

# TIPTON ELEMENTARY SCHOOL DISTRICT REGULAR BOARD MEETING AGENDA

Tuesday, April 6, 2021  
7:00 p.m. District Cafeteria

**1. CALL TO ORDER – FLAG SALUTE**

In compliance with the Americans with Disabilities Act and the Brown Act, if you need special assistance to participate in the meeting, including the receipt of the agenda and documents in the agenda package in an alternate format, please contact the Tipton Elementary School District office at (559) 752-4213. Notification 48 hours prior to the meeting will enable the district to make reasonable arrangements to ensure accessibility to this meeting (28CFR35.102-35, 104 ADA Title II), and allow for the preparation of documents in appropriate alternate format

**2. PUBLIC INPUT:**

*In order to ensure that Members of the public are provided a meaningful opportunity to address the board on agenda items that are within the Board's jurisdiction, agenda items may be addressed either at the public input portion of the agenda, or at the time the matter is taken up by the board. Board presentations are limited to 3 minutes per person and 15 minutes per topic.*

2.1 Community Relations/Citizen Comments

2.2 Reports by Employee Units CTA/CSEA

**3. CONSENT CALENDAR: Action items:**

3.1 Minutes of the Regular Board Meeting – March 9, 2021

**4. ADMINISTRATIVE: Action items:**

4.1 Acknowledgement/Acceptance of the Associated Teachers of Tipton's Initial Proposal to the District Regarding Certificated Collective Bargaining Agreement Negotiations, for the 2021-2022 School Year

4.2 Adopt District's Initial Proposal to Associated Teachers of Tipton Regarding Certificated Collective Bargaining Agreement Negotiations, for the 2021-2022 School Year

4.3 Quarterly Board Policy – December 2020

4.4 Approve Selection of Mangini Associates INC Based on Demonstrated Competence and Authorize Administration to Enter Into Architect Agreement for Modernization Project

4.5 Request to Award Bid to the Lowest Responsible Bidder for the Tipton Elementary School Camera Replacement Project

**5. FINANCE: Action items:**

5.1 Vendor Payments

5.2 Budget Revisions

**6. INFORMATION: (Verbal Reports & Presentations)**

6.1 MOT--FOOD SERVICE—PROJECTS

6.2 Consideration and Public Notice of the California School Employees Association's Initial Proposal to the District Regarding Classified Collective Bargaining Agreement Negotiations, for the 2021-2024 School Year

- 6.3 Consideration and Public Notice of the District's Initial Proposal to California School Employees Association Regarding Classified Collective Bargaining Agreement Negotiations, for the 2021-2024 School Year
- 6.4 Update on In-Person Learning with new 3ft Guidance from the CDC

7. **ANY OTHER BUSINESS:**

8. **ADJOURN TO CLOSED SESSION: The Board will consider and may act upon any of the following items in closed session. Any action taken will be reported publicly at the end of closed session as required by law.**

8.1 Education Code 35146

Student transfers, inter District etc.

8.2 Government Code Section 54957.6

Conference with labor negotiators

Agency designated representatives: Superintendent

Employee Organization: CTA

9. **RECONVENE TO OPEN SESSION**

10. **REPORT OUT FROM CLOSED SESSION**

11. **ADJOURNMENT**

**The Board upon discussion and a vote of agreement, the Board may make any item an action item.**

**Notice: If documents are distributed to Board Members concerning an agenda item within 72 hours of a regular board meeting, at the same time the documents will be made available for public inspection at the District Office located at 370 N. Evans Road, Tipton CA. 93272, telephone 752-4213.**

**Agenda Posted: March 30, 2021**

**3. CONSENT CALENDAR: Action items:**

**3.1** Minutes of the Regular Board Meeting – March 9,  
2021

# TIPTON ELEMENTARY SCHOOL DISTRICT REGULAR BOARD MEETING Minutes

Tuesday, March 9, 2021  
7:00 p.m. District Cafeteria

**1. CALL TO ORDER – FLAG SALUTE**

*Board Clerk, Iva Sousa, called the meeting to order at 7:00 pm and led the flag salute. Board Members present: Shelley Heeger, Iva Sousa and John Cardoza. Absent: Fernando Cunha and Greg Rice. Guest: Fausto Martin and Cherie Solian.*

**2. PUBLIC INPUT:**

- 2.1** Community Relations/Citizen Comments
- 2.2** Reports by Employee Units CTA/CSEA

*No Comments*

**3. CONSENT CALENDAR: Action items:**

- 3.1** Minutes of the Regular Board Meeting – February 2, 2021
- 3.2** Library Surplus

*Motion to approve the consent calendar was made by John Cardoza and second by Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

**4. ADMINISTRATIVE: Action items:**

- 4.1** 2021 Delegate Assembly Ballot Subregion 12-A (Tulare County)

*Motion to approve selecting two candidates, Juan Guerrero and Cathy Mederos for the 2021 Delegate Assembly Ballot Subregion 12-A (Tulare County) was made by John Cardoza and second by Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

- 4.2** Consolidated Application Winter 2020-2021

*Motion to approve Consolidated Application Winter 2020-2021 was made by John Cardoza and second by Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

#### **4.3 Annual Audit Agreement with M. Green and Company LLP**

*Motion to approve Annual Audit Agreement with M. Green and Company LLP was made by John Cardoza and second by Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

#### **4.4 Add Cassandra Cunha as an Authorized Signer for Tipton Elementary School**

*Motion to add Cassandra Cunha as an Authorized Signer for Tipton Elementary School was made by John Cardoza and second by Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

#### **4.5 Consideration and Approval of Board Resolution No. 2020-2021-06, in the matter of intent to provide leave for staff for reasons relating to Coronavirus (COVID-19)**

*Motion to approve Board Resolution No. 2020-2021-06, in the matter of intent to provide leave for staff for reasons relating to Coronavirus (COVID-19) was made by John Cardoza and second by Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

#### **4.6 Approval of Addendum to Employment Agreement with Superintendent**

*Board Clerk, Iva Sousa verbally summarized possible approval of an addendum to the employment agreement for the Superintendent, Stacey Bettencourt. The key provisions of the addendum are:*

- 1. Based on the Superintendent's satisfactory evaluation, the Board has elected to extend the contract term one year, with the Agreement now terminating June 30, 2023.*
- 2. Based on the Superintendent's satisfactory evaluation, the Superintendent shall receive a one and a half percent (1.5%) increase to her base salary for the 2021-2022 school year. Thus, the Superintendent's base salary will be one hundred thirty-seven thousand twenty five dollars (\$137,025) for the 2021-2022 school year.*
- 3. All other terms and conditions of the Superintendent's Agreement shall remain in full force and effect.*

*This concludes the summary of the addendum to the Superintendent's employment agreement.*

*Is there a motion? Motion to approve addendum to employment agreement with Superintendent was made by John Cardoza and second by Shelley Heeger. Is there any discussion? No discussion.*

*Motion to approve Addendum to Employment Agreement with Superintendent was made by John Cardoza and second by Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

#### **4.7 School Calendar 2021-2022**

*Motion to approve the School Calendar 2021-2022 was made by John Cardoza and second by Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

#### **4.8 Covid-19 Safety Plan**

*Mrs. Bettencourt shared that the seven-day average was 9.5 per 100,000 and that today's rate was 8.5 per 100,000. She shared that a stable group of 6<sup>th</sup>-8<sup>th</sup> grade students would be returning to campus on March 15, 2021. She shared that the school is anticipating being in the red on March 16, 2021 which would then allow 6<sup>th</sup> -8<sup>th</sup> graders to return for in-person instruction using the hybrid model.*

*Motion to approve Covid-19 Safety Plan was made by John Cardoza and second by Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

### **5. FINANCE: Action items:**

#### **5.1 Vendor Payments**

*Motion to approve updated vendor payments was made by John Cardoza and second by Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

## 5.2 Budget Revisions

*Motion to approve Budget Revisions was made by John Cardoza and second by Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

## 5.3 2<sup>nd</sup> Interim Report 2020-2021

*Motion to approve 2<sup>nd</sup> Interim Report 2020-2021 was made by John Cardoza and second by Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

## 6. **INFORMATION: (Verbal Reports & Presentations)**

### 6.1 MOT--FOOD SERVICE—PROJECTS

*Mr. Fausto Martin shared with the Board that the school received the new school bus along with three utility carts that the school had been waiting for. He shared that one staff member was waiting to take their behind the wheel driving test and that the Ionizers have been installed.*

**6.2** Consideration and Public Notice of the Associated Teachers of Tipton’s Initial Proposal to the District Regarding Certificated Collective Bargaining Agreement Negotiations, for the 2021-2022 School Year.

**6.3** Consideration and Public notice of the District’s Initial Proposal to Associated Teachers of Tipton Regarding Certificated Collective Bargaining Agreement Negotiations, for the 2021-2022 School Year

### 6.4 Tipton Solar Plant Annual Report

*Mrs. Stacey Bettencourt shared Tipton’s solar plant annual report.*

### 6.5 Update on Modernization Project

*Mrs. Bettencourt updated the Board on the modernization project. She explained that the school has published an RFQ (Request for Statement of Qualifications for Architectural Services). Submittal of interest is due to the District by March 24, 2021.*

## 7. **ANY OTHER BUSINESS:**

**7.1** Review Quarterly Board Policy – December 2020

## 8. **ADJOURN TO CLOSED SESSION: 9:00 pm**

9. **RECONVENE TO OPEN SESSION 9:54 pm**

10. **REPORT OUT FROM CLOSED SESSION**

**8.1 Education Code 35146**

Student transfers, inter District etc.

*Motion to approve student #20-212029 request for interdistrict was made by John Cardoza and second by Fernando Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

*Motion to approve student #20-212030 request for interdistrict was made by John Cardoza and second by Fernando Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

*Motion to approve student #20-2116 request for interdistrict was made by John Cardoza and second by Fernando Shelley Heeger.*

*Vote Yea 3 / No 0 / Abstain 0 / Absent 2*

*Yea -Shelley Heeger, Iva Sousa and John Cardoza*

*No – 0*

*Abstain –0*

*Absent – Fernando Cunha and Greg Rice*

11. **ADJOURNMENT 9:54 pm**

**Minutes approved April 6, 2021**

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Greg Rice, President

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Iva Sousa, Clerk

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Stacey Bettencourt, Secretary



**4. ADMINISTRATIVE: Action items:**

**4.1** Acknowledgement/Acceptance of the Associated Teachers of Tipton's Initial Proposal to the District Regarding Certificated Collective Bargaining Agreement Negotiations, for the 2021-2022 School Year

## **Tipton Teachers' Association / CTA**

**March 9, 2021**

The Tipton Teachers' Association would like to officially open negotiations for the 2021 – 2022 contract agreement.

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Superintendent Date

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Board President Date

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CTA Representative Date

**Tipton Teacher's Association**  
**Initial Proposal for 2021 - 2022**

Salary: (Article 12.1)

- 5% Salary Increase as of July 1 2021
- Stipend for general education combination classroom teacher \$3000 (Paid evenly over 12 months)

Health and Welfare Benefits (Article 13.1)

- District will maintain fully paid benefits for 2021 -2022

**Opener for 2021-2022**

- No Openers

**4. ADMINISTRATIVE: Action items:**

**4.2** Adopt District's Initial Proposal to Associated Teachers of Tipton Regarding Certificated Collective Bargaining Agreement Negotiations, for the 2021-2022 School Year

## TIPTON ELEMENTARY SCHOOL DISTRICT

### Sunshine Proposal for Initial Contract Reopeners with

#### Associated Teachers of Tipton

Public school employers and their exclusive representatives are required to present proposals which relate to matters within the scope of representation at a school board meeting prior to commencing negotiations.

The Board of Trustees of the Tipton Elementary School District (“District”) values the collaborative spirit through which collective bargaining is accomplished between the District and the Associated Teachers of Tipton (“Association”). The District will approach the coming negotiations with the Association with an intent to negotiate mutually agreeable contract terms that address its employees’ interests and concerns when aligned with the four Board and Local Control and Accountability Plan (“LCAP”) goals:

- Goal 1: Improve Student Achievement in English Language Arts
- Goal 2: Improve Student Achievement in Math
- Goal 3: Increase Academic Achievement for all EL students
- Goal 4: Improve Pupil Attendance and Truancy Rates
- Goal 5: Improve Participation and Increase Learning Opportunities for Parents
- Goal 6: To Provide and Equip a Multipurpose Room to Assist with the Implementation of a Broad Range of Study, Increase Pupil Achievement, and Help Facilitate Parental Involvement.
- Goal 7: Maintain Class Sizes of 24:1 or Less Across Grades TK-8

The following constitutes the initial proposal of the Tipton Elementary School District 2021-2022 contract negotiations with the Association.

#### THE DISTRICT’S INITIAL PROPOSAL

- Article 12: Salaries
- Article 13: Employee Benefits

The District desires to engage in good faith, principled negotiations with the Association to reach consensus on all negotiable items.

**4. ADMINISTRATIVE: Action items:**

**4.3 Quarterly Board Policy – December 2020**

**COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION**

**Definitions**

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

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

**Elements of the Local Plan**

The local plan developed by the Special Education Local Plan Area (SELPA) shall include, but not be limited to: (Education Code 56122, 56205, 56206)

1. Policies, procedures, and programs, that are consistent with state laws, regulations, and policies and 20 USC 1412(a), 20 USC 1413(a)(1), and 34 CFR 300.201 governing the following:
  - a. Free appropriate public education
  - b. Full educational opportunity
  - c. Child find and referral
  - d. Individualized education programs, including development, implementation, review, and revision
  - e. Least restrictive environment
  - f. Procedural safeguards
  - g. Annual and triennial assessments
  - h. Confidentiality

**COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION** (continued)

- i. Transition from the Infants and Toddlers with Disabilities programs pursuant to 20 USC 1431 to the preschool program
- j. Children in private schools
- k. Compliance assurances, including general compliance with the federal Individuals with Disabilities Education Act (20 USC 1400-1482), Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794), the federal Americans with Disabilities Act of 1990 (42 USC 12101-12213), related federal regulations, and Education Code 56000-56865
- l. A description of the governance and administration of the local plan in accordance with Education Code 56205(a)(12)
- m. Personnel qualification to ensure that personnel, including special education teachers and personnel and paraprofessionals are appropriately and adequately prepared and trained in accordance with Education Code 56058 and 56070 and 20 USC 1412(a)(14) and 1413(a)(3)
- n. Performance goals and indicators
- o. Participation in state and districtwide assessments, including assessments described in 20 USC 6301 et seq. and alternate assessments in accordance with 20 USC 1412(a)(16), and reports relating to assessments
- p. Supplementation of state, local, and other federal funds, including nonsupplantation of funds
- q. Maintenance of financial effort
- r. Opportunities for public participation before adoption of policies and procedures
- s. Suspension and expulsion rates
- t. Access to instructional materials by blind individuals with exceptional needs and others with print disabilities in accordance with 20 USC 1412(a)(23)
- u. Overidentification and disproportionate representation by race and ethnicity of children as individuals with exceptional needs, including children with disabilities with a particular impairment described in 20 USC 1401 and 1412(a)(24)



**COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION** (continued)

- v. Prohibition of mandatory medication use pursuant to Education Code 56040.5 and 20 USC 1412(a)(25)
2. An annual budget plan, including descriptions of the SELPA's allocation plan in accordance with Education Code 56836-56845, all revenues by revenue source received by the SELPA specifically for the purpose of special education, a breakdown of the distribution of funds to each local educational agency (LEA) within the SELPA, projected total special education expenditures by each LEA, projected total expenditures by the SELPA and the LEAs within the SELPA, projected funding to be received specifically for regionalized operations, and a breakdown of projected SELPA operating expenditures
3. An annual service plan, describing the services to be provided by each LEA, regardless of whether the LEA participates in the local plan, including the nature of the services and the physical location at which the services will be provided. This description shall demonstrate that all individuals with exceptional needs shall have access to services and instruction appropriate to meet their needs as specified in their individualized education programs.
4. Beginning July 1, 2023, an annual assurances support plan to demonstrate how the SELPA and its participating agencies are coordinating for purposes of assuring effective outcomes for students with disabilities, including a description of:
  - a. How the governing board of the SELPA will support participating agencies in achieving the goals, actions, and services identified in their local control and accountability plans
  - b. How the governing board of the SELPA will connect participating agencies in need of technical assistance to the statewide system of support
  - c. The services, technical assistance, and support the governing board of the SELPA will provide to meet the required policies, procedures, and programs specified in Education Code 56205
5. A description of programs for early childhood special education from birth through five years of age
6. A description of the method by which members of the public, including parents/guardians of individuals with disabilities who are receiving services under the plan, may address questions or concerns pursuant to Education Code 56205

**COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION** (continued)

7. A description of a dispute resolution process, including mediation and arbitration to resolve disputes over the distribution of funding, the responsibility for service provision, and the other governance activities specified within the local plan
8. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205 and that the committee had at least 30 days to conduct this review before submission of the local plan to CDE
9. A description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303
10. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools, the method of ensuring that all requirements of each student's IEP are being met, and a method for evaluating whether the student is making appropriate educational progress
11. A description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment

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

**Availability of the Plan**

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

**UNIFORM COMPLAINT PROCEDURES**

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

**Complaints Subject to UCP**

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

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

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

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

*(cf. 6200 - Adult Education)*

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

*(cf. 5148.2 - Before/After School Programs)*

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

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

*(cf. 6178 - Career Technical Education)*

*(cf. 6178.1 - Work-Based Learning)*

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

*(cf. 5148 - Child Care and Development)*

7. Compensatory education (Education Code 54400)

*(cf. 6171 - Title I Programs)*

8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)

**UNIFORM COMPLAINT PROCEDURES** (continued)

9. Course periods without educational content, when students in grades 9-12 are assigned to such courses more than one week in any semester or in a course the student has previously satisfactorily completed, unless specified conditions are met (Education Code 51228.1-51228.3)

*(cf. 6152 - Class Assignment)*

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

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

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

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

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

*(cf. 6173 - Education for Homeless Children)*

*(cf. 6173.1 - Education for Foster Youth)*

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

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

12. Every Student Succeeds Act (Education Code 52059; 20 USC 6301 et seq.)

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

*(cf. 0460 - Local Control and Accountability Plan)*

14. Migrant education (Education Code 54440-54445)

*(cf. 6175 - Migrant Education Program)*

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

**UNIFORM COMPLAINT PROCEDURES** (continued)

*(cf. 6142.7 - Physical Education and Activity)*

16. Student fees (Education Code 49010-49013)

*(cf. 3260 - Fees and Charges)*

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

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

*(cf. 6178.2 - Regional Occupational Center/Program)*

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

*(cf. 0420 - School Plans/Site Councils)*

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

*(cf. 0450 - Comprehensive Safety Plan)*

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

*(cf. 0420 - School Plans/Site Councils)*

22. State preschool programs (Education Code 8235-8239.1)

*(cf. 5148.3 - Preschool/Early Childhood Education)*

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

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

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

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may be offered to resolve complaints that

## **UNIFORM COMPLAINT PROCEDURES** (continued)

involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

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

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

*(cf. 5125 - Student Records)*

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

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

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

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

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

*(cf. 3580 - District Records)*

### **Non-UCP Complaints**

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

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

**UNIFORM COMPLAINT PROCEDURES** (continued)

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)
3. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
4. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education, or a due process hearing order shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)

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

5. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)
6. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)
7. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

*Legal Reference: (see next page)*

**UNIFORM COMPLAINT PROCEDURES (continued)**

*Legal Reference:*

EDUCATION CODE

200-262.4 *Prohibition of discrimination*  
8200-8498 *Child care and development programs*  
8500-8538 *Adult basic education*  
18100-18203 *School libraries*  
32280-32289 *School safety plan, uniform complaint procedures*  
35186 *Williams uniform complaint procedures*  
46015 *Parental leave for students*  
48853-48853.5 *Foster youth*  
48985 *Notices in language other than English*  
49010-49014 *Student fees*  
49060-49079 *Student records, especially:*  
49069.5 *Records of foster youth*  
49490-49590 *Child nutrition programs*  
49701 *Interstate Compact on Educational Opportunity for Military Children*  
51210 *Courses of study grades 1-6*  
51222 *Physical education, secondary schools*  
51223 *Physical education, elementary schools*  
51225.1-51225.2 *Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements*  
51226-51226.1 *Career technical education*  
51228.1-51228.3 *Course periods without educational content*  
52059.5 *Statewide system of support*  
52060-52077 *Local control and accountability plan, especially:*  
52075 *Complaint for lack of compliance with local control and accountability plan requirements*  
52300-52462 *Career technical education*  
52500-52616.24 *Adult schools*  
54400-54425 *Compensatory education programs*  
54440-54445 *Migrant education*  
54460-54529 *Compensatory education programs*  
59000-59300 *Special schools and centers*  
64000-64001 *Consolidated application process; school plan for student achievement*  
65000-65001 *School site councils*

GOVERNMENT CODE

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

HEALTH AND SAFETY CODE

1596.792 *California Child Day Care Act; general provisions and definitions*  
1596.7925 *California Child Day Care Act; health and safety regulations*

*Legal Reference continued: (see next page)*



**UNIFORM COMPLAINT PROCEDURES (continued)**

*Legal Reference: (continued)*

PENAL CODE

422.55 *Hate crime; definition*

422.6 *Interference with constitutional right or privilege*

CODE OF REGULATIONS, TITLE 2

11023 *Harassment and discrimination prevention and correction*

CODE OF REGULATIONS, TITLE 5

3200-3205 *Special education compliance complaints*

4600-4670 *Uniform complaint procedures*

4680-4687 *Williams uniform complaint procedures*

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

900-4965 *Nondiscrimination in elementary and secondary education programs*

15580-15584 *Child nutrition programs complaint procedures*

UNITED STATES CODE, TITLE 20

1221 *Application of laws*

1232g *Family Educational Rights and Privacy Act*

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

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

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

UNITED STATES CODE, TITLE 29

794 *Section 504 of Rehabilitation Act of 1973*

UNITED STATES CODE, TITLE 42

2000d-2000e-17 *Title VI and Title VII Civil Rights Act of 1964, as amended*

2000h-2-2000h-6 *Title IX of the Civil Rights Act of 1964*

6101-6107 *Age Discrimination Act of 1975*

11431-11435 *McKinney-Vento Homeless Assistance Act*

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

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 *Nondiscrimination on basis of disability; complaints*

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 *Family Educational Rights and Privacy Act*

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

104.7 *Designation of responsible employee for Section 504*

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

106.8 *Designation of responsible employee for Title IX*

106.9 *Notification of nondiscrimination on basis of sex*

110.25 *Notification of nondiscrimination on the basis of age*

*Management Resources: (see next page)*

**UNIFORM COMPLAINT PROCEDURES (continued)**

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Uniform Complaint Procedure 2020-21 Program Instrument

Sample UCP Board Policies and Procedures

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

Dear Colleague Letter, September 22, 2017

Dear Colleague Letter: Title IX Coordinators, April 2015

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

Dear Colleague Letter: Harassment and Bullying, October 2010

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

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

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

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

WEB SITES

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

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

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

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

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

**Community Relations**

**UNIFORM COMPLAINT PROCEDURES**

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

- (cf. 1312.1 - Complaints Concerning District Employees)*
- (cf. 1312.2 - Complaints Concerning Instructional Materials)*
- (cf. 1312.4 - Williams Uniform Complaint Procedures)*
- (cf. 4030 - Nondiscrimination in Employment)*

**Compliance Officers**

The district designates the individual(s), position(s), or unit(s) identified below as responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment. The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

- (cf. 5145.3 - Nondiscrimination/Harassment)*
- (cf. 5145.7 - Sexual Harassment)*
- (cf. 5145.71 - Title IX Sexual Harassment Complaints Procedures)*

Principal  
(title or position)  
TESD Office

370 N. Evans Rd., Tipton, CA 93272  
(unit or office)  
(address)

559-752-4213  
(telephone number)

csolian@tipton.k12.ca.us  
(email)

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

- (cf. 4331 - Staff Development)*

**UNIFORM COMPLAINT PROCEDURES** (continued)

*(cf. 9124 - Attorney)*

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

**Notifications**

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

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

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 1220 - Citizen Advisory Committees)*

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

*(cf. 5145.6 - Parental Notifications)*

**UNIFORM COMPLAINT PROCEDURES** (continued)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint must be filed no later than one year from the date the alleged violation occurred
4. A statement that, in the case of a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, a UCP complaint must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint

*(cf. 0460 - Local Control and Accountability Plan)*

*(cf. 3260 - Fees and Charges)*

7. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process

*(cf. 6173 - Education for Homeless Children)*

*(cf. 6173.1 - Education for Foster Youth)*

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

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

*(cf. 6175 - Migrant Education Program)*

**UNIFORM COMPLAINT PROCEDURES** (continued)

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

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

*(cf. 1113 - District and School Web Sites)*  
*(cf. 1114 - District-Sponsored Social Media)*

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

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

**Filing of Complaints**

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

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

**UNIFORM COMPLAINT PROCEDURES** (continued)

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

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.
3. A UCP complaint shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Board. (5 CCR 4630)
4. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. The complaint shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
5. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
6. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the

**UNIFORM COMPLAINT PROCEDURES** (continued)

complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

**Mediation**

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

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

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

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

**Investigation of Complaint**

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

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.



**UNIFORM COMPLAINT PROCEDURES** (continued)

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

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

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

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

**Timeline for Investigation Report**

**OPTION 2:**

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

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

*(cf. 9321 - Closed Session)*

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

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

**Investigation Report**

For all complaints, the district's investigation report shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law
3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600

**UNIFORM COMPLAINT PROCEDURES** (continued)

4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

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

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

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

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

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

**UNIFORM COMPLAINT PROCEDURES** (continued)**Corrective Actions**

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

*(cf. 5137 - Positive School Climate)*

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

1. Counseling

*(cf. 6164.2 - Guidance/Counseling Services)*

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

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

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference

**UNIFORM COMPLAINT PROCEDURES** (continued)

3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team

*(cf. 6164.5 - Student Success Teams)*

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

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

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

*(cf. 5144 - Discipline)*

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

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

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

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

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

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

However, if a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 52075)

**UNIFORM COMPLAINT PROCEDURES** (continued)

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

**Appeals to the California Department of Education**

Any complainant who is dissatisfied with the district's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the district's investigation report. (5 CCR 4632)

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including as least one of the following: (5 CCR 4632)

1. The district failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, the district's investigation report lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the district's investigation report are not supported by substantial evidence.
4. The legal conclusion in the district's investigation report is inconsistent with the law.
5. In a case in which the district found noncompliance, the corrective actions fail to provide a proper remedy.

Upon notification by CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the district's investigation report
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
4. A report of any action taken to resolve the complaint
5. A copy of the district's UCP

**UNIFORM COMPLAINT PROCEDURES** (continued)

6. Other relevant information requested by CDE

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

**All Personnel**

BP 4119.25(a)

4219.25

**POLITICAL ACTIVITIES OF EMPLOYEES**

4319.25

The Governing Board recognizes the importance of political activity, voting, and civic engagement, and respects the right of district employees to engage in political discussions and activities as individuals on their own time and at their own expense. When engaging in such activities, employees shall make it clear that they are acting on their own behalf and not as representatives of the district.

*(cf. 1160 - Political Processes)*  
*(cf. 6144 - Controversial Issues)*

District employees, as members of the community, may use school facilities for meetings, including political activities, as permitted under the Civic Center Act and district policy.

*(cf. 1330 - Use of School Facilities)*

Employees shall refrain from prohibited political activities identified in law, Board policy, and administrative regulations. Employees who engage in these activities shall be subject to disciplinary action and/or criminal penalties.

*(cf. 1325 - Advertising and Promotion)*  
*(cf. 4118 - Dismissal/Suspension/Disciplinary Action)*  
*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

*Legal Reference: (see next page)*



## **POLITICAL ACTIVITIES OF EMPLOYEES (continued)**

### *Legal Reference:*

#### EDUCATION CODE

7050-7058 *Political activities of school officers and employees*

38130-38139 *Civic Center Act*

51520 *Prohibited solicitations on school premises*

#### ELECTIONS CODE

18304 *Prohibition against use of district seal in campaign literature*

#### GOVERNMENT CODE

3543.1 *Rights of employee organizations*

8314 *Prohibition against use of public resources for campaign activity*

82041.5 *Definition of mass mailing*

#### PENAL CODE

424 *Punishment for misuse of public funds*

#### COURT DECISIONS

*Heffernan v. City of Paterson*, (2016) 136 S. Ct. 1412

*Diquisto v. County of Santa Clara*, (2010) 181 Cal. App. 4th 236

*San Leandro Teachers Association v. Governing Board of the San Leandro Unified School District*, (2010) 46 Cal. 4th 822

*Downs v. Los Angeles Unified School District*, (9th Cir. 2000) 228 F.3d 1003

*California Teachers Association v. Governing Board of San Diego Unified School District*, (1996) 45 Cal.App. 4th 1383

*L.A. Teachers Union v. L.A. City Board of Education*, (1969) 71 Cal.2d 551

*Pickering v. Board of Education Township High School District*, (1968) 88 S. Ct. 1731

#### ATTORNEY GENERAL OPINIONS

84 *Ops.Cal.Atty.Gen.* 106 (2001)

84 *Ops.Cal.Atty.Gen.* 52 (2001)

77 *Ops.Cal.Atty.Gen.* 56 (1994)

#### PUBLIC EMPLOYMENT RELATIONS BOARD RULINGS

*City of Sacramento*, (2019) PERB Dec. No. 2702m

*Conejo Valley Unified School District*, (2009) PERB Dec. No. 2054

*East Whittier School District*, (2004) PERB Dec. No. 1727

*Turlock Joint Elementary School District*, (2004) PERB Dec. No. 1490a

*San Diego Community College District*, (2001) PERB Dec. No. 1467

### *Management Resources:*

#### WEB SITES

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

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

Public Employment Relations Board: <http://www.perb.ca.gov>

**All Personnel**

AR 4119.25(a)

4219.25

**POLITICAL ACTIVITIES OF EMPLOYEES**

4319.25

No employee shall be prohibited from soliciting or receiving political funds or contributions to promote the support or defeat of a ballot measure during nonworking time, including before and after school, the lunch period, or other scheduled work intermittency during the school day. (Education Code 7056)

District employees shall not:

1. Use district funds, services, supplies, equipment, work hours, or other public resources to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Governing Board (Education Code 7054, 7056; Government Code 8314)
2. Use the district's seal in any campaign literature or mass mailing with the intent to deceive voters, including, but not limited to, the use of a reproduction or facsimile of the seal in a manner that creates a misleading, erroneous, or false impression that the document is authorized by the Board, a Board member, or the district (Elections Code 18304)

*(cf. 1160 - Political Processes)*

3. During working hours, solicit or receive any political funds or contributions to promote the passage or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service or other working conditions (Education Code 7056)
4. During working hours, solicit or receive any political funds or contributions to promote the passage or defeat of other types of ballot measures
5. Use district equipment for the preparation or reproduction of political campaign materials

*(cf. 3512 - Equipment)*

6. Post or distribute political campaign materials in classrooms, through distance learning platforms, or on district property
7. Disseminate political campaign materials through the district's mail service, e-mail, or staff mailboxes

*(cf. 4040 - Employee Use of Technology)*

8. Use students to write, address, or distribute political campaign materials
9. Present viewpoints on particular candidates or ballot measures in the classroom without giving equal time to the presentation of all perspectives

AR 4119.25(b)  
4219.25  
4319.25

**POLITICAL ACTIVITIES OF EMPLOYEES** (continued)

*(cf. 6144 - Controversial Issues)*

10. Wear buttons, hats, or other articles of clothing that express political opinions on ballot measures or candidates during instructional time

**Political Activities of Employee Organizations**

Employee organizations shall not use district funds, services, supplies, or equipment, such as staff mailboxes or the district mail system, to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

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

No employee organization or its officers, agents, or representatives shall be prohibited from soliciting or receiving political funds or contributions to promote the passage or defeat of a ballot measure during nonworking time, including before and after school, the lunch period, or other scheduled work intermittency during the school day. (Education Code 7056)

**All Personnel**

BP 4140(a)

4240

**BARGAINING UNITS**

4340

The Governing Board recognizes the right of district employees to form a bargaining unit, select an employee organization as their exclusive representative, and be represented by that organization in their employment relationship with the district. The Board is committed to negotiating in good faith with recognized employee organizations and respecting the rights of employees and employee organizations.

*(cf. 4141/4241 - Collective Bargaining Agreement)*

*(cf. 4143/4243 - Negotiations/Consultation)*

*(cf. 9000 - Role of the Board)*

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

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

*(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)*

**Formation of Bargaining Units**

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

The district may recognize a bargaining unit of supervisory employees if: (Government Code 3545)

1. The bargaining unit includes all supervisory employees.
2. The supervisors are not represented by the same organization that represents employees whom the supervisory employees supervise.

*(cf. 4300 - Administrative and Supervisory Personnel)*

*(cf. 4301 - Administrative Staff Organization)*

*(cf. 4312.1 - Contracts)*

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

## **BARGAINING UNITS** (continued)

Employees serving in management, senior management, or confidential positions shall not be represented by an exclusive representative. Such employees may represent themselves individually. For purposes other than negotiations and bargaining, such employees may be represented by an employee organization whose membership is composed entirely of employees designated as holding those positions. For this purpose: (Government Code 3540.1, 3543.4)

1. *Management employee* means any employee who has significant responsibilities for formulating district policies or administering district programs, and whose position is designated as a management position by the Board.
2. *Confidential employee* means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.

## **Membership**

The district shall not deter or discourage employees or job applicants from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. In addition, the district shall not impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, or otherwise interfere with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (Government Code 3543.5, 3550)

*(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)*

The Superintendent or designee may communicate with district employees regarding their rights under the law. Such communications shall be factual and accurate, and may not promise a benefit, threaten a reprisal, or in any way deter or discourage employees from joining an employee organization or paying dues.

However, before disseminating to multiple employees any mass communication concerning employees' right to join or support an employee organization or to refrain from joining or supporting an employee organization, such as a written document or script for oral or recorded presentation or message, the Superintendent or designee shall meet and confer with the employees' exclusive representative regarding the content of the communication. If the

## **BARGAINING UNITS** (continued)

district and exclusive representative do not come to agreement on the content of the mass communication, the Superintendent or designee may disseminate the district's mass communication provided that, at the same time, copies of the exclusive representative's communication, which shall be of reasonable length, are also distributed. (Government Code 3553)

### **Access to Employee Orientations**

The district shall permit employee organizations access to new employee orientations where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation. However, in any specific instance where an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice, a shorter notice may be provided. (Government Code 3555.5, 3556)

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

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

### **Access to Employee Contact Information**

The Superintendent or designee shall provide an exclusive representative with the name, job title, department, work location, telephone numbers (work, home, and personal cell phone), personal email address(es) on file with the district, and home address of any newly hired employee in the bargaining unit, within 30 days of hire or by the first pay period of the month following hire. In addition, the Superintendent or designee shall provide the same

## **BARGAINING UNITS** (continued)

information in regard to all employees in the bargaining unit to an exclusive representative at least every 120 days, unless more frequent or detailed lists are required by agreement with the exclusive representative. (Government Code 3558, 6254.3)

However, the Superintendent or designee shall not disclose the home address and any phone numbers on file for employees performing law enforcement-related functions, nor disclose the home address, home or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address confidentiality program pursuant to Government Code 6207 or of any employee who provides a written request that the information not be disclosed for this purpose. Following receipt of a written request, the district shall remove the employee's home address, home and personal cell phone numbers, and personal email address from any mailing list maintained by the district unless the list is only used by the district to contact the employee. (Government Code 3558, 6207, 6254.3)

*(cf. 1340 - Access to District Records)*

### **Communications with Employees**

Employee organizations may have access at reasonable times to areas in which employees work and may use district facilities at reasonable times for the purpose of meetings. Subject to reasonable regulation, employee organizations may also use institutional bulletin boards, mailboxes, and other means of communication to communicate with employees. (Government Code 3543.1)

Access to district means of communication shall be limited in cases where such access would be disruptive to district operations.

### **Membership Dues or Other Payments to an Employee Organization**

When drawing an order for the salary or wage payment of a bargaining unit employee of an employee organization, the district shall deduct any amount which has been requested by the employee in a revocable written authorization for the purpose of paying dues or other payments for any service, program, or committee provided or sponsored by the employee organization. (Education Code 45060, 45168)

An employee organization that certifies that it has and will maintain individual employee authorizations shall handle and process employee written authorizations for payroll deductions. When an employee organization provides such a certification to the district, the district shall rely on information from the employee organization regarding the amounts of such payroll deductions and from which employees. The employee organization shall not be

**BARGAINING UNITS** (continued)

required to submit to the district a copy of the written authorization in order for the payroll deductions to be effective. However, when there is a dispute about the existence or terms of the written authorization, a copy of the employee's written authorization shall be submitted to the district. The employee organization shall indemnify the district for any employee claims regarding payroll deductions made by the district in reliance on notification from the employee organization. (Education Code 45060, 45168)

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

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

*Legal Reference: (see next page)*



## BARGAINING UNITS (continued)

### Legal Reference:

#### EDUCATION CODE

45060-45061.5 Deduction of fees from salary or wage payment, certificated employees

45100.5 Senior management positions

45104.5 Abolishment of senior classified management positions

45108.5 Definition of senior classified management employees

45108.7 Waiver of provisions of 45108.5

45168 Deduction of fees from salary or wage payment, classified employees

45220-45320 Merit system, classified employees

#### GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act, especially:

3540.1 Definitions

3543.4 Management position; representation

3545 Appropriateness of unit; basis

3550-3552 Prohibition on public employers deterring or discouraging union membership

3555-3559 Public employee communication, information and orientation

6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking

6254.3 Disclosure of employee contact information to employee organization

6503.5 Joint powers agencies

53260-53264 Employment contracts

#### CODE OF REGULATIONS, TITLE 8

33015-33490 Recognition of exclusive representative; proceedings

33700-33710 Severance of established unit

34020 Petition to rescind organizational security arrangement

34055 Reinstatement of organizational security arrangement

#### COURT DECISIONS

Janus v. American Federation of State, County and Municipal Employees, Council 31, (2018) 138 S.Ct. 2448

Friedrichs v. California Teachers Association, et al., (2016) 136 S.Ct. 1083

County of Los Angeles v. Service Employees International Union, Local 721, (2013) 56 Cal. 4th 905

#### PUBLIC EMPLOYMENT RELATIONS BOARD RULINGS

City of Sacramento, (2019) PERB Dec. No. 2702m

East Whittier School District, (2004) PERB Dec. No. 1727

### Management Resources:

#### WEB SITES

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

Association of California School Administrators: <http://www.acsa.org>

California Federation of Teachers: <http://www.cft.org>

California School Employees Association: <http://www.csea.com>

California Teachers Association: <http://www.cta.org>

Public Employment Relations Board: <http://www.perb.ca.gov>

## Students

### AWARDS FOR ACHIEVEMENT

The Governing Board encourages excellence as a goal for all students and wishes to publicly recognize students for exemplary achievement in academic, artistic, extracurricular, athletic, and community service activities.

*(cf. 5121 - Grades/Evaluation of Student Achievement)*

*(cf. 5127 - Graduation Ceremonies and Activities)*

*(cf. 6142.4 - Service Learning/Community Service Classes)*

#### District/School Awards

Student awards may include verbal recognition, a letter, a certificate, a Board resolution, public ceremony, trophy, gift, plaque, or monetary gift.

The Superintendent or designee shall develop criteria for the selection of student award recipients.

#### *Legal Reference:*

##### EDUCATION CODE

220 Nondiscrimination

35160 Authority of governing boards

35310-35319 Scholarship and loan funds

44015 Awards to employees and students

51243-51245 Credit for private school foreign language instruction

51450-51455 Golden State Seal Merit Diploma

51460-51464 State Seal of Biliteracy

51470-51474 State Seal of Civic Engagement

52164.1 Assessment of English language skills of English learners

##### GOVERNMENT CODE

54950-54963 Brown Act open meeting laws

##### CODE OF REGULATIONS, TITLE 5

876 Golden State Seal Merit Diploma

1632 Credit for private school foreign language instruction

11517.6-11519.5 English Language Proficiency Assessments for California

#### *Management Resources:*

##### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

SSCE Implementation Guidance

##### WEB SITES

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

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

Californians Together: <http://www.californianstogether.org>

**Students**

AR 5126(d)

AR 5126(a)

## **AWARDS FOR ACHIEVEMENT**

### **District/School Awards**

The Superintendent or designee may appoint an awards committee at each school which may consist of school administrators, staff members, parents/guardians, community members, and student representatives. The committee shall submit recommendations for student awards to the Superintendent or designee for approval.

*(cf. 1220 - Citizen Advisory Committees)*

Individual awards in excess of \$200 must be expressly approved by the Governing Board.  
(Education Code 44015)

Regulation  
approved:

CSBA MANUAL MAINTENANCE SERVICE  
December 2020

**IMMUNIZATIONS**

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Governing Board shall cooperate with state and local public health agencies to encourage and facilitate immunization of all district students against preventable diseases.

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5141.26 - Tuberculosis Testing)*

*(cf. 6142.8 - Comprehensive Health Education)*

Each student enrolling for the first time in a district school, preschool, or child care and development program or enrolling in or advancing to grade 7 shall present an immunization record from any authorized private or public health care provider certifying that the student has received all required immunizations in accordance with law. Students shall be excluded from school or exempted from immunization requirements only as allowed by law.

*(cf. 5112.1 - Exemptions from Attendance)*

*(cf. 5112.2 - Exclusions from Attendance)*

*(cf. 5141.32 - Health Screening for School Entry)*

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

Transfer students shall be requested to present immunization records upon registration at district schools if possible.

*(cf. 6173 - Education for Homeless Children)*

*(cf. 6173.1 - Education for Foster Youth)*

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

*Legal Reference: (see next page)*

## IMMUNIZATIONS (continued)

### *Legal Reference:*

#### EDUCATION CODE

44871 *Qualifications of supervisor of health*  
46010 *Total days of attendance*  
48216 *Immunization and exclusion from attendance*  
48853.5 *Immediate enrollment of foster youth*  
48980 *Required notification of rights*  
49403 *Cooperation in control of communicable disease and immunizations*  
49426 *Duties of school nurses*  
49701 *Flexibility in enrollment of children of military families*  
51745-51749.6 *Independent study*

#### HEALTH AND SAFETY CODE

120325-120380 *Immunization against communicable disease, especially:*  
120335 *Immunization requirement for admission*  
120372 *Statewide medical exemption electronic standardized form*  
120395 *Information about meningococcal disease, including recommendation for vaccination*  
120440 *Disclosure of immunization information*

#### CODE OF REGULATIONS, TITLE 5

430 *Student records; definition*

#### CODE OF REGULATIONS, TITLE 17

6000-6075 *School attendance immunization requirements*

#### UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act*

#### UNITED STATES CODE, TITLE 42

11432 *Immediate enrollment of homeless children*

#### CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 *Family Educational Rights and Privacy*

### *Management Resources:*

#### CALIFORNIA DEPARTMENT OF PUBLIC HEALTH

##### Exemptions FAQs

Guide to Immunization Requirements for Pre-kindergarten (Child Care)

Guide to Immunization Requirements for K-12th Grade

Parents' Guide to Immunizations Required for Pre-kindergarten (Child Care)

Parents' Guide to Immunizations Required for School Entry

Vaccinations and Medical Exemptions Questions and Answers

California Immunization Handbook for Pre-kindergarten (Child Care) Programs and Schools, 10th Edition, July 2019

#### EDUCATION AUDIT APPEALS PANEL PUBLICATIONS

Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting

#### U.S. DEPARTMENT OF EDUCATION GUIDANCE

Family Educational Rights and Privacy Act (FERPA) and H1N1, October 2009

*Management Resources continued: (see next page)*

**IMMUNIZATIONS** (continued)

*Management Resources: (continued)*

WEB SITES

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

*California Department of Public Health, Immunization Branch:*

*<https://www.cdph.ca.gov/programs/cid/dcdc/pages/immunize.aspx>*

*California Department of Public Health, Shots for Schools: <https://www.shotsforschool.org>*

*California Health & Human Services Agency: <https://www.chhs.ca.gov/>*

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

*Education Audit Appeals Panel: <http://www.eaap.ca.gov>*

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

**IMMUNIZATIONS**

**Required Immunizations**

Upon a student's registration at a district school, the Superintendent or designee shall provide the student's parents/guardians a written notice summarizing the state's immunization requirements.

The Superintendent or designee shall not unconditionally admit any student to a district school, preschool, or child care and development program for the first time nor admit or advance any student to grade 7, unless the student has been fully immunized. The student shall present documentation of full immunization, in accordance with the age/grade and dose required by the California Department of Public Health (CDPH), against the following diseases: (Health and Safety Code 120335; 17 CCR 6025)

1. Measles, mumps, and rubella
2. Diphtheria, tetanus, and pertussis (whooping cough)
3. Poliomyelitis (polio)
4. Hepatitis B
5. Varicella (chickenpox)
6. Haemophilus influenza type b (Hib meningitis)
7. Any other disease deemed appropriate by CDPH

*(cf. 5141.22 - Infectious Diseases)*  
*(cf. 5148 - Child Care and Development)*  
*(cf. 5148.3 - Preschool/Early Childhood Education)*  
*(cf. 6170.1 - Transitional Kindergarten)*

However, full immunization against hepatitis B shall not be a condition by which the Superintendent or designee shall admit or advance any student to grade 7. (Health and Safety Code 120335)

A student who qualifies for an individualized education program (IEP), unless otherwise exempt, shall be fully immunized in accordance with Health and Safety Code 120335 and this regulation. However, the district shall continue to implement the student's IEP and shall not prohibit the student from accessing any special education and related services required by the student's IEP regardless of whether the student is fully immunized. (Health and Safety Code 120335)

*(cf. 6159 - Individualized Education Program)*

## **IMMUNIZATIONS** (continued)

School personnel shall record information for each student regarding all doses of required immunizations and the status of all requirements in accordance with 17 CCR 6070. The school records shall be based on the student's immunization record provided by the student's health care provider, from the student's previous school immunization record, or through the California Immunization Registry (CAIR). (17 CCR 6070)

### **Exemptions**

Exemption from one or more immunization requirements shall be granted under any of the following circumstances:

1. A medical exemption is submitted using the standardized form developed by CDPH and transmitted using CAIR which includes, but is not limited to, a description of the medical basis for which the exemption for each individual immunization is sought and whether the medical exemption is permanent or temporary. (Health and Safety Code 120372)

A student who has a medical exemption issued prior to January 1, 2020 shall be allowed to continue enrollment until the next grade span, except that after July 1, 2021, a student may not be admitted or advanced to grade 7 unless the student has been immunized or a medical exemption form filed as stated above. (Health and Safety Code 120370)

A temporary exemption shall not exceed one year, and all medical exemptions shall not extend beyond the grade span. (Health and Safety Code 120372)

If a student's medical exemption is revoked by CDPH on the basis that the exemption does not meet applicable criteria for medical exemptions, the student shall continue in attendance and, within 30 calendar days of the revocation, commence the immunization schedule required for conditional admittance pursuant to 17 CCR 6050, as described below. (Health and Safety Code 120372)

The student's parent/guardian may appeal a revocation to the Secretary of California Health and Human Services. If a revocation is appealed, the student shall continue in attendance and shall not be required to commence the immunization schedule required for conditional admittance provided the appeal is filed within 30 calendar days of the revocation. (Health and Safety Code 120372, 120372.05)

2. The student's parent/guardian filed with the district, before January 1, 2016, a letter or written affidavit stating that an immunization is contrary to the student's personal beliefs, in which case the student shall be exempted from the immunization until the student enrolls in the next applicable grade span requiring immunization (birth to preschool, grades K-6, grades 7-12). (Health and Safety Code 120335)



## **IMMUNIZATIONS** (continued)

*(cf. 6141.2 - Recognition of Religious Beliefs and Customs)*

When a student transfers to a different school within the district or transfers into the district from another school district in California, the student's personal beliefs exemption filed before January 1, 2016, shall remain in effect until the next applicable grade span. A student transferring from a school outside the district shall present a copy of the personal beliefs exemption upon enrollment. When a student transfers into the district from outside California and presents a personal beliefs exemption issued by another state or country prior to January 1, 2016, the Superintendent or designee may consult with legal counsel regarding the applicable immunization requirements.

3. The student is enrolled in an independent study program pursuant to Education Code 51745-51749.6 and does not receive classroom-based instruction. (Health and Safety Code 120335)

*(cf. 6158 - Independent Study)*

### **Conditional Enrollment**

The Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that the student has not received all the immunizations required for the student's age group, but has commenced receiving doses of all required vaccines and is not due for any other doses at the time of admission. The Superintendent or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses as specified in 17 CCR 6035. (Health and Safety Code 120340; 17 CCR 6035)

*(cf. 5145.6 - Parental Notifications)*

In addition, a transfer student may be conditionally admitted for up to 30 school days while the student's immunization records are being transferred from the previous school. If such documentation is not presented within 30 days, the student shall be excluded from school until the required immunizations have been administered. (17 CCR 6035)

The Superintendent or designee shall immediately enroll homeless students, foster youth, and students of military families even if their immunization records are missing or unavailable at the time of enrollment. School or district staff shall work with the student's prior school to obtain the student's immunization records or shall ensure that the student is properly immunized. (Education Code 48853.5, 49701; Health and Safety Code 120341; 42 USC 11432)

## **IMMUNIZATIONS** (continued)

*(cf. 6173 - Education for Homeless Children)*

*(cf. 6173.1 - Education for Foster Youth)*

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

The Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all the required immunizations. If the student does not receive the required immunizations within the specified time limits, the student shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375; 17 CCR 6040, 6070)

### **Exclusions Due to Lack of Immunizations**

If an enrolled student who was previously believed to be in compliance with immunization requirements is subsequently discovered to not be in compliance with requirements for unconditional or conditional admission, the Superintendent or designee shall notify the parent/guardian that evidence of proper immunization or an appropriate exemption must be provided within 10 school days. This notice shall refer the parent/guardian to the student's usual source of medical care or, if the student has no usual source of medical care, then to the county health department or school immunization program, if any. (Education Code 48216; 17 CCR 6040)

*(cf. 5112.2 - Exclusions from Attendance)*

*(cf. 5141.6 - School Health Services)*

The Superintendent or designee shall exclude from further attendance an enrolled student who fails to obtain the required immunization within 10 school days following the parent/guardian's receipt of the notice specified above. The student shall remain excluded from school until documentation is provided indicating that the student has received a dose of each required vaccine due at that time. (17 CCR 6040, 6055)

The student shall also be reported to the attendance supervisor or principal.

### **Exclusion Due to Exposure to Disease**

If the district has good cause to believe that a student has been exposed to a disease listed in the section "Required Immunizations" above and the student's documentation of immunization does not show proof of immunization against that disease, that student may be temporarily excluded from the school until the local health officer is satisfied that the student is no longer at risk of developing or transmitting the disease. (Health and Safety Code 120370)

## **IMMUNIZATIONS** (continued)

### **Records**

Each student's immunization record shall be retained as part of the student's mandatory permanent student record. District staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law. (Health and Safety Code 120375, 120440; 17 CCR 6070)

*(cf. 5125 - Student Records)*

The district shall also retain in the mandatory student record any physician or health officer statement, personal beliefs letter or affidavit, reason for conditional enrollment, or any other documentation related to the student's immunization record or exemptions.

At least annually, the Superintendent or designee shall file a written report on the immunization status of new students with CDPH and the local department of public health on forms prescribed by CDPH. (Health and Safety Code 120375; 17 CCR 6075)

### **Audits**

If an audit reveals deficiencies in the district's reporting procedures, the Superintendent or designee shall present the Board with a plan to remedy such deficiencies.

**TRANSITIONAL KINDERGARTEN**

The Governing Board desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The TK program shall assist students in developing the academic, social, and emotional skills needed to succeed in kindergarten and beyond.

The district's TK program shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in the development, implementation, and evaluation of the district's TK program.

*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 6020 - Parent Involvement)*

**Eligibility**

The district's TK program shall admit children whose fifth birthday is from September 2 through December 2. (Education Code 48000)

Parents/guardians of eligible children shall be notified of the availability of the TK program and of the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

*(cf. 5111 - Admission)*  
*(cf. 5111.1 - District Residency)*  
*(cf. 5141.22 - Infectious Diseases)*  
*(cf. 5141.3 - Health Examinations)*  
*(cf. 5141.31 - Immunizations)*  
*(cf. 5141.32 - Health Screening for School Entry)*

On a case-by-case basis, a child whose fifth birthday is on or before September 1 may be admitted into the district's TK program upon request of a child's parents/guardians, if the Superintendent or designee determines that it is in the child's best interest.

## **TRANSITIONAL KINDERGARTEN (continued)**

### **Curriculum and Instruction**

The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

*(cf. 6141 - Curriculum Development and Evaluation)*  
*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education (CDE). It shall be designed to facilitate students' development in essential knowledge and skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

*(cf. 5148.3 - Preschool/Early Childhood Education)*  
*(cf. 6011 - Academic Standards)*  
*(cf. 6174 - Education for English Learners)*

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

TK students may be commingled in the same classroom with four-year-old students from a California State Preschool Program as long as all of the requirements of each program are met and the classroom does not include students enrolled in TK for a second year or students enrolled in a regular kindergarten. (Education Code 8235, 48000)

*(cf. 5148.3 - Preschool/Early Childhood Education)*

### **Staffing**

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

## **TRANSITIONAL KINDERGARTEN (continued)**

*(cf. 4112.2 - Certification)*

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2021, have at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by CTC. (Education Code 48000)

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children.

*(cf. 4131 - Staff Development)*

### **Continuation to Kindergarten**

Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.

However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.

A student shall not attend more than two years in a combination of TK and kindergarten. (Education Code 46300)

*(cf. 5123 - Promotion/Acceleration/Retention)*

### **Assessment**

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. The Superintendent or designee shall monitor and regularly report to the Board regarding program implementation, the progress of students in meeting related academic standards, and student preparedness for future education.

*(cf. 0500 - Accountability)*

*(cf. 6162.5 - Student Assessment)*

*Legal Reference: (see next page)*

## TRANSITIONAL KINDERGARTEN (continued)

### *Legal Reference:*

#### EDUCATION CODE

- 8235 *California State Preschool Program*
- 8970-8974 *Early primary programs; extended-day kindergarten*
- 37202 *School calendar; equivalency of instructional minutes*
- 44258.9 *Assignment monitoring by county superintendent of schools*
- 46111 *Kindergarten, hours of attendance*
- 46114-46119 *Minimum school day, kindergarten*
- 46300 *Computation of ADA, inclusion of kindergarten and transitional kindergarten*
- 48000 *Age of admission, kindergarten and transitional kindergarten*
- 48002 *Evidence of minimum age required to enter kindergarten or first grade*
- 48003 *Kindergarten annual report*
- 48200 *Compulsory education, starting at age six*

### *Management Resources:*

#### CSBA PUBLICATIONS

- What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016*
- CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
- Transitional Kindergarten FAQs
- Desired Results Developmental Profile, 2015*
- Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, 2013*
- California Preschool Curriculum Framework, Vol. 3, 2013*
- California Preschool Learning Foundations, Vol. 3, 2012*
- California Preschool Curriculum Framework, Vol. 2, 2011*
- California Preschool Learning Foundations, Vol. 2, 2010*
- California Preschool Curriculum Framework, Vol. 1, 2010*
- California Preschool Learning Foundations, Vol. 1, 2008*

#### WEB SITES

- CSBA: <http://www.csba.org>
- California Department of Education: <http://www.cde.ca.gov>
- California Kindergarten Association: <http://www.ckanet.org>
- Commission on Teacher Credentialing: <http://www.ctc.ca.gov>
- Transitional Kindergarten California: <https://tkcalifornia.org>

**4. ADMINISTRATIVE: Action items:**

**4.5** Request to Award Bid to the Lowest Responsible Bidder for the Tipton Elementary School Camera Replacement Project



## Tipton Elementary School District Security Camera Project

### Bids Received

	Price -1	Price -2
EKC	\$237,000.00	
HCI	\$148,935.00	\$199,446.00

Winning Bid: EKC

#### HCI Losing Reasons:

\*Only an alternative was provided

\*Alternative not acceptable replacement

Bid 1 from HCI for a Hanwha product was not fully comparable. Major difference of On-Site vs Cloud Recording

Bid 2 from HCI included a cloud based recording solution similar to Verkada, but no demo of the product was made to date (3/30/21).

The bid request specifically stated requiring to see any comparable products 5 days prior to the bid due date therefore disqualifying the second bid altogether.

Comparing the products bid from EKC and HCI, the EKC bid products have all the features and requirements we would need for future proofing our districts security.

The HCI first bid did not include all the features and requirements to meet our needs as a replacement product therefore leading to not awarding a bid.

## **5. FINANCE: Action items:**

### **5.1 Vendor Payments**

## APY List

Date Paid between 03/01/2021 and 03/30/2021

Vendor No	Vendor Name	Reference Number	Payment Date	Invoice Number/Desc.	AccountCode	Amount
13456	A & G TELEPHONE SERVICE, INC.	211321	03/26/2021	6687	010-81500-0-00000-81000-58000-0	\$980.31
13670	AERIES,INC - EAGLE SOFTWARE	211319	03/26/2021	CONF-20642	010-00000-0-11100-10000-52000-0	\$150.00
13036	AMERICAN FIDELITY	211264	03/12/2021	FEBRUARY 2021	010-00000-0-00000-00000-95024-0	\$422.28
12788	ARAMARK UNIFORM SERVICES IN	211265	03/12/2021	503000240269	010-00000-0-00000-81000-56000-0	\$450.17
12788	ARAMARK UNIFORM SERVICES IN	211266	03/12/2021	503000235596	010-00000-0-00000-81000-56000-0	\$450.17
12788	ARAMARK UNIFORM SERVICES IN	211267	03/12/2021	503000231131	010-00000-0-00000-81000-56000-0	\$419.17
12788	ARAMARK UNIFORM SERVICES IN	211303	03/26/2021	503000244901	010-00000-0-00000-81000-56000-0	\$493.35
12788	ARAMARK UNIFORM SERVICES IN	211337	03/26/2021	503000249407	010-00000-0-00000-81000-56000-0	\$452.29
13904	AT&T	211344	03/26/2021	9391028858	010-00000-0-00000-81000-59000-0	\$401.99
14404	AT&T	211346	03/26/2021	082696364-022521	010-00000-0-00000-82000-59000-0	\$238.08
13903	A-Z BUS SALES	211312	03/26/2021	O2P479398	010-07230-0-00000-36000-43000-0	\$813.99
13903	A-Z BUS SALES	211313	03/26/2021	O2P479359	010-07230-0-00000-36000-43000-0	\$1,069.70
13903	A-Z BUS SALES	211314	03/26/2021	O2P479361	010-07230-0-00000-36000-43000-0	\$219.84
14101	B&B PEST CONTROL SERVICE	211268	03/12/2021	01-TIP-02-21	010-00000-0-00000-81000-58000-0	\$170.00
14432	BRUSTEIN & MANASEVIT, PLLC	211347	03/26/2021	1030266	010-00000-0-00000-72000-52000-0	\$350.00
12548	CALIFORNIA TURF EQUIP. & SUPP	211320	03/26/2021	487384	010-81500-0-00000-81000-43000-0	\$40.00
13619	CDW GOVERNMENT, INC.	211318	03/26/2021	8685192	010-07200-0-11100-10000-43000-0	\$239.77
14429	CUNHA CASSANDRA	211330	03/26/2021	REIMB.ACSA 3.16	010-00000-0-00000-72000-43000-0	\$60.78
14366	DEPARTMENT OF INDUSTRIAL RE	211246	03/02/2021	E1763283SA	010-00000-0-00000-81000-58000-0	\$250.00
13219	DEPARTMENT OF JUSTICE	211300	03/12/2021	497191	010-00000-0-00000-72000-58000-0	\$271.00
11812	DUNCAN CERAMIC SUPPLY	211365	03/26/2021	1107855	010-07200-0-11100-10000-43000-0	\$76.02
14375	F & M VISA s	211293	03/12/2021	8230 SOLIAN	010-32100-0-11100-10000-58000-0	\$299.00
14374	F & M VISA b	211257	03/05/2021	7885 BETTENCOURT	010-00000-0-00000-72000-43000-0	\$65.00
14374	F & M VISA b	211256	03/05/2021	7885 BETTENCOURT	010-00000-0-00000-72000-58000-0	\$15.00
14374	F & M VISA b	211254	03/05/2021	7885 BETTENCOURT	010-00000-0-00000-72000-59000-0	\$7.00
14374	F & M VISA b	211255	03/05/2021	7885 BETTENCOURT	010-00000-0-00000-72000-59000-0	\$26.35
14374	F & M VISA b	211253	03/05/2021	7885 BETTENCOURT	010-32100-0-11100-10000-59000-0	\$1,320.00
14387	F & M VISA h	211343	03/26/2021	7885 BETTENCOURT	010-90336-0-11100-10000-43000-0	\$390.50
14373	F & M VISA m	211261	03/05/2021	3661 MARTIN	010-07230-0-00000-36000-58000-0	\$375.50
14102	FOLLETT SCHOOL SOLUTIONS, INC	211258	03/05/2021	1430532	010-07200-0-11100-10000-43000-0	\$99.50
14164	IEC POWER LLC	211273	03/12/2021	TESD-OM-INV32	010-99900-0-00000-81000-58000-0	\$2,686.62
13740	LAURA LANDEROS	211341	03/26/2021	REIMB.LOTTERY	010-11000-0-11100-10000-43000-0	\$101.32
14286	LRP PUBLICATIONS	211294	03/12/2021	4505526	010-00000-0-00000-71100-43000-0	\$329.50
13882	MOBILE MODULAR MGT. CORP.	211307	03/26/2021	2129125	010-00000-0-00000-81000-56000-0	\$610.00
13882	MOBILE MODULAR MGT. CORP.	211308	03/26/2021	2129174	010-00000-0-00000-81000-56000-0	\$610.00
13882	MOBILE MODULAR MGT. CORP.	211309	03/26/2021	2129123	010-00000-0-00000-81000-56000-0	\$610.00
11531	MORRIS LEVIN & SON	211366	03/26/2021	2102-042815	010-81500-0-00000-81000-43000-0	\$282.81
11531	MORRIS LEVIN & SON	211367	03/26/2021	2102-042815	010-81500-0-00000-81000-56000-0	\$178.00

11531 MORRIS LEVIN & SON	211368	03/26/2021	2102-046634	010-81500-0-00000-81000-58000-0	\$250.00
11531 MORRIS LEVIN & SON	211369	03/26/2021	2011-010507	010-81500-0-00000-81000-58000-0	\$200.00
12836 OFFICE DEPOT, INC.	211356	03/26/2021	159334392001	010-00000-0-00000-27000-43000-0	\$12.49
12836 OFFICE DEPOT, INC.	211354	03/26/2021	159334393001	010-00000-0-00000-27000-43000-0	\$35.55
12836 OFFICE DEPOT, INC.	211355	03/26/2021	156786785001	010-00000-0-00000-27000-43000-0	\$208.01
12836 OFFICE DEPOT, INC.	211285	03/12/2021	158561795001	010-00000-0-00000-72000-43000-0	\$83.09
12836 OFFICE DEPOT, INC.	211357	03/26/2021	158007601003	010-07200-0-11100-10000-43000-0	\$1.26
12836 OFFICE DEPOT, INC.	211358	03/26/2021	158007601002	010-07200-0-11100-10000-43000-0	\$3.15
12836 OFFICE DEPOT, INC.	211359	03/26/2021	158155742001	010-07200-0-11100-10000-43000-0	\$18.61
12836 OFFICE DEPOT, INC.	211360	03/26/2021	158007601001	010-07200-0-11100-10000-43000-0	\$159.32
12836 OFFICE DEPOT, INC.	211288	03/12/2021	158161973001	010-11000-0-11100-10000-43000-0	\$22.60
12836 OFFICE DEPOT, INC.	211286	03/12/2021	158135705001	010-11000-0-11100-10000-43000-0	\$56.02
12836 OFFICE DEPOT, INC.	211302	03/12/2021	158161974001	010-11000-0-11100-10000-43000-0	\$9.69
12836 OFFICE DEPOT, INC.	211362	03/26/2021	161731615001	010-11000-0-11100-10000-43000-0	\$95.15
12836 OFFICE DEPOT, INC.	211363	03/26/2021	161826646001	010-11000-0-11100-10000-43000-0	\$30.16
12836 OFFICE DEPOT, INC.	211361	03/26/2021	158419952001	010-11000-0-11100-10000-43000-0	\$111.36
12836 OFFICE DEPOT, INC.	211289	03/12/2021	132357398001	010-32100-0-11100-10000-43000-0	\$123.91
12836 OFFICE DEPOT, INC.	210035	03/12/2021	158442829001	010-32100-0-11100-10000-43000-0	(\$123.91)
12836 OFFICE DEPOT, INC.	211290	03/12/2021	140257127001	010-32100-0-11100-10000-43000-0	\$102.35
12836 OFFICE DEPOT, INC.	211364	03/26/2021	140768886001	010-32100-0-11100-10000-43000-0	\$72.16
12836 OFFICE DEPOT, INC.	210036	03/26/2021	159606893001	010-32100-0-11100-10000-43000-0	(\$72.16)
12836 OFFICE DEPOT, INC.	211284	03/12/2021	156681377001	010-60100-0-11100-10000-43000-0	\$156.98
12836 OFFICE DEPOT, INC.	211283	03/12/2021	156681379001	010-60100-0-11100-10000-43000-0	\$26.93
12836 OFFICE DEPOT, INC.	211301	03/12/2021	15978580001	010-60100-0-11100-10000-43000-0	\$43.58
14273 PITNEY BOWES INC	211304	03/26/2021	1017683453	010-00000-0-00000-72000-59000-0	\$89.42
14396 S & S AG AND AUTO PARTS	211323	03/26/2021	018017	010-07230-0-00000-36000-43000-0	\$101.25
14396 S & S AG AND AUTO PARTS	211325	03/26/2021	015760	010-07230-0-00000-36000-43000-0	\$419.15
14396 S & S AG AND AUTO PARTS	211326	03/26/2021	019238	010-07230-0-00000-36000-43000-0	\$427.44
14396 S & S AG AND AUTO PARTS	211329	03/26/2021	020607	010-07230-0-00000-36000-43000-0	\$19.78
14396 S & S AG AND AUTO PARTS	211327	03/26/2021	019504	010-07230-0-00000-36000-43000-0	\$478.69
14396 S & S AG AND AUTO PARTS	211328	03/26/2021	020006	010-07230-0-00000-36000-43000-0	\$76.99
13530 SCHOOL HEALTH CORP.	211342	03/26/2021	3768928-01	010-00000-0-00000-81000-43000-0	\$86.47
13316 SCHOOL INNOVATIONS & ACHIEV	211296	03/12/2021	0138843-IN	010-00000-0-00000-72000-58000-0	\$3,000.00
13596 SCHOOL NURSE SUPPLY	211311	03/26/2021	0828213-IN	010-07200-0-11100-10000-43000-0	\$311.44
14111 SISC	211249	03/05/2021	MARCH HW RET.BRD.ACT	010-00000-0-00000-00000-95024-0	\$59,958.51
14111 SISC	210034	03/05/2021	MARCH 2021 HW CM	010-00000-0-00000-00000-95024-0	(\$1,454.05)
14111 SISC	211248	03/05/2021	MARCH HW RET.BRD.ACT	010-00000-0-00000-00000-95028-0	\$7,960.40
14111 SISC	211247	03/05/2021	MARCH HW RET.BRD.ACT	010-00000-0-00000-71000-34020-0	\$7,277.40
5383 SOUTHERN CALIF EDISON CO	211250	03/05/2021	3-003-6248-80	010-99900-0-00000-81000-55000-0	\$3,586.78
5383 SOUTHERN CALIF EDISON CO	211251	03/05/2021	3-003-6474-91	010-99900-0-00000-81000-55000-0	\$192.21
13902 SOUTHWEST SCH. & OFFICE SUPP.	211310	03/26/2021	PINV0788348	010-00000-0-11100-10000-43000-0	\$250.11
13130 SYSCO FOOD SERVICES	211262	03/12/2021	284697382	010-60100-0-11100-10000-43000-0	\$21.08
13130 SYSCO FOOD SERVICES	211371	03/26/2021	284668483	010-74200-0-00000-37000-43000-0	\$685.52
14369 THE HOME DEPOT PRO	211305	03/26/2021	597205095	010-32100-0-00000-81000-43000-0	\$825.42
14369 THE HOME DEPOT PRO	211306	03/26/2021	600739353	010-32100-0-00000-81000-43000-0	\$311.13
12264 TIPTON AUTO PARTS	211280	03/12/2021	21808	010-81500-0-00000-81000-43000-0	\$32.29
12264 TIPTON AUTO PARTS	211281	03/12/2021	22074	010-81500-0-00000-81000-43000-0	\$41.94

12264 TIPTON AUTO PARTS	211278	03/12/2021	21442	010-81500-0-00000-81000-43000-0	\$20.43
12264 TIPTON AUTO PARTS	211279	03/12/2021	21608	010-81500-0-00000-81000-43000-0	\$33.13
5760 TIPTON COMMUNITY SERVICES D	211252	03/05/2021	10040002	010-00000-0-00000-81000-55000-0	\$599.89
14414 T-MOBILE USA INC.	211291	03/12/2021	970029235	010-32100-0-11100-10000-59000-0	\$6,960.00
13463 TULARE COUNTY OFFICE OF EDUCATION	211332	03/26/2021	210918	010-00000-0-00000-72000-52000-0	\$30.00
13463 TULARE COUNTY OFFICE OF EDUCATION	211331	03/26/2021	211035	010-56400-0-00000-31400-58000-0	\$120.00
12324 TULE TRASH COMPANY	211276	03/12/2021	94082	010-00000-0-00000-81000-55000-0	\$882.34
14180 U S POSTAL SERVICE	211295	03/12/2021	BOX FEE 787	010-00000-0-00000-72000-59000-0	\$212.00
13333 VERIZON WIRELESS	211259	03/05/2021	9873742006	010-00000-0-00000-81000-59000-0	\$713.73
14249 ZEE MEDICAL SULLIVAN CO	211282	03/12/2021	66269612	010-81500-0-00000-81000-43000-0	\$80.81

**010-General Fund Total Expenditures: \$112,003.01**

14101 B&B PEST CONTROL SERVICE	211269	03/12/2021	01-TIP-02-21	130-53100-0-00000-37000-58000-0	\$40.00
14246 FRESNO PRODUCE INC	211270	03/12/2021	978071	130-53100-0-00000-37000-47000-0	\$78.06
14246 FRESNO PRODUCE INC	211271	03/12/2021	977462	130-53100-0-00000-37000-47000-0	\$280.67
14246 FRESNO PRODUCE INC	211316	03/26/2021	978541	130-53100-0-00000-37000-47000-0	\$458.31
14246 FRESNO PRODUCE INC	211317	03/26/2021	978540	130-53100-0-00000-37000-47000-0	\$81.11
14246 FRESNO PRODUCE INC	211324	03/26/2021	978207	130-53100-0-00000-37000-47000-0	\$333.49
12921 GOLD STAR FOODS INC.	211272	03/12/2021	3728290	130-53100-0-00000-37000-47000-0	\$73.15
12921 GOLD STAR FOODS INC.	211315	03/26/2021	3742449	130-53100-0-00000-37000-47000-0	\$866.61
12921 GOLD STAR FOODS INC.	211298	03/12/2021	3715957	130-53100-0-00000-37000-58000-0	\$19.80
12921 GOLD STAR FOODS INC.	211299	03/12/2021	3720682	130-53100-0-00000-37000-58000-0	\$43.20
11531 MORRIS LEVIN & SON	211351	03/26/2021	2011-013437	130-53100-0-00000-37000-43000-0	\$1,136.04
11531 MORRIS LEVIN & SON	211353	03/26/2021	2011-013437	130-53100-0-00000-37000-43000-0	\$586.88
11531 MORRIS LEVIN & SON	211349	03/26/2021	2011-013437	130-53100-0-00000-37000-58000-0	\$2,381.02
11531 MORRIS LEVIN & SON	211352	03/26/2021	2011-013437	130-53100-0-00000-37000-58000-0	\$678.98
14287 P & R Paper Supply Company, Inc	211275	03/12/2021	10933162-00	130-53100-0-00000-37000-43000-0	\$1,028.54
14431 PIXLEY UNION SCHOOL DISTRICT	211334	03/26/2021	2	130-53100-0-00000-37000-53000-0	\$250.00
13191 PRODUCERS DAIRY FOODS	211260	03/05/2021	48085068433	130-53100-0-00000-37000-47000-0	\$649.88
13191 PRODUCERS DAIRY FOODS	211274	03/12/2021	48085069811-230	130-53100-0-00000-37000-47000-0	\$984.81
13191 PRODUCERS DAIRY FOODS	211322	03/26/2021	48085071235	130-53100-0-00000-37000-47000-0	\$662.98
13130 SYSCO FOOD SERVICES	211263	03/12/2021	284697382	130-53100-0-00000-37000-47000-0	\$2,956.20
13130 SYSCO FOOD SERVICES	211338	03/26/2021	284711053	130-53100-0-00000-37000-47000-0	\$7,516.51
13130 SYSCO FOOD SERVICES	211335	03/26/2021	284700391	130-53100-0-00000-37000-58000-0	\$178.35
13130 SYSCO FOOD SERVICES	211336	03/26/2021	384700391	130-53100-0-00000-37000-58000-0	\$38.22
13342 TULARE COUNTY ENVIR. HEALTH	211292	03/12/2021	IN0191561	130-53100-0-00000-37000-58000-0	\$390.00
12324 TULE TRASH COMPANY	211277	03/12/2021	94081	130-53100-0-00000-81000-55000-0	\$1,194.63
13412 US SOAP WEST, LLC	211348	03/26/2021	33795	130-53100-0-00000-37000-58000-0	\$77.04
12650 VALLEY FOOD SERVICE	211297	03/12/2021	395623	130-53100-0-00000-37000-47000-0	\$637.60
12650 VALLEY FOOD SERVICE	211333	03/26/2021	396138	130-53100-0-00000-37000-47000-0	\$1,105.94

**130-Cafeteria Fund Total Expenditures: \$24,728.02**

**Total Payments \$136,731.03**

## **5. FINANCE: Action items:**

### **5.2 Budget Revisions**

# Budget Revision Report

**Bdg Revision Final**

**Control Number: 33038865**

Account Classification		Approved / Revised	Change Amount	Proposed Budget
<b>Fund: 0100</b>	<b>General Fund</b>			
<b>Revenues</b>				
<b>Other Local Revenues</b>				
	010-90361-0-00000-00000-86990-0	\$0.00	\$41,480.40	\$41,480.40
	<b>Total:</b>	\$0.00	\$41,480.40	\$41,480.40
<b>Total Revenues</b>		\$0.00	\$41,480.40	\$41,480.40
<b>Expenditures</b>				
<b>Books and Supplies</b>				
	010-74200-0-00000-37000-43000-0	\$0.00	\$1,000.00	\$1,000.00
	010-74200-0-11100-10000-43000-0	\$25,701.00	(\$1,000.00)	\$24,701.00
	<b>Total:</b>	\$25,701.00	\$0.00	\$25,701.00
<b>Services, Other Operating Expenses</b>				
	010-81500-0-00000-81000-56000-0	\$8,000.00	\$2,000.00	\$10,000.00
	<b>Total:</b>	\$8,000.00	\$2,000.00	\$10,000.00
<b>Capital Outlay</b>				
	010-90361-0-00000-82000-64000-0	\$0.00	\$42,000.00	\$42,000.00
	<b>Total:</b>	\$0.00	\$42,000.00	\$42,000.00
<b>Total Expenditures</b>		\$33,701.00	\$44,000.00	\$77,701.00
<b>Other Financing Sources/Uses</b>				
<b>Contributions</b>				
	010-00000-0-00000-00000-89800-0	(\$2,245,793.00)	(\$2,519.60)	(\$2,248,312.60)
	010-81500-0-00000-00000-89800-0	\$305,000.00	\$2,000.00	\$307,000.00
	010-90361-0-00000-00000-89800-0	\$0.00	\$519.60	\$519.60
	<b>Total:</b>	(\$1,940,793.00)	\$0.00	(\$1,940,793.00)

# Budget Revision Report

Bdg Revision Final

Control Number: 33038865

Account Classification	Approved / Revised	Change Amount	Proposed Budget
Budgeted Unappropriated Fund Balance before this adjustment:		\$3,913,162.81	
Total Adjustment to Unappropriated Fund Balance:		(\$2,519.60)	
Budgeted Unappropriated Fund Balance after this adjustment:		\$3,910,643.21	



# Budget Revision Report

**Bdg Revision Final**

**Control Number: 33038865**

**Account Classification**

**Approved / Revised**

**Change Amount**

**Proposed Budget**

At a meeting of the school board on \_\_\_\_\_, the board approved the above budget account lines change to those amounts indicated in the proposed budget column.

Authorized by: \_\_\_\_\_

(County Office Use Only)

Updated at County Office on \_\_\_\_/\_\_\_\_/\_\_\_\_ by \_\_\_\_\_

**6. INFORMATION: (Verbal Reports & Presentations)**

**6.2** Consideration and Public Notice of the California School Employees Association's Initial Proposal to the District Regarding Classified Collective Bargaining Agreement Negotiations, for the 2021-2024 School Year

**INITIAL PROPOSAL**  
FOR THE 2021-2024 CONTRACT SUCCESSOR AGREEMENT  
FROM THE  
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION  
AND ITS TIPTON CHAPTER #765  
TO THE  
TIPTON ELEMENTARY SCHOOL DISTRICT  
MARCH 19, 2021

Pursuant to the Educational Employment Relations Act and the 2018-2021 Collective Bargaining Agreement (“CBA”) between the Tipton Elementary School District (“District”) and the California School Employees Association and its Tipton Chapter #765 (“CSEA”), CSEA submits this initial proposal to commence negotiations with the District for the 2021-2024 successor contract agreement.

CSEA proposes to alter and/or amend the following articles as indicated and presents these proposals for public discussion in accordance with Government Code §3547.

**ARTICLE 7: WAGES**

CSEA proposes a fair and equitable salary increase for classified bargaining unit members.

CSEA proposes to amend, change, or update language regarding longevity.

**ARTICLE 8: HEALTH BENEFITS**

CSEA proposes that the district shall provide for the full increase cost of the current health and welfare benefits for all eligible employees and their dependents.

CSEA proposes to amend, change, or update language regarding retiree’s benefits.

*All other provisions of the CBA shall remain in full force and effect.*

*CSEA retains the right to amend, modify, add to or delete from these proposals at any time during the negotiations process.*

**6. INFORMATION: (Verbal Reports & Presentations)**

**6.3** Consideration and Public Notice of the District's Initial Proposal to California School Employees Association Regarding Classified Collective Bargaining Agreement Negotiations, for the 2021-2024 School Year

## **TIPTON ELEMENTARY SCHOOL DISTRICT**

### **Sunshine Proposal for Contract Negotiations with**

### **California School Employees Association**

Public school employers and their exclusive representatives are required to present proposals which relate to matters within the scope of representation at a school board meeting prior to commencing negotiations.

The Board of Trustees of the Tipton Elementary School District (“District”) values the collaborative spirit through which collective bargaining is accomplished between the District and the California School Employees Association (“Association”). The District will approach the coming negotiations with the Association with an intent to negotiate mutually agreeable contract terms that address its employees’ interests and concerns when aligned with the seven Board and Local Control and Accountability Plan (“LCAP”) goals:

- Goal 1: Improve Student Achievement in English Language Arts
- Goal 2: Improve Student Achievement in Math
- Goal 3: Increase Academic Achievement for all EL students
- Goal 4: Improve Pupil Attendance and Truancy Rates
- Goal 5: Improve Participation and Increase Learning Opportunities for Parents
- Goal 6: To Provide and Equip a Multipurpose Room to Assist with the Implementation of a Broad Range of Study, Increase Pupil Achievement, and Help Facilitate Parental Involvement.
- Goal 7: Maintain Class Sizes of 24:1 or Less Across Grades TK-8

The following constitutes the initial proposal of the Tipton Elementary School District 2021-2024 contract negotiations with the Association.

#### **THE DISTRICT’S INITIAL PROPOSAL**

- Article 7: Wages
- Article 8: Health Benefits

The District desires to engage in good faith, principled negotiations with the Association to reach consensus on all negotiable items.