the school year, the Superintendent or designee shall communicate the district's meal payment policies through multiple methods, including, but not limited to:

1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year
2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually
3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of eligibility forms at the start of the school year
4. Posting the policy on the district's web site

Reimbursement Claims

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free and reduced-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to the California Department of Education (CDE) using the online Child Nutrition Information and Payment System.

Donation of Leftover Food

To minimize waste and reduce food insecurity, the district may provide sharing tables where students and staff may return appropriate unused cafeteria food items to be made available to students during the course of a regular school meal time. If food on the sharing tables is not taken by a student, the school cafeteria may donate the food to a food bank or any other nonprofit charitable organization. (Health and Safety Code 114079)

Food that may be donated includes prepackaged, nonpotentially hazardous food with the packaging still intact and in good condition, whole uncut produce that complies with Health and Safety Code 113992, unopened bags of sliced fruit, unopened containers of milk that are immediately stored in a cooling bin maintained at 41 degrees Fahrenheit or below, and perishable prepackaged food if it is placed in a proper temperature-controlled environment. The preparation, safety, and donation of food shall be consistent with Health and Safety Code 113980. (Health and Safety Code 114079)

Cafeteria Fund and Account

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. (Education Code 38090, 38093)

The cafeteria fund shall be used only for those expenditures authorized by the Governing Board as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, 2 CFR Part 200 Appendix VII, and the California School Accounting Manual.

The district may use cafeteria funds to supplement the provision of a nutritionally adequate breakfast and/or lunch to district students when permitted by law.

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of

the purpose of and basis for the expenditure. (Education Code 38101)

Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate as approved by CDE or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (Education Code 38101)

Net cash resources in the nonprofit school food service shall not exceed three months' average expenditures. (7 CFR 210.14, 220.7)

U.S. Department of Agriculture Foods

The district shall provide facilities for the storage and control of foods received through the U.S. Department of Agriculture (USDA) that protect against theft, spoilage, damage, or other loss. Such storage facilities shall maintain donated foods in sanitary conditions, at the proper temperature and humidity, and with adequate air circulation. The district shall comply with all federal, state, or local requirements related to food safety and health and procedures for responding to a food recall, as applicable, and shall obtain all required health inspections. (7 CFR 250.14)

The Superintendent or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures, and shall ensure that foods are used before their expiration dates.

USDA donated foods shall be used in school lunches as far as practicable. USDA foods also may be used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff, and training in nutrition, health, food service, or general home economics instruction for students, provided that any revenues from such activities accrue to the district's nonprofit food service account. (7 CFR 250.59)

Contracts with Outside Services

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; 7 CFR 210.16)

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The district shall retain control of the quality, extent, and general nature of its food services. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

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 15550-15565

Ed. Code 38080-38086

Ed. Code 38090-38095

Ed. Code 38100-38103

Ed. Code 42646

Ed. Code 45103.5

Description

School lunch and breakfast programs

School meals

Cafeterias, funds and accounts

Cafeterias, allocation of charges

Alternate payroll procedure

Contracts for management consulting services; restrictions

Ed. Code 49490-49493

Ed. Code 49500-49505

Ed. Code 49550-49564.5

Ed. Code 49554

Ed. Code 49580-49581

F&A Code 58595

H&S Code 113700-114437

Pub. Cont. Code 2000-2002

Pub. Cont. Code 20111

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 210.1-210.31

7 CFR 210.1-210.33

7 CFR 220.1-220.21

7 CFR 220.1-220.22

7 CFR 245.8

7 CFR 250.1-250.70

Management Resources References

CA Department of Education Publication

California Department of Education Publication

California Department of Education Publication

California Department of Education Publication

California Department of Education Publication

California Department of Education Publication

U.S. Department of Agriculture Publication

U.S. Department of Agriculture Publication

U.S. Department of Agriculture Publication

U.S. Department of Agriculture Publication

U.S. Dept of Agriculture Publication

School breakfast and lunch programs

School meals

Meals for needy students

Contract for services

Food recovery program

Preference for California-grown agricultural products

California Retail Food Code; sanitation and safety requirements

Responsive bidders

Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

Description

Appendix VII Indirect cost proposals

Procurement standards

Cost principles

Indirect costs, definition

School Lunch Program

Child nutrition

School Breakfast Program

National School Lunch Program

National School Lunch Program

National School Breakfast Program

National School Breakfast Program

Nondiscrimination practices for students eligible for free and reduced price meal and free milk

USDA foods

Description

California School Accounting Manual

Pricing of Adult Meals in the National School Lunch and School Breakfast Programs, NSD Management Bulletin, SNP-04-2021, August 2021

Procuring and Monitoring of Food Service Management Contracts, NSD Management Bulletin, SNP-13-2015, January 2015

Cafeteria Funds--Allowable Uses, NSD Management Bulletin, NSD-SNP-05-2020, February 2020

Food Distribution Program Administrative Manual

Storage and Inventory Management of U.S. Department of Agriculture Foods, NSD Management Bulletin, FDP-01-2018, January 2018

Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016

Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP-38-2017, June 2017

Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014

Unpaid Meal Charges: Local Meal Charge Policies, SP-46-2016, July 2016

School Meals - FAQs

Website	U.S. Department of Agriculture, Food and Nutrition Service - https://simbli.eboardsolutions.com/SU/Wry6HD6BSTBkfn7BqplusR7BQ==
Website	California Department of Education, Nutrition Services Division - https://simbli.eboardsolutions.com/SU/O5xpn2rTFL2uz0BslshlorGXQ==
Website	California School Nutrition Association - https://simbli.eboardsolutions.com/SU/KnWOpY7WknrOcdh5fJ85QQ==

Cross References

0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/tuHL5JjVCCjJcBx3RI3Hfw==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/ZEqW4ZKHcT3nfnqLxRTR1fw==
1113-E(1)	District And School Web Sites - https://simbli.eboardsolutions.com/SU/i5TLslsh83D1nplusoytHTIsM6ew==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/xf1Aslshslsh7GO4WA2Z2wFHc4ng==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/gcCBzehrVuucd9EFStBmQQ==
3100	Budget - https://simbli.eboardsolutions.com/SU/jyvplusBDTDZP2PfaNJtUb1FQ==
3100	Budget - https://simbli.eboardsolutions.com/SU/msAckulxvwNnuplus45O6T7slshw==
3110	Transfer Of Funds - https://simbli.eboardsolutions.com/SU/g7jG6Z2VGWY4vyMKAjshXplusA==
3230	Federal Grant Funds - https://simbli.eboardsolutions.com/SU/QVH379RjC0a1aO7I1TFHYg==
3230	Federal Grant Funds - https://simbli.eboardsolutions.com/SU/pHfysr2KHcXTIDFyCkoN8w==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/46smJEFyHQTgoxbzQIEJJA==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/FeWbTzBdYgA9xdZd3xUExA==
3300	Expenditures And Purchases - https://simbli.eboardsolutions.com/SU/mVeQQYRtN4WLxpjXZCEPuQ==
3311	Bids - https://simbli.eboardsolutions.com/SU/HcK7HUZF9A9DplusJHCDH4Q==
3311	Bids - https://simbli.eboardsolutions.com/SU/ry0hLBz8DRvRct6kukvHHA==
3312	Contracts - https://simbli.eboardsolutions.com/SU/fXvC3hMz5b6WCslsh8VCWplus8QQ==
3314.2	Revolving Funds - https://simbli.eboardsolutions.com/SU/jslshEYCCuajlw6avqMYfuJug==
3400	Management Of District Assets/Accounts - https://simbli.eboardsolutions.com/SU/qQg2Qs0VtgXvS1coVhS0Pg==
3400	Management Of District Assets/Accounts - https://simbli.eboardsolutions.com/SU/EEPE8KLEmi83u81NRq4qNw==
3460	Financial Reports And Accountability - https://simbli.eboardsolutions.com/SU/0csifafQslshei8bwIwWFEsitQ==
3460	Financial Reports And Accountability - https://simbli.eboardsolutions.com/SU/IP5i9D5BpfgONQjUrXYkrQ==

3510	Green School Operations - https://simbli.eboardsolutions.com/SU/K0GKzAB8i2S6wgjLPfUw==
3511	Energy And Water Management - https://simbli.eboardsolutions.com/SU/6U4LYM8ognqwmrbp8zWccQ==
3511	Energy And Water Management - https://simbli.eboardsolutions.com/SU/iAnvY3u49coMifpxvKeARg==
3512	Equipment - https://simbli.eboardsolutions.com/SU/eZslshZHMnYpluscHnfpO2vztUslshg==
3512-E PDF(1)	Equipment - https://simbli.eboardsolutions.com/SU/vT6eQv7UTk9IkiR0gVplusiBg==
3515.6	Criminal Background Checks For Contractors - https://simbli.eboardsolutions.com/SU/geomrY9Sslshaklhn9ZI2plusQbA==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/08qN2JplusCipasRtU7nhplus2qg==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/Qo9sz5aT68knWPk2vi8Djg==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/wzUihV3gK9PplusFxGH4lt0Ew==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/byXci7oy4EQvJziZSatkag==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/Y07PII5plus2xHEilURmRHYzQ==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/0Q5co4sXK4An7L2TouWocg==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/XA2ZvkzJlpluswEugplusbBS1IVw==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/npluszuymEvcWm0UlgSnn6laQ==
3555	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/XKe0wQEVO2cheo7acL3BFA==
3555-E PDF(1)	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/ukhuacwucDP1t5CkuDdS3w==
3580	District Records - https://simbli.eboardsolutions.com/SU/8fsDI9HykDCItBSvVLEIIA==
3580	District Records - https://simbli.eboardsolutions.com/SU/gX132ogfrNaLpqF5dbh66Q==
4112.4	Health Examinations - https://simbli.eboardsolutions.com/SU/sILMlslshxLI2YOPYoMMU2U7w==
4212	Appointment And Conditions Of Employment - https://simbli.eboardsolutions.com/SU/lxFxNaSMhpQ8wsNQbau8LA==
4212.4	Health Examinations - https://simbli.eboardsolutions.com/SU/RQiw5kZIComkqEEHCuVAIA==
4231	Staff Development - https://simbli.eboardsolutions.com/SU/FAuFrJnlbcVy3kgsTslshNU6g==
4312.4	Health Examinations - https://simbli.eboardsolutions.com/SU/obiSk8rTaSgKJ7TuV2j8Xw==
4331	Staff Development - https://simbli.eboardsolutions.com/SU/3BIIBFE9slshf2AlnllsFw7ag==
5030	Student Wellness - https://simbli.eboardsolutions.com/SU/CvzKilnplusCH4n5fplusjplusl8IJA==



5145.6

Parental Notifications -

<https://simbli.eboardsolutions.com/SU/SuvNxTtUJ0XfalLui15AA==>

5145.6-E PDF(1)

Parental Notifications -

<https://simbli.eboardsolutions.com/SU/3aQzL6ew2Hslshlwsish02DTEyMg==>

Policy 3553: Free And Reduced Price Meals

Status: ADOPTED

Original Adopted Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

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 provide, free of charge, a nutritionally adequate breakfast and lunch for any student who requests a meal. (Education Code 49501.5)

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 in accordance with law, Board policy, and administrative regulation.

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

5 CCR 15510

Description

Mandatory meals for needy students

5 CCR 15530-15535

Nutrition education

5 CCR 15550-15565

School lunch and breakfast programs

Ed. Code 48980

Parent/Guardian notifications

Ed. Code 49430-49434

Pupil Nutrition, Health, and Achievement Act of 2001

Ed. Code 49490-49494

School breakfast and lunch programs

Ed. Code 49500-49505

School meals

Ed. Code 49501.5

California Universal Meals Program

Ed. Code 49510-49520

Nutrition

Ed. Code 49530-49536

Child Nutrition Act

Ed. Code 49547-49548.3

Comprehensive nutrition services

Ed. Code 49550-49564.5

Meals for needy students

Ed. Code 49564.3

High-poverty schools; universal meal service

Federal References

Description

20 USC 1232g

Family Educational Rights and Privacy Act (FERPA) of 1974

20 USC 6301-6576

Title I Improving the Academic Achievement of the Disadvantaged

42 USC 1751-1769j

School Lunch Program

42 USC 1771-1791

Child nutrition

42 USC 1773

School Breakfast Program

7 CFR 210.1-210.31

National School Lunch Program

7 CFR 220.10-220.21

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

Clarification on the Sharing of Individual Student Eligibility Information for Local Control and Accountability Plan Purposes, Management Bulletin SNP-02-2018, May 2018

CSBA Publication

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012

CSBA Publication

Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012

U.S. Department of Agriculture Publication

Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002

U.S. Dept of Agriculture Publication

Eligibility Manual for School Meals: Determining and Verifying Eligibility, July 2017

Website

U.S. Department of Agriculture, Food and Nutrition Service -
<https://simbli.eboardsolutions.com/SU/Wry6HD6BSTBkfn7BqplusR7BQ==>

Website

Nourish California -
<https://simbli.eboardsolutions.com/SU/5GeuVdU7HE4aLG3NFy4PTg==>

Website

California Project LEAN (Leaders Encouraging Activity and Nutrition) -
<https://simbli.eboardsolutions.com/SU/lzuCbbhn3rBrfeZTSNnVCw==>

Website

California Department of Education, Nutrition Services Division -
<https://simbli.eboardsolutions.com/SU/Q5xpn2rTFL2uz0BslshlorGXQ==>

Website

CSBA -
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Cross References

Description

0200

Goals For The School District -
<https://simbli.eboardsolutions.com/SU/9i90oJApXGvO9is11yD8g==>

0410

Nondiscrimination In District Programs And Activities -
<https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==>

0460

Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==>

0460

Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/N8bGSx8fXallgcLPJYKR9w==>

0470

COVID-19 Mitigation Plan -
<https://simbli.eboardsolutions.com/SU/UonRXG6LPiZi7EgVplusqAd8g==>

1340

Access To District Records -
<https://simbli.eboardsolutions.com/SU/xf1Aslshslsh7GO4WA2Z2wFHc4ng==>

1340

Access To District Records -
<https://simbli.eboardsolutions.com/SU/gcCBzokrVuucd9EFStBmQQ==>

1400

Relations Between Other Governmental Agencies And The Schools -
<https://simbli.eboardsolutions.com/SU/vJHizKCTUNwljEfGnHx4CA==>

3100

Budget -
<https://simbli.eboardsolutions.com/SU/jyvplusBDTDZP2PfaNjtUb1FQ==>

3100

Budget -
<https://simbli.eboardsolutions.com/SU/msAckulxvwNnuplus45O6T7slshw==>

3250

Transportation Fees -
<https://simbli.eboardsolutions.com/SU/52vnhtEZtk37HQDb8atpZw==>

3250

Transportation Fees -
<https://simbli.eboardsolutions.com/SU/83aLjBFLBoIAUBqRh8Lwmg==>

3260

Fees And Charges -
<https://simbli.eboardsolutions.com/SU/46smJEFyHQTgoxbzQIEJJA==>

3260

Fees And Charges -
<https://simbli.eboardsolutions.com/SU/FeWbTzBdYgA9xdZd3xUEXA==>

3550

Food Service/Child Nutrition Program -
<https://simbli.eboardsolutions.com/SU/08qN2JplusCipasRtU7nhplus2qg==>

3550

Food Service/Child Nutrition Program -
<https://simbli.eboardsolutions.com/SU/Qo9sz5aT68knWPK2vi8Djg==>

3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/aWC2AHy6NLmMLvqBaeqp7g==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/NslKZ3UxVB4jy5glgHITWg==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/wzUihV3gK9PplusFxGH4lt0Ew==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/byXci7oy4EQvJziZSatkag==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/XA2ZvkzJlpluswFugplusbBS1IVw==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/npluszuymEvcWm0UlgSnn6laQ==
3555	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/XKe0wQEvO2cheo7acL3BFA==
3555-E PDF(1)	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/ukhuacwucDP1t5CkuDdS3w==
4119.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/2wFCPnGtM48l3kplusPslshl0slshSw==
4219.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/DzT84jcjN31dA5odXslshEoA==
4319.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/X3ta8p18splcxmJVplusXplusnZQ==
5030	Student Wellness - https://simbli.eboardsolutions.com/SU/CyzKiInplusCH4n5fplusjplusl8lJA==
5117	Interdistrict Attendance - https://simbli.eboardsolutions.com/SU/be8UrO5tYpPBjYfPslshJOslshgg==
5117	Interdistrict Attendance - https://simbli.eboardsolutions.com/SU/YpwmrnK3MEpslshPeaNfGkpoQ==
5125	Student Records - https://simbli.eboardsolutions.com/SU/Jw4xw3nB7slshn7ptplustrREa5A==
5125	Student Records - https://simbli.eboardsolutions.com/SU/9slshJiOjwllKjNef0pjUBtbg==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/KxDBTjskEdlUR2Gj3BFRPw==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/0vHj1CrosCLePopplusArHjplusg==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/m3D8kgCbYf75xXSrW6Y27Q==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/2yjABQdYf4fFrislsho9qlzfg==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/SuvNxTtlUJ0Xfallui15AA==
5145.6-E PDF(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/3aQzL6ew2Hslshlwsish02DTEyMg==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/gV15kvM64fYni0slshEytQg3A==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/IPi7b2rD5MZYxullH90nRA==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/ZCXkdpn0NOWtDDYWmvGMPw==

5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/6TCxij5d2ShJygXCj1JXQ==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/NdqSEfNslshhwaBKplusUkKH040A==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/oZbkKwYtcu0mkplusF9H7PNfQ==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/p4BMACj6yFUh6jSJgfA2gA==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/Dbh9ejHszdfmzm1699QEQQ==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/zsjkyhfKAplusFQR21mnjd3hw==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/vD4ZxTplusVHjDJcdnxYRslshO3g==
6173-E PDF(1)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/WeRWxD20iReBezFN3aKzplusQ==
6173-E PDF(2)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/D7vRHxXZslshBORslshzL7t0wPgW==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/hwZQyTeELA0lr5Chn5ZTpg==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/r9gaWHVtSEiLUkK6s8KjNw==
6175	Migrant Education Program - https://simbli.eboardsolutions.com/SU/roLeyXGgp5l03jclK5slshG1A==
6175	Migrant Education Program - https://simbli.eboardsolutions.com/SU/eEi1675F33ZkvAHsw1fl7g==
6176	Weekend/Saturday Classes - https://simbli.eboardsolutions.com/SU/gT9qUoycslshwAqFdyARaqF4w==
6177	Summer Learning Programs - https://simbli.eboardsolutions.com/SU/ezqaj3pDRTAplus4B05IJJGzw==

Regulation 3553: Free And Reduced Price Meals

Status: ADOPTED

Original Adopted Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

Applications

The Superintendent or designee shall ensure that the district's application form for free and reduced-price meals and related materials include the statements specified in Education Code 49557 and 7 CFR 245.5. The district's application packet shall include the notifications and information listed in Education Code 49557.2.

The application form and related information shall be distributed in paper form to all parents/guardians at the beginning of each school year and shall be available to students at all times during the school day. (Education Code 48980, 49520; 42 USC 1758; 7 CFR 245.5)

In addition, the district application form for free and reduced price meals shall be available online. The online application form shall require completion of only those questions necessary for determining eligibility, contain clear instructions for families that are homeless or migrant, and comply with other requirements specified in Education Code 49557.

An application form and related information shall also be provided whenever a new student is enrolled.

At the beginning of each school year, the Superintendent or designee shall send a public release, containing the same information supplied to parents/guardians and including eligibility criteria, to local media, the local unemployment office, and any major employers in the district attendance area contemplating large layoffs. Copies of the public release shall be made available upon request to any interested person. (7 CFR 245.5)

Eligibility

The Superintendent or designee shall determine students' eligibility for the free and reduced-price meal program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

Participants in the CalFresh, California Work Opportunity and Responsibility to Kids (CalWORKS), and Medi-Cal programs shall be directly certified for enrollment in the free and reduced-price meal program without further application. Participants in other state or federal programs may be directly certified when authorized by law. (Education Code 49561, 49562; 42 USC 1758; 7 CFR 245.6)

Verification of Eligibility

Not later than November 15 of each year, the Superintendent or designee shall verify the eligibility of a sample of household applications approved for the school year in accordance with the sample sizes and procedures specified in 42 USC 1758 and 7 CFR 245.6a. (42 USC 1758; 7 CFR 245.6a)

If the review indicates that the initial eligibility determination is correct, the Superintendent or designee shall verify the approved household application. If the review indicates that the initial eligibility determination is incorrect, the Superintendent or designee shall: (42 USC 1758; 7 CFR 245.6a)

1. If the eligibility status changes from reduced price to free, make the increased benefits immediately available and notify the household of the change in benefits
2. If the eligibility status changes from free to reduced price, first verify the application, then notify the household of the correct eligibility status, and, when required by law, send a notice of adverse action as described below
3. If the eligibility status changes from free or reduced price to paid, send the household a notice of adverse action as described below

If as a result of verification activities, the eligibility of a household that is receiving free or reduced-price benefits cannot be confirmed, or if the household fails to cooperate with verification efforts, the Superintendent or designee shall reduce or terminate benefits, as applicable, and shall properly document and retain on file in the district the reasons for the household's ineligibility. At least 10 days prior to the actual reduction or termination, the Superintendent or designee shall send a notice of adverse action to the household. The notice shall advise the household of: (7 CFR 245.6a)

1. The change and the reasons for the change
2. The right to appeal, when the appeal must be filed to ensure continued benefits while awaiting a hearing and decision, and instructions on how to appeal
3. The right to reapply at any time during the school year

Confidentiality/Release of Records

The Superintendent designates the following district employee(s) to disclose a student's name and eligibility status from individual meal records only for the purpose of disaggregation of academic achievement data and/or the provision of services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576.

(title or position)

In permitting the disclosure of student records for such purposes, the Superintendent or designee shall ensure that: (Education Code 49558)

1. No individual indicators of participation in the free and reduced-price meal program are maintained in the permanent records of any student if not otherwise allowed by law.
2. Information regarding individual student participation in the free and reduced-price meal program is not publicly released.
3. All other confidentiality provisions required by law are met.
4. Information collected regarding individual students certified to participate in the free and reduced-price meal program is destroyed when no longer needed for its intended purpose.

Nondiscrimination Plan

In implementing the district's food service programs for students who are eligible to receive free or reduced-price meals, the district shall ensure the following: (Education Code 49557; 42 USC 1758)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.
3. The students shall not be required to work for their meals.
4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals at a different time.

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

5 CCR 15530-15535

5 CCR 15550-15565

Ed. Code 48980

Ed. Code 49430-49434

Ed. Code 49490-49494

Ed. Code 49500-49505

Ed. Code 49501.5

Ed. Code 49510-49520

Ed. Code 49530-49536

Ed. Code 49547-49548.3

Ed. Code 49550-49564.5

Ed. Code 49564.3

Federal References

20 USC 1232g

20 USC 6301-6576

42 USC 1751-1769j

42 USC 1771-1791

42 USC 1773

7 CFR 210.1-210.31

7 CFR 220.10-220.21

7 CFR 245.1-245.13

Management Resources References

California Department of Education Publication

CSBA Publication

CSBA Publication

U.S. Department of Agriculture Publication

U.S. Dept of Agriculture Publication

Website

Website

Website

Website

Website

Mandatory meals for needy students

Nutrition education

School lunch and breakfast programs

Parent/Guardian notifications

Pupil Nutrition, Health, and Achievement Act of 2001

School breakfast and lunch programs

School meals

California Universal Meals Program

Nutrition

Child Nutrition Act

Comprehensive nutrition services

Meals for needy students

High-poverty schools; universal meal service

Description

Family Educational Rights and Privacy Act (FERPA) of 1974

Title I Improving the Academic Achievement of the Disadvantaged

School Lunch Program

Child nutrition

School Breakfast Program

National School Lunch Program

National School Breakfast Program

Eligibility for free and reduced-price meals and free milk

Description

Clarification on the Sharing of Individual Student Eligibility Information for Local Control and Accountability Plan Purposes, Management Bulletin SNP-02-2018, May 2018

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012

Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012

Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002

Eligibility Manual for School Meals: Determining and Verifying Eligibility, July 2017

U.S. Department of Agriculture, Food and Nutrition Service - <https://simbli.eboardsolutions.com/SU/Wry6HD6BSTBkfn7BqplusR7BQ==>

Nourish California - <https://simbli.eboardsolutions.com/SU/5GeuVdU7HE4aLG3NEy4PTg==>

California Project LEAN (Leaders Encouraging Activity and Nutrition) - <https://simbli.eboardsolutions.com/SU/lzuCbbhn3rBrfeZTSNnVCw==>

California Department of Education, Nutrition Services Division - <https://simbli.eboardsolutions.com/SU/Q5xpn2rTFL2uz0BslshlorGXQ==>

CSBA - <https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Cross References

	Description
0200	Goals For The School District - https://simbli.eboardsolutions.com/SU/9j90oJApXGvO9isl1yD8g==
0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/N8bGSx8fXallGcLPJYKR9w==
0470	COVID-19 Mitigation Plan - https://simbli.eboardsolutions.com/SU/UonRXG6LPiZi7EgvplusqAd8g==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/xf1Aslshslsh7GO4WA2Z2wFHc4ng==
1340	Access To District Records - https://simbli.eboardsolutions.com/SU/gcCBzetrVuucd9EFStBmQQ==
1400	Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/vJHizKCtUNwljEfGnHx4CA==
3100	Budget - https://simbli.eboardsolutions.com/SU/jyvplusBDTDZP2PfaNjUUb1FQ==
3100	Budget - https://simbli.eboardsolutions.com/SU/msAckulxvwNnuplus45O6T7slshw==
3250	Transportation Fees - https://simbli.eboardsolutions.com/SU/52vnhtEZtk37HQDb8atpZw==
3250	Transportation Fees - https://simbli.eboardsolutions.com/SU/83aLjBFLBoIAUBqRh8Lwmg==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/46smJEFyHQTgoxbzQIEJJA==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/FeWbTzBdYgA9xdZd3xUExA==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/08qN2JplusCipasRtU7nhplus2qg==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/Qo9sz5aT68knWPk2vi8Djg==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/aWC2AHy6NLmMLvqBaeqp7g==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/NslKZ3UxVB4jy5glgHITWg==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/wzUihV3gK9PplusFxGH4lt0Ew==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/hyXci7oy4EQvJziZSatkag==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/XA2ZvkzJlpluswEugplusbBS1IVw==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/npluszuymEvcWm0UlgSnn6laQ==
3555	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/XKe0wQEvO2cheo7acL3BFA==
3555-E PDF(1)	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/ukhuacwucDP1t5CKuDdS3w==

4119.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/2wFCpNgtM48l3kplusPslshl0slshSw==
4219.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/DzT84jciN31dA5odXslshFoA==
4319.23	Unauthorized Release Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/X3ta8p18splcxmJVplusXplusnZQ==
5030	Student Wellness - https://simbli.eboardsolutions.com/SU/CvzKiInplusCH4n5fplusjplusl8ljA==
5117	Interdistrict Attendance - https://simbli.eboardsolutions.com/SU/be8UrO5tYpPBjYfPslshJ0slshgg==
5117	Interdistrict Attendance - https://simbli.eboardsolutions.com/SU/YpwmrnK3MFpslshPeaNfGkpoQ==
5125	Student Records - https://simbli.eboardsolutions.com/SU/Jw4xw3nB7slshn7ptplustrREa5A==
5125	Student Records - https://simbli.eboardsolutions.com/SU/9slshJjOjwlIKJNef0pJUBtbg==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/KxDBTjskEdiUR2Gj3BFRPw==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/0vHj1CrosCLePopplusArHjplusg==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/m3D8kgCbYf75xXSrW6Y27Q==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/2vjABQdVf4fFrislsho9qlzfg==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/SuvNxTtlUJ0Xfallui15AA==
5145.6-E PDF(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/3aQzL6ew2Hslshlwlslsh02DTEyMg==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/gV15kvM64fYni0slshEytQg3A==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/Pl7b2rD5MZYxulLH90nRA==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/ZCXkdpn0NOWtDDYWmvGMPw==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/6TCzxij5d2ShJygXCj1JXQ==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/NdqSEfNslshhwaBKplusUkKH040A==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/oZbkKwYtcu0mkplusF9H7PNfQ==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/p4BMACj6yFUh6jSJgfA2gA==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/Dbh9ejHszdfmzm1699QEQQ==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/zsjkyhfKApplusFQR21mnjd3hw==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/vD4ZxTplusVHjDJcdnxYRslshO3g==
6173-E PDF(1)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/WeRWxD20iReBezfn3aKzplusQ==

6173-E PDF(2)

Education For Homeless Children -

<https://simbli.eboardsolutions.com/SU/D7vRHZxZslshBORslshzL7t0wPgw==>

6173.1

Education For Foster Youth -

<https://simbli.eboardsolutions.com/SU/hwZQyTeELA0lr5Chn5ZTpg==>

6173.1

Education For Foster Youth -

<https://simbli.eboardsolutions.com/SU/r9gaWHVtSEiLuKk6s8KjNw==>

6175

Migrant Education Program -

<https://simbli.eboardsolutions.com/SU/roLeyXGgp5l03jclK5slshG1A==>

6175

Migrant Education Program -

<https://simbli.eboardsolutions.com/SU/eFi167SF33ZkvAHsw1fl7g==>

6176

Weekend/Saturday Classes -

<https://simbli.eboardsolutions.com/SU/gT9qUoycsIshwAqFdyaRaqF4w==>

6177

Summer Learning Programs -

<https://simbli.eboardsolutions.com/SU/eqqaj3pDRTAplus4B05lJJGzw==>

Regulation 4112.2: Certification

Status: ADOPTED

Original Adopted Date: 06/01/2022 | **Last Reviewed Date:** 06/01/2022

Verification of Credentials

The Superintendent or designee shall verify that each employee in a position requiring certification qualifications possesses a valid certification document issued by the Commission on Teacher Credentialing (CTC). Such verification shall occur not later than 60 days after the commencement of employment or the renewal of a credential. (Education Code 44857)

The Superintendent or designee shall verify that any person who is employed by the district while CTC is processing the application for certification possesses a temporary certificate based on a demonstration of basic skills and completion of a criminal background check. (Education Code 44332, 44332.5, 44332.6)

The Superintendent or designee shall maintain records of the appropriate certification of all employees serving in certificated positions.

Basic Skills Proficiency

The district shall not initially hire a person in a position requiring certification, on a permanent, temporary, or substitute basis, unless that person has demonstrated basic skills proficiency in reading, writing, and mathematics or is specifically exempted from the requirement by law. (Education Code 44252, 44252.6, 44830)

A person may demonstrate basic skills proficiency in reading, writing, and mathematics by:

1. Passage of the California Basic Educational Skills Test (CBEST) (Education Code 44252.5)
2. Passage of the California Subject Examinations for Teachers plus Writing Skills Examination
3. Passage of the California State University (CSU) Early Assessment Program or the CSU Placement Examinations (Education Code 44252)
4. Achieving a qualifying score on the Scholastic Aptitude Test or the American College Test (Education Code 44252)
5. Achieving a qualifying score on College Board Advanced Placement Examinations
6. Passage of a basic skills examination from another state
7. Qualifying coursework (Education Code 44252)
8. Qualifying coursework and exams (Education Code 44252)

The district may hire a certificated employee who has not taken a test of basic skills proficiency if the employee has not yet been afforded the opportunity to take the test, provided that the employee takes the test at the earliest opportunity. The employee may remain employed by the district pending the receipt of the test results. (Education Code 44830)

An out-of-state prepared teacher shall meet the basic skills requirement within one year of being issued a California preliminary credential by CTC unless the teacher has completed a basic skills proficiency test in another state, passed a basic skills proficiency test developed and administered by the district, by cooperating districts or by the county office of education (COE), or is otherwise exempted by law. The district shall develop a basic skills proficiency test, which shall be at least equivalent to the district test required for high school graduation, for purposes of assessing out-of-state prepared teachers pending completion of the basic skills requirement. (Education Code 44252, 44274.2; 5 CCR 80071.4, 80413.3)

Any person holding or applying for a "designated subjects special subjects" credential which does not require possession of a bachelor's degree shall pass a district proficiency test in lieu of meeting the state basic skills proficiency requirement. (Education Code 44252, 44830)

The district may charge a fee to cover the costs of developing, administering, and grading the district proficiency test. (Education Code 44252, 44830)

Short-Term Staff Permit

The district may request that CTC issue a short-term staff permit (STSP) to a qualified applicant whenever there is a need to immediately fill a classroom based on unforeseen circumstances, including, but not limited to: (5 CCR 80021)

1. Enrollment adjustments requiring the addition of another teacher
2. Inability of the teacher of record to finish the school year due to approved leave or illness
3. The applicant's need for additional time to complete preservice requirements for enrollment into an approved internship program
4. Inability of the applicant to enroll in an approved internship program due to timelines or lack of space in the program
5. Unavailability of a third-year extension of an internship program or the applicant's withdrawal from an internship program

The Superintendent or designee shall ensure that the applicant possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021 for the multiple subject, single subject, or education specialist STSP as appropriate. (5 CCR 80021)

When requesting issuance of an STSP, the Superintendent or designee shall submit to CTC: (5 CCR 80021)

1. Verification that the district has conducted a local recruitment for the permit being requested
2. Verification that the district has provided the permit holder with orientation to the curriculum and to instruction and classroom management techniques and has assigned a mentor teacher for the term of the permit
3. Written justification for the permit signed by the Superintendent or designee

The holder of an STSP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021)

Provisional Internship Permit

Before requesting that CTC issue a provisional internship permit (PIP), the district shall conduct a diligent search for a suitable credentialed teacher or intern, including, but not limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media. (5 CCR 80021.1)

Whenever a suitable credentialed teacher cannot be found after a diligent search, the Superintendent or designee may request that CTC issue a PIP to an applicant who possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021.1 for the multiple subject, single subject, or education specialist PIP as appropriate. (5 CCR 80021.1)

When submitting the request for a PIP, the district shall provide verification of all of the following: (5 CCR 80021.1, 80026.5)

1. A diligent search has been conducted for a suitable credentialed teacher or suitable qualified intern as evidenced by documentation of the search.
2. Orientation, guidance, and assistance shall be provided to the permit holder as specified in 5 CCR 80026.5.

The orientation shall include, but not be limited to, an overview of the curriculum the permit holder is expected to teach and effective instruction and classroom management techniques at the permit holder's assigned level. The permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or COE and who has completed at least three years of full-time classroom teaching experience.

3. The district shall assist the permit holder in developing a personalized plan through a district-selected assessment that would lead to subject-matter competence related to the permit.
4. The district shall assist the permit holder to seek and enroll in subject-matter training, such as workshops or seminars and site-based courses, along with training in test-taking strategies, and shall assist the permit holder in meeting the credential subject-matter competence requirement related to the permit.
5. A notice of intent to employ the applicant in the identified position has been made public.

The district shall submit a copy of the agenda item presented at an open Governing Board meeting which shall state the name of the applicant, the assignment in which the applicant will be employed including the name of the school, subject(s), and grade(s) that the applicant will be teaching, and that the applicant will be employed on the basis of a PIP. The district also shall submit a signed statement from the Superintendent or designee that the agenda item was acted upon favorably.

6. The candidate has been apprised of steps to earn a credential and enroll in an intern program.

The holder of a PIP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021.1)

Teaching Permit for Statutory Leave

Whenever there is an anticipated need for the district to temporarily fill the teaching assignment of a teacher of record who will be on sick leave, differential sick leave, industrial accident or illness leave, pregnancy disability leave, or family care and medical leave under the federal Family and Medical Leave Act or California Family Rights Act, the Superintendent or designee may request that CTC issue a Teaching Permit for Statutory Leave (TPSL) to a qualified individual who will be serving as the interim teacher of record. Prior to submitting an application to CTC, the district shall provide the applicant with 45 hours of preparation in the content areas listed in 5 CCR 80022. (5 CCR 80022)

A request for the TPSL shall only be submitted if the district has made reasonable efforts to hire a substitute with a full teaching credential that matches the setting and/or subject for the statutory leave position and no such candidate is available. (5 CCR 80022)

The district shall verify to CTC that it will provide the interim teacher: (5 CCR 80022)

1. An orientation to the assignment before or during the first month of service in the statutory leave assignment
2. An average of two hours of mentoring, support, and/or coaching per week through a system of support coordinated and/or provided by a mentor who possesses a valid life or clear credential that would also authorize service in the statutory leave assignment
3. Lesson plans for the first four weeks of the assignment as well as continued assistance in the development of curriculum, lesson planning, and individualized education programs

The holder of the TPSL may serve as the interim teacher of record for up to the full length of the leave(s) during the school year. (5 CCR 80022)

The Superintendent or designee shall maintain documentation on the assignment in accordance with 5 CCR 80022 and annually report data on the use of the TPSL to the County Superintendent of Schools for assignment monitoring pursuant to Education Code 44258.9. (5 CCR 80022)

The Superintendent or designee may annually request renewal of the TPSL, provided that no substitute with a full teaching credential is available for the assignment. The application for each reissuance shall include verification that the interim teacher has completed an additional 45 hours of preparation and the district is continuing to provide mentoring in accordance with items #2-3 above. (5 CCR 80022)

Long-Term Emergency Permits

As necessary, the Superintendent or designee may request that CTC issue an emergency resource specialist permit, emergency teacher librarian services permit, emergency crosscultural language and academic development permit (CLAD), or emergency bilingual authorization permit. (5 CCR 80024.3.1, 80024.6, 80024.7, 80024.8)

The Superintendent or designee shall provide any first-time recipient of an emergency teaching permit with an orientation which, to the extent reasonably feasible, shall occur before beginning a teaching assignment. The Superintendent or designee may vary the nature, content, and duration of the orientation to match the amount of training and experience previously completed by the emergency permit teacher. The orientation shall include, but not be limited to, the curriculum the teacher is expected to teach and effective techniques of classroom instruction and classroom management at the assigned grade-level span. The emergency permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or COE and who has completed at least three years of full-time classroom teaching experience. (5 CCR 80026.5)

Substitute Teaching Permits

The district may employ a person whose credential or permit authorizes substitute teaching services, provided that:

1. A person holding an emergency 30-day substitute teaching permit, STSP, PIP, TPSL, or any valid teaching or services credential that requires at least a bachelor's degree and completion of the CBEST, shall not serve as a substitute for more than 30 days for any one teacher during the school year or as a substitute in a special education classroom for more than 20 days for any one teacher during the school year. (5 CCR 80025, 80025.3, 80025.4)
2. A person with an emergency career substitute teaching permit shall not serve as a substitute for more than 60 days for any one teacher during the school year. (5 CCR 80025.1)
3. A person with an emergency substitute teaching permit for prospective teachers shall not serve as a substitute for more than 30 days for any one teacher during the school year and not more than 90 days total during the school year. (5 CCR 80025.2)
4. A person with an emergency designated subjects 30-day substitute teaching permit for career technical education shall teach only in a program of technical, trade, or vocational education and shall not serve as a substitute for more than 30 days for any one teacher during the school year. (5 CCR 80025.5)

Before employing a person with an emergency substitute permit pursuant to item #1 or 4 above, the Superintendent or designee shall prepare and keep on file a signed Statement of Need for the school year. The Statement of Need shall describe the situation or circumstances that necessitate the use of a 30-day substitute permit holder and state either that a credentialed person is not available or that the available credentialed person does not meet the district's specified employment criteria. (5 CCR 80025, 80025.5)

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 80001-80674.6
Ed. Code 32340-32341

Description

Commission on Teacher Credentialing
Unlawful issuance of a credential

Ed. Code 35186

Ed. Code 44066

Ed. Code 44200-44418

Ed. Code 44250-44277

Ed. Code 44300-44302

Ed. Code 44325-44328

Ed. Code 44330-44355

Ed. Code 44420-44440

Ed. Code 44450-44468

Ed. Code 44830-44929

Ed. Code 56060-56063

Ed. Code 8295-8305

Federal References

20 USC 6312

34 CFR 200.61

Management Resources References

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Complaints regarding teacher vacancy or misassignment

Limitations on certification requirements

Teacher credentialing

Credentials and assignment of teachers

Emergency permit

District interns

Certificates and credentials

Revocation and suspension of credentials

University internship program

Employment of certificated persons; requirement of proficiency in basic skills

Substitute teachers in special education

Child development program personnel qualifications

Description

Title I local educational agency plans; notifications regarding teacher qualifications

Parent notification regarding teacher qualifications

Description

Proposed Amendments and Additions to Title 5 of the California Code of Regulations Pertaining to Subject Matter Competence, Coded Correspondence 21-06, September 20, 2021

Assembly Bill 320: Regional Accreditation for Coursework and Degrees Used for Certification Purposes, Credential Information Alert 22-02, March 1, 2022

Waiver Requests Guidebook, 2015

Credential Information Guide

Hiring Hierarchy in Education Code 44225.7, Coded Correspondence 13-01, January 30, 2013

Approved Addition and Amendments to Title 5 of the California Code of Regulations Pertaining to Teaching Permit for Statutory Leave (TPSL), Coded Correspondence 16-10, Aug 23, 2016

California Standards for the Teaching Profession (CSTP), 2009

CL-667 Basic Skills Requirement

CL-856 Provisional Internship Permit

CL-858 Short-Term Staff Permit

Subject Matter Authorization Guideline Book, December 2019

Supplementary Authorization Guideline Book, December 2019

The Administrator's Assignment Manual, 2021

Court Decision	Association of Mexican-American Educators et al. v. State of California and the Commission on Teacher Credentialing, (1993) 836 F.Supp. 1534
Nat'l Board for Prof. Teaching Stds. Publication	Using Federal Funds for National Board Activities: An Action-Planning Guide
Nat'l Board for Prof. Teaching Stds. Publication	Considerations for Using Federal Funds to Support National Board Certification
Website	California Department of Education, CA NBPTS Certification Incentive Program 2021-26 - https://simbli.eboardsolutions.com/SU/uKmxE8VYIFbmXZaxGjRRvQ==
Website	National Board Resource Center - https://simbli.eboardsolutions.com/SU/g0vplusStn5VnplusyM4J8jU2DSw==
Website	National Board for Professional Teaching Standards - https://simbli.eboardsolutions.com/SU/W4hc1FgK0ics8tTmuq7qslshw==
Website	Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNiqRUulsaq7efc7aH4Q==
Website	Commission on Teacher Credentialing, Credential Information Guide (for employers' use only) - https://simbli.eboardsolutions.com/SU/B9uurcEnh6RjWX7bEk1slshew==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education - https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==

Cross References

Description

0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/N8bGSx8fXaILgcLPJYKR9w==
1312.4	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/K4sSLEmfPDpDFCTIDy3T6A==
1312.4-E(1)	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/jNRJER1z7850tslshkvfYJ15Q==
1312.4-E(2)	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/cqrHyplusslshVG7skrok5E8FbRw==
3580	District Records - https://simbli.eboardsolutions.com/SU/8fsDI9HykDCitBSvVLEIIA==
3580	District Records - https://simbli.eboardsolutions.com/SU/gX132ogfrNaLpqF5dbh66Q==
4111	Recruitment And Selection - https://simbli.eboardsolutions.com/SU/6LxlmFQPrUDOLAOZQgkINQ==
4112	Appointment And Conditions Of Employment - https://simbli.eboardsolutions.com/SU/MPR977KriNiW94qpqg6SRw==
4112.21	Interns - https://simbli.eboardsolutions.com/SU/vEi1KKO0DAwU3QQWMybsMg==
4112.21	Interns - https://simbli.eboardsolutions.com/SU/abUsakp5weOr6MNAAdOyx8Q==
4112.22	Staff Teaching English Learners - https://simbli.eboardsolutions.com/SU/fPplusfl4CbbT2rsQorgRrhGQ==
4112.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/XxVcsvgXel4TKDtGnWVslshaAA==
4112.5-E PDF(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/UxsEts3DeYslshRZpXyPvEL7w==

4112.6	Personnel Files - https://simbli.eboardsolutions.com/SU/slshc7i5jiVl8pLyA79vr9rhw==
4113	Assignment - https://simbli.eboardsolutions.com/SU/BhXFYknfTIZslshK6TX1rcPNw==
4113	Assignment - https://simbli.eboardsolutions.com/SU/BHJLvt0UWpluspJ20aXCvNApQ==
4114	Transfers - https://simbli.eboardsolutions.com/SU/mFpPJXC1QmDMIC74Qj4ETg==
4117.14	Postretirement Employment - https://simbli.eboardsolutions.com/SU/xvIGEJl5lgZpfUxnfhwzJQ==
4117.3	Personnel Reduction - https://simbli.eboardsolutions.com/SU/42Hj6RreDPO0Nvlww41j4g==
4119.21	Professional Standards - https://simbli.eboardsolutions.com/SU/RUg2Aozy5plusrWMBTJVdlsyg==
4119.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/vF87GYLXyUMmUN2SXjO0g==
4121	Temporary/Substitute Personnel - https://simbli.eboardsolutions.com/SU/UQVHOa8Qzs52Adry5FhGeA==
4121	Temporary/Substitute Personnel - https://simbli.eboardsolutions.com/SU/Eytslsh362LVDh2oTivuLm8gA==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/700yA0ysAx5YXC8kTts9Q==
4131.1	Teacher Support And Guidance - https://simbli.eboardsolutions.com/SU/o63bybiWnOwM5kCYo8bBLg==
4131.1	Teacher Support And Guidance - https://simbli.eboardsolutions.com/SU/zlGKbGQaVplusdRicemB3xUUw==
4161.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/wmtZ2H4oDc4HcrB9slshN1zcgw==
4161.11	Industrial Accident/Illness Leave - https://simbli.eboardsolutions.com/SU/HD5z3OhqJS1829uMir9NEw==
4161.3	Professional Leaves - https://simbli.eboardsolutions.com/SU/zWPmj61a8hznXqj20AMUCA==
4161.8	Family Care And Medical Leave - https://simbli.eboardsolutions.com/SU/R0ajur05Y0LDobGfDwFO7A==
4211	Recruitment And Selection - https://simbli.eboardsolutions.com/SU/1n85hkOTlxsQq8EGSszpLA==
4212.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/zlCQLKslshYYocj135d8hWslshpQ==
4212.5-E PDF(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/sDVasU4nkvGVxDODtvXKqg==
4212.6	Personnel Files - https://simbli.eboardsolutions.com/SU/Kp3DemXWMRr4slshb8EnhyJPw==
4219.21	Professional Standards - https://simbli.eboardsolutions.com/SU/577ui4NZDgpHKG5NJplussQbA==
4219.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/52slshZb5LuY0skwfJSoBbV0Q==
4222	Teacher Aides/Paraprofessionals - https://simbli.eboardsolutions.com/SU/711NKzpluscCS9QZsJCydyEA==
4222	Teacher Aides/Paraprofessionals - https://simbli.eboardsolutions.com/SU/jKXUUGTR98mNmDdapRslshHplusw==

4261.11	Industrial Accident/Illness Leave - https://simbli.eboardsolutions.com/SU/4NdayG8LNJplusn9rWReq8arA==
4261.8	Family Care And Medical Leave - https://simbli.eboardsolutions.com/SU/nBLZm9LwJchMFF3Yja1slshFg==
4311	Recruitment And Selection - https://simbli.eboardsolutions.com/SU/1tX2HeplusXbGqlpeJplussFnMQA==
4312.5	Criminal Record Check - https://simbli.eboardsolutions.com/SU/87h9kHh1nis8QFmawLNjVQ==
4312.5-E PDF(1)	Criminal Record Check - https://simbli.eboardsolutions.com/SU/4ekuJY8plusKIYnslshRBAHkptw==
4312.6	Personnel Files - https://simbli.eboardsolutions.com/SU/fiEVux1oWapNdGxQ1UZ7Fg==
4317.14	Postretirement Employment - https://simbli.eboardsolutions.com/SU/v39zADRGIBTI2DI9oplusjQcw==
4319.21	Professional Standards - https://simbli.eboardsolutions.com/SU/53YbPV2hoKqYj7h7jg34plusA==
4319.21-E PDF(1)	Professional Standards - https://simbli.eboardsolutions.com/SU/u6TpxPrplusIKUDjY7bpOkaw==
4361.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/VCSQ7zJplus5y1nFHLGslshr5oA==
4361.11	Industrial Accident/Illness Leave - https://simbli.eboardsolutions.com/SU/SsWihe2DRXblzgW5Aplus4xw==
4361.8	Family Care And Medical Leave - https://simbli.eboardsolutions.com/SU/qfxyeoli1L04rJjMbB8XNA==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/SuvNxTtlUJ0XfalLui15AA==
5145.6-E PDF(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/3aQzL6ew2Hslshlwsish02DTEyMg==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/gV15kvM64fYni0slshEytQg3A==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/lPI7b2rD5MZYxulLH90nRA==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/ZmslshJWRRGIhooOnK0kYcl2w==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/7Tuzch26C948slshkHXr3eriw==
6146.1	High School Graduation Requirements - https://simbli.eboardsolutions.com/SU/plus2yglNOrozRrjEUY1zO9qQ==
6146.1	High School Graduation Requirements - https://simbli.eboardsolutions.com/SU/S5uBuYQ9RoSFW1PcOZAtxg==
6146.2	Certificate Of Proficiency/High School Equivalency - https://simbli.eboardsolutions.com/SU/clTMplus79VZe95z6A99iDmRQ==
6146.2	Certificate Of Proficiency/High School Equivalency - https://simbli.eboardsolutions.com/SU/kon9InuDv3XhBqmyROfdAw==
6146.2-E PDF(1)	Certificate Of Proficiency/High School Equivalency - https://simbli.eboardsolutions.com/SU/oac3slshgcl69eolD8U7bc6aQ==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/JF5AJy2WqeTljHrNpblnEQ==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/Z18D4sZXp7plusSTlh3MOU21w==

6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/NdqSEfNslshhwaBKplusUkKHq40A==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/oZbkKwYtcu0mkplusF9H7PNfQ==
6163.1	Library Media Centers - https://simbli.eboardsolutions.com/SU/QOUjppuymAwZwqqwJNVcdg==
6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/Ba6VUEQG9hX91drdoa1Sjg==
6170.1	Transitional Kindergarten - https://simbli.eboardsolutions.com/SU/aCnQ5oW06Lvo9JIEC8t1zQ==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/wTl8EVvu0t0484S390RuGw==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/G268l3K6kr8FFbTmbKV2A==
6178	Career Technical Education - https://simbli.eboardsolutions.com/SU/rwiNrLDQwuDqQ6bbGPQasIshA==
6178	Career Technical Education - https://simbli.eboardsolutions.com/SU/Y6yhFPjUKKuJyXslshaa40i7w==
6178.1	Work-Based Learning - https://simbli.eboardsolutions.com/SU/avQYbt3iAAr7wkf1xeEMuA==
6178.1	Work-Based Learning - https://simbli.eboardsolutions.com/SU/wl.cNslshgmplusmQlg9zvVgyCIMQ==
6183	Home And Hospital Instruction - https://simbli.eboardsolutions.com/SU/splusGW8slshHtohMvCGn2HgfrFA==
6200	Adult Education - https://simbli.eboardsolutions.com/SU/DZM1Ty9otkplusv0slshplusEqTiy9A==
6200	Adult Education - https://simbli.eboardsolutions.com/SU/lyPOFCCBmrlwCn4VXvTqslshg==

Regulation 4161.8: Family Care And Medical Leave

Status: ADOPTED

Original Adopted Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

The district shall not deny any eligible employee the right to family care or medical leave pursuant to the Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA), or to Pregnancy Disability Leave (PDL), when an employee is disabled by a pregnancy, childbirth, or related medical condition. The district shall not interfere with, restrain, or deny the exercise of an employee's right to any such leave, nor shall the district discharge, discriminate against, or retaliate against an employee for taking such leave, opposing or challenging an unlawful employment practice in relation to any of these laws, or being involved in any related inquiry or proceeding. (Government Code 12945, 12945.2; 2 CCR 11094; 29 USC 2615)

Definitions

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified.

Child means a biological, adopted, or foster child; a stepchild; a legal ward; or a person to whom the employee stands in loco parentis. For purposes of CFRA leave, child also includes a child of a registered domestic partner. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611)

Eligible employee, for FMLA and CFRA purposes, means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the 12 months immediately preceding the leave. However, these requirements shall not apply when an employee applies for PDL. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.110)

Eligible family member means an employee's child, parent, or spouse. For purposes of leave to care for a family member with a serious health condition pursuant to CFRA, eligible family member includes an employee's child, parent, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, or sibling. (Government Code 12945.2; 2 CCR 11087; 29 USC 2612)

Employee disabled by pregnancy means an employee whose health care provider states that the employee is: (2 CCR 11035)

1. Unable because of pregnancy to perform any one or more of the essential functions of the job or to perform any of them without undue risk to the employee or other persons or to the pregnancy's successful completion
2. Suffering from severe "morning sickness" or needs to take time off for prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, postpartum depression, childbirth, loss or end of pregnancy, recovery from childbirth or loss or end of pregnancy, or any other pregnancy-related condition

Parent means a biological, foster, or adoptive parent; a parent-in-law; a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child. However, for FMLA purposes, parent does not include a spouse's parents. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.122)

Serious health condition means an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or an eligible family member of the employee that involves either inpatient care or continuing treatment, including treatment for substance abuse, as follows: (Government Code 12945.2; 2 CCR 11087, 11097; 29 USC 2611, 2612; 29 CFR 825.113-825.115)

1. Inpatient care in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity

A person is considered an inpatient when formally admitted to a health care facility with the expectation of remaining overnight and occupying a bed, even if it later develops that the person can be discharged or transferred to another facility and does not actually remain overnight.

Incapacity means the inability to work, attend school, or perform other regular daily activities due to a serious

health condition, its treatment, or the recovery that it requires.

2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
 - a. A period of incapacity of more than three consecutive full days
 - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
 - c. Any period of incapacity due to pregnancy or for prenatal care under FMLA
 - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective
 - e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

Spouse means a partner in marriage as defined in Family Code 300, including same sex partners in marriage. For purposes of CFRA leave, spouse also includes a registered domestic partner within the meaning of Family Code 297-297.5. (Family Code 297, 297.5, 300; 2 CCR 11087; 29 CFR 825.122)

Eligibility/Purposes of Leave

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (Government Code 12945.2; 29 USC 2612; 29 CFR 825.112, 825.126, 825.127)

1. The birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child (parental leave)
2. The care of an eligible family member with a serious health condition
3. The employee's own serious health condition that makes the employee unable to perform the job functions of the position
4. A qualifying exigency arising out of the fact that the employee's spouse, child, parent, or, for CFRA leave only, a registered domestic partner, is a military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty)
5. The care of a covered servicemember with a serious injury or illness when the employee is a spouse, child, parent, or next of kin of the covered servicemember

In addition, the district shall grant PDL to any employee who is disabled by pregnancy, childbirth, or other related medical condition. (Government Code 12945; 2 CCR 11037)

Terms of Leave

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. (Government Code 12945.2; 29 USC 2612)

OPTION 1: The 12-month period shall coincide with the calendar year. (29 CFR 825.200)

OPTION 2: The 12-month period shall coincide with the fiscal year. (29 CFR 825.200)

OPTION 3: The 12-month period shall be measured forward from the date the employee's first family care and medical leave begins. (29 CFR 825.200)

OPTION 4: The 12-month period shall be a rolling period measured backward from the date an employee uses any

family care and medical leave, as defined in 29 CFR 825.200. (29 CFR 825.200)

In addition, any employee who is disabled by pregnancy, childbirth, or other related condition shall be entitled to PDL for the period of the disability not to exceed four months. For a part-time employee, the four months shall be calculated on a proportional basis. (Government Code 12945; 2 CCR 11042)

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks, for the reason of the birth of a child or to bond with or care for the child. (Government Code 12945, 12945.2; 2 CCR 11046, 11093)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. (2 CCR 11090; 29 USC 2612)

Each eligible employee shall be granted up to 12 work weeks for family care and medical leave related to the birth or placement of a child, regardless of whether both parents of the child work for the district.

Use/Substitution of Paid Leave

OPTION 1: During any otherwise unpaid period of FMLA or CFRA leave, except leave for an employee's own serious health condition, an employee shall use accrued paid leave, including, but not limited to, vacation leave, personal leave, or family leave. If the leave is for the employee's own serious health condition, the employee shall use accrued paid leave, including but not limited to, vacation leave, personal leave, or sick leave. During an unpaid period of PDL, the employee shall use any accrued sick leave and may elect to use any vacation time or other accrued personal time off. (Government Code 12945, 12945.2; 2 CCR 11044, 11092; 29 USC 2612)

OPTION 2: During any otherwise unpaid period of PDL or any FMLA or CFRA leave, the employee may elect to use accrued vacation leave, or any other paid time off negotiated with the district that the employee is eligible to use. If the leave is for the employee's own serious health condition or PDL, the employee may also elect to use accrued sick leave during the period of leave. (Government Code 12945, 12945.2; 2 CCR 11044; 11092; 29 USC 2612)

The district and employee may also come to agreement regarding the use of any additional paid or unpaid time off instead of using the employee's CFRA leave. (2 CCR 11092)

Intermittent Leave/Reduced Work or Leave Schedule

PDL and family care and medical leave for the serious health condition of an employee or eligible family member may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district shall limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave provided it is not to be greater than one hour. (Government Code 12945.2; 2 CCR 11042, 11090; 29 USC 2612)

The basic minimum duration of leave for the birth, adoption, or foster care placement of a child shall be two weeks. However, the district shall grant a request for such leave of less than two weeks on any two occasions. (2 CCR 11090; 29 USC 2612)

The district may require an employee to transfer temporarily to an available alternative position under any of the following circumstances: (2 CCR 11041, 11090; 29 USC 2612)

1. The employee needs intermittent leave or leave on a reduced work schedule that is foreseeable based on a planned medical treatment for the employee or family member.
2. A medical certification is provided by the employee's health care provider that, because of pregnancy, the employee has a medical need to take intermittent leave or leave on a reduced work schedule.

3. The district agrees to permit intermittent leave or leave on a reduced work schedule due to the birth, adoption, or foster care placement of the employee's child.

The alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 11041, 11090; 29 USC 2612)

Request for Leave

The district shall consider an employee's request for PDL or family care and medical leave only if the employee provides at least verbal notice sufficient to make the district aware of the need to take the leave and the anticipated timing and duration of the leave. (2 CCR 11050, 11091)

For family care and medical leave, the employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement. However, the employee must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 11091)

The district shall respond to requests for leave as soon as practicable, but no later than five business days after receiving the employee's request. (2 CCR 11091)

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. Failure of an employee to respond to permissible inquiries regarding the leave request may result in denial of CFRA protection if the district is unable to determine whether the leave is CFRA qualifying. (2 CCR 11091; 29 CFR 825.300)

When an employee is able to foresee the need for PDL or family care and medical leave at least 30 days in advance of the leave, the employee shall provide the district with at least 30 days advance notice before the leave. When the 30 days' notice is not practicable because of a lack of knowledge of when leave will be required to begin, a change in circumstances, a medical emergency, or other good cause, the employee shall provide the district with notice as soon as practicable. Failure of an employee to provide required notice may result in a denial of leave. (2 CCR 11050, 11091)

In all instances, the employee shall consult with the Superintendent or designee and make a reasonable effort to schedule, subject to the health care provider's approval, any planned appointment or medical treatment or supervision so as to minimize disruption to district operations. (Government Code 12945.2; 2 CCR 11050, 11091)

Certification of Health Condition

Within five business days of an employee's request for family care and medical leave for the serious health condition of the employee or an eligible family member, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 calendar days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (2 CCR 11087, 11091; 29 CFR 825.305)

The certification shall include the following: (Government Code 12945.2; 2 CCR 11087; 29 USC 2613)

1. The date on which the serious health condition began
2. The probable duration of the condition
3. If the employee is requesting leave to care for an eligible family member with a serious health condition, both of the following:

- a. Statement that the serious health condition warrants the participation of the employee to provide care, such as by providing psychological comfort, arranging for third party care, or directly providing or participating in the medical care of the eligible family member during a period of the treatment or supervision
 - b. Estimated amount of time the health care provider believes the employee needs to care for the eligible family member
4. If the employee is requesting leave because of the employee's own serious health condition, a statement that due to the serious health condition, the employee is unable to work at all or is unable to perform one or more essential job functions of the position
5. If the employee is requesting leave for intermittent treatment or on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

The Superintendent or designee shall not request any genetic information related to an employee except as authorized by law in accordance with the California Genetic Information Nondiscrimination Act of 2011. (Government Code 12940)

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA leave as long as appropriate notice is given to the employee and there is no harm or injury to the employee. (2 CCR 11091; 29 CFR 825.301)

If the Superintendent or designee has a good faith objective reason to doubt the validity of a certification that accompanies a request for leave for the employee's own serious health condition, the Superintendent or designee may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (Government Code 12945.2; 2 CCR 11091; 29 USC 2613)

Certification for PDL

The Superintendent or designee shall request that an employee who is requesting PDL provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if the Superintendent or designee has reason to question the appropriateness of the leave or its duration. (2 CCR 11050)

For PDL that is foreseeable and for which at least 30 days' notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 calendar days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 11050)

Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because the employee is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 11050)

If additional PDL or family care and medical leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified for the leave. (Government Code 12945.2; 2 CCR 11050; 29 USC 2613)

Release to Return to Work

Upon expiration of an employee's PDL or family care and medical leave taken for the employee's own serious health condition, the employee shall present certification from the health care provider of the employee's ability to resume work. The certification shall address the employee's ability to perform the essential job functions of the position.

Rights to Reinstatement

Upon granting an employee's request for PDL or FMLA/CFRA leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends. (Government Code 12945.2; 2 CCR 11043, 11089; 29 USC 2614)

The district may refuse to reinstate an employee to the same or a comparable position if the FMLA/CFRA leave was fraudulently obtained by the employee. (2 CCR 11089; 29 CFR 825.216)

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR 11043)

Maintenance of Benefits/Failure to Return from Leave

During the period when an employee is on PDL or family care and medical leave, the employee shall maintain employee status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (Government Code 12945.2; 2 CCR 11092; 29 USC 2614)

For up to a maximum of four months for PDL and 12 work weeks for other family care and medical leave, the district shall continue to provide an eligible employee the group health plan coverage that was in place before the employee took the leave. The employee shall reimburse the district for premiums paid during the leave if the employee fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control. (Government Code 12945.2; 2 CCR 11044, 11092; 29 USC 2614; 29 CFR 825.213)

In addition, during the period when an employee is on PDL or family care and medical leave, the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose.

However, for purposes of pension and retirement plans, the district shall not make plan payments for an employee during any unpaid portion of the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2; 2 CCR 11044, 11092)

Military Family Leave Resulting from Qualifying Exigencies

An eligible employee may take up to 12 work weeks of unpaid FMLA/CFRA leave, during each 12-month period established by the district in the section entitled "Terms of Leave" above, for one or more qualifying exigencies while the employee's child, parent, spouse, or, for purposes of CFRA leave, registered domestic partner, who is a military member is on covered active duty or on call to covered active duty status. (Government Code 12945.2; 29 USC 2612; 29 CFR 825.126)

Covered active duty means, for members of the Regular Armed forces, duty during the deployment of a member of the regular Armed Forces to a foreign country or, for members of the Reserve components of the Armed forces, duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or an order to active duty in support of a contingency operation pursuant to law. Deployment to a foreign county includes deployment to international waters. (29 USC 2611; 29 CFR 825.126)

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment of up to seven calendar days from the date of receipt of call or order of short notice deployment
2. Attend military events and related activities, such as any official ceremony or family assistance program related

to the covered active duty or call to covered active duty status

3. Arrange child care or attend school activities arising from the covered active duty or call to covered active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to 15 calendar days of leave per instance) with a military member who is on short-term, temporary, rest and recuperation leave during deployment
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings
8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
9. Address any other event that the employee and district agree is a qualifying exigency

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

An employee who is requesting leave for qualifying exigencies shall provide the Superintendent or designee with a copy of the military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave. The certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced work or leave schedule basis. (29 CFR 825.302)

During the period of qualified exigency leave, the district's rule regarding an employee's use of accrued vacation leave and any other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Military Caregiver Leave

The district shall grant an eligible employee up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date the leave is taken, to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, the employee must be the spouse, child, parent, or next of kin of the covered servicemember. This 26-week period is inclusive of the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember may be: (29 CFR 825.127)

1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness
2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

Child of a covered servicemember means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or child for whom the covered servicemember stood in loco parentis, and who is of any age. (29 CFR 825.127)

Parent of a covered servicemember means the covered servicemember's biological, adopted, step, or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law"). (29 CFR 825.127)

Next of kin means the nearest blood relative to the covered servicemember, other than the spouse, parent, or child, unless designated in writing by the covered servicemember. (29 USC 2611, 2612; 29 CFR 825.127)

Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

Serious injury or illness means: (29 USC 2611; 29 CFR 825.127)

1. For a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.
2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran and that is at least one of the following:
 - a. A continuation of a serious injury or illness incurred or aggravated while the veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating
 - b. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs (VA) Service-Related Disability Rating of 50 percent or greater, based wholly or partly on that physical or mental condition
 - c. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of one or more disabilities related to the servicemember's military service or that would do so but for treatment received by the veteran
 - d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

The leave may be taken intermittently or on a reduced work or leave schedule when medically necessary. An employee taking military caregiver leave in combination with other family care and medical leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

During the period of military caregiver leave, the district's rule regarding an employee's use of accrued vacation leave and other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Notifications

The Superintendent or designee shall provide the following notifications regarding state and federal law related to PDL or FMLA/CFRA leave:

1. General Notice: Information explaining the provisions of the Fair Employment and Housing Act/PDL and FMLA/CFRA and employees' rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (2 CCR 11049, 11095; 29 USC 2619)
2. The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days' notice of the need for the requested leave, when the need is reasonably foreseeable at least 30 days prior to the start of the leave. (2 CCR 11049, 11050, 11091)
3. Eligibility Notice: When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of eligibility to take such leave. (2 CCR 11049, 11091; 29 CFR 825.300)
4. Rights and Responsibilities Notice: Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as applicable: (29 CFR 825.300)
 - a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying
 - b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
 - c. The employee's right to use paid leave, whether the district will require use of paid leave, conditions related to any use of paid leave, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave
 - d. Any requirements for the employee to make premium payments necessary to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis
 - e. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
 - f. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

5. Designation Notice: When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, the Superintendent or designee shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (2 CCR 11091; 29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

6. If the district requires paid leave to be used during an otherwise unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a release to return to work certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement. (2 CCR 11091, 11097; 29 CFR 825.300)

Any time the information provided in the designation notice changes, the Superintendent or designee shall,

within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

Records

The Superintendent or designee shall maintain records pertaining to an individual employee's use of FMLA or CFRA leave or PDL in accordance with law. (Government Code 12946; 29 USC 2616; 42 USC 2000ff-1; 29 CFR 825.500)

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

2 CCR 11035-11051

Description

Unlawful sex discrimination: pregnancy, childbirth and related medical conditions -

<https://simbli.eboardsolutions.com/SU/GplusgYNhBplus6hlimWMYAuhwJw==>

2 CCR 11087-11098

California Family Rights Act -

<https://simbli.eboardsolutions.com/SU/abM0slshHCKrMbGboplusCdDilag==>

Ed. Code 44965

Granting of leaves of absence for pregnancy and childbirth

Fam. Code 297-297.5

Rights, protections, benefits under the law; registered domestic partners

Fam. Code 300

Definition of marriage

Gov. Code 12926

Definitions

Gov. Code 12940

Unlawful discriminatory employment practices

Gov. Code 12945

Unlawful discrimination based on pregnancy, childbirth, or related medical conditions

Gov. Code 12945.1-12945.2

California Family Rights Act

Gov. Code 12945.6

Parental leave

Gov. Code 12946

Fair employment and Housing Act: discrimination prohibited

Federal References

1 USC 7

Description

Definition of marriage and spouse -

<https://simbli.eboardsolutions.com/SU/zna4bZkEoCQ5ILKxeKqGw==>

29 CFR 825.100-825.702

Family and Medical Leave Act of 1993

29 USC 2601-2654

Family Care and Medical Leave Act

42 USC 2000ff-2000ff-11

Genetic Information Nondiscrimination Act of 2008

Management Resources References

Court Decision

Description

Faust v. California Portland Cement Company, (2007) 150 Cal.App.4th 864

Court Decision

Tellis v. Alaska Airlines, (9th Cir., 2005) 414 F.3d 1045

Court Decision

United States v. Windsor, (2013) 699 F.3d 169

U.S. Department of Labor Publication

Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers

Website

U.S. Department of Labor, FMLA -

<https://simbli.eboardsolutions.com/SU/gTctHyc7Ra9nNTUgNmxAhw==>

Website

California Department of Fair Employment and Housing -

<https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K4Qjw==>

Cross References

Description

0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==
0470	COVID-19 Mitigation Plan - https://simbli.eboardsolutions.com/SU/UonRXG6LPiZi7EgyplusqAd8g==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/tuHL5JjVCCjJcBx3RI3Hfw==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/ZEoW4ZKHcT3nfqLxRTR1fw==
1113-E(1)	District And School Web Sites - https://simbli.eboardsolutions.com/SU/i5TLslsh83D1nplusoytHTIsM6ew==
2121	Superintendent's Contract - https://simbli.eboardsolutions.com/SU/fcslsh1ixO2EdCt2pz2NabYqA==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/z8saAb1i9vjslshyJNjIXOrA==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg==
4032	Reasonable Accommodation - https://simbli.eboardsolutions.com/SU/DZueYkplusHoNslsh53DXislsih6mLw==
4033	Lactation Accommodation - https://simbli.eboardsolutions.com/SU/mBwCbA6CkbZwslshCYfb2JvQ==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/NtHKleuKt9J8bgeOadj3gg==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/tUslshewyAvQpluseaA5VjOFaFlw==
4112.4	Health Examinations - https://simbli.eboardsolutions.com/SU/sILMslshxLI2YOPYoMMU2U7w==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/slshnzMWdvaZpZNpZplusoEf8ILQ==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/plusx1slshGxTJQKJXLOKRYP8gplusg==
4112.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/lzOl6slshnrcwplusn8LplusKslshysfw==
4112.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/BjEd40hv6bJfirolKsHpQQ==
4113.4	Temporary Modified/Light-Duty Assignment - https://simbli.eboardsolutions.com/SU/slshxtjrQ1xiXTplus25crk5NJUg==
4117.3	Personnel Reduction - https://simbli.eboardsolutions.com/SU/42Hj6RreDPOONvllww41j4g==
4141	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/wSbplusNslshzwmwtp8Du1J7fxoGg==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/8w7jXCSa7Dmj2OhsA1O4mg==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/bUKajshf9NH4tnZI9utk7g==
4161	Leaves - https://simbli.eboardsolutions.com/SU/EEXMgObslshqslshiKqtJJUX7vSg==
4161	Leaves - https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw==
4161.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/wmtZ2H4oDc4HcrB9slshN1zcw==

4161.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/Kzco4u58yiplus7nknYGxazpw==
4161.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/BTEFJvZiQBplus6SWmBBKtR6w==
4161.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/wpNf7hikepJRY32hChSplus3g==
4212.4	Health Examinations - https://simbli.eboardsolutions.com/SU/RQjw5kZICOmKqEEHCuVAlA==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/OgiTxWzNHPacaieY2R44UQ==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/vRslshvw9XAfld9jXuR4KOLkg==
4212.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/mHaW9EbnocL5Pl6rr10dMw==
4212.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/U68jKBBwiztUHegLtPjM0w==
4213.4	Temporary Modified/Light-Duty Assignment - https://simbli.eboardsolutions.com/SU/EJKpCtBBQ0plusCkHrwgQkplus8w==
4217.3	Layoff/Rehire - https://simbli.eboardsolutions.com/SU/sq9gotNKC5av6ieplusWoePKA==
4241	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/HilDt0mq6toKw0vAGRcktA==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/A1ITc070plusq5qXGSvtT8tew==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/4MRmnj4J0iqDWVDL3OkzA==
4259	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/frGxQc7Yplus8ZsrZ44lplusJCUQ==
4261	Leaves - https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==
4261	Leaves - https://simbli.eboardsolutions.com/SU/cns2ox14MXb4vgIRlm84fA==
4261.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/7IGWMkFdeFkQBhHk7qxzig==
4261.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/plusoUkP9So5AliHjbMKt2vPQ==
4261.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/XaDfarslshi31XF2rlnR8Mq0Q==
4261.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/qCplusa1C9mz1xTAweVcBslshpQg==
4312.4	Health Examinations - https://simbli.eboardsolutions.com/SU/obiSk8rTaSgKJ7TuV2j8Xw==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/CgnDx1BIZbUtFWHVgyEOGA==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/GVplusn4gQA3IKplus4knVTn0OUw==
4312.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/CqOQJb4XnDnSONdYu7jm2Q==
4312.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/LslshgslshO92fRVOPUpUuUergz7w==
4313.4	Temporary Modified/Light-Duty Assignment - https://simbli.eboardsolutions.com/SU/hSutOK43t9JhsHtXAGV7Gg==

4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/6BM2yTUYAw67FplusFDpspluslNA==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/rplumwwksFJslufmMFbAX0vQ==
4359	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/TKcq760n9RZaplusNRYWW1VUQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLwUQQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/m93RQnCPlYUeeeBo4hULBQ==
4361.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/VCSQ7zJplus5y1nFHLGslshrl5oA==
4361.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/TDKNlltBccHR4plusRFe5iOrA==
4361.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/cX8w9EvJ4JHXiwxyWYyQ4qA==
4361.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/la3YVHiplusFMTKplus4EgUYZ3ow==

Regulation 4261.8: Family Care And Medical Leave

Status: ADOPTED

Original Adopted Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

The district shall not deny any eligible employee the right to family care or medical leave pursuant to the Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA), or to Pregnancy Disability Leave (PDL), when an employee is disabled by a pregnancy, childbirth, or related medical condition. The district shall not interfere with, restrain, or deny the exercise of an employee's right to any such leave, nor shall the district discharge, discriminate against, or retaliate against an employee for taking such leave, opposing or challenging an unlawful employment practice in relation to any of these laws, or being involved in any related inquiry or proceeding. (Government Code 12945, 12945.2; 2 CCR 11094; 29 USC 2615)

Definitions

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified.

Child means a biological, adopted, or foster child; a stepchild; a legal ward; or a person to whom the employee stands in loco parentis. For purposes of CFRA leave, child also includes a child of a registered domestic partner. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611)

Eligible employee, for FMLA and CFRA purposes, means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the 12 months immediately preceding the leave. However, these requirements shall not apply when an employee applies for PDL. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.110)

Eligible family member means an employee's child, parent, or spouse. For purposes of leave to care for a family member with a serious health condition pursuant to CFRA, eligible family member includes an employee's child, parent, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, or sibling. (Government Code 12945.2; 2 CCR 11087; 29 USC 2612)

Employee disabled by pregnancy means an employee whose health care provider states that the employee is: (2 CCR 11035)

1. Unable because of pregnancy to perform any one or more of the essential functions of the job or to perform any of them without undue risk to the employee or other persons or to the pregnancy's successful completion
2. Suffering from severe "morning sickness" or needs to take time off for prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, postpartum depression, childbirth, loss or end of pregnancy, recovery from childbirth or loss or end of pregnancy, or any other pregnancy-related condition

Parent means a biological, foster, or adoptive parent; a parent-in-law; a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child. However, for FMLA purposes, parent does not include a spouse's parents. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.122)

Serious health condition means an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or an eligible family member of the employee that involves either inpatient care or continuing treatment, including treatment for substance abuse, as follows: (Government Code 12945.2; 2 CCR 11087, 11097; 29 USC 2611, 2612; 29 CFR 825.113-825.115)

1. Inpatient care in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity

A person is considered an inpatient when formally admitted to a health care facility with the expectation of remaining overnight and occupying a bed, even if it later develops that the person can be discharged or transferred to another facility and does not actually remain overnight.

Incapacity means the inability to work, attend school, or perform other regular daily activities due to a serious

health condition, its treatment, or the recovery that it requires.

2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
 - a. A period of incapacity of more than three consecutive full days
 - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
 - c. Any period of incapacity due to pregnancy or for prenatal care under FMLA
 - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective
 - e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

Spouse means a partner in marriage as defined in Family Code 300, including same sex partners in marriage. For purposes of CFRA leave, spouse also includes a registered domestic partner within the meaning of Family Code 297-297.5. (Family Code 297, 297.5, 300; 2 CCR 11087; 29 CFR 825.122)

Eligibility/Purposes of Leave

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (Government Code 12945.2; 29 USC 2612; 29 CFR 825.112, 825.126, 825.127)

1. The birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child (parental leave)
2. The care of an eligible family member with a serious health condition
3. The employee's own serious health condition that makes the employee unable to perform the job functions of the position
4. A qualifying exigency arising out of the fact that the employee's spouse, child, parent, or, for CFRA leave only, a registered domestic partner, is a military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty)
5. The care of a covered servicemember with a serious injury or illness when the employee is a spouse, child, parent, or next of kin of the covered servicemember

In addition, the district shall grant PDL to any employee who is disabled by pregnancy, childbirth, or other related medical condition. (Government Code 12945; 2 CCR 11037)

Terms of Leave

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. (Government Code 12945.2; 29 USC 2612)

OPTION 1: The 12-month period shall coincide with the calendar year. (29 CFR 825.200)

OPTION 2: The 12-month period shall coincide with the fiscal year. (29 CFR 825.200)

OPTION 3: The 12-month period shall be measured forward from the date the employee's first family care and medical leave begins. (29 CFR 825.200)

OPTION 4: The 12-month period shall be a rolling period measured backward from the date an employee uses any

family care and medical leave, as defined in 29 CFR 825.200. (29 CFR 825.200)

In addition, any employee who is disabled by pregnancy, childbirth, or other related condition shall be entitled to PDL for the period of the disability not to exceed four months. For a part-time employee, the four months shall be calculated on a proportional basis. (Government Code 12945; 2 CCR 11042)

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks, for the reason of the birth of a child or to bond with or care for the child. (Government Code 12945, 12945.2; 2 CCR 11046, 11093)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. (2 CCR 11090; 29 USC 2612)

Each eligible employee shall be granted up to 12 work weeks for family care and medical leave related to the birth or placement of a child, regardless of whether both parents of the child work for the district.

Use/Substitution of Paid Leave

OPTION 1: During any otherwise unpaid period of FMLA or CFRA leave, except leave for an employee's own serious health condition, an employee shall use accrued paid leave, including, but not limited to, vacation leave, personal leave, or family leave. If the leave is for the employee's own serious health condition, the employee shall use accrued paid leave, including but not limited to, vacation leave, personal leave, or sick leave. During an unpaid period of PDL, the employee shall use any accrued sick leave and may elect to use any vacation time or other accrued personal time off. (Government Code 12945, 12945.2; 2 CCR 11044, 11092; 29 USC 2612)

OPTION 2: During any otherwise unpaid period of PDL or any FMLA or CFRA leave, the employee may elect to use accrued vacation leave, or any other paid time off negotiated with the district that the employee is eligible to use. If the leave is for the employee's own serious health condition or PDL, the employee may also elect to use accrued sick leave during the period of leave. (Government Code 12945, 12945.2; 2 CCR 11044; 11092; 29 USC 2612)

The district and employee may also come to agreement regarding the use of any additional paid or unpaid time off instead of using the employee's CFRA leave. (2 CCR 11092)

Intermittent Leave/Reduced Work or Leave Schedule

PDL and family care and medical leave for the serious health condition of an employee or eligible family member may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district shall limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave provided it is not to be greater than one hour. (Government Code 12945.2; 2 CCR 11042, 11090; 29 USC 2612)

The basic minimum duration of leave for the birth, adoption, or foster care placement of a child shall be two weeks. However, the district shall grant a request for such leave of less than two weeks on any two occasions. (2 CCR 11090; 29 USC 2612)

The district may require an employee to transfer temporarily to an available alternative position under any of the following circumstances: (2 CCR 11041, 11090; 29 USC 2612)

1. The employee needs intermittent leave or leave on a reduced work schedule that is foreseeable based on a planned medical treatment for the employee or family member.
2. A medical certification is provided by the employee's health care provider that, because of pregnancy, the employee has a medical need to take intermittent leave or leave on a reduced work schedule.

3. The district agrees to permit intermittent leave or leave on a reduced work schedule due to the birth, adoption, or foster care placement of the employee's child.

The alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 11041, 11090; 29 USC 2612)

Request for Leave

The district shall consider an employee's request for PDL or family care and medical leave only if the employee provides at least verbal notice sufficient to make the district aware of the need to take the leave and the anticipated timing and duration of the leave. (2 CCR 11050, 11091)

For family care and medical leave, the employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement. However, the employee must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 11091)

The district shall respond to requests for leave as soon as practicable, but no later than five business days after receiving the employee's request. (2 CCR 11091)

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. Failure of an employee to respond to permissible inquiries regarding the leave request may result in denial of CFRA protection if the district is unable to determine whether the leave is CFRA qualifying. (2 CCR 11091; 29 CFR 825.300)

When an employee is able to foresee the need for PDL or family care and medical leave at least 30 days in advance of the leave, the employee shall provide the district with at least 30 days advance notice before the leave. When the 30 days' notice is not practicable because of a lack of knowledge of when leave will be required to begin, a change in circumstances, a medical emergency, or other good cause, the employee shall provide the district with notice as soon as practicable. Failure of an employee to provide required notice may result in a denial of leave. (2 CCR 11050, 11091)


In all instances, the employee shall consult with the Superintendent or designee and make a reasonable effort to schedule, subject to the health care provider's approval, any planned appointment or medical treatment or supervision so as to minimize disruption to district operations. (Government Code 12945.2; 2 CCR 11050, 11091)

Certification of Health Condition

Within five business days of an employee's request for family care and medical leave for the serious health condition of the employee or an eligible family member, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 calendar days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (2 CCR 11087, 11091; 29 CFR 825.305)


The certification shall include the following: (Government Code 12945.2; 2 CCR 11087; 29 USC 2613)

1. The date on which the serious health condition began
2. The probable duration of the condition
3. If the employee is requesting leave to care for an eligible family member with a serious health condition, both of the following:

- 
- a. Statement that the serious health condition warrants the participation of the employee to provide care, such as by providing psychological comfort, arranging for third party care, or directly providing or participating in the medical care of the eligible family member during a period of the treatment or supervision
 - b. Estimated amount of time the health care provider believes the employee needs to care for the eligible family member
4. If the employee is requesting leave because of the employee's own serious health condition, a statement that due to the serious health condition, the employee is unable to work at all or is unable to perform one or more essential job functions of the position
 5. If the employee is requesting leave for intermittent treatment or on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

The Superintendent or designee shall not request any genetic information related to an employee except as authorized by law in accordance with the California Genetic Information Nondiscrimination Act of 2011. (Government Code 12940)

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA leave as long as appropriate notice is given to the employee and there is no harm or injury to the employee. (2 CCR 11091; 29 CFR 825.301)




If the Superintendent or designee has a good faith objective reason to doubt the validity of a certification that accompanies a request for leave for the employee's own serious health condition, the Superintendent or designee may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (Government Code 12945.2; 2 CCR 11091; 29 USC 2613)

Certification for PDL

The Superintendent or designee shall request that an employee who is requesting PDL provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if the Superintendent or designee has reason to question the appropriateness of the leave or its duration. (2 CCR 11050)

For PDL that is foreseeable and for which at least 30 days' notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 calendar days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 11050)

Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because the employee is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 11050)



If additional PDL or family care and medical leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified for the leave. (Government Code 12945.2; 2 CCR 11050; 29 USC 2613)

Release to Return to Work

Upon expiration of an employee's PDL or family care and medical leave taken for the employee's own serious health condition, the employee shall present certification from the health care provider of the employee's ability to resume work. The certification shall address the employee's ability to perform the essential job functions of the position.

Rights to Reinstatement

Upon granting an employee's request for PDL or FMLA/CFRA leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends. (Government Code 12945.2; 2 CCR 11043, 11089; 29 USC 2614)

The district may refuse to reinstate an employee to the same or a comparable position if the FMLA/CFRA leave was fraudulently obtained by the employee. (2 CCR 11089; 29 CFR 825.216)

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR 11043)

Maintenance of Benefits/Failure to Return from Leave

During the period when an employee is on PDL or family care and medical leave, the employee shall maintain employee status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (Government Code 12945.2; 2 CCR 11092; 29 USC 2614)

For up to a maximum of four months for PDL and 12 work weeks for other family care and medical leave, the district shall continue to provide an eligible employee the group health plan coverage that was in place before the employee took the leave. The employee shall reimburse the district for premiums paid during the leave if the employee fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control. (Government Code 12945.2; 2 CCR 11044, 11092; 29 USC 2614; 29 CFR 825.213)

In addition, during the period when an employee is on PDL or family care and medical leave, the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose.

However, for purposes of pension and retirement plans, the district shall not make plan payments for an employee during any unpaid portion of the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2; 2 CCR 11044, 11092)

Military Family Leave Resulting from Qualifying Exigencies

An eligible employee may take up to 12 work weeks of unpaid FMLA/CFRA leave, during each 12-month period established by the district in the section entitled "Terms of Leave" above, for one or more qualifying exigencies while the employee's child, parent, spouse, or, for purposes of CFRA leave, registered domestic partner, who is a military member is on covered active duty or on call to covered active duty status. (Government Code 12945.2; 29 USC 2612; 29 CFR 825.126)

Covered active duty means, for members of the Regular Armed forces, duty during the deployment of a member of the regular Armed Forces to a foreign country or, for members of the Reserve components of the Armed forces, duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or an order to active duty in support of a contingency operation pursuant to law. Deployment to a foreign county includes deployment to international waters. (29 USC 2611; 29 CFR 825.126)

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment of up to seven calendar days from the date of receipt of call or order of short notice deployment
2. Attend military events and related activities, such as any official ceremony or family assistance program related

to the covered active duty or call to covered active duty status

3. Arrange child care or attend school activities arising from the covered active duty or call to covered active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to 15 calendar days of leave per instance) with a military member who is on short-term, temporary, rest and recuperation leave during deployment
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings
8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
9. Address any other event that the employee and district agree is a qualifying exigency

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

An employee who is requesting leave for qualifying exigencies shall provide the Superintendent or designee with a copy of the military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave. The certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced work or leave schedule basis. (29 CFR 825.302)

During the period of qualified exigency leave, the district's rule regarding an employee's use of accrued vacation leave and any other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Military Caregiver Leave

The district shall grant an eligible employee up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date the leave is taken, to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, the employee must be the spouse, child, parent, or next of kin of the covered servicemember. This 26-week period is inclusive of the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember may be: (29 CFR 825.127)

1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness
2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

Child of a covered servicemember means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or child for whom the covered servicemember stood in loco parentis, and who is of any age. (29 CFR 825.127)

Parent of a covered servicemember means the covered servicemember's biological, adopted, step, or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law"). (29 CFR 825.127)

Next of kin means the nearest blood relative to the covered servicemember, other than the spouse, parent, or child, unless designated in writing by the covered servicemember. (29 USC 2611, 2612; 29 CFR 825.127)

Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

Serious injury or illness means: (29 USC 2611; 29 CFR 825.127)

1. For a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.
2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran and that is at least one of the following:
 - a. A continuation of a serious injury or illness incurred or aggravated while the veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating
 - b. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs (VA) Service-Related Disability Rating of 50 percent or greater, based wholly or partly on that physical or mental condition
 - c. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of one or more disabilities related to the servicemember's military service or that would do so but for treatment received by the veteran
 - d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

The leave may be taken intermittently or on a reduced work or leave schedule when medically necessary. An employee taking military caregiver leave in combination with other family care and medical leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

During the period of military caregiver leave, the district's rule regarding an employee's use of accrued vacation leave and other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Notifications

The Superintendent or designee shall provide the following notifications regarding state and federal law related to PDL or FMLA/CFRA leave:

1. General Notice: Information explaining the provisions of the Fair Employment and Housing Act/PDL and FMLA/CFRA and employees' rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (2 CCR 11049, 11095; 29 USC 2619)
2. The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days' notice of the need for the requested leave, when the need is reasonably foreseeable at least 30 days prior to the start of the leave. (2 CCR 11049, 11050, 11091)
3. Eligibility Notice: When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of eligibility to take such leave. (2 CCR 11049, 11091; 29 CFR 825.300)
4. Rights and Responsibilities Notice: Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as applicable: (29 CFR 825.300)
 - a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying
 - b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
 - c. The employee's right to use paid leave, whether the district will require use of paid leave, conditions related to any use of paid leave, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave
 - d. Any requirements for the employee to make premium payments necessary to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis
 - e. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
 - f. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

5. Designation Notice: When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, the Superintendent or designee shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (2 CCR 11091; 29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

6. If the district requires paid leave to be used during an otherwise unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a release to return to work certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement. (2 CCR 11091, 11097; 29 CFR 825.300)

Any time the information provided in the designation notice changes, the Superintendent or designee shall,

within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

Records

The Superintendent or designee shall maintain records pertaining to an individual employee's use of FMLA or CFRA leave or PDL in accordance with law. (Government Code 12946; 29 USC 2616; 42 USC 2000ff-1; 29 CFR 825.500)

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

2 CCR 11035-11051

Description

Unlawful sex discrimination: pregnancy, childbirth and related medical conditions -

<https://simbli.eboardsolutions.com/SU/GplusgYNhBplus6hlimWMYAuhwJw==>

2 CCR 11087-11098

California Family Rights Act -

<https://simbli.eboardsolutions.com/SU/abM0slshHCKrMbGboplusCdDilag==>

Ed. Code 44965

Granting of leaves of absence for pregnancy and childbirth

Fam. Code 297-297.5

Rights, protections, benefits under the law; registered domestic partners

Fam. Code 300

Definition of marriage

Gov. Code 12926

Definitions

Gov. Code 12940

Unlawful discriminatory employment practices

Gov. Code 12945

Unlawful discrimination based on pregnancy, childbirth, or related medical conditions

Gov. Code 12945.1-12945.2

California Family Rights Act

Gov. Code 12945.6

Parental leave

Gov. Code 12946

Fair employment and Housing Act: discrimination prohibited

Federal References

Description

1 USC 7

Definition of marriage and spouse -

<https://simbli.eboardsolutions.com/SU/zna14bZkEoCO5ILKxeKqGw==>

29 CFR 825.100-825.702

Family and Medical Leave Act of 1993

29 USC 2601-2654

Family Care and Medical Leave Act

42 USC 2000ff-2000ff-11

Genetic Information Nondiscrimination Act of 2008

Management Resources References

Description

Court Decision

Faust v. California Portland Cement Company, (2007) 150 Cal.App.4th 864

Court Decision

Tellis v. Alaska Airlines, (9th Cir., 2005) 414 F.3d 1045

Court Decision

United States v. Windsor, (2013) 699 F.3d 169

U.S. Department of Labor Publication

Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers

Website

U.S. Department of Labor, FMLA -

<https://simbli.eboardsolutions.com/SU/gTctHyc7Ra9nNTUgNmxAhw==>

Website

California Department of Fair Employment and Housing -

<https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K4Qjw==>

Cross References

Description

0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==
0470	COVID-19 Mitigation Plan - https://simbli.eboardsolutions.com/SU/UonRXG6LPiZi7EgvplusqAd8g==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/tuHL5JjVCCjJcBx3RI3Hfw==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/ZEoW4ZKHcT3nfqLxRTR1fw==
1113-E(1)	District And School Web Sites - https://simbli.eboardsolutions.com/SU/i5TLslsh83D1nplusoytHTIsM6ew==
2121	Superintendent's Contract - https://simbli.eboardsolutions.com/SU/fcslsh1ixO2EdCt2pz2NabYqA==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/z8saAb1i9vjlsishyJNjiXOrA==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943QTXDnJq9P0DHTilzg==
4032	Reasonable Accommodation - https://simbli.eboardsolutions.com/SU/DZueYkplusHoNslsh53DXislsih6mLw==
4033	Lactation Accommodation - https://simbli.eboardsolutions.com/SU/mBwCbA6CkbzZwsishCYfb2JvQ==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/NtHKIeuKt9J8bge0adj3gg==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/tUslshewyAvQpluseaA5VjOFaFlw==
4112.4	Health Examinations - https://simbli.eboardsolutions.com/SU/slLMslshxLI2YOPYoMMU2U7w==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/slshnzMWdvaZpZNpZplusoEf8ILQ==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/plusx1slshGxTJQKJXLOKryP8gplusg==
4112.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/lzOl6slshnrcwplusn8LplusKslshvswfw==
4112.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/BjEd40hv6bJfirolKsHpQQ==
4113.4	Temporary Modified/Light-Duty Assignment - https://simbli.eboardsolutions.com/SU/slshxtjrQ1xiXTplus25crk5NJUg==
4117.3	Personnel Reduction - https://simbli.eboardsolutions.com/SU/42Hj6RreDPO0Nvlww41j4g==
4141	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/wSbplusNslshzmwtp8Du1J7fxoGg==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/8w7jXCSa7Dmj2OhsA1O4mg==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/bUKajshf9NH4tnZI9utk7g==
4161	Leaves - https://simbli.eboardsolutions.com/SU/EEXMgObslshqslshiKqtJJUX7vSg==
4161	Leaves - https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw==
4161.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/wmtZ2H4oDc4HcrB9slshN1zcw==

4161.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/Kzco4u58yiplus7nknYGxazpw==
4161.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/BTEFJvZiOBplus6SWmBBKtR6w==
4161.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/wpNf7hlkepJRy32hChSplus3g==
4212.4	Health Examinations - https://simbli.eboardsolutions.com/SU/RQiw5kZICOmkgFEHCuVAlA==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/QgiTxWzNHPacaieY2R44UQ==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/vRslshvw9XAfld9jXuR4KOLkg==
4212.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/mHaW9FbnocL5Pl6rr10dMw==
4212.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/U68jKBBwiztUHegLtPjM0w==
4213.4	Temporary Modified/Light-Duty Assignment - https://simbli.eboardsolutions.com/SU/EJKpCtBBQ0plusCkHrwgQkplus8w==
4217.3	Layoff/Rehire - https://simbli.eboardsolutions.com/SU/sq9gotNKC5av6ieplusWoePKA==
4241	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/HilDt0mq6toKw0vAGRcktA==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/A1ITc070plusq5qXGSvtT8tew==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/4MRmnj4J0iqDWVDL3OkzA==
4259	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/fRGxOc7Yplus8ZsrZ44lplusJCUQ==
4261	Leaves - https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==
4261	Leaves - https://simbli.eboardsolutions.com/SU/cns2ox14MXb4vgIRlm84fA==
4261.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/7IGWMkFdeFkQBbHk7qxyzig==
4261.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/plusoUkP9So5AliHJbMKt2vPQ==
4261.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/XaDfarslshi31XF2rlnR8MqOQ==
4261.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/qCplusa1C9mz1xTAweVcBslshpQg==
4312.4	Health Examinations - https://simbli.eboardsolutions.com/SU/obiSk8rTaSgKJ7TuV2j8Xw==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/CgnDx1BlZbUtFWHVgyEOgA==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/GVplusn4gQA3IKplus4knVTn0OUw==
4312.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/CqOQlb4XnDnSONdYu7jm2Q==
4312.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/LslshgslshO92fRVopUpuUergz7w==
4313.4	Temporary Modified/Light-Duty Assignment - https://simbli.eboardsolutions.com/SU/h5utOK43t9JhsHtXAGV7Gg==

4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/6BM2yTUYAw67FplusFDpspluslNA==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/rplusmwwksFJslufmMEbAX0vQ==
4359	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/TKcq760n9RZaplusNRYWW1VUQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgIwUOQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/m93RQnCplyUeeeBo4hULBQ==
4361.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/VCSQ7zJplus5y1nFHLGslshrI5oA==
4361.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/TDKNIltBccHR4plusREe5iOrA==
4361.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/cX8w9EvJ4JHXiwxYWYyQ4qA==
4361.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/la3YVHiplusFMTKplus4EgUYZ3ow==

Regulation 4361.8: Family Care And Medical Leave

Status: ADOPTED

Original Adopted Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

The district shall not deny any eligible employee the right to family care or medical leave pursuant to the Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA), or to Pregnancy Disability Leave (PDL), when an employee is disabled by a pregnancy, childbirth, or related medical condition. The district shall not interfere with, restrain, or deny the exercise of an employee's right to any such leave, nor shall the district discharge, discriminate against, or retaliate against an employee for taking such leave, opposing or challenging an unlawful employment practice in relation to any of these laws, or being involved in any related inquiry or proceeding. (Government Code 12945, 12945.2; 2 CCR 11094; 29 USC 2615)

Definitions

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified.

Child means a biological, adopted, or foster child; a stepchild; a legal ward; or a person to whom the employee stands in loco parentis. For purposes of CFRA leave, child also includes a child of a registered domestic partner. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611)

Eligible employee, for FMLA and CFRA purposes, means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the 12 months immediately preceding the leave. However, these requirements shall not apply when an employee applies for PDL. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.110)

Eligible family member means an employee's child, parent, or spouse. For purposes of leave to care for a family member with a serious health condition pursuant to CFRA, eligible family member includes an employee's child, parent, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, or sibling. (Government Code 12945.2; 2 CCR 11087; 29 USC 2612)

Employee disabled by pregnancy means an employee whose health care provider states that the employee is: (2 CCR 11035)

1. Unable because of pregnancy to perform any one or more of the essential functions of the job or to perform any of them without undue risk to the employee or other persons or to the pregnancy's successful completion
2. Suffering from severe "morning sickness" or needs to take time off for prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, postpartum depression, childbirth, loss or end of pregnancy, recovery from childbirth or loss or end of pregnancy, or any other pregnancy-related condition

Parent means a biological, foster, or adoptive parent; a parent-in-law; a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child. However, for FMLA purposes, parent does not include a spouse's parents. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.122)

Serious health condition means an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or an eligible family member of the employee that involves either inpatient care or continuing treatment, including treatment for substance abuse, as follows: (Government Code 12945.2; 2 CCR 11087, 11097; 29 USC 2611, 2612; 29 CFR 825.113-825.115)

1. Inpatient care in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity

A person is considered an inpatient when formally admitted to a health care facility with the expectation of remaining overnight and occupying a bed, even if it later develops that the person can be discharged or transferred to another facility and does not actually remain overnight.

Incapacity means the inability to work, attend school, or perform other regular daily activities due to a serious

health condition, its treatment, or the recovery that it requires.

2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
 - a. A period of incapacity of more than three consecutive full days
 - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
 - c. Any period of incapacity due to pregnancy or for prenatal care under FMLA
 - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective
 - e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

Spouse means a partner in marriage as defined in Family Code 300, including same sex partners in marriage. For purposes of CFRA leave, spouse also includes a registered domestic partner within the meaning of Family Code 297-297.5. (Family Code 297, 297.5, 300; 2 CCR 11087; 29 CFR 825.122)

Eligibility/Purposes of Leave

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (Government Code 12945.2; 29 USC 2612; 29 CFR 825.112, 825.126, 825.127)

1. The birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child (parental leave)
2. The care of an eligible family member with a serious health condition
3. The employee's own serious health condition that makes the employee unable to perform the job functions of the position
4. A qualifying exigency arising out of the fact that the employee's spouse, child, parent, or, for CFRA leave only, a registered domestic partner, is a military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty)
5. The care of a covered servicemember with a serious injury or illness when the employee is a spouse, child, parent, or next of kin of the covered servicemember

In addition, the district shall grant PDL to any employee who is disabled by pregnancy, childbirth, or other related medical condition. (Government Code 12945; 2 CCR 11037)

Terms of Leave

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. (Government Code 12945.2; 29 USC 2612)

OPTION 1: The 12-month period shall coincide with the calendar year. (29 CFR 825.200)

OPTION 2: The 12-month period shall coincide with the fiscal year. (29 CFR 825.200)

OPTION 3: The 12-month period shall be measured forward from the date the employee's first family care and medical leave begins. (29 CFR 825.200)

OPTION 4: The 12-month period shall be a rolling period measured backward from the date an employee uses any

family care and medical leave, as defined in 29 CFR 825.200. (29 CFR 825.200)

In addition, any employee who is disabled by pregnancy, childbirth, or other related condition shall be entitled to PDL for the period of the disability not to exceed four months. For a part-time employee, the four months shall be calculated on a proportional basis. (Government Code 12945; 2 CCR 11042)

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks, for the reason of the birth of a child or to bond with or care for the child. (Government Code 12945, 12945.2; 2 CCR 11046, 11093)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. (2 CCR 11090; 29 USC 2612)

Each eligible employee shall be granted up to 12 work weeks for family care and medical leave related to the birth or placement of a child, regardless of whether both parents of the child work for the district.

Use/Substitution of Paid Leave

OPTION 1: During any otherwise unpaid period of FMLA or CFRA leave, except leave for an employee's own serious health condition, an employee shall use accrued paid leave, including, but not limited to, vacation leave, personal leave, or family leave. If the leave is for the employee's own serious health condition, the employee shall use accrued paid leave, including but not limited to, vacation leave, personal leave, or sick leave. During an unpaid period of PDL, the employee shall use any accrued sick leave and may elect to use any vacation time or other accrued personal time off. (Government Code 12945, 12945.2; 2 CCR 11044, 11092; 29 USC 2612)

OPTION 2: During any otherwise unpaid period of PDL or any FMLA or CFRA leave, the employee may elect to use accrued vacation leave, or any other paid time off negotiated with the district that the employee is eligible to use. If the leave is for the employee's own serious health condition or PDL, the employee may also elect to use accrued sick leave during the period of leave. (Government Code 12945, 12945.2; 2 CCR 11044; 11092; 29 USC 2612)

The district and employee may also come to agreement regarding the use of any additional paid or unpaid time off instead of using the employee's CFRA leave. (2 CCR 11092)

Intermittent Leave/Reduced Work or Leave Schedule

PDL and family care and medical leave for the serious health condition of an employee or eligible family member may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district shall limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave provided it is not to be greater than one hour. (Government Code 12945.2; 2 CCR 11042, 11090; 29 USC 2612)

The basic minimum duration of leave for the birth, adoption, or foster care placement of a child shall be two weeks. However, the district shall grant a request for such leave of less than two weeks on any two occasions. (2 CCR 11090; 29 USC 2612)

The district may require an employee to transfer temporarily to an available alternative position under any of the following circumstances: (2 CCR 11041, 11090; 29 USC 2612)

1. The employee needs intermittent leave or leave on a reduced work schedule that is foreseeable based on a planned medical treatment for the employee or family member.
2. A medical certification is provided by the employee's health care provider that, because of pregnancy, the employee has a medical need to take intermittent leave or leave on a reduced work schedule.

3. The district agrees to permit intermittent leave or leave on a reduced work schedule due to the birth, adoption, or foster care placement of the employee's child.

The alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 11041, 11090; 29 USC 2612)

Request for Leave

The district shall consider an employee's request for PDL or family care and medical leave only if the employee provides at least verbal notice sufficient to make the district aware of the need to take the leave and the anticipated timing and duration of the leave. (2 CCR 11050, 11091)

For family care and medical leave, the employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement. However, the employee must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 11091)

The district shall respond to requests for leave as soon as practicable, but no later than five business days after receiving the employee's request. (2 CCR 11091)

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. Failure of an employee to respond to permissible inquiries regarding the leave request may result in denial of CFRA protection if the district is unable to determine whether the leave is CFRA qualifying. (2 CCR 11091; 29 CFR 825.300)

When an employee is able to foresee the need for PDL or family care and medical leave at least 30 days in advance of the leave, the employee shall provide the district with at least 30 days advance notice before the leave. When the 30 days' notice is not practicable because of a lack of knowledge of when leave will be required to begin, a change in circumstances, a medical emergency, or other good cause, the employee shall provide the district with notice as soon as practicable. Failure of an employee to provide required notice may result in a denial of leave. (2 CCR 11050, 11091)

In all instances, the employee shall consult with the Superintendent or designee and make a reasonable effort to schedule, subject to the health care provider's approval, any planned appointment or medical treatment or supervision so as to minimize disruption to district operations. (Government Code 12945.2; 2 CCR 11050, 11091)

Certification of Health Condition

Within five business days of an employee's request for family care and medical leave for the serious health condition of the employee or an eligible family member, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 calendar days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (2 CCR 11087, 11091; 29 CFR 825.305)

The certification shall include the following: (Government Code 12945.2; 2 CCR 11087; 29 USC 2613)

1. The date on which the serious health condition began
2. The probable duration of the condition
3. If the employee is requesting leave to care for an eligible family member with a serious health condition, both of the following:

- a. Statement that the serious health condition warrants the participation of the employee to provide care, such as by providing psychological comfort, arranging for third party care, or directly providing or participating in the medical care of the eligible family member during a period of the treatment or supervision
 - b. Estimated amount of time the health care provider believes the employee needs to care for the eligible family member
4. If the employee is requesting leave because of the employee's own serious health condition, a statement that due to the serious health condition, the employee is unable to work at all or is unable to perform one or more essential job functions of the position
5. If the employee is requesting leave for intermittent treatment or on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

The Superintendent or designee shall not request any genetic information related to an employee except as authorized by law in accordance with the California Genetic Information Nondiscrimination Act of 2011. (Government Code 12940)

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA leave as long as appropriate notice is given to the employee and there is no harm or injury to the employee. (2 CCR 11091; 29 CFR 825.301)

If the Superintendent or designee has a good faith objective reason to doubt the validity of a certification that accompanies a request for leave for the employee's own serious health condition, the Superintendent or designee may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (Government Code 12945.2; 2 CCR 11091; 29 USC 2613)

Certification for PDL

The Superintendent or designee shall request that an employee who is requesting PDL provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if the Superintendent or designee has reason to question the appropriateness of the leave or its duration. (2 CCR 11050)

For PDL that is foreseeable and for which at least 30 days' notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 calendar days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 11050)

Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because the employee is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 11050)

If additional PDL or family care and medical leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified for the leave. (Government Code 12945.2; 2 CCR 11050; 29 USC 2613)

Release to Return to Work

Upon expiration of an employee's PDL or family care and medical leave taken for the employee's own serious health condition, the employee shall present certification from the health care provider of the employee's ability to resume work. The certification shall address the employee's ability to perform the essential job functions of the position.

Rights to Reinstatement

Upon granting an employee's request for PDL or FMLA/CFRA leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends. (Government Code 12945.2; 2 CCR 11043, 11089; 29 USC 2614)

The district may refuse to reinstate an employee to the same or a comparable position if the FMLA/CFRA leave was fraudulently obtained by the employee. (2 CCR 11089; 29 CFR 825.216)

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR 11043)

Maintenance of Benefits/Failure to Return from Leave

During the period when an employee is on PDL or family care and medical leave, the employee shall maintain employee status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (Government Code 12945.2; 2 CCR 11092; 29 USC 2614)

For up to a maximum of four months for PDL and 12 work weeks for other family care and medical leave, the district shall continue to provide an eligible employee the group health plan coverage that was in place before the employee took the leave. The employee shall reimburse the district for premiums paid during the leave if the employee fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control. (Government Code 12945.2; 2 CCR 11044, 11092; 29 USC 2614; 29 CFR 825.213)

In addition, during the period when an employee is on PDL or family care and medical leave, the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose.

However, for purposes of pension and retirement plans, the district shall not make plan payments for an employee during any unpaid portion of the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2; 2 CCR 11044, 11092)

Military Family Leave Resulting from Qualifying Exigencies

An eligible employee may take up to 12 work weeks of unpaid FMLA/CFRA leave, during each 12-month period established by the district in the section entitled "Terms of Leave" above, for one or more qualifying exigencies while the employee's child, parent, spouse, or, for purposes of CFRA leave, registered domestic partner, who is a military member is on covered active duty or on call to covered active duty status. (Government Code 12945.2; 29 USC 2612; 29 CFR 825.126)

Covered active duty means, for members of the Regular Armed forces, duty during the deployment of a member of the regular Armed Forces to a foreign country or, for members of the Reserve components of the Armed forces, duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or an order to active duty in support of a contingency operation pursuant to law. Deployment to a foreign county includes deployment to international waters. (29 USC 2611; 29 CFR 825.126)

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment of up to seven calendar days from the date of receipt of call or order of short notice deployment
2. Attend military events and related activities, such as any official ceremony or family assistance program related

to the covered active duty or call to covered active duty status

3. Arrange child care or attend school activities arising from the covered active duty or call to covered active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to 15 calendar days of leave per instance) with a military member who is on short-term, temporary, rest and recuperation leave during deployment
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings
8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
9. Address any other event that the employee and district agree is a qualifying exigency

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

An employee who is requesting leave for qualifying exigencies shall provide the Superintendent or designee with a copy of the military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave. The certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced work or leave schedule basis. (29 CFR 825.302)

During the period of qualified exigency leave, the district's rule regarding an employee's use of accrued vacation leave and any other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Military Caregiver Leave

The district shall grant an eligible employee up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date the leave is taken, to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, the employee must be the spouse, child, parent, or next of kin of the covered servicemember. This 26-week period is inclusive of the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember may be: (29 CFR 825.127)

1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness
2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

Child of a covered servicemember means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or child for whom the covered servicemember stood in loco parentis, and who is of any age. (29 CFR 825.127)

Parent of a covered servicemember means the covered servicemember's biological, adopted, step, or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law"). (29 CFR 825.127)

Next of kin means the nearest blood relative to the covered servicemember, other than the spouse, parent, or child, unless designated in writing by the covered servicemember. (29 USC 2611, 2612; 29 CFR 825.127)

Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

Serious injury or illness means: (29 USC 2611; 29 CFR 825.127)

1. For a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.
2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran and that is at least one of the following:
 - a. A continuation of a serious injury or illness incurred or aggravated while the veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating
 - b. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs (VA) Service-Related Disability Rating of 50 percent or greater, based wholly or partly on that physical or mental condition
 - c. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of one or more disabilities related to the servicemember's military service or that would do so but for treatment received by the veteran
 - d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

The leave may be taken intermittently or on a reduced work or leave schedule when medically necessary. An employee taking military caregiver leave in combination with other family care and medical leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

During the period of military caregiver leave, the district's rule regarding an employee's use of accrued vacation leave and other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Notifications

The Superintendent or designee shall provide the following notifications regarding state and federal law related to PDL or FMLA/CFRA leave:

1. **General Notice:** Information explaining the provisions of the Fair Employment and Housing Act/PDL and FMLA/CFRA and employees' rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (2 CCR 11049, 11095; 29 USC 2619)
2. The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days' notice of the need for the requested leave, when the need is reasonably foreseeable at least 30 days prior to the start of the leave. (2 CCR 11049, 11050, 11091)
3. **Eligibility Notice:** When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of eligibility to take such leave. (2 CCR 11049, 11091; 29 CFR 825.300)
4. **Rights and Responsibilities Notice:** Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as applicable: (29 CFR 825.300)
 - a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying
 - b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
 - c. The employee's right to use paid leave, whether the district will require use of paid leave, conditions related to any use of paid leave, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave
 - d. Any requirements for the employee to make premium payments necessary to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis
 - e. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
 - f. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

5. **Designation Notice:** When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, the Superintendent or designee shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (2 CCR 11091; 29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

6. If the district requires paid leave to be used during an otherwise unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a release to return to work certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement. (2 CCR 11091, 11097; 29 CFR 825.300)

Any time the information provided in the designation notice changes, the Superintendent or designee shall,

within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

Records

The Superintendent or designee shall maintain records pertaining to an individual employee's use of FMLA or CFRA leave or PDL in accordance with law. (Government Code 12946; 29 USC 2616; 42 USC 2000ff-1; 29 CFR 825.500)

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

2 CCR 11035-11051

Description

Unlawful sex discrimination: pregnancy, childbirth and related medical conditions -

<https://simbli.eboardsolutions.com/SU/GplusgYNhBplus6hlimWMyAuhwJw==>

2 CCR 11087-11098

California Family Rights Act -

<https://simbli.eboardsolutions.com/SU/abM0sishHCKrMbGboplusCdDilag==>

Ed. Code 44965

Granting of leaves of absence for pregnancy and childbirth

Fam. Code 297-297.5

Rights, protections, benefits under the law; registered domestic partners

Fam. Code 300

Definition of marriage

Gov. Code 12926

Definitions

Gov. Code 12940

Unlawful discriminatory employment practices

Gov. Code 12945

Unlawful discrimination based on pregnancy, childbirth, or related medical conditions

Gov. Code 12945.1-12945.2

California Family Rights Act

Gov. Code 12945.6

Parental leave

Gov. Code 12946

Fair employment and Housing Act: discrimination prohibited

Federal References

Description

1 USC 7

Definition of marriage and spouse -

<https://simbli.eboardsolutions.com/SU/zna14bZkEoCQ5lLKxeKqGw==>

29 CFR 825.100-825.702

Family and Medical Leave Act of 1993

29 USC 2601-2654

Family Care and Medical Leave Act

42 USC 2000ff-2000ff-11

Genetic Information Nondiscrimination Act of 2008

Management Resources References

Description

Court Decision

Faust v. California Portland Cement Company, (2007) 150 Cal.App.4th 864

Court Decision

Tellis v. Alaska Airlines, (9th Cir., 2005) 414 F.3d 1045

Court Decision

United States v. Windsor, (2013) 699 F.3d 169

U.S. Department of Labor Publication

Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers

Website

U.S. Department of Labor, FMLA -

<https://simbli.eboardsolutions.com/SU/gTctHyc7Ra9nNTUgNmxAhw==>

Website

California Department of Fair Employment and Housing -

<https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==>

Cross References

Description

0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==
0470	COVID-19 Mitigation Plan - https://simbli.eboardsolutions.com/SU/UonRXG6LPiZi7EgvplusqAd8g==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/tuHL5JjVCCjLcBx3Ri3Hfw==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/ZEoW4ZKHcT3nfqLxRTR1fw==
1113-E(1)	District And School Web Sites - https://simbli.eboardsolutions.com/SU/i5TLslsh83D1nplusoyHTIsM6ew==
2121	Superintendent's Contract - https://simbli.eboardsolutions.com/SU/fcslsh1ixO2EdCt2pz2NabYqA==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/z8saAb1i9vjlsishyJNjIXOrA==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/vx943OTXDnJq9P0DHTilzg==
4032	Reasonable Accommodation - https://simbli.eboardsolutions.com/SU/DZueYkplusHoNslsh53DXislsih6mLw==
4033	Lactation Accommodation - https://simbli.eboardsolutions.com/SU/mBwCbA6CkbzZwslshCYfb2JvQ==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/NtHKleuKt9J8bge0adj3gg==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/tUslshewyAvQpluseaA5VjQFaFlw==
4112.4	Health Examinations - https://simbli.eboardsolutions.com/SU/sllMslshxLI2YOPYoMMU2U7w==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/slszhzMWdvaZpZNpZplusoEf8ILQ==
4112.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/plusx1slshGxTJQKJXLOKYP8gplusg==
4112.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/lzOl6slshnwrwplusn8LplusKslshvfw==
4112.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/BjEd40hv6bJfirolKsHpQQ==
4113.4	Temporary Modified/Light-Duty Assignment - https://simbli.eboardsolutions.com/SU/slshtxjrQ1xiXTplus25crk5NJUg==
4117.3	Personnel Reduction - https://simbli.eboardsolutions.com/SU/42Hj6RreDPOONvllww41j4g==
4141	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/wSbplusNslshzmwtp8Du1J7fxoGg==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/8w7jXCSa7Dmj2OhsA1O4mg==
4154	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/bUKajshf9NH4tnZi9utk7g==
4161	Leaves - https://simbli.eboardsolutions.com/SU/EEXMgObslshqslshiKqtJJUX7vSg==
4161	Leaves - https://simbli.eboardsolutions.com/SU/1j87G85jaeaw3FbkyNX3fw==
4161.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/wmtZ2H4oDc4HcrB9slshN1zcw==
4161.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/Kzco4u58yiplus7nknYGxazpw==

4161.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/BTEFJvZiOBplus6SWmBBKtR6w==
4161.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/wpNf7hikepJRy32hChSplus3g==
4212.4	Health Examinations - https://simbli.eboardsolutions.com/SU/RQjw5kZICQmkqEEHCuVAlA==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/QgjTxWzNHPacaieY2R44UQ==
4212.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/vRslshvw9XAfld9jXuR4KOLkg==
4212.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/mHaW9EbnocL5Pl6rr10dMw==
4212.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/U68jkBBwiztUHegLtPjM0w==
4213.4	Temporary Modified/Light-Duty Assignment - https://simbli.eboardsolutions.com/SU/EJKpCtBBQ0plusCkHrwgQkplus8w==
4217.3	Layoff/Rehire - https://simbli.eboardsolutions.com/SU/sq9gotNKC5av6ieplusWoePKA==
4241	Collective Bargaining Agreement - https://simbli.eboardsolutions.com/SU/HilDt0mq6toKw0vAGRcktA==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/A1ITc070plusq5qXGSvtT8tew==
4254	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/4MRmnj4J0iqDWVVDL3OkzA==
4259	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/fRGxQc7Yplus8ZsrZ44lplusJCUQ==
4261	Leaves - https://simbli.eboardsolutions.com/SU/NEon3h0paWxSWoNITTqbmA==
4261	Leaves - https://simbli.eboardsolutions.com/SU/cns2ox14MXb4vgIRIm84fA==
4261.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/7IGWMkFdeFkQBbHk7qxzig==
4261.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/plusoUkP9So5AliHJbMKt2vPQ==
4261.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/XaDfarslshi31XF2rlnR8Mq0Q==
4261.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/qCplusa1C9mz1xTAweVcBslshpQg==
4312.4	Health Examinations - https://simbli.eboardsolutions.com/SU/obiSk8rTaSgKJ7TuV2j8Xw==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/CgnDx1BIzbUtFWHVgyEOgA==
4312.42	Drug And Alcohol Testing For School Bus Drivers - https://simbli.eboardsolutions.com/SU/GVplusn4gQA3IKplus4knVTn0OUw==
4312.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/CqQQlb4XnDnSONdYu7jm2Q==
4312.9-E PDF(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/LslshgslshO92fRVoPUpuUergz7w==
4313.4	Temporary Modified/Light-Duty Assignment - https://simbli.eboardsolutions.com/SU/h5utOK43t9JhsHtXAGV7Gg==

4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/6BM2yTUYAw67FplusFDpsplusINA==
4354	Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/rplusmwwksFJslufmMFbAX0yQ==
4359	Employee Assistance Programs - https://simbli.eboardsolutions.com/SU/TKcq760n9RZapplusNRYWW1VUQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/37Bp9HjmWAwCtBvKgLwUOQ==
4361	Leaves - https://simbli.eboardsolutions.com/SU/m93RQnCPLYUeeeBo4hULBQ==
4361.1	Personal Illness/Injury Leave - https://simbli.eboardsolutions.com/SU/VCSQ7zJplus5y1nFHLGslshrI5oA==
4361.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/TDKNIltBccHR4plusREe5i0rA==
4361.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/cX8w9EvJ4JHXiwxYWyQ4qA==
4361.9	Catastrophic Leave Program - https://simbli.eboardsolutions.com/SU/la3YVHiplusFMTKplus4EgUYZ3ow==

Regulation 6173.1: Education For Foster Youth

Status: ADOPTED

Original Adopted Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

Definitions

Foster youth, foster child, or student in foster care means any of the following: (Education Code 42238.01, 48853.5)

1. A child who is the subject of a petition filed pursuant to Welfare and Institutions Code 300, whether or not the child has been removed from the child's home by the juvenile court pursuant to Welfare and Institutions Code 319 or 361.
2. A child who is the subject of a petition filed pursuant to Welfare and Institutions Code 602, has been removed from the child's home by the juvenile court pursuant to Welfare and Institutions Code 727, and is in foster care as defined by Welfare and Institutions Code 727.4(d).
3. A nonminor who is under the transition jurisdiction of a juvenile court, as described in Welfare and Institutions Code 450, and satisfies the criteria specified in Education Code 42238.01.
4. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the court's jurisdiction in accordance with the tribe's law
5. A child who is the subject of a voluntary placement agreement, as defined in Welfare and Institutions Code 11400

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 726.

School of origin means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the foster youth was last enrolled, or if there is another school that the foster youth attended within the preceding 15 months and with which the foster youth is connected, the district liaison for foster youth shall determine, in the best interests of the foster youth, which school shall be deemed the school of origin. This determination shall be made in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the foster youth. (Education Code 48853.5)

Best interests of a foster youth means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the proximity to the school at the time of placement, appropriateness of the educational setting, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853; 20 USC 6311)

District Liaison

The Superintendent designates the following position as the district's liaison for foster youth: (Education Code 48853.5)

(position or title)

(address)

(phone number)

(email)

The liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care (Education Code 48853.5)
2. Ensure proper transfer of credits, records, and grades when students in foster care transfer from one school to another or from one district to another (Education Code 48645.5, 48853.5)

When a student in foster care is enrolling in a district school, the liaison shall contact the school last attended by the student to obtain, within two business days, all academic and other records. When a foster youth is transferring to a new school, the liaison shall provide the student's records to the new school within two business days of receiving the new school's request. (Education Code 48853.5)

3. Notify a foster youth's attorney and the representative of the appropriate county child welfare agency, when required by law for a foster youth who is undergoing any expulsion or other disciplinary proceeding including a manifestation determination for a foster youth who is a student with a disability, prior to a change in the foster youth's placement. (Education Code 48853.5, 48911, 48915.5, 48918.1)
4. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973
5. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services
6. Develop protocols and procedures for creating awareness for district staff, including principals, school registrars, and attendance clerks, of the requirements for the proper enrollment, placement, and transfer of foster youth
7. Collaborate with the county office of education, county placing agency, county child welfare agency, county probation department, juvenile court, and other appropriate agencies to help coordinate instruction, counseling, tutoring, mentoring vocational training, and other related services for the district's foster youth
8. Monitor the educational progress of foster youth and provide reports to the Superintendent or designee and the Governing Board based on indicators identified in the district's local control and accountability plan

The Superintendent or designee shall regularly monitor the liaison's caseload, as well as additional duties outside of the foster youth program, to ensure that adequate time and resources are provided to meet the needs of foster youth in the district.

Enrollment

A student placed in a licensed children's institution or foster family home within the district shall attend programs operated by the district unless one of the following circumstances applies: (Education Code 48853, 48853.5)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency or in another local educational agency.
2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interests of the student to be placed in another education program and submits a written statement to the district indicating that determination and an awareness of the following:
 - a. The student has a right to attend a regular public school in the least restrictive environment.
 - b. The alternate education program is a special education program, if applicable.
 - c. The decision to unilaterally remove the student from the district school and to place the student in an alternate education program may not be financed by the district.
 - d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent/guardian or other person holding the right to make educational decisions for the student.

3. At the initial placement or any subsequent change in placement, the student exercises the right to continue in the school of origin, as defined above. In any such circumstance, the following shall apply:

- a. The student may continue in the school of origin for the duration of the court's jurisdiction.
- b. If the court's jurisdiction over a grade K-8 student is terminated prior to the end of a school year, the student may continue in the school of origin for the remainder of the school year.
- c. If the court's jurisdiction is terminated while the student is in high school, the student may continue in the school of origin through graduation.
- d. If the student is transitioning between school grade levels, the student shall be allowed to continue in the district in the same attendance area to provide the student the benefit of matriculating with the student's peers in accordance with the established feeder patterns of school in the district. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The role of the liaison shall be advisory with respect to placement decisions and determination of the school of origin. (Education Code 48853.5)

The district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the foster youth, recommend that the foster youth's right to attend the school of origin be waived and the foster youth be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interests. (Education Code 48853.5)

Prior to making any recommendation to move a foster youth from the school of origin, the liaison shall provide the foster youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how the recommendation serves the youth's best interests. (Education Code 48853.5)

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the foster youth would be served by a transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth, regardless of whether the foster youth: (Education Code 48853.5)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation

If the foster youth or a person holding the right to make educational decisions for the foster youth disagrees with the liaison's enrollment recommendation, an appeal may be filed with the Superintendent. The Superintendent shall make a determination within 30 calendar days of receipt of the appeal. Within 30 calendar days of receipt of the Superintendent's decision, the foster youth or the person holding the right to make educational decisions for the foster youth may appeal that decision to the Board. The Board shall consider the issue at its next regularly scheduled meeting. The Board's decision shall be final.

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the foster youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

Transportation

The Superintendent or designee shall collaborate with the local child welfare agency to determine how transportation will be provided, arranged, and funded in a cost-effective manner to enable a foster youth to remain in the school of origin, for the duration of the time spent in foster care, when it is in the foster youth's best interest to do so. Such transportation costs may be paid by either the child welfare agency or the district, or shared by both. (20

USC 6312)

Effect of Absences on Grades

The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances: (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the grades shall be calculated as of the date the student left school
2. A verified court appearance or related court-ordered activity

Transfer of Coursework and Credits

When a foster youth transfers into a district school, the district shall accept and issue full credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the foster youth to retake the course. (Education Code 51225.2)

If the entire course was not completed at the previous school, the foster youth shall be issued partial credit for the coursework completed and shall be required to take the uncompleted portion of the course. However, the district may require the foster youth to retake the portion of the course completed if, in consultation with the holder of educational rights for the foster youth, the district finds that the foster youth is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a foster youth in any particular course, the foster youth shall be enrolled in the same or equivalent course, if applicable, to enable the completion of the entire course. (Education Code 51225.2)

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the district prevent a foster youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

Applicability of Graduation Requirements

To obtain a high school diploma, a foster youth shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Board.

However, when a foster youth who has completed the second year of high school transfers into the district from another school district or transfers between high schools within the district, the foster youth shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of the fourth year of high school. Within 30 calendar days of the foster youth's transfer, the Superintendent or designee shall notify the foster youth, the person holding the right to make educational decisions for the foster youth, and the foster youth's social worker of the availability of the exemption and whether the foster youth qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer a foster youth. (Education Code 51225.1)

To determine whether a foster youth is in the third or fourth year of high school, the district shall use either the number of credits the foster youth has earned as of the date of the transfer or the length of school enrollment, whichever qualifies the foster youth for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any foster youth who is granted an exemption and the person holding the right to make educational decisions for the foster youth how any requirements that are waived will affect the foster youth's ability to gain admission to a postsecondary educational institution and shall provide information about

transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a foster youth to transfer schools in order to qualify for an exemption and shall not grant any request made by a foster youth or any person acting on behalf of a foster youth for a transfer solely to qualify the foster youth for an exemption. (Education Code 51225.1)

If a foster youth is exempted from local graduation requirements, the exemption shall continue to apply after the termination of the court's jurisdiction over the student while still enrolled in school or if the foster youth transfers to another school or school district. (Education Code 51225.1)

Upon making a finding that a foster youth is reasonably able to complete district graduation requirements within the fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

1. Inform the foster youth and the person holding the right to make educational decisions for the foster youth of the option to remain in school for a fifth year to complete the district's graduation requirements and how that will affect the foster youth's ability to gain admission to a postsecondary educational institution
2. Provide information to the foster youth about transfer opportunities available through the California Community Colleges
3. Upon agreement with the foster youth or, if under 18 years of age, the person holding the right to make educational decisions for the foster youth, permit the foster youth to stay in school for a fifth year to complete the district's graduation requirements

Eligibility for Extracurricular Activities

A foster youth whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

Notification and Complaints

Information regarding the educational rights of foster youth shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

Any complaint alleging that the district has not complied with requirements regarding the education of foster youth may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures. If the district finds merit in a complaint, the district shall provide a remedy to the affected student. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE) and shall receive a written decision regarding the appeal within 60 days of CDE's receipt of the appeal. If CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

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 4600-4670

Ed. Code 32228-32228.5

Ed. Code 42238.01-42238.07

Ed. Code 42920-42925

Ed. Code 48645-48646

Ed. Code 48850-48859

Description

Uniform complaint procedures

Student safety and violence prevention

Local control funding formula

Foster children educational services

Juvenile court schools

Education of foster youth and homeless students

Ed. Code 48915.5
 Ed. Code 48918.1
 Ed. Code 49061
 Ed. Code 49069.5
 Ed. Code 49076
 Ed. Code 51225.1
 Ed. Code 51225.2
 Ed. Code 51225.3
 Ed. Code 52060-52077
 Ed. Code 56055
 H&S Code 120341
 H&S Code 1522.41
 H&S Code 1529.2
 W&I Code 16000-16014
 W&I Code 300
 W&I Code 309
 W&I Code 317
 W&I Code 361
 W&I Code 366.27
 W&I Code 602
 W&I Code 726
 W&I Code 727

Federal References

20 USC 1415
 20 USC 6311
 29 USC 794
 42 USC 11431-11435
 42 USC 670-679b

Management Resources References

Alliance for Children's Rights Publication
 California Child Welfare Council Publication
 Cities, Counties and Schools Partnership Pub.
 CSBA Publication
 CSBA Publication
 U.S. Department of Education Publication

Website

Website

Website

Recommended expulsion; homeless student with disabilities
 Notice of recommended expulsion
 Definitions, directory information
 Students in foster care; grades and credits
 Access to student records
 Exemption from district graduation requirements
 Course credits
 High school graduation
 Local control and accountability plan
 Rights of foster parents pertaining to foster child's education
 Foster youth; school placement and immunization records
 Training and certification of group home administrators
 Training of licensed foster parents
 Foster care placement
 Minors subject to jurisdiction
 Investigation and release of child
 Appointment of legal counsel
 Limitations on parental control
 Educational decision by relative providing living arrangements
 Minors violating law; ward of court
 Limitations on parental control
 Order of care; ward of court

Description

Procedural safeguards
 State plan
 Rehabilitation Act of 1973; Section 504
 McKinney-Vento Homeless Assistance Act
 Federal assistance for foster care programs

Description

Foster Youth Education Toolkit, December 2016
 Partial Credit Model Policy and Practice Recommendations
 Our Children: Emancipating Foster Youth, A Community Action Guide
 Our Foster Youth: What School Boards Can Do, May 2016
 Foster Youth: Supports for Success, Governance Brief, May 2016
 Ensuring Educational Stability for Children in Foster Care, Non-Regulatory Guidance, June 2016
 Alliance for Children's Rights -
<https://simbli.eboardsolutions.com/SU/AslshlD5FbeFAQXuxyslshDHYfTg==>
 Foster Ed -
<https://simbli.eboardsolutions.com/SU/36IC5WMizFGQ20OYRkL2Lw==>
 National Center for Youth Law -
<https://simbli.eboardsolutions.com/SU/rWqbVi1x2WCuGlcphMslsh2yQ==>

Website	California Department of Education, Foster Youth Services - https://simbli.eboardsolutions.com/SU/R0UWcbkrRcgV9asNsIshPZxnQ==
Website	California Department of Social Services, Foster Youth Ombudsman Office - https://simbli.eboardsolutions.com/SU/L9RgoIMbh4Z3K9vdKFUJ0A==
Website	California Foster Youth Education Task Force - https://simbli.eboardsolutions.com/SU/XrG7Kxmibs5cwWnsme2Pcg==
Website	California Youth Connection - https://simbli.eboardsolutions.com/SU/aT1cPCjxh5QKjXBbA1V\$plusQ==
Website	Cities Counties and Schools Partnership - https://simbli.eboardsolutions.com/SU/vkMU6AgLdg2x1CfasX4n3w==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	California Child Welfare Council - https://simbli.eboardsolutions.com/SU/8BOINMN9mtFkcAjmEbYOGA==

Cross References

Description

0200	Goals For The School District - https://simbli.eboardsolutions.com/SU/9j90oJApXGvO9isl1lyD8g==
0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/rplusplusaBQeAE4bUpZiBFBO9dQ==
0415	Equity - https://simbli.eboardsolutions.com/SU/ZGZhz17ATfHJBPOQ13Jplus7cw==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/FQOZDcYoBErqzRucs3xsMA==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/BxazplusxgNXNREplusOnkNIFqtQ==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/fwFbmaz5QUQOAdl7DbzBBg==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/N8bGSx8fXalLgcLPJYKR9w==
0470	COVID-19 Mitigation Plan - https://simbli.eboardsolutions.com/SU/UonRXG6LPiZi7EgvplusqAd8g==
0500	Accountability - https://simbli.eboardsolutions.com/SU/PDWiti8tEaGKnqJbgZ4Q3g==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/yvGJj2X8PyrSmBYInybbQA==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/qu1ox8qD0SpMJPXqVt6gag==
1312.3-E PDF(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/BslshPMK886oDyrBoOyAftUdg==
1312.3-E PDF(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/HDslshuPXCQ3Qslshr71TMVplus4Jw==
1400	Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/vJHizKCtUNwljEfGnHx4CA==
3100	Budget - https://simbli.eboardsolutions.com/SU/jyvplusBDTDZP2PfaNJtUb1FQ==
3100	Budget - https://simbli.eboardsolutions.com/SU/msAckulxvwNnuplus45O6T7slshw==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/46smJEFyHQTgoxbzQIEJJA==

3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/FeWbTzBdYgA9xdZd3xUExA==
3515.4	Recovery For Property Loss Or Damage - https://simbli.eboardsolutions.com/SU/HJyfNTrq3yI0UnDK53CpBA==
3515.4	Recovery For Property Loss Or Damage - https://simbli.eboardsolutions.com/SU/ViR6wN5wOiTu0tZplus7Ly9Jw==
3540	Transportation - https://simbli.eboardsolutions.com/SU/i4mopT2oTbCBYGlUk4cvZA==
3541	Transportation Routes And Services - https://simbli.eboardsolutions.com/SU/x9xslshKxLvYXXvWxrplus6eUEMg==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/Y07PII5plus2xHEILURmRHYzQ==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/0Q5co4sXK4An7L2TouWocg==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/700vA0ysAx5YXC8kTts9Q==
4231	Staff Development - https://simbli.eboardsolutions.com/SU/FAuFrJnlbcVy3kgsTslshNU6g==
4331	Staff Development - https://simbli.eboardsolutions.com/SU/3BIIBFE9slshf2AInllsFw7ag==
5111	Admission - https://simbli.eboardsolutions.com/SU/anQITqnoRUahtom8fk0HKg==
5111	Admission - https://simbli.eboardsolutions.com/SU/kl6uH8pluscCpluslJBXFB1jSXpw==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/IAL6e5elvtWslKJ80r5IYg==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/VlddiUvh6orgSjaY4wvt7Q==
5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/Hw5C1aEnixhuUFVOE9Vnte==
5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/D2Llg7JcgumhuWnRLo2bAw==
5113.11	Attendance Supervision - https://simbli.eboardsolutions.com/SU/Lz97LnzWjMXSu91JfHK6HA==
5116.1	Intradistrict Open Enrollment - https://simbli.eboardsolutions.com/SU/d1Mc4bRclktSpluszH3IlyCw==
5116.1	Intradistrict Open Enrollment - https://simbli.eboardsolutions.com/SU/rvdq3uaJjEsMqYOIfftOcQ==
5117	Interdistrict Attendance - https://simbli.eboardsolutions.com/SU/be8UrO5tYpPBjYfPslshJOslshgg==
5117	Interdistrict Attendance - https://simbli.eboardsolutions.com/SU/YpwmrnK3MFpslshPeaNfGkpoQ==
5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/nEN5IPbgmplusPXhUNTnXJeuw==
5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/IKtdZAf0mXslsh9Lp2JINpFAA==
5123	Promotion/Acceleration/Retention - https://simbli.eboardsolutions.com/SU/XslshUlwDF51O6snseMXV7plus0g==
5123	Promotion/Acceleration/Retention - https://simbli.eboardsolutions.com/SU/i6Uj8m0wR1VPGjslshfIBUgIA==

5125	Student Records - https://simbli.eboardsolutions.com/SU/Jw4xw3nB7slshn7ptplustrREa5A==
5125	Student Records - https://simbli.eboardsolutions.com/SU/9slshJjOjwllKjNef0pjUBtbg==
5125.2	Withholding Grades, Diploma Or Transcripts - https://simbli.eboardsolutions.com/SU/NJ9Z2gAgJ2ETo56oMd09lg==
5131	Conduct - https://simbli.eboardsolutions.com/SU/pBUFdJ0Eye0pz1R21VtHYQ==
5131.2	Bullying - https://simbli.eboardsolutions.com/SU/Sw0juMy0rrGlgPDYIJ2Rvw==
5131.2	Bullying - https://simbli.eboardsolutions.com/SU/MwcrPaiVN3oQ15PFbAoQPA==
5131.6	Alcohol And Other Drugs - https://simbli.eboardsolutions.com/SU/WDkn56oiRIRHg1DfVsZyxA==
5131.6	Alcohol And Other Drugs - https://simbli.eboardsolutions.com/SU/7eplus9F20al43StxVcQXvoig==
5132	Dress And Grooming - https://simbli.eboardsolutions.com/SU/B9HD448oI91HLEE38JkQvA==
5132	Dress And Grooming - https://simbli.eboardsolutions.com/SU/W81oZyMAXizsteV3a4DjpA==
5137	Positive School Climate - https://simbli.eboardsolutions.com/SU/Ufqvo2274QHBL0iceWSBplusA==
5138	Conflict Resolution/Peer Mediation - https://simbli.eboardsolutions.com/SU/vYnT58jV6Sc5PaNDJcoXJg==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/slshSHDzymYLN8DwMplltWdsg==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/DdkxP6lo0oUT7dmBE1eK0g==
5141.26	Tuberculosis Testing - https://simbli.eboardsolutions.com/SU/i1UlqKL4dMNcvJfWlsQslsh3A==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/Whslsh3slshDAkvapt4AefESXBvQ==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/xlV11kQJ5plust7slshAnBIYIIPA==
5141.32	Health Screening For School Entry - https://simbli.eboardsolutions.com/SU/hEaw6ayxLna5XjXFnM5V5w==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/KxDBTjskEdIUR2Gj3BFRPw==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/0vHj1CrosCLePopplusArHjplusg==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/blwduf15hDWIR2tslshXyakiQ==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/sj4cx1G3eeeECICNif6t2w==
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities) - https://simbli.eboardsolutions.com/SU/VfqT4dag9OryfRHQPXk58A==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/m3D8kgCbYf75xXSrW6Y27Q==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/2yjABQdVf4fFrislsho9qlzfg==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/SuvNxTtIUJ0XfalLui15AA==

5145.6-E PDF(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/3aQzL6ew2Hslshlwsish02DTEyMg==
5145.9	Hate-Motivated Behavior - https://simbli.eboardsolutions.com/SU/zXaTq9y3Bf8f0rt8zzpcyw==
5147	Dropout Prevention - https://simbli.eboardsolutions.com/SU/nRgafK7e25QslshoATTaX0j5w==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/ZCXkdpn0NOWtDDYWmvGMPw==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/6TCzxi5d2ShJygXCj1JXQ==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/3WD3cPzZ5cHkLGieytkEKA==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/yUGzYIAmdf85jnh2JwXT6Q==
6000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/qvPcqbSrShZR2J5Nk8zHSg==
6011	Academic Standards - https://simbli.eboardsolutions.com/SU/Tplus1ybplusF7QGkEslshLEej7PyA==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/8BBILRHEPN4Ze3lDgiJtlg==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/Q0ib1gK3KHGsHNlpTjql8A==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/TkiGKzMnAo9vQwZU56wqVw==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/Fr5qETtTn48ak1ITDSX9Jg==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/WjFHslshd0qO8WHJq9f7Kfh5Q==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/3b046reWKA4At9vT9uKSHg==
6146.1	High School Graduation Requirements - https://simbli.eboardsolutions.com/SU/plus2yglNQrozRrjEUY1zO9qQ==
6146.1	High School Graduation Requirements - https://simbli.eboardsolutions.com/SU/S5uBuYQ9RoSFW1PcOZAtxg==
6146.3	Reciprocity Of Academic Credit - https://simbli.eboardsolutions.com/SU/rdkgdyDZ2KnybslshisshopFL8Q==
6146.3	Reciprocity Of Academic Credit - https://simbli.eboardsolutions.com/SU/xXvuy2muzpaSVMrtWFWi3A==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/nRtcKBP3haQcPUiLWOYqgA==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/IBIWJmfAP00e3xnVhUQNYg==
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education - https://simbli.eboardsolutions.com/SU/ueu2nVzHClsgslsh5Oplus8osvjg==
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education - https://simbli.eboardsolutions.com/SU/8tj64Eb0rA04NXwDCLkGbQ==
6159.3	Appointment Of Surrogate Parent For Special Education Students - https://simbli.eboardsolutions.com/SU/kwKWaBk8WZGBdRWcmfUQoA==
6159.3	Appointment Of Surrogate Parent For Special Education Students - https://simbli.eboardsolutions.com/SU/WsbHcd1QtVwHGqMal6QN9g==

6159.4	Behavioral Interventions For Special Education Students - https://simbli.eboardsolutions.com/SU/vvWadBTd0I5EqM9eM3Rxbw==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/NdqSEfNslshhwaBKplusUkKH040A==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/oZbkKwYtcu0mkplusF9H7PNfQ==
6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/Ba6VUEQG9hX91drdoa1Sjg==
6164.4	Identification And Evaluation Of Individuals For Special Education - https://simbli.eboardsolutions.com/SU/MpluswGPjV8eNplusf364PI8EJHA==
6164.4	Identification And Evaluation Of Individuals For Special Education - https://simbli.eboardsolutions.com/SU/lrd2Nai8BMolUAYcGFTZtA==
6164.6	Identification And Education Under Section 504 - https://simbli.eboardsolutions.com/SU/6plusOTTGd6ABJAeBaW0zV0xg==
6164.6	Identification And Education Under Section 504 - https://simbli.eboardsolutions.com/SU/CGPb7slshjqJY1I1isv4hclqQ==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/wTl8EVvu0t0484S390RuGw==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/G268I3K6kr8FEbTmbKV2A==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/zsjkyhfKAplusFQR21mnjd3hw==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/vD4ZxTplusVHjDJcdnxYRslshO3g==
6173-E PDF(1)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/WeRWxD20iReBezfn3aKzplusQ==
6173-E PDF(2)	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/D7vRHxXZslshBORslshzL7t0wPgW==
6174	Education For English Learners - https://simbli.eboardsolutions.com/SU/IFQfShfeGbUO7DlybnDn5w==
6174	Education For English Learners - https://simbli.eboardsolutions.com/SU/f8BiOLVWS3pu1GqJeOV2ug==
6177	Summer Learning Programs - https://simbli.eboardsolutions.com/SU/eqqaj3pDRTAplus4B05IJJGzw==
6179	Supplemental Instruction - https://simbli.eboardsolutions.com/SU/zi8aQRQAs4kCAuX1Bu2Mslshg==
6190	Evaluation Of The Instructional Program - https://simbli.eboardsolutions.com/SU/okRYD9py3tHKzr20XkWFZg==
9320	Meetings And Notices - https://simbli.eboardsolutions.com/SU/Y0cKfotkIMiw5r0OyNix2A==

ReqPay12d

Board Report

Checks Dated 06/13/2022 through 07/31/2022

Check Number	Check Date	Pay to the Order of	FF-RRRR-Y-GGGG-FFFF-OOOO-SSS-MMM	Comment	Expensed Amount	Check Amount
1001883	06/13/2022	A TOOL SHED	01-0000-0-0000-8100-5600-200-2801	CHIPPER RENTAL		1,444.00
1001884	06/13/2022	AT&T	01-0000-0-0000-2700-5900-200-2801	PHONE	107.41	
1001885	06/13/2022	EASTSHORE CONSULTING, LLC	01-0000-0-0000-7200-5900-200-2801	PHONE	35.80	143.21
1001886	06/13/2022	GREENWASTE RECOVERY INC	01-0000-0-0000-8100-5800-200-2801	CONSULTING DEMOGRAPHICS		2,500.00
1001887	06/13/2022	KATIE FREEMAN	01-0000-0-0000-8100-5523-200-2801	GARBAGE		530.74
1001888	06/13/2022	SANTA CRUZ CO OFC OF EDUCATION	01-0000-0-0000-7100-5800-200-2801	REIMBURSE BOARD WORKSHOP		399.00
1001889	06/13/2022	SANTA CRUZ CO. OFC. OF ED.	01-0000-0-1110-1000-5808-200-2801	OUTDOOR SCIENCE SCHOOL		6,730.00
1001890	06/13/2022	Stewart, Michelle A	01-0000-0-0000-7110-5300-200-2801	21-22 SCC CAREER AND COLLEGE MEMBERSHIP		102.00
1001891	06/13/2022	US BANK EQUIPMENT FINANCE	01-1100-0-0000-2700-4350-200-3000	REIMBURSE SUPPLIES	30.77	
			01-1100-0-0000-8100-4350-200-3000	REIMBURSE SUPPLIES	48.00	78.77
1002647	06/21/2022	ACE PORTABLE SERVICES	01-1100-0-0000-7100-5600-200-3000	COPIER LEASE	33.13	
1002648	06/21/2022	BOWIE, CRAIG	01-1100-0-0000-7200-5600-200-3000	COPIER LEASE	132.54	
1002649	06/21/2022	ESSENTIAL OPERATIONS INC	01-1100-0-1110-1000-5600-200-3000	COPIER LEASE	497.03	662.70
1002650	06/21/2022	HANCOCK PARK & DELONG, INC	01-0000-0-0000-8100-5515-200-2801	PORTABLE TOILET		185.85
1002651	06/21/2022	IVAN DEI ROSSI	01-0084-0-1110-1000-5800-200-0000	PARCEL GARDEN PREP WORK		210.00
1002652	06/21/2022	Lynd, Paige L	01-0000-0-0000-8100-5800-200-2801	SEPTIC SERVICE		110.00
1002653	06/21/2022	PACIFIC GAS & ELECTRIC	35-9719-0-0000-8500-5800-200-0000	MODERNIZATION FACILITIES CONSULT		350.00
			01-0084-0-1110-1000-5900-200-0000	TECH SUPPORT PARCEL		480.00
			01-0000-0-0000-7200-5200-200-2801	REIMBURSE MILEAGE		99.45
			01-0000-0-0000-8100-5511-200-2801	PUMP HOUDR		30.26

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

ESCAPE

ONLINE

ReqPay12d

Board Report

Checks Dated 06/13/2022 through 07/31/2022

Check Number	Check Date	Pay to the Order of	FF-RRRR-Y-GGGG-FFFF-OOOO-SSS-MMMM	Comment	Expensed Amount	Check Amount
1003407	06/27/2022	ARTURO RIVERA MORALES	01-0000-0-0000-8100-5524-200-2801	JANITORIAL SERVICE		1,800.00
1003408	06/27/2022	JOHNSON CONTROLS SECURITY	01-0000-0-0000-8100-5800-200-2801	COMPUTER LAB ALARM		135.44
1003409	06/27/2022	PACIFIC GAS & ELECTRIC	01-0000-0-0000-8100-5511-200-2801	STREET LIGHT		9.16
1003410	06/27/2022	STAPLES CREDIT PLAN	01-1100-0-0000-2700-4350-200-3000	OFFICE SUPPLIES	7.01	
1004268	07/11/2022	AT&T	01-1100-0-0000-7200-4350-200-3000	OFFICE SUPPLIES	2.33	9.34
1004269	07/11/2022	GOOD CLEAN SUN	01-0000-0-0000-2700-5900-200-2801	PHONE JUNE 21-22	107.56	
1004270	07/11/2022	MRC SMART TECHNOLOGY SOLUTIONS	01-0000-0-0000-7200-5900-200-2801	PHONE JUNE 21-22	35.85	143.41
1004271	07/11/2022	PACIFIC GAS & ELECTRIC	01-0000-0-0000-8100-5800-200-2801	SOLAR CLEANING 21-22		220.00
1004272	07/11/2022	ROBERTSON & ASSOC CPAS	01-1100-0-0000-7100-5600-200-3000	COPIER USAGE 21-22	12.70	
1004273	07/11/2022	SANTA CRUZ CO OFC OF EDUCATION	01-1100-0-0000-7200-5600-200-3000	COPIER USAGE 21-22	50.80	
1004274	07/11/2022	SANTA CRUZ MUNICIPAL UTILITIES	01-1100-0-1110-1000-5600-200-3000	COPIER USAGE 21-22	190.50	254.00
1004275	07/11/2022	SISC 3	01-0000-0-0000-8100-5511-200-2801	ELECTRIC 21-22		156.08
1004276	07/11/2022	AT&T	01-0000-0-0000-7191-5809-200-2801	AUDIT 21-22		787.50
1004277	07/11/2022	CALIFORNIA SCHOOL BOARDS ASSOC	01-0000-0-0000-7200-5900-200-2801	21-22 NETWORK SERVICES	375.00	
1004278	07/11/2022	SCHOOLIN SITES, LLC	01-0000-0-1110-1000-5900-200-2801	21-22 NETWORK SERVICES	1,125.00	1,500.00
			01-0000-0-0000-8100-5514-200-2801	WATER 21-22		164.45
			01-0000-0- - -9544- -	MEDICAL SUMMER PREPAY JULY 2022		2,789.00
			01-0000-0-0000-2700-5900-200-2801	INTERNET		796.67
			01-0000-0-0000-7100-5800-200-2801	GAMUT POLICY	3,180.00	
			01-0000-0-0000-7110-5300-200-2801	CSBA MEMBERSHIP	1,425.00	4,605.00
			01-0000-0-0000-2700-5900-200-2801	WEBSITE		2,200.00

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

ESCAPE ONLINE

Checks Dated 06/13/2022 through 07/31/2022

Check Number	Check Date	Pay to the Order of	FF-RRRR-Y-GGGG-FFFF-O000-SSS-MMM	Comment	Expensed Amount	Check Amount
1004279	07/11/2022	SISC 3	01-0000-0- - -9514- - JULY 2022 MEDICAL		9,101.00	
1004952	07/18/2022	GREENWASTE RECOVERY INC	01-0000-0- - -9524- - JULY 2022 MEDICAL		2,762.00	11,863.00
1004953	07/18/2022	ESSENTIAL OPERATIONS INC	01-0000-0-0000-8100-5523-200-2801 GARBAGE 21-22			541.32
1004954	07/18/2022	SANTA CRUZ FIRE EQUIPMENT CO	01-0000-0-0000-8100-5800-200-2801 DEPOSIT FOR SEPTIC WORK			150.00
1004955	07/18/2022	SCHOOL SAFETY SOLUTION	01-0000-0-0000-8100-5800-200-2801 FIRE EXT SERVICE			367.00
1004956	07/18/2022	TEACHER CREATED MATERIALS, INC	01-1100-0-0000-2700-4350-200-3000 ROOM 3 SAFETY SHADE FOR DOOR			73.99
1004957	07/18/2022	US BANK EQUIPMENT FINANCE	01-6300-0-1110-1000-4100-200-3000 SOCIAL STUDIES TEXT BOOKS			8,800.00
1005463	07/25/2022	EMPLOYMENT DEVELOPMENT DEPT	01-1100-0-0000-7100-5600-200-3000 COPIER LEASE		33.13	
1005464	07/25/2022	ARTURO RIVERA MORALES	01-1100-0-0000-7200-5600-200-3000 COPIER LEASE		132.54	
1005465	07/25/2022	JOHNSON CONTROLS SECURITY	01-1100-0-1110-1000-5600-200-3000 COPIER LEASE		497.03	662.70
1005466	07/25/2022	PACIFIC GAS & ELECTRIC	01-0000-0- - -9510- - 2ND QUARTER SUI			975.58
			01-0000-0-0000-8100-5524-200-2801 SUMMER DEEP CLEANING			1,840.00
			01-0000-0-0000-8100-5800-200-2801 COMPUTER LAB ALARM			135.44
			01-0000-0-0000-8100-5511-200-2801 PUMPHOUSE		36.32	
			STREET LIGHT		9.16	45.48
			Total Number of Checks		42	55,080.54

Fund Recap

Fund	Description	Check Count	Expensed Amount
01	GENERAL FUND	41	54,730.54
35	COUNTY SCHOOL FACILITIES:	1	350.00

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

Checks Dated 06/13/2022 through 07/31/2022

Check Number	Check Date	Pay to the Order of	FF-RRRR-Y-GGGG-FFFF-0000-SSS-MMM	Comment	Expensed Amount	Check Amount
			42		55,080.54	
		Total Number of Checks				
		Less Unpaid Tax Liability			.00	
		Net (Check Amount)			55,080.54	

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

002 - Happy Valley Elementary School District

Generated for Paige Lynd (PLYND), Jul 25 2022 1:08PM