

TIPTON ELEMENTARY SCHOOL DISTRICT REGULAR BOARD MEETING AGENDA

Tuesday, April 5, 2022
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. **Open Public Hearing** In the Matter of Adopting Development Fees on Residential and Commercial and Industrial Development to Fund the Construction or Reconstruction of School Facilities

2.1 Open for Public Questions and Comments

2.2 Close Public Hearing

3. **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

2.3 Student Comments - Character Counts

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

3.1 Minutes of the Regular Board Meeting – March 1, 2022

3.2 Minutes of the Special Board Meeting – March 14, 2022

3.3 Conference, Field Trip, Fund Raiser and Facilities Requests

4. **ADMINISTRATIVE: Action items:**

4.1 Board Resolution #2021-2022-08 In the Matter of Adopting Development Fees on Residential and Commercial and Industrial Development to Fund the Construction or Reconstruction of School Facilities

4.2 Approval of J-13

4.3 Consulting Service Agreement with Air Quality Compliance Solutions

4.4 English Learner Reclassification Criteria for 2021-2022 school year

4.5 Addendum to Memorandum of Understanding Between Tipton Elementary School and Associated Teachers of Tipton CTA/NEA – Summer 2021-2022 – Learning Loss/Intervention Program

4.6 Resolution # 2021-2022-09 Appointing Additional State Allocation Board Representatives

5. **FINANCE: Action items:**
 - 5.1 Vendor Payments

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 2022-2023 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 2022-2023 School Year
 - 6.4 Consideration and Public Notice of the Associated Teachers of Tipton’s Initial Proposal to the District Regarding Certificated Collective Bargaining Agreement Negotiations, for the 2022-2023 School Year
 - 6.5 Consideration and Public Notice of District’s Initial Proposal to Associated Teachers of Tipton Regarding Certificated Collective Bargaining Agreement Negotiations, for the 2022-2023 School Year

7. **ANY OTHER BUSINESS:**
 - 7.1 Quarterly Board Policy - March 2022

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
Public Employee Appointment/Employment
Title: Fifth Grade Teacher
 - 8.3 Government Code Section 54957
Public Employee Appointment/Employment
Title: Second Grade Teacher
 - 8.4 Government Code Section 54957
Public Employee Appointment/Employment
Title: ASES After School Program Instructional Aide
 - 8.5 Government Code Section 54957
Public Employee Discipline/Dismissal/Release/Complaint

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.

Celebrating

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 31, 2022

2. Open Public Hearing In the Matter of Adopting Development Fees on Residential and Commercial and Industrial Development to Fund the Construction or Reconstruction of School Facilities

2.1 Open for Public Questions and Comments

MARCH 2022



2022 DEVELOPER FEE JUSTIFICATION STUDY TIPTON ELEMENTARY SCHOOL DISTRICT

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Appendices

- **SAB 50-01 - Enrollment Certification/Projection**
- **Census Data**
- **Use of Developer Fees**
- **Site Development Costs**
- **Index Adjustment on the Assessment for Development – State Allocation Board Meeting of February 23, 2022**
- **Annual Adjustment to School Facility Program Grants**

Executive Summary

This Developer Fee Justification Study demonstrates that the Tipton Elementary School District requires its share of the full statutory impact fee to accommodate impacts from development activity.

A fee of \$3.79 per square foot for residential construction and a fee of \$0.61 per square foot for commercial/industrial construction is currently assessed on applicable permits pulled in the District. The new fee amounts are **\$4.79** per square foot for residential construction and **\$0.78*** per square foot for commercial/industrial construction. This proposed increase represents \$1.00 per square foot and \$0.17 per square foot for residential and commercial/industrial construction, respectively. The District's share of the developer fees is 66.67%.

The following table shows the impacts of the new fee amounts:

Table 1
Tipton Elementary School District
Developer Fee Collection Rates

Totals	<u>Previous</u>	<u>New</u>	<u>Change</u>
Residential	\$3.79	\$4.79	\$1.00
Commercial/Ind.	\$0.61	\$0.78	\$0.17
District Share:	66.67%		
Net Impact	<u>Previous</u>	<u>New</u>	<u>Change</u>
Residential	\$2.53	\$3.19	\$0.66
Commercial/Ind.	\$0.41	\$0.52	\$0.11

*except for Rental Self Storage facilities in which a fee of \$0.18 per square foot is justified.

The total projected number of housing units to be built over the next five years is 5. The average square feet per unit is 1,917. This Study demonstrates a need of \$9.50 per square foot for residential construction.

Background

Education Code Education Code Section 17620 allows school districts to assess fees on new residential and commercial construction within their respective boundaries. These fees can be collected without special city or county approval, to fund the construction of new school facilities necessitated by the impact of residential and commercial development activity. In addition, these fees can also be used to fund the reconstruction of school facilities to accommodate students generated from new development projects. Fees are collected immediately prior to the time of the issuance of a building permit by the city or the County.

The impact of new developments result in the need for either additional or modernization of school facilities to house the students generated. Because of the high cost associated with school facility projects and the District's limited budget, outside funding sources are required for school projects. State and local funding sources for the construction and/or reconstruction of school facilities are limited.

The authority cited in Education Code Section 17620 states in part "... the governing board of any school district is authorized to levy a fee, charge, dedication or other form of requirement against any development project for the construction or reconstruction of school facilities." The legislation originally established the maximum fee rates at \$1.50 per square foot for residential construction and \$0.25 per square foot for commercial/industrial construction. Government Code Section 65995 provides for an inflationary increase in the fees every two years based on the changes in the Class B construction index. As a result of these adjustments, the fees authorized by Education Code 17620 are currently **\$4.79** per square foot of residential construction and **\$0.78** per square foot of commercial or industrial construction.

Purpose and Intent

Prior to levying developer fees, a district must demonstrate and document that a reasonable relationship exists between the need for new or reconstructed school facilities and residential, commercial and industrial development. The justification for levying fees is required to address three basic links between the need for facilities and new development. These links or nexus are:

Burden Nexus: A district must identify the number of students anticipated to be generated by residential, commercial and industrial development. In addition, the district shall identify the school facility and cost impact of these students.

Cost Nexus: A district must demonstrate that the fees to be collected from residential, commercial and industrial development will not exceed the cost of providing school facilities for the students to be generated from the development.

Benefit Nexus: A district must show that the construction or reconstruction of school facilities to be funded by the collection of developer fees will benefit the students generated by residential, commercial and industrial development.

The purpose of this Study is to document if a reasonable relationship exists between residential, commercial and industrial development and the need for new and/or modernized facilities in the Tipton Elementary School District.

Following in this Study will be figures indicating the current enrollment and the projected development occurring within the attendance boundaries of the Tipton Elementary School District. The projected students will then be loaded into existing facilities to the extent of available space. Thereafter, the needed facilities will be determined and an estimated cost will be assigned. The cost of the facilities will then be compared to the area of residential, commercial and industrial development to determine the amount of developer fees justified.

Enrollment Projections

In 2021/2022 the District's total enrollment (CBEDS) was 537 students. The enrollment by grade level is shown here in Table 2.

Table 2

Tipton Elementary School District
CURRENT ENROLLMENT

Grade	2021/22
TK/K	62
1	59
2	44
3	65
4	57
5	55
6	64
<hr/>	
TK-6 Total	406
7	72
8	59
<hr/>	
7-8 Total	131
<hr/>	
TK-8 Total	537

This data will be the basis for the enrollment impacts which will be presented later after a review of the development projections and the student generation factors.

Student Generation Factor

In determining the impact of new development, the District is required to show how many students will be generated from the new developments. In order to ensure that new development is paying only for the impact of those students that are being generated by new homes and businesses, the student generation factor is applied to the number of new housing units to determine development-related impacts.

The student generation factor identifies the number of students per housing unit and provides a link between residential construction projects and projections of enrollment. The State-wide factor used by the Office of Public School Construction is 0.50 for grades TK-8. For the purposes of this Study we will use the local factors to determine the students generated from new housing developments. This was done by comparing the number of housing units in the school district to the number of students in the school district as of the 2020 Census. Table 3 shows the student generation factors for the various grade groupings.

Table 3

**Tipton Elementary School District
STUDENT GENERATION FACTORS**

<u>Grades</u>	<u>Students per Household</u>
TK-6	0.3924
7-8	0.1128
Total	0.5051

When using the Census data to determine the average district student yield rate, it is not possible to determine which students were living in multi-family units versus single family units. Therefore, only the total average yield rate is shown. The Census data does indicate that **78.2%** of the total housing units within the district boundaries are single family units. It is reasonable to assume that the construction of new housing units would be similar to the current housing stock, which was confirmed by the various planning departments within the school district boundaries, and therefore the overall student generation rate will be used to determine student yields from the projected developments.

New Residential Development Projections

The Tipton Elementary School District has experienced an average new residential construction rate of approximately 1 unit per year over the past two years. This was determined by reviewing the residential permits pulled and school development impact fees paid to the District. After contacting the planning departments within the school district boundaries, it was determined that the residential construction rate over the next five years will average 1 unit per year. Projecting the average rate forward, we would expect that 5 units of residential housing will be built within the District boundaries over the next five years.

To determine the impact of residential development, a student projection is done. Applying the student generation factor of 0.5051 to the projected 5 units of residential housing, we expect that 3 students will be generated from the new residential construction over the next five years. This includes 2 elementary school students and 1 middle school student.

The following table shows the projected impact of new development. The students generated by development will be utilized to determine the facility cost impacts to the school district.

Table 4

Tipton Elementary School District
FIVE YEAR DEVELOPMENT IMPACT ANALYSIS

<u>Grades</u>	<u>Current Enrollment</u>	<u>Development Projection</u>	<u>Projected Enrollment</u>
TK to 6	406	2	408
7 to 8	131	1	132
Totals	537	3	540

Existing Facility Capacity

To determine the need for additional school facilities, the capacity of the existing facilities must be identified and compared to current and anticipated enrollments. The District's existing building capacity will be calculated using the State classroom loading standards shown in Table 6. The following types of "support-spaces" necessary for the conduct of the District's comprehensive educational program, are not included as "teaching stations," commonly known as "classrooms" to the public:

Table 5

List of Core and Support Facilities

Library	Resource Specialist
Multipurpose Room	Gymnasium
Office Area	Lunch Room
Staff Workroom	P.E. Facilities

Because the District requires these types of support facilities as part of its existing facility and curriculum standards at its schools, new development's impact must not materially or adversely affect the continuance of these standards. Therefore, new development cannot require that the District house students in these integral support spaces.

Classroom Loading Standards

The following maximum classroom loading-factors are used to determine teaching-station "capacity," in accordance with the State legislation and the State School Building Program. These capacity calculations are also used in preparing and filing the baseline school capacity statement with the Office of Public School Construction.

Table 6

State Classroom Loading Standards

TK/Kindergarten	25 Students/Classroom
1 st -3 rd Grades	25 Students/Classroom
4 th -6 th Grades	25 Students/Classroom
7 th -8 th Grades	27 Students/Classroom

Existing Facility Capacity

The State determines the baseline capacity by either loading all permanent teaching stations plus a maximum number of portables equal to 25% of the number of permanent classrooms or by loading all permanent classrooms and only portables that are owned or have been leased for over 5 years. As allowed by law and required by the State, facility capacities are calculated by identifying the number of teaching stations at each campus. All qualified teaching stations were included in the calculation of the capacities at the time the initial inventory was calculated. To account for activity and changes since the baseline was established in 1998/99, the student grants (which represent the seats added either by new schools or additions to existing schools) for new construction projects funded by OPSC have been added. Using these guidelines the District's current State calculated capacity is shown in Table 7.

Table 7

**Tipton Elementary
 Summary of Existing Facility Capacity**

<u>School Facility</u>	<u>Permanent Classrooms</u>	<u>Portable Classrooms</u>	<u>Chargeable Portables</u>	<u>Total Chargeable Classrooms</u>	<u>State Loading Factor</u>	<u>State Funded Projects</u>	<u>Total State Capacity</u>
Grades TK-6	12	6	2	14	25	150	500
Grades 7-8	2	4	2	4	27	81	189
Totals	14	10	4	18		231	689

OPSC Funded Projects

<u>Name</u>	<u>Project #</u>	<u>CR</u>
Tipton Elem	1	9

This table shows a basic summary of the form and procedures used by OPSC (Office of Public School Construction) to determine the capacity of a school district. There were a total of 14 permanent classrooms in the District when the baseline was established. In addition, there were 10 portable classrooms. However, OPSC regulations state that if the number of portables exceeds 25% of the permanent classrooms, then the maximum number of portables to be counted in the baseline capacity is 25% of the permanent classrooms. Therefore, the chart shows the chargeable portables as 4 which is 25% of the permanent classroom count. This results in a total classroom count of 18 and is referred to as the chargeable classrooms since it accounts for the fact that some of the portables were not included in the total. This is done to account for the fact that portables are typically considered to be temporary, especially when the total number exceeds 25% of the permanent classrooms.

To determine the total capacity based on State standards, the capacity of the chargeable classrooms are multiplied by the State loading standards and then the capacity of the projects completed since 1998/99 (when the baseline was established) are added based on the State funded new construction projects. As Table 7 shows, the total State capacity of the District facilities is 689 students.

Unhoused Students by State Housing Standards

This next table compares the facility capacity with the space needed to determine if there is available space for new students from the projected developments. The space needed was determined by reviewing the historic enrollments over the past four years along with the projected enrollment in five years to determine the number of seats needed to house the students within the existing homes. The seats needed were determined individually for each grade grouping. The projected enrollment in this analysis did not include the impact of any new housing units.

Table 8

**Tipton Elementary School District
Summary of Available District Capacity**

<u>School Facility</u>	<u>State Capacity</u>	<u>Space Needed</u>	<u>Available Capacity</u>
Grades TK-6	500	424	76
Grades 7-8	189	136	53
Totals	689	560	129

The District capacity of 689 is more than the space needed of 560, assuming the existing facilities remain in sufficient condition to maintain existing levels of service. The difference is 129 students.

Calculation of Development's Fiscal Impact on Schools

This section of the Study will demonstrate that a reasonable relationship exists between residential, commercial/industrial development and the need for school facilities in the Tipton Elementary School District. To the extent this relationship exists, the District is justified in levying developer fees as authorized by Education Code Section 17620.

Reconstruction/Modernization Costs

In addition to any new facilities needed, there is also a need to reconstruct or modernize existing facilities in order to maintain the existing levels of service as students from new development continue to arrive in the District's facilities. In order to generate capacity, it may also be necessary to reopen closed school facilities. Such reopening often requires reconstruction in order to provide the District's existing level of service. For purposes of this report, the analysis of modernization/reconstruction includes the possible reopening and refurbishing of closed or unused school facilities.

California has made a significant investment in school facilities through grants provided to help extend the useful life of public schools. The State's largest funding source for public school modernization projects, the School Facilities Program (SFP), requires a minimum local funding contribution of 40% of SFP-eligible costs. The State may provide up to 60% of the eligible costs at those times that State funding is available. However, SFP modernization grants frequently, if not usually, fall short of providing 60% of the actual costs for major modernizations. In the best cases, developer fees can help meet the District's required 40% local share. In many cases, developer fees may be necessary to supplement both the State's and the school district's contribution to a project.

Buildings generate eligibility for State reconstruction/modernization funding once they reach an age of 25 years old for permanent buildings and 20 years old for portables.

The usable life of school facilities is an important consideration in determining district facility needs into the future. The specific time when the projected residential developments will be built cannot be precisely predicted. Some new homes may be immediately occupied by families with school aged children, while others may be immediately occupied who will have school-aged children in five to ten years. As a result of these variables, for each new home, the District must be prepared to house the students residing there for an extended period of time. Students generated by the next five years of development will need to be

accommodated in District schools for a significant amount of time that could exceed twenty years. Thus, the District will need to ensure that it has facilities in place for future decades.

As evidenced by the State Building program's use of the criteria that buildings older than twenty-five years (and portables older than twenty years) are eligible for modernization funds, school buildings require reconstruction/modernization to remain in use for students beyond the initial twenty to twenty-five years of life of those buildings. To the extent that the District has buildings older than twenty to twenty-five years old, the point will be reached without reconstruction/modernization that those buildings will no longer be able to provide the existing level of service to students, and may, in some circumstances, need to be closed entirely for health and safety reasons. However, because of the new development, reconstruction/modernization must occur in order to have available school housing for the new students from development.

The following table shows the District's eligibility for modernization/reconstruction funding in the State Building Program.

Table 9

Modernization Project Needs

<u>School</u>	<u>Eligible Modernization Grants</u>			<u>State Funding</u>	<u>District Share</u>	<u>Project Total</u>
	<u>Elem</u>	<u>Middle</u>	<u>Spec Ed</u>			
Tipton Elem	318	119	0	\$2,624,532	\$1,749,688	\$4,374,220

Table 10

New Development Share of Modernization Costs

<u>Grade</u>	<u>Eligible Modernization</u>		<u>New Development</u>	
	<u>Grants</u>	<u>Students</u>	<u>\$/Student</u>	<u>Amount</u>
TK-6	318	2	\$29,770	\$59,540
7-8	119	1	\$31,562	\$31,562
Totals	437	3		\$91,102

Includes students from new developments not housed in new facilities.
Amounts based on State OPSC budgets for new construction projects.

This data is used to show that there are significant needs within the school District to invest in its existing facilities. Without modernizing its schools, the District could be forced to begin closing some of its buildings and schools.

To accurately account for the amount of the modernization projects attributed to the impact of new developments, only the students from new developments that were not already housed in new facilities are included in the net needs for modernization projects. As can be seen in the charts, the net modernization needs due to new development impacts are much less than the total District modernization needs.

Impact of New Residential Development

This next table compares the development-related enrollment to the available district capacity for each grade level and then multiplies the unhoused students by the new school construction costs to determine the total school facility costs related to the impact of new residential housing developments.

The modernization needs are included for the students not housed in new facilities but who would be housed in existing facilities that are eligible for and need to be modernized to provide adequate housing and to maintain the existing level of service for the students generated by development.

Table 11

**Tipton Elementary School District
 Summary of Residential Impact**

<u>School Facility</u>	<u>Development Projection</u>	<u>Available Space</u>	<u>Net Unhoused</u>	<u>Construction Cost Per Student</u>	<u>Total Facility Costs</u>
Elementary	2	76	0	\$29,770	\$0
Middle	1	53	0	\$31,562	\$0
Site Purchase: 0.0 acres					\$0
Site Development:					\$0
New Construction Needs:					\$0
Modernization Needs:					\$91,102
TOTAL NEEDS:					\$91,102
Average cost per student:					\$30,367
Total Residential Sq Ft:					9,585
Residential Fee Justified:					\$9.50

The total need for school facilities based solely on the impact of the 5 new housing units projected over the next five years totals \$91,102. To determine the impact per square foot of residential development, this amount is divided by the total square feet of the projected developments. As calculated from the historic Developer Fee Permits, the average size home built has averaged 1,917 square feet. The total area for 5 new homes would therefore be 9,585 square feet. The total residential fee needed to be able to collect \$91,102 would be **\$9.50** per square foot.

Impact of Other Residential Development

In addition to new residential development projects that typically include new single family homes and new multi-family units, the District can also be impacted by additional types of new development projects. These include but are not limited to redevelopment projects, additions to existing housing units, and replacement of existing housing units with new housing units.

These development projects are still residential projects and therefore it is reasonable to assume they would have the same monetary impacts per square foot as the new residential development projects. However, the net impact is reduced due to the fact that there was a previous residential building in its place. Therefore, the development impact fees should only be charged for other residential developments if the new building(s) exceed the square footage area of the previous building(s). If the new building is larger than the existing building, then it is reasonable to assume that additional students could be generated by the project. The project would only pay for the development impact fees for the net increase in assessable space generated by the development project. Education Code allows for an exemption from development impacts fees for any additions to existing residential structures that are 500 square feet or less.

Impact of Commercial/Industrial Development

There is a correlation between the growth of commercial/industrial firms/facilities within a community and the generation of school students within most business service areas. Fees for commercial/industrial can only be imposed if the residential fees will not fully mitigate the cost of providing school facilities to students from new development.

The approach utilized in this section is to apply statutory standards, U.S. Census employment statistics, and local statistics to determine the impact of future commercial/industrial development projects on the District. Many of the factors used in this analysis were taken from the U.S.

Census, which remains the most complete and authoritative source of information on the community in addition to the “1990 SanDAG Traffic Generators Report”.

Employees per Square Foot of Commercial Development

Results from a survey published by the San Diego Association of Governments “1990 San DAG Traffic Generators” are used to establish numbers of employees per square foot of building area to be anticipated in new commercial or industrial development projects. The average number of workers per 1,000 square feet of area ranges from 0.06 for Rental Self Storage to 4.79 for Standard Commercial Offices. The generation factors from that report are shown in the following table.

Table 12

Commercial/Industrial Category	Average Square Foot Per Employee	Employees Per Average Square Foot
Banks	354	0.00283
Community Shopping Centers	652	0.00153
Neighborhood Shopping Centers	369	0.00271
Industrial Business Parks	284	0.00352
Industrial Parks	742	0.00135
Rental Self Storage	15541	0.00006
Scientific Research & Development	329	0.00304
Lodging	882	0.00113
Standard Commercial Office	209	0.00479
Large High Rise Commercial Office	232	0.00431
Corporate Offices	372	0.00269
Medical Offices	234	0.00427

Source: 1990 SanDAG Traffic Generators report

Students per Employee

The number of students per employee is determined by using the 2015-2019 American Community Survey 5-Year Estimates for the District. There were 1,450 employees and 1,073 homes in the District. This represents a ratio of 1.3514 employees per home.

There were 542 school age children attending the District in 2019. This is a ratio of 0.3738 students per employee. This ratio, however, must be reduced by including only the percentage of employees that worked in their community of residence (36.8%), because only those employees living in the District will impact the District’s school facilities with their children. The net ratio of students per employee in the District is 0.1376.

School Facilities Cost per Student

Facility costs for housing commercially generated students are the same as those used for residential construction. The cost factors used to assess the impact from commercial development projects are contained in Table 11.

Residential Offset

When additional employees are generated in the District as a result of new commercial/ industrial development, fees will also be charged on the residential units necessary to provide housing for the employees living in the District. To prevent a commercial or industrial development from paying for the portion of the impact that will be covered by the residential fee, this amount has been calculated and deducted from each category. The residential offset amount is calculated by multiplying the following factors together and dividing by 1,000 (to convert from cost per 1,000 square feet to cost per square foot).

- Employees per 1,000 square feet (varies from a low of 0.06 for rental self storage to a high of 4.79 for office building).
- Percentage of employees that worked in their community of residence (36.8 percent).
- Housing units per employee (0.74). This was derived from the 2015-2019 American Community Survey 5-Year Estimates data for the District, which indicates there were 1,450 employees, and the 2015-2019 American Community Survey 5-Year Estimates data for the District, which indicates there were 1,073 housing units.
- Percentage of employees that will occupy new housing units (75 percent).
- Average square feet per dwelling unit (1,917).
- Residential fee charged by the District (\$3.19 (66.67% of \$4.79) per square foot).
- Average cost per student was determined in Table 11.

The following table shows the calculation of the school facility costs generated by a square foot of new commercial/industrial development for each category of development.

Table 14

**Tipton Elementary School District
 Summary of Commercial and Industrial Uses**

Type	Employees per 1,000 Sq. Ft.	Students per Employee	Students per 1,000 Sq. Ft.	Average Cost per Student	Cost per Sq. Ft.	Residential offset per Sq. Ft.	Net Cost per Sq. Ft.
Banks	2.83	0.1376	0.389	\$30,367	\$11.82	\$3.53	\$8.29
Community Shopping Centers	1.53	0.1376	0.210	\$30,367	\$6.39	\$1.91	\$4.48
Neighborhood Shopping Centers	2.71	0.1376	0.373	\$30,367	\$11.32	\$3.38	\$7.94
Industrial Business Parks	3.52	0.1376	0.484	\$30,367	\$14.70	\$4.40	\$10.30
Industrial Parks	1.35	0.1376	0.186	\$30,367	\$5.64	\$1.69	\$3.95
Rental Self Storage	0.06	0.1376	0.008	\$30,367	\$0.25	\$0.07	\$0.18
Scientific Research & Development	3.04	0.1376	0.418	\$30,367	\$12.70	\$3.80	\$8.90
Lodging	1.13	0.1376	0.155	\$30,367	\$4.72	\$1.41	\$3.31
Standard Commercial Office	4.79	0.1376	0.659	\$30,367	\$20.01	\$5.98	\$14.03
Large High Rise Commercial Office	4.31	0.1376	0.593	\$30,367	\$18.00	\$5.38	\$12.62
Corporate Offices	2.69	0.1376	0.370	\$30,367	\$11.24	\$3.36	\$7.88
Medical Offices	4.27	0.1376	0.587	\$30,367	\$17.84	\$5.33	\$12.51

*Based on 1990 SanDAG Traffic Generator Report

Net Cost per Square Foot

Since the State Maximum Fee is now \$0.52 (66.67% of \$0.78) for commercial/industrial construction, the District is justified in collecting the maximum fee for all categories with the exception of Rental Self Storage. The District can only justify collection of \$0.18 per square foot of Rental Self Storage construction.

Verifying the Sufficiency of the Development Impact

Education Code Section 17620 requires districts to find that fee revenues will not exceed the cost of providing school facilities to the students generated by the development paying the fees. This section shows that the fee revenues do not exceed the impact of the new development.

The total need for school facilities resulting from new development totals \$91,102. The amount the District would collect over the five year period at the maximum rate of \$3.19 (66.67% of \$4.79) for residential and \$0.52 (66.67% of \$0.78) for commercial/industrial development would be as follows:

\$3.19 x 5 homes x 1,917 sq ft per home = \$30,576 for Residential

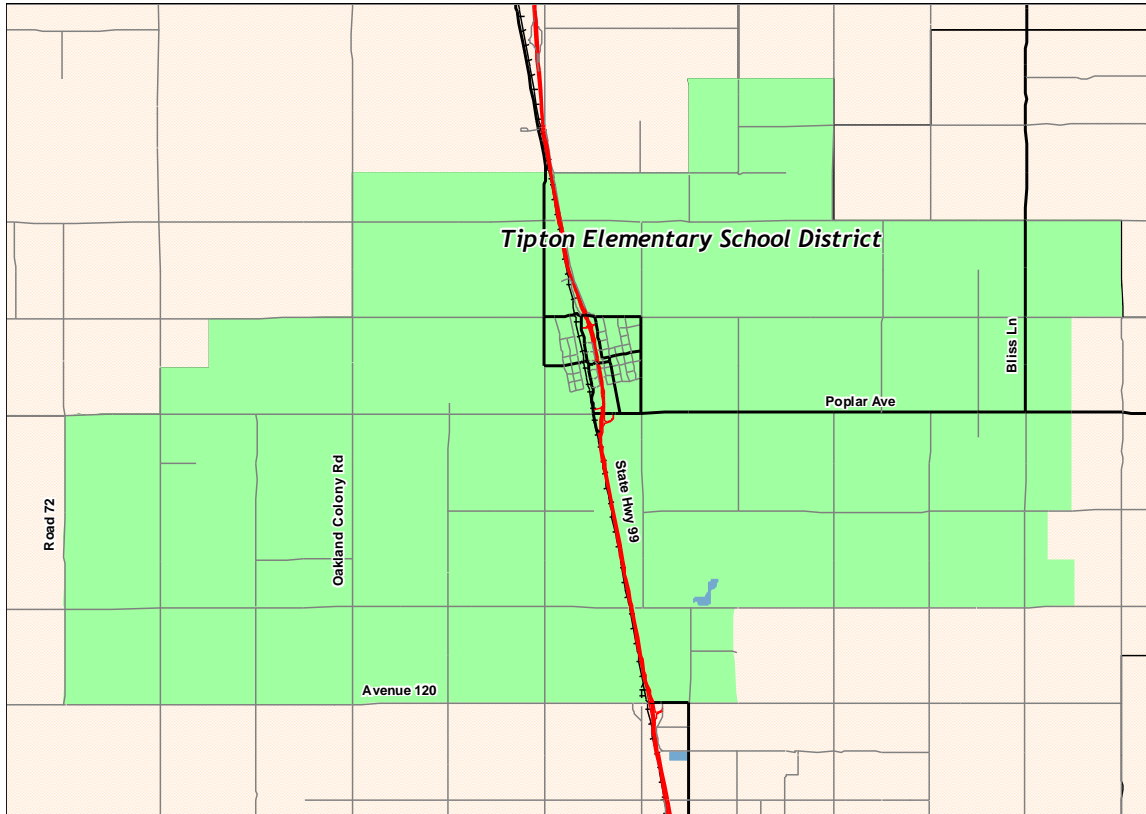
\$0.52 x 19,002 sq ft per year x 5 years = \$49,405 for Commercial/Industrial

Total projected 5 year income: \$79,981

The estimated income is less than the projected facility needs due to the impact of new development projects.

District Map

The following map shows the extent of the areas for which development fees are applicable to the Tipton Elementary School District.



Conclusion

Based on the data contained in this Study, it is found that a reasonable relationship exists between residential, commercial/industrial development and the need for school facilities in the Tipton Elementary School District. The following three nexus tests required to show justification for levying fees have been met:

Burden Nexus: New residential development will generate an average of 0.5051 TK-8 grade students per unit. Because the District does not have adequate facilities for all the students generated by new developments, the District will need to build additional facilities and/or modernize/reconstruct the existing facilities in order to maintain existing level of services in which the new students will be housed.

Cost Nexus: The cost to provide new and reconstructed facilities is an average of \$9.50 per square foot of residential development. Each square foot of residential development will generate \$3.19 (66.67% of \$4.79) in developer fees resulting in a shortfall of \$6.31 per square foot.

Benefit Nexus: The developer fees to be collected by the Tipton Elementary School District will be used for the provision of additional and reconstructed or modernized school facilities. This will benefit the students to be generated by new development by providing them with adequate educational school facilities.

The District's planned use of the fees received from development impacts will include the following types of projects, each of which will benefit students from new developments.

- 1) **New Schools:** When there is enough development activity occurring in a single area, the District will build a new school to house the students from new developments.
- 2) **Additions to Existing Schools:** When infill development occurs, the District will accommodate students at existing schools by building needed classrooms and/or support facilities such as cafeterias, restrooms, gyms and libraries as needed to increase the school capacity. Schools may also need upgrades of the technology and tele-communication systems to be able to increase their capacity.

- 3) Portable Replacement Projects: Some of the District's capacity is in temporary portables and therefore may not be included in the State's capacity calculations. These portables can be replaced with new permanent or modular classrooms to provide adequate space for students from new developments. These projects result in an increase to the facility capacity according to State standards. In addition, old portables that have reached the end of their life expectancy, will need to be replaced to maintain the existing level of service. These types of projects are considered modernization projects in the State Building Program. If development impacts did not exist, the old portables could be removed.

- 4) Modernization/Upgrade Projects: In many cases, students from new developments are not located in areas where new schools are planned to be built. The District plans to modernize or upgrade older schools to be equivalent to new schools so students will be housed in equitable facilities to those students housed in new schools. These projects may include updates to the building structures to meet current building standards, along with upgrades to the current fire and safety standards and any access compliance standards.

Tipton Elementary School District will use the funds to assist with their State funded modernization projects.

Per the District's agreement with the High School District, the elementary share of the developer fees collected is 2/3rds or 66.67%. The reasonable relationship identified by these findings provides the required justification for the Tipton Elementary School District to levy the maximum fees of **\$3.19 (66.67% of \$4.79)** per square foot for residential construction and **\$0.52 (66.67% of \$0.78)** per square foot for commercial/industrial construction, except for Rental Self Storage facilities in which a fee of **\$0.18** per square foot is justified as authorized by Education Code Section 17620.

Appendices

2022 Developer Fee Justification Study

TIPTON ELEMENTARY SCHOOL DISTRICT

SCHOOL DISTRICT Tipton Elementary	FIVE DIGIT DISTRICT CODE NUMBER (see California Public School Directory) 72155
COUNTY Tulare	HIGH SCHOOL ATTENDANCE AREA (HSAA) OR SUPER HSAA (if applicable)

Check one: Fifth-Year Enrollment Projection Tenth-Year Enrollment Projection
 HSAA Districts Only - Check one: Attendance Residency
 Residency - COS Districts Only - (Fifth Year Projection Only)

<input type="checkbox"/> Modified Weighting (Fifth-Year Projection Only)	3rd Prev. to 2nd Prev.	2nd Prev. to Prev.	Previous to Current
<input type="checkbox"/> Alternate Weighting - (Fill in boxes to the right):			

Part G. Number of New Dwelling Units
 (Fifth-Year Projection Only) 5

Part H. District Student Yield Factor
 (Fifth-Year Projection Only) .505125

Part I. Projected Enrollment

1. Fifth-Year Projection

Enrollment/Residency - (except Special Day Class pupils)

K-6	7-8	9-12	TOTAL
385	117	0	502

Special Day Class pupils only - Enrollment/Residency

	Elementary	Secondary	TOTAL
Non-Severe	0	0	0
Severe	0	0	0
TOTAL	0	0	

2. Tenth-Year Projection

Enrollment/Residency - (except Special Day Class pupils)

K-6	7-8	9-12	TOTAL

Special Day Class pupils only - Enrollment/Residency

	Elementary	Secondary	TOTAL
Non-Severe			
Severe			
TOTAL			

Part A. K-12 Pupil Data

Grade	7th Prev.	6th Prev.	5th Prev.	4th Prev.	3rd Prev.	2nd Prev.	Previous	Current
	/	/	/	/	2018 / 2019	2019 / 2020	2020 / 2021	2021 / 2022
K					72	59	61	62
1					56	65	50	59
2					55	50	67	44
3					62	58	54	65
4					70	62	56	57
5					54	70	65	55
6					44	57	71	64
7					74	45	60	72
8					62	76	43	59
9					0	0	0	0
10					0	0	0	0
11					0	0	0	0
12					0	0	0	0
TOTAL					549	542	527	537

Part B. Pupils Attending Schools Chartered By Another District

7th Prev.	6th Prev.	5th Prev.	4th Prev.	3rd Prev.	2nd Prev.	Previous	Current
				0	0	0	0

Part C. Continuation High School Pupils - (Districts Only)

Grade	7th Prev.	6th Prev.	5th Prev.	4th Prev.	3rd Prev.	2nd Prev.	Previous	Current
9					0	0	0	0
10					0	0	0	0
11					0	0	0	0
12					0	0	0	0
TOTAL					0	0	0	0

Part D. Special Day Class Pupils - (Districts or County Superintendent of Schools)

	Elementary	Secondary	TOTAL
Non-Severe	0	0	0
Severe	0	0	0
TOTAL	0	0	

Part E. Special Day Class Pupils - (County Superintendent of Schools Only)

7th Prev.	6th Prev.	5th Prev.	4th Prev.	3rd Prev.	2nd Prev.	Previous	Current
/	/	/	/	2018 / 2019	2019 / 2020	2020 / 2021	2021 / 2022

Part F. Birth Data - (Fifth-Year Projection Only)

County Birth Data Birth Data by District ZIP Codes Estimate Estimate Estimate

8th Prev.	7th Prev.	6th Prev.	5th Prev.	4th Prev.	3rd Prev.	2nd Prev.	Previous	Current

I certify, as the District Representative, that the information reported on this form and, when applicable, the High School Attendance Area Residency Reporting Worksheet attached, is true and correct and that:

- I am designated as an authorized district representative by the governing board of the district.
- If the district is requesting an augmentation in the enrollment projection pursuant to Regulation Section 1859.42.1 (a), the local planning commission or approval authority has approved the tentative subdivision map used for augmentation of the enrollment and the district has identified dwelling units in that map to be contracted. All subdivision maps used for augmentation of enrollment are available at the district for review by the Office of Public School Construction (OPSC).
- This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction. In the event a conflict should exist, then the language in the OPSC form will prevail.

NAME OF DISTRICT REPRESENTATIVE (PRINT OR TYPE) _____

SIGNATURE OF DISTRICT REPRESENTATIVE _____

DATE _____ TELEPHONE NUMBER _____

E-MAIL ADDRESS _____



MEANS OF TRANSPORTATION TO WORK BY SELECTED CHARACTERISTICS

Note: This is a modified view of the original table produced by the U.S. Census Bureau. This download or printed version may have missing information from the original table.

Tipton Elementary School District, California				
		Total	Car, truck, or van -- drove	
Label		Estimate	Margin of Error	E
> Workers 16 years and over		1,450	±259	
> EARNINGS IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOL				
> POVERTY STATUS IN THE PAST 12 MONTHS				
> Workers 16 years and over		1,450	±259	
✓ Workers 16 years and over who did not work from home		1,440	±256	
> TIME OF DEPARTURE TO GO TO WORK				
✓ TRAVEL TIME TO WORK				
Less than 10 minutes		26.0%	±5.7	
10 to 14 minutes		10.8%	±4.8	
15 to 19 minutes		17.1%	±6.2	
20 to 24 minutes		13.8%	±4.6	
25 to 29 minutes		2.0%	±2.0	
30 to 34 minutes		16.7%	±5.7	
35 to 44 minutes		6.5%	±3.0	
45 to 59 minutes		4.7%	±4.1	
60 or more minutes		2.4%	±2.3	
Mean travel time to work (minutes)		N	N	

Table Notes

MEANS OF TRANSPORTATION TO WORK BY SELECTED CHARACTERISTICS

Survey/Program: American Community Survey

Year: 2019

Estimates: 5-Year

Table ID: S0802

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.

Source: U.S. Census Bureau, 2015-2019 American Community Survey 5-Year Estimates

When information is missing or inconsistent, the Census Bureau logically assigns an acceptable value using the response to a related question or questions. If a logical assignment is not possible, data are filled using a statistical process called allocation, which uses a similar individual or household to provide a donor value. The "Allocated" section is the number of respondents who received an allocated value for a particular subject.

2019 ACS data products include updates to several categories of the existing means of transportation question. For more information, see: [Change to Means of Transportation](#).

Occupation titles and their 4-digit codes are based on the Standard Occupational Classification (SOC). The Census occupation codes for 2018 and later years are based on the 2018 revision of the SOC. To allow for the creation of the multiyear tables, occupation data in the multiyear files (prior to data year 2018) were recoded to the 2018 Census occupation codes. We recommend using caution when comparing data coded using 2018 Census occupation codes with data coded using Census occupation codes prior to data year 2018. For more information on the Census occupation code changes, please visit our website at <https://www.census.gov/topics/employment/industry-occupation/guidance/code-lists.html>.

In 2019, methodological changes were made to the class of worker question. These changes involved modifications to the question wording, the category wording, and the visual format of the categories on the questionnaire. The format for the class of worker categories are now listed under the headings "Private Sector Employee," "Government Employee," and "Self-Employed or Other." Additionally, the category of Active Duty was added as one of the response categories under the "Government Employee" section for the mail questionnaire. For more detailed information about the 2019 changes, see the 2016 American Community Survey Content Test Report for Class of Worker located at http://www.census.gov/library/working-papers/2017/acs/2017_Martinez_01.html.

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.

Foreign born excludes people born outside the United States to a parent who is a U.S. citizen.

Workers include members of the Armed Forces and civilians who were at work last week.

Industry titles and their 4-digit codes are based on the North American Industry Classification System (NAICS). The Census industry codes for 2018 and later years are based on the 2017 revision of the NAICS. To allow for the creation of multiyear tables, industry data in the multiyear files (prior to data year 2018) were recoded to the 2017 Census industry codes. We recommend using caution when comparing data coded using 2017 Census industry codes with data coded using Census industry codes prior to data year 2018. For more information on the Census industry code changes, please visit our website at <https://www.census.gov/topics/employment/industry-occupation/guidance/code-lists.html>.

The 2015-2019 American Community Survey (ACS) data generally reflect the September 2018 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.

Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Explanation of Symbols:

An "***" entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.

An "-" entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution, or the margin of error associated with a median was larger than the median itself.

An "-" following a median estimate means the median falls in the lowest interval of an open-ended distribution.

An "+" following a median estimate means the median falls in the upper interval of an open-ended distribution.

An "***" entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.

An "*****" entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.

An "N" entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.

An "(X)" means that the estimate is not applicable or not available.

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Technical Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

SELECTED HOUSING CHARACTERISTICS



Note: This is a modified view of the original table produced by the U.S. Census Bureau. This download or printed version may have missing information from the original table.

Tipton Elementary School District, California

Label	Estimate	Margin of Error
▼ HOUSING OCCUPANCY		
▼ Total housing units	1,073	±110
Occupied housing units	1,038	±112
Vacant housing units	35	±32
Homeowner vacancy rate	1.8	±2.9
Rental vacancy rate	0.0	±5.8
▼ UNITS IN STRUCTURE		
▼ Total housing units	1,073	±110
1-unit, detached	839	±109
1-unit, attached	7	±9
2 units	0	±12
3 or 4 units	50	±44
5 to 9 units	68	±47
10 to 19 units	0	±12
20 or more units	29	±33
Mobile home	80	±49
Boat, RV, van, etc.	0	±12
▼ YEAR STRUCTURE BUILT		
▼ Total housing units	1,073	±110
Built 2014 or later	0	±12
Built 2010 to 2013	26	±29
Built 2000 to 2009	162	±72
Built 1990 to 1999	123	±66
Built 1980 to 1989	135	±68
Built 1970 to 1979	284	±69
Built 1960 to 1969	68	±34

Table Notes

SELECTED HOUSING CHARACTERISTICS

Survey/Program: American Community Survey

Year: 2019

Estimates: 5-Year

Table ID: DP04

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.

Source: U.S. Census Bureau, 2015-2019 American Community Survey 5-Year Estimates

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.

Households not paying cash rent are excluded from the calculation of median gross rent.

Telephone service data are not available for certain geographic areas due to problems with data collection of this question that occurred in 2015, 2016, and 2019. Both ACS 1-year and ACS 5-year files were affected. It may take several years in the ACS 5-year files until the estimates are available for the geographic areas affected.

The 2015-2019 American Community Survey (ACS) data generally reflect the September 2018 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.

Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Explanation of Symbols:

An "***" entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.

An "-" entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution, or the margin of error associated with a median was larger than the median itself.

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An "*****" entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.

An "N" entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.

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An "(X)" means that the estimate is not applicable or not available.

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Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.



Use of Developer Fees:

A School District can use the revenue collected on residential and commercial/industrial construction for the purposes listed below:

- Purchase or lease of interim school facilities to house students generated by new development pending the construction of permanent facilities.
- Purchase or lease of land for school facilities for such students.
- Acquisition of school facilities for such students, including:
 - Construction
 - Modernization/reconstruction
 - Architectural and engineering costs
 - Permits and plan checking
 - Testing and inspection
 - Furniture, Equipment and Technology for use in school facilities
- Legal and other administrative costs related to the provision of such new facilities
- Administration of the collection of, and justification for, such fees, and
- Any other purpose arising from the process of providing facilities for students generated by new development.

Following is an excerpt from the Education Code that states the valid uses of the Level 1 developer fees. It refers to construction and reconstruction. The term reconstruction was originally used in the Leroy Greene program. The term modernization is currently used in the 1998 State Building Program and represents the same scope of work used in the original reconstruction projects.

Ed Code Section 17620. (a) (1) The governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities, subject to any limitations set forth in Chapter 4.9 (commencing with Section 65995) of Division 1 of Title 7 of the Government Code. This fee, charge, dedication, or other requirement may be applied to construction only as follows: ...

The limitations referred to in this text describe the maximum amounts that can be charged for residential and commercial/industrial projects and any projects that qualify for exemptions. They do not limit the use of the funds received.



Determination of Average State allowed amounts for Site Development Costs

Elementary Schools			Original	Inflation	2009 Adjusted	Project	2009	
District	Project #	Acres	OPSC Site Development	Factor	Site Development	Year	Cost/Acre	
Davis Jt Unified	3	9.05	\$532,282	38.4%	\$1,473,469	2004	\$162,814	
Dry Creek Jt Elem	2	8.5	\$516,347	46.2%	\$1,509,322	2002	\$177,567	
Dry Creek Jt Elem	5	11.06	\$993,868	20.1%	\$2,387,568	2006	\$215,874	
Elk Grove Unified	5	12.17	\$556,011	48.2%	\$1,648,316	2001	\$135,441	
Elk Grove Unified	10	11	\$690,120	48.2%	\$2,045,888	2001	\$185,990	
Elk Grove Unified	11	10	\$702,127	48.2%	\$2,081,483	2001	\$208,148	
Elk Grove Unified	14	10	\$732,837	46.2%	\$2,142,139	2002	\$214,214	
Elk Grove Unified	16	9.86	\$570,198	46.2%	\$1,666,733	2002	\$169,040	
Elk Grove Unified	17	10	\$542,662	46.2%	\$1,586,243	2002	\$158,624	
Elk Grove Unified	20	10	\$710,730	43.2%	\$2,034,830	2003	\$203,483	
Elk Grove Unified	25	10	\$645,923	38.4%	\$1,788,052	2004	\$178,805	
Elk Grove Unified	28	10.03	\$856,468	24.4%	\$2,130,974	2005	\$212,460	
Elk Grove Unified	39	9.91	\$1,007,695	20.1%	\$2,420,785	2006	\$244,277	
Folsom-Cordova Unified	1	9.79	\$816,196	20.1%	\$1,960,747	2006	\$200,281	
Folsom-Cordova Unified	4	7.5	\$455,908	46.2%	\$1,332,654	2002	\$177,687	
Folsom-Cordova Unified	5	8	\$544,213	46.2%	\$1,590,776	2002	\$198,847	
Folsom-Cordova Unified	8	8.97	\$928,197	11.2%	\$2,063,757	2007	\$230,073	
Galt Jt Union Elem	2	10.1	\$1,033,044	38.4%	\$2,859,685	2004	\$283,137	
Lincoln Unified	1	9.39	\$433,498	46.2%	\$1,267,148	2002	\$134,947	
Lodi Unified	3	11.2	\$555,999	46.2%	\$1,625,228	2002	\$145,110	
Lodi Unified	10	11.42	\$1,245,492	46.2%	\$3,640,669	2002	\$318,798	
Lodi Unified	19	9.93	\$999,164	11.2%	\$2,221,545	2007	\$223,721	
Lodi Unified	22	10	\$1,416,212	7.7%	\$3,051,426	2008	\$305,143	
Natomas Unified	6	8.53	\$685,284	46.2%	\$2,003,138	2002	\$234,834	
Natomas Unified	10	9.83	\$618,251	43.2%	\$1,770,061	2003	\$180,067	
Natomas Unified	12	9.61	\$735,211	24.4%	\$1,829,275	2005	\$190,351	
Rocklin Unified	8	10.91	\$593,056	46.2%	\$1,733,548	2002	\$158,895	
Stockton Unified	1	12.66	\$1,462,232	7.7%	\$3,150,582	2008	\$248,861	
Stockton Unified	2	10.5	\$781,675	43.2%	\$2,237,946	2003	\$213,138	
Stockton Unified	6	12.48	\$1,136,704	20.1%	\$2,730,703	2006	\$218,806	
Tracy Jt Unified	4	10	\$618,254	46.2%	\$1,807,204	2002	\$180,720	
Tracy Jt Unified	10	10	\$573,006	38.4%	\$1,586,202	2004	\$158,620	
Washington Unified	1	8	\$446,161	46.2%	\$1,304,163	2002	\$163,020	
Washington Unified	4	10.76	\$979,085	7.7%	\$2,109,575	2008	\$196,057	
Totals		341.16			\$68,791,833	Average	\$201,641	2022 Adjusted Value \$314,657

Middle and High Schools			Original	Inflation	2009 Adjusted	Project	2009	
District	Project #	Acres	OPSC Site Development	Factor	Site Development	Year	Cost/Acre	
Western Placer Unified	4	19.3	\$5,973,312	24.4%	\$7,431,085	2005	\$385,030	
Roseville City Elem	2	21.6	\$1,780,588	48.2%	\$2,639,311	2000	\$122,190	
Elk Grove Unified	4	66.2	\$8,659,494	48.2%	\$12,835,704	2000	\$193,893	
Elk Grove Unified	13	76.4	\$9,791,732	48.2%	\$14,513,986	2001	\$189,974	
Elk Grove Unified	18	84.3	\$13,274,562	43.2%	\$19,002,626	2003	\$225,417	
Grant Jt Union High	2	24	\$2,183,840	48.2%	\$3,237,039	2000	\$134,877	
Center Unified	1	21.2	\$1,944,310	46.2%	\$2,841,684	2002	\$134,042	
Lodi Unified	2	13.4	\$1,076,844	46.2%	\$1,573,849	2002	\$117,451	
Lodi Unified	6	13.4	\$2,002,164	46.2%	\$2,926,240	2002	\$218,376	
Galt Jt Union Elem	1	24.9	\$2,711,360	46.2%	\$3,962,757	2002	\$159,147	
Tahoe Truckee Unified	2	24	\$2,752,632	43.2%	\$3,940,412	2003	\$164,184	
Davis Unified	5	23.3	\$3,814,302	43.2%	\$5,460,199	2003	\$234,343	
Woodland Unified	3	50.2	\$8,664,700	46.2%	\$12,663,792	2002	\$252,267	
Sacramento City Unified	1	35.2	\$4,813,386	46.2%	\$7,034,949	2002	\$199,856	
Lodi Unified	4	47	\$7,652,176	46.2%	\$11,183,950	2002	\$237,956	
Stockton Unified	3	49.1	\$8,959,088	43.2%	\$12,824,996	2003	\$261,202	
Natomas Unified	11	38.7	\$3,017,002	38.4%	\$4,175,850	2004	\$107,903	
Rocklin Unified	11	47.1	\$11,101,088	24.4%	\$13,810,282	2005	\$293,212	
Totals		679.3			\$142,058,711	Average	\$209,125	2022 Adjusted Value \$293,212
Middle Schools:		260.7			\$49,447,897	Middle	\$189,704	\$296,030
High Schools:		418.6			\$92,610,814	High	\$221,217	\$345,206

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, February 23, 2022

INDEX ADJUSTMENT ON THE ASSESSMENT FOR DEVELOPMENT

PURPOSE OF REPORT

To report the index adjustment on the assessment for development, which may be levied pursuant to Education Code Section 17620.

DESCRIPTION

The law requires the maximum assessment for development be adjusted every two years by the change in the Class B construction cost index, as determined by the State Allocation Board (Board) in each calendar year. This item requests that the Board make the adjustment based on the change reflected using the RS Means index.

AUTHORITY

Education Code Section 17620(a)(1) states the following: "The governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities, subject to any limitations set forth in Chapter 4.9 (commencing with Section 65995) of Division 1 of Title 7 of the Government Code."

Government Code Section 65995(b)(3) states the following: "The amount of the limits set forth in paragraphs (1) and (2) shall be increased in 2000, and every two years thereafter, according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the State Allocation Board at its January meeting, which increase shall be effective as of the date of that meeting."

BACKGROUND

There are three levels that may be levied for developer's fees. The fees are levied on a per-square foot basis. The lowest fee, Level I, is assessed if the district conducts a Justification Study that establishes the connection between the development coming into the district and the assessment of fees to pay for the cost of the facilities needed to house future students. The Level II fee is assessed if a district makes a timely application to the Board for new construction funding, conducts a School Facility Needs Analysis pursuant to Government Code Section 65995.6, and satisfies at least two of the requirements listed in Government Code Section 65995.5(b)(3). The Level III fee is assessed when State bond funds are exhausted; the district may impose a developer's fee up to 100 percent of the School Facility Program new construction project cost.

STAFF ANALYSIS/STATEMENTS

A historical comparison of the assessment rates for development fees for 2018 and 2020 are shown below for information. According to the RS Means, the cost index for Class B construction increased by 17.45% percent, during the two-year period from January 2020 to January 2022, requiring the assessment for development fees to be adjusted as follows beginning January 2022:

RS Means Index Maximum Level I Assessment Per Square Foot

	<u>2018</u>	<u>2020</u>	<u>2022</u>
Residential	\$3.79	\$4.08	\$4.79
Commercial/Industrial	\$0.61	\$0.66	\$0.78

RECOMMENDATION

Increase the 2022 maximum Level I assessment for development in the amount of 17.45 percent using the RS Means Index to be effective immediately.

ANNUAL ADJUSTMENT TO SCHOOL FACILITY PROGRAM GRANTS

PURPOSE OF REPORT

To adopt the annual adjustment in the School Facility Program (SFP) grants based on the change in construction costs pursuant to the Education Code (EC) and SFP Regulations.

DESCRIPTION

This item presents the State Allocation Board (Board) with the annual adjustment to the SFP grants based on the statewide cost index for Class B construction. Each year the Board adjusts the SFP grants to reflect construction cost changes. In January 2016, the Board adopted the RS Means index for 2016 and future years. This item presents the 2022 annual adjustment to SFP grants based on the RS Means index.

AUTHORITY

See Attachment A.

STAFF ANALYSIS/STATEMENTS

At the January 2016 meeting, the Board adopted an increase to the SFP grants using the RS Means Construction Cost Index (CCI) as the statewide cost index for Class B construction.

The current rate of change between 2021 and 2022 for the RS Means Class B CCI is 15.80 percent. The chart below reflects the amounts previously adopted for 2021 compared to the potential amount for the new construction base grants.

Grade Level	Regulation Section	Current Adjusted Grant Per Pupil Effective 1-1-21	RS Means 15.80%
			<i>Potential Grant Per Pupil Effective 1-1-22</i>
Elementary	1859.71	\$12,628	\$14,623
Middle	1859.71	\$13,356	\$15,466
High	1859.71	\$16,994	\$19,679
Special Day Class – Severe	1859.71.1	\$35,484	\$41,090
Special Day Class – Non-Severe	1859.71.1	\$23,731	\$27,480

STAFF ANALYSIS/STATEMENTS (cont.)

The following chart shows the amounts previously adopted compared to the potential amount for the modernization base grants.

RS Means 15.80%			
Grade Level	Regulation Section	Current Adjusted Grant Per Pupil Effective 1-1-21	Potential Grant Per Pupil Effective 1-1-22
Elementary	1859.78	\$4,808	\$5,568
Middle	1859.78	\$5,085	\$5,888
High	1859.78	\$6,658	\$7,710
Special Day Class – Severe	1859.78.3	\$15,325	\$17,746
Special Day Class – Non-Severe	1859.78.3	\$10,253	\$11,873

In addition, the CCI adjustment would increase the threshold amount for Government Code Section 66452.6(a)(2) for the period of one year commencing March 1, 2022. The following chart shows the amount previously adopted for 2021 compared to the resulting threshold amount, upon approval of the proposed 2022 CCI adjustment:

RS Means 15.80%		
	Effective 3-1-2021	Potential 3-1-2022
Resulting Amount	\$317,941	\$368,176

RECOMMENDATION

Adopt the increase of 15.80 percent for the 2022 SFP grants based on the RS Means Construction Cost Index as shown in Attachment B.

ATTACHMENT A

AUTHORITY

For the New Construction grant, EC Section 17072.10(b) states, “The board annually shall adjust the per-unhoused- pupil apportionment to reflect construction cost changes, as set forth in the statewide cost index for class B construction as determined by the board.”

For Modernization funding, EC Section 17074.10(b) states, “The board shall annually adjust the factors set forth in subdivision (a) according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the board.”

Government Code Section 66452.6 states:

(a)(1) An approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 12 months. However, if the subdivider is required to expend two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) or more to construct, improve, or finance the construction or improvement of public improvements outside the property boundaries of the tentative map, excluding improvements of public rights-of-way which abut the boundary of the property to be subdivided and which are reasonably related to the development of that property, each filing of a final map authorized by Section 66456.1 shall extend the expiration of the approved or conditionally approved tentative map by 36 months from the date of its expiration, as provided in this section, or the date of the previously filed final map, whichever is later. The extensions shall not extend the tentative map more than 10 years from its approval or conditional approval.

...

(2) Commencing January 1, 2012, and each calendar year thereafter, the amount of two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) shall be annually increased by operation of law according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the State Allocation Board at its January meeting. The effective date of each annual adjustment shall be March 1. The adjusted amount shall apply to tentative and vesting tentative maps whose applications were received after the effective date of the adjustment.

SFP Regulation Section 1859.71 states,

The new construction per-unhoused-pupil grant amount, as provided by Education Code Section 17072.10(a), will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the Board each January. The base Class B Construction Cost Index shall be 1.30 and the first adjustment shall be January, 1999.

The new construction per-unhoused-pupil grant amount, as provided by Education Code Section 17072.10(a), may be increased by an additional amount not to exceed six percent in a fiscal year, or decreased, based on the analysis of the current cost to build schools as reported on the Project Information Worksheet (Revised 05/10) which shall be submitted with the Forms SAB 50-05 and 50-06 and as approved by the Board.

ATTACHMENT A

SFP Regulation Section 1859.2 Definitions states,

“Class B Construction Cost Index” is a construction factor index for structures made of reinforced concrete or steel frames, concrete floors, and roofs, and accepted and used by the Board.

SFP Regulation Section 1859.78 states, “The modernization per-unhoused-pupil grant amount, as provided by Education Code Section 17074.10(a), will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the Board each January.

ATTACHMENT B

ANNUAL ADJUSTMENT TO SCHOOL FACILITY PROGRAM GRANTS

State Allocation Board Meeting, February 23, 2022

Grant Amount Adjustments

New Construction	SFP Regulation Section	Adjusted Grant Per Pupil Effective 1-1-21	Adjusted Grant Per Pupil Effective 1-1-22
Elementary	1859.71	\$12,628	\$14,623
Middle	1859.71	\$13,356	\$15,466
High	1859.71	\$16,994	\$19,679
Special Day Class – Severe	1859.71.1	\$35,484	\$41,090
Special Day Class – Non-Severe	1859.71.1	\$23,731	\$27,480
Automatic Fire Detection/Alarm System – Elementary	1859.71.2	\$15	\$17
Automatic Fire Detection/Alarm System – Middle	1859.71.2	\$20	\$23
Automatic Fire Detection/Alarm System – High	1859.71.2	\$34	\$39
Automatic Fire Detection/Alarm System – Special Day Class – Severe	1859.71.2	\$63	\$73
Automatic Fire Detection/Alarm System – Special Day Class – Non-Severe	1859.71.2	\$45	\$52
Automatic Sprinkler System – Elementary	1859.71.2	\$212	\$245
Automatic Sprinkler System – Middle	1859.71.2	\$252	\$292
Automatic Sprinkler System – High	1859.71.2	\$262	\$303
Automatic Sprinkler System – Special Day Class – Severe	1859.71.2	\$668	\$774
Automatic Sprinkler System – Special Day Class – Non-Severe	1859.71.2	\$448	\$519

ATTACHMENT B

ANNUAL ADJUSTMENT TO SCHOOL FACILITY PROGRAM GRANTS

State Allocation Board Meeting, February 23, 2022

Grant Amount Adjustments

Modernization	SFP Regulation Section	Adjusted Grant Per Pupil Effective 1-1-21	Adjusted Grant Per Pupil Effective 1-1-22
Elementary	1859.78	\$4,808	\$5,568
Middle	1859.78	\$5,085	\$5,888
High	1859.78	\$6,658	\$7,710
Special Day Class - Severe	1859.78.3	\$15,325	\$17,746
Special Day Class – Non- Severe	1859.78.3	\$10,253	\$11,873
State Special School – Severe	1859.78	\$25,543	\$29,579
Automatic Fire Detection/Alarm System – Elementary	1859.78.4	\$156	\$181
Automatic Fire Detection/Alarm System – Middle	1859.78.4	\$156	\$181
Automatic Fire Detection/Alarm System – High	1859.78.4	\$156	\$181
Automatic Fire Detection/Alarm System – Special Day Class – Severe	1859.78.4	\$430	\$498
Automatic Fire Detection/Alarm System – Special Day Class – Non- Severe	1859.78.4	\$288	\$334
Over 50 Years Old – Elementary	1859.78.6	\$6,680	\$7,735
Over 50 Years Old – Middle	1859.78.6	\$7,065	\$8,181
Over 50 Years Old – High	1859.78.6	\$9,248	\$10,709
Over 50 Years Old – Special Day Class – Severe	1859.78.6	\$21,291	\$24,655
Over 50 Years Old – Special Day Class – Non-Severe	1859.78.6	\$14,237	\$16,486
Over 50 Years Old – State Special Day School – Severe	1859.78.6	\$35,483	\$41,089

ATTACHMENT B

ANNUAL ADJUSTMENT TO SCHOOL FACILITY PROGRAM GRANTS

State Allocation Board Meeting, February 23, 2022

Grant Amount Adjustments

New Construction / Modernization / Facility Hardship / Seismic Mitigation / Joint Use	SFP Regulation Section	Adjusted Grant Amount Effective 1-1-21	Adjusted Grant Amount Effective 1-1-22
Therapy/Multipurpose Room/Other (per square foot)	1859.72 1859.73.2 1859.77.3 1859.82.1 1859.82.2 1859.125 1859.125.1	\$207	\$240
Toilet Facilities (per square foot)	1859.72 1859.73.2 1859.82.1 1859.82.2 1859.125 1859.125.1	\$371	\$430
Portable Therapy/Multipurpose Room/Other (per square foot)	1859.72 1859.73.2 1859.77.3 1859.82.1 1859.125 1859.125.1	\$47	\$54
Portable Toilet Facilities (per square foot)	1859.72 1859.73.2 1859.82.1 1859.125 1859.125.1	\$120	\$139

New Construction Only	SFP Regulation Section	Adjusted Grant Amount Effective 1-1-21	Adjusted Grant Amount Effective 1-1-22
Parking Spaces (per stall)	1859.76	\$16,059	\$18,596
General Site Grant (per acre for additional acreage being acquired)	1859.76	\$20,554	\$23,801
Project Assistance (for school district with less than 2,500 pupils)	1859.73.1	\$7,723	\$8,943

ATTACHMENT B

ANNUAL ADJUSTMENT TO SCHOOL FACILITY PROGRAM GRANTS

State Allocation Board Meeting, February 23, 2022
Grant Amount Adjustments

Modernization Only	SFP Regulation Section	Adjusted Grant Amount Effective 1-1-21	Adjusted Grant Amount Effective 1-1-22
Two-stop Elevator	1859.83	\$128,460	\$148,757
Each Additional Stop	1859.83	\$23,124	\$26,778
Project Assistance (for school district with less than 2,500 pupils)	1859.78.2	\$4,119	\$4,770

Facility Hardship / Rehabilitation	SFP Regulation Section	Adjusted Grant Amount Effective 1-1-21	Adjusted Grant Amount Effective 1-1-22
Current Replacement Cost – Permanent Other (per square foot)	1859.2	\$412	\$477
Current Replacement Cost – Permanent Toilets (per square foot)	1859.2	\$742	\$859
Current Replacement Cost – Portable Other (per square foot)	1859.2	\$94	\$109
Current Replacement Cost – Portable Toilets (per square foot)	1859.2	\$241	\$279
Interim Housing – Financial Hardship (per classroom)	1859.81	\$42,342	\$49,032

Charter School Facilities Program – Preliminary Apportionment Amounts	SFP Regulation Section	Adjusted Grant Amount Effective 1-1-21	Adjusted Grant Amount Effective 1-1-22
Charter School Elementary (per pupil)	1859.163.1	\$12,693	\$14,698
Charter School Middle (per pupil)	1859.163.1	\$13,438	\$15,561
Charter School High (per pupil)	1859.163.1	\$17,055	\$19,750
Charter School Special Day Class – Severe (per pupil)	1859.163.1	\$35,653	\$41,286
Charter School Special Day Class - Non-Severe (per pupil)	1859.163.1	\$23,843	\$27,610
Charter School Two-stop Elevator	1859.163.5	\$107,050	\$123,964
Charter School Each Additional Stop	1859.163.5	\$19,269	\$22,314

ATTACHMENT B

NEW SCHOOL ADJUSTMENTS (REGULATION SECTION 1859.83)

State Allocation Board Meeting, February 23, 2022

Classrooms in Project	Elementary School Adjusted Grant Effective 1-1-21	Elementary School Adjusted Grant Effective 1-1-22	Middle School Adjusted Grant Effective 1-1-21	Middle School Adjusted Grant Effective 1-1-22	High School Adjusted Grant Effective 1-1-21	High School Adjusted Grant Effective 1-1-22	Alternative Education New School Effective 1-1-21	Alternative Education New School Effective 1-1-22
1	\$342,561	\$396,686	\$1,443,039	\$1,671,039	\$3,138,719	\$3,634,637	\$930,697	\$1,077,747
2	\$807,160	\$934,691	\$1,618,603	\$1,874,342	\$3,265,038	\$3,780,914	\$1,129,167	\$1,307,575
3	\$1,211,811	\$1,403,277	\$1,798,448	\$2,082,603	\$4,035,802	\$4,673,459	\$1,973,925	\$2,285,805
4	\$1,535,104	\$1,777,650	\$1,995,420	\$2,310,696	\$4,720,926	\$5,466,832	\$2,220,761	\$2,571,641
5	\$1,802,730	\$2,087,561	\$2,200,958	\$2,548,709	\$5,198,369	\$6,019,711	\$2,467,598	\$2,857,478
6	\$2,185,968	\$2,531,351	\$2,408,636	\$2,789,200	\$5,675,815	\$6,572,594	\$2,714,434	\$3,143,315
7	\$2,573,493	\$2,980,105	\$2,616,313	\$3,029,690	\$6,153,260	\$7,125,475	\$2,961,272	\$3,429,153
8	\$2,871,094	\$3,324,727	\$2,843,261	\$3,292,496	\$6,521,513	\$7,551,912	\$3,220,442	\$3,729,272
9	\$2,871,094	\$3,324,727	\$3,083,053	\$3,570,175	\$6,816,973	\$7,894,055	\$3,488,089	\$4,039,207
10	\$3,376,370	\$3,909,836	\$3,324,987	\$3,850,335	\$7,110,290	\$8,233,716	\$3,755,736	\$4,349,142
11	\$3,376,370	\$3,909,836	\$3,566,921	\$4,130,495	\$7,405,751	\$8,575,860	\$4,794,340	\$5,551,846
12	\$3,554,075	\$4,115,619			\$7,675,517	\$8,888,249	\$5,061,988	\$5,861,782
13					\$7,941,003	\$9,195,681	\$5,329,635	\$6,171,717
14					\$8,206,488	\$9,503,113	\$5,597,282	\$6,481,653
15					\$8,474,114	\$9,813,024	\$5,864,931	\$6,791,590
16					\$8,739,599	\$10,120,456	\$6,132,577	\$7,101,524
17					\$9,007,225	\$10,430,367	\$6,400,225	\$7,411,461
18					\$9,272,711	\$10,737,799	\$6,667,872	\$7,721,396
19					\$9,538,196	\$11,045,231	\$6,935,520	\$8,031,332
20					\$9,805,822	\$11,355,142	\$7,203,168	\$8,341,269
21					\$10,071,306	\$11,662,572	\$7,471,009	\$8,651,428
22					\$10,336,791	\$11,970,004	\$7,738,656	\$8,961,364
23							\$8,006,305	\$9,271,301
24							\$8,273,951	\$9,581,235
25							\$8,541,599	\$9,891,172
26							\$8,809,248	\$10,201,109
27							\$9,076,894	\$10,511,043

3. CONSENT CALENDAR: Action items:

3.1 Minutes of the Regular Board Meeting – March 1, 2022

TIPTON ELEMENTARY SCHOOL DISTRICT REGULAR BOARD MEETING Minutes

Tuesday, March 1, 2022
7:00 p.m. District Cafeteria

1. CALL TO ORDER – FLAG SALUTE

Board Clerk, Fernando Cunha called the meeting to order at 7:00 pm and led the flag salute. Board Members present: Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha. Absent: Greg Rice. Guest: Cherie, Sandra Cunha, Cassandra Cunha, Connie Sanchez, Desiree Heinks, Aaron Gonzalez, Adriana Gomez, Christopher Sanchez, Julieta Flores, Debbie Gilbert, Danielle Gilbert, Jordynn Gilbert, Yaretzi Ramirez, and Janavi Lemus

2. PUBLIC INPUT:

2.1 Community Relations/Citizen Comments

2.2 Reports by Employee Units CTA/CSEA

2.3 Correspondence

Review of First Period Interim Report 2021-2022

2.4 Correspondence

Approval of Plans from Department of General Services

2.5 Student Comments - Character Counts

Dr. Cherie Solian and Ms. Desiree Heinks recognized students who were nominated by staff for demonstrating excellent character this school year.

3. CONSENT CALENDAR: Action items:

3.1 Minutes of the Regular Board Meeting – February 1, 2022

3.2 Conference, Field Trip, Fund Raiser and Facilities Requests

Motion to approve the Consent Calendar was made by John Cardoza and second by Iva Sousa.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – Greg Rice

4. ADMINISTRATIVE: Action items:

4.1 2022 Delegate Assembly Ballot Subregion 12-A (Tulare County)

Motion to approve 2022 Delegate Assembly Ballot Subregion 12-A (Tulare County) was made by John Cardoza and second by Shelley Heeger.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – Greg Rice

4.2 Consolidated Application Winter 2021-2022

Motion to approve Consolidated Application Winter 2021-2022 was made by Iva Sousa and second by Shelley Heeger.

Motion to approve the Consent Calendar was made by John Cardoza and second by Iva Sousa.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – 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 Iva Sousa and second by John Cardoza.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – Greg Rice

4.4 School Calendar 2022-2023

Motion to approve the School Calendar 2022-2023 was made by Iva Sousa and second by Shelley Heeger.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – Greg Rice

4.5 Quarterly Board Policy – December 2021

Motion to approve Quarterly Board Policy – December 2021 was made by John Cardoza and second by Iva Sousa.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – Greg Rice

4.6 Updating Policy Titles

Motion to approve Updating Policy Titles was made by Iva Sousa and second by Shelley Heeger.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – Greg Rice

4.7 Policy Deletions

Motion to approve Policy Deletions was made by Shelley Heeger and second by John Cardoza.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – Greg Rice

4.8 Heat Illness Prevention Plan

Motion to approve Heat Illness Prevention Plan was made by Iva Sousa and second by John Cardoza.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – Greg Rice

4.9 Agreement with SchoolWorks, Inc.

Motion to approve agreement with SchoolWorks, Inc. was made by Iva Sousa and second by Shelley Heeger.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – Greg Rice

4.10 Resolution 2021-2022-07 California Preschool, Transitional Kindergarten and Full Day Kindergarten Facility Grant Program Application

Motion to approve Resolution 2021-2022-07 California Preschool, Transitional Kindergarten and Full Day Kindergarten Facility Grant Program Application was made by Iva Sousa and second by Shelley Heeger.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – Greg Rice

5. FINANCE: Action items:

5.1 Vendor Payments

Motion to approve Vendor Payments was made by Iva Sousa and second by John Cardoza.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – Greg Rice

5.2 Budget Revisions

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

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – Greg Rice

5.3 2nd Interim Report 2021-2022

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha

No – 0

Abstain – 0

Absent – Greg Rice

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

6.1 MOT--FOOD SERVICE—PROJECTS

Mrs. Stacey Bettencourt reported that Mrs. Nuckols wanted to thank Mrs. Sousa and the Parreira Family for donating dirt to the raised beds in the school garden. She also shared that 8th grade will be meeting next week to go over details for the 8th grade trip. Mrs. Nuckols and Mrs. Rocha wanted to share the artwork of students. They would like to paint a mural on the barn in the school garden. Mrs. Bettencourt shared the artwork with the Board. Mrs. Bettencourt also reported that 8th grade had received approximately \$4,000 in donations from the community for the 8th grade trip.

Mrs. Bettencourt shared the updated guidance on masks at school. Universal masking will no longer be a requirement after March 11, 2022 for students and staff per the Governors Executive Order N-5-22 but is still recommended.

6.2 Tipton Solar Plant Annual Report

Mrs. Bettencourt shared with the Board the annual solar report.

6.3 Updating Policy Numbers

Mrs. Bettencourt shared with the Board policy numbers that needed to be updated.

7. **ADJOURN TO CLOSED SESSION: 7:57 pm**

8. **RECONVENE TO OPEN SESSION 8:17 pm**

9. **REPORT OUT FROM CLOSED SESSION**

7.1 Education Code 35146

Student transfers, inter District etc.

Motion to approve student #21-22030 request for interdistrict was made by Iva Sousa and second by John Cardoza.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha
No – 0
Abstain – 0
Absent – Greg Rice

7.2 Government Code Section 54957
Public Employee Discipline/Dismissal/Release/Complaint

Motion to ratify employee 7075270270, ASES Instructional Aides resignation effective March 1, 2022 and accepted by the Superintendent on February 3, 2022 was made by Shelley Heeger and second by John Cardoza.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha
No – 0

Abstain – 0

Absent – Greg Rice

Motion to ratify employee 2576320992, Fifth Grade Teacher’s resignation effective March 1, 2022 and accepted by the Superintendent on February 16, 2022 was made by Shelley Heeger and second by John Cardoza.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha
No – 0

Abstain – 0

Absent – Greg Rice

Motion to ratify employee 5649934981, First Grade Teacher’s resignation effective March 1, 2022 and accepted by the Superintendent on February 24, 2022 was made by Shelley Heeger and second by John Cardoza.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha
No – 0

Abstain – 0

Absent – Greg Rice

7.3 Government Code Section 54957
Public Employee Appointment/Employment
Title: Instructional Aide

Motion to approve Mary Freitas as an Instructional Aide was made by Shelley Heeger and second by John Cardoza.

Vote Yea 4 / No 0 / Abstain 0 / Absent 1

Yea - Shelley Heeger, Iva Sousa, John Cardoza, and Fernando Cunha
No – 0

Abstain – 0

Absent – Greg Rice

10. ADJOURNMENT 8:18 pm

Minutes approved April 5, 2022

Greg Rice, President

Fernando Cunha, Clerk

Stacey Bettencourt, Secretary

3. CONSENT CALENDAR: Action items:

3.2 Minutes of the Special Board Meeting – March 14, 2022

TIPTON ELEMENTARY SCHOOL DISTRICT SPECIAL BOARD MEETING

Minutes

Monday, March 14, 2022
6:00 p.m. District Board Room

1. Call to order- Flag Salute

Board President, Greg Rice called the meeting to order at 6:00 pm and led the flag salute. Board Members present: Shelley Heeger, Iva Sousa, John Cardoza, Fernando Cunha and Greg Rice.

2. Public Input:

2.1 Community Relations/Citizen Comments

2.2 Reports by Employee Units CTA/CSEA

No comments

3. ADMINISTRATIVE: Action items:

3.1 Award of Bid – Floor Replacement Project at Tipton Elementary School
Recommend Award of Bid No. 2 - Flooring Project at Tipton Elementary School

Motion to reject all bids for the Floor Replacement Project at Tipton Elementary School was made by Iva Sousa and second by Fernando Cunha.

Vote Yea 5 / No 0 / Abstain 0 / Absent 0

Yea - Shelley Heeger, Iva Sousa, John Cardoza, Fernando Cunha and Greg Rice

No – 0

Abstain – 0

Absent –0

3.2 Memorandum of Understanding with California School Employees Association and its Tipton Chapter 765 and the Tipton Elementary School District

Motion to approve Memorandum of Understanding with California School Employees Association and its Tipton Chapter 765 and the Tipton Elementary School District was made by Shelley Heeger and second by John Cardoza.

Vote Yea 5 / No 0 / Abstain 0 / Absent 0

Yea - Shelley Heeger, Iva Sousa, John Cardoza, Fernando Cunha and Greg Rice

No – 0

Abstain – 0

Absent –0

4. ADJOURN TO CLOSED SESSION: 6:21 pm

5. RECONVENE TO OPEN SESSION 6:40 pm

6. REPORT OUT FROM CLOSED SESSION

- 4.1** Government Code Section 54957
Public Employee Discipline/Dismissal/Release/Complaint
- Consider Employee Request for Leave of Absence

During closed session, the Board members voted to approve employee, # 8311987070 a second grade teacher's request for a leave of absence for the 2022-2023 school year. The employee shall take an unpaid leave of absence for the 2022-2023 school year. The employee will pay all cost associated with health benefits.

Motion to approve employee, # 8311987070 a second grade teacher's request for a leave of absence for the 2022-2023 school year was made by Fernando Cunha and second by John Cardoza.

Vote Yea 5 / No 0 / Abstain 0 / Absent 0

Yea - Shelley Heeger, Iva Sousa, John Cardoza, Fernando Cunha and Greg Rice

No - 0

Abstain - 0

Absent -0

- 4.2** Government Code Section 54957
Public Employee Appointment/Employment
Title: ASES After School Program Instructional Aide

Motion to approve Anahi Gomez as an ASES After School Program Instructional Aide was made by Fernando Cunha and second by John Cardoza.

Vote Yea 5 / No 0 / Abstain 0 / Absent 0

Yea - Shelley Heeger, Iva Sousa, John Cardoza, Fernando Cunha and Greg Rice

No - 0

Abstain - 0

Absent -0

7. ADJOURNMENT 6:41 pm

Minutes approved April 5, 2022

Greg Rice, President

Fernando Cunha, Clerk

Stacey Bettencourt, Secretary

3. CONSENT CALENDAR: Action items:

3.3 Conference, Field Trip, Fund Raiser and Facilities Requests

Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Bickers, Hatfield, Medina GRADE 2

CLASSES ATTENDING all second grade

DATE OF TRIP 5/2/22 NUMBER OF PUPILS 43 ADULTS 4

DESTINATION Fresno Chaffee Zoo

BUS TO LEAVE SCHOOL AT 8:40 RETURN AT 2:30

BUS ROUTING AND STOPS

The trip is roughly 60 miles, making
the trip about 120 miles total.

USE THE BACK OF THIS PAPER IF ROUTING NEEDS MORE SPACE

PRELIMINARY STEPS: _____

TRIP RELEVENCY: Informational writing learning about
animal habitats.

OTHER INFORMATION/STAFF CHAPARONE REQUEST:

COST \$ 270.00 plus gas (\$800.00)
park entrance

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES NO HOW MANY 43

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES NO HOW MANY _____

SIGNATURE OF TEACHER IN CHARGE DB

TRIP AUTHORIZED BY SCHOOL BOARD YES _____ NO _____

SIGNATURE OF SUPERINTENDENT [Signature]

Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Medina, Hatfield, Bickers GRADE 2nd

CLASSES ATTENDING ALL 2nd Grade level Medina's, Hatfield's, Bickers's

DATE OF TRIP 4/26/2022 NUMBER OF PUPILS 42 ADULTS 3

DESTINATION Planetarium & Science Center

BUS TO LEAVE SCHOOL AT 10:00 A.M. RETURN AT 2:00 P.M.

BUS ROUTING AND STOPS

From Tipton to Del Lago Park to have Lunch; Take 99 N; Take exit 88 for Hillman St toward Prosperity Ave; Turn RIGHT onto E Hillcrest Ave; Turn LEFT N Laspina St; Turn RIGHT onto Paseo Del Lago; TURN LEFT onto Firestone Dr; Turn Left; Arrive at Del Lago Park
USE THE BACK OF THIS PAPER IF ROUTING NEEDS MORE SPACE (see Back)

PRELIMINARY STEPS: _____

TRIP RELEVENCY: In 2nd Grade, we are writing information pieces; We wish to expose our pupils to a range of topics they can research and write to teach others about.

OTHER INFORMATION/STAFF CHAPARONE REQUEST: _____

COST \$ 196.90 (Transportation) Entrance is Free for ALL Tulare County students and teachers.

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES NO _____ HOW MANY 42

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES NO _____ HOW MANY 1

SIGNATURE OF TEACHER IN CHARGE Ruth Medina

TRIP AUTHORIZED BY SCHOOL BOARD YES _____ NO _____

SIGNATURE OF SUPERINTENDENT [Signature]

Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Bettencourt GRADE 4-8

CLASSES ATTENDING 4th-8th grade

DATE OF TRIP 5/31/22 NUMBER OF PUPILS 100 ADULTS 2 plus driver

DESTINATION Island Waterpark

BUS TO LEAVE SCHOOL AT 8:30 am RETURN AT 3 pm

BUS ROUTING AND STOPS

To Island Water Park from Tipton (NO stops)
TO Tipton School from Island Water Park
(NO stops.)

USE THE BACK OF THIS PAPER IF ROUTING NEEDS MORE SPACE

PRELIMINARY STEPS: _____

TRIP RELEVENCY: Awards - honor roll + perfect attendance.
4th-8th grade

OTHER INFORMATION/STAFF CHAPARONE REQUEST:

Water + Snacks Thank you
lunch is provided.

COST \$ 1,500

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES _____ NO HOW MANY 100 But will need water and snacks

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES _____ NO HOW MANY _____

SIGNATURE OF TEACHER IN CHARGE Stacey Bettencourt

TRIP AUTHORIZED BY SCHOOL BOARD YES _____ NO _____

SIGNATURE OF SUPERINTENDENT Stacey Bettencourt

Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Dr. Solian GRADE 4/5

CLASSES ATTENDING 4/5 grade

DATE OF TRIP 5/17 or 5/24 NUMBER OF PUPILS 50 ADULTS 2

DESTINATION Chukchansi Park -

BUS TO LEAVE SCHOOL AT 9:00 AM RETURN AT 3:00 PM

BUS ROUTING AND STOPS

1800 Tulare Street Fresno, CA 93721

USE THE BACK OF THIS PAPER IF ROUTNING NEEDS MORE SPACE

PRELIMINARY STEPS: Registered online - assigned date unknown at this time -

TRIP RELEVENCY: Reward for Exemplary performance standards in math/reading (most improved)

OTHER INFORMATION/STAFF CHAPARONE REQUEST: assembly, lunch, game (paid for by Fresno Grizzlies)

COST \$ Bus Fuel

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES NO HOW MANY _____

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES NO HOW MANY _____

SIGNATURE OF TEACHER IN CHARGE Dr. Solian

TRIP AUTHORIZED BY SCHOOL BOARD YES NO

SIGNATURE OF SUPERINTENDENT Shirley Bellamy

Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Dr. Solian GRADE ALL

CLASSES ATTENDING Character Counts Students 2021

DATE OF TRIP 5/10/22 NUMBER OF PUPILS 77 ADULTS 4

DESTINATION Visalia Rawhide Baseball Club

BUS TO LEAVE SCHOOL AT 9:30 AM RETURN AT 2 PM(?)

BUS ROUTING AND STOPS

300 N. Giddings Street Visalia, CA 93291

USE THE BACK OF THIS PAPER IF ROUTING NEEDS MORE SPACE

PRELIMINARY STEPS: _____

TRIP RELEVENCY: Character Counts! Day at the Visalia Rawhide celebrating students of great character.

OTHER INFORMATION/STAFF CHAPARONE REQUEST:

Gates open at 10 AM / Game starts at 11 AM

COST \$ 5 meal per student - plus tax (fuel for bus)

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES _____ NO X HOW MANY _____

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES _____ NO X HOW MANY _____

SIGNATURE OF TEACHER IN CHARGE Dr. Solian

TRIP AUTHORIZED BY SCHOOL BOARD YES _____ NO _____

SIGNATURE OF SUPERINTENDENT Steve Bell

FIELD TRIP APPROVAL FORM

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) BURRELL, MAGANA, NUCKOLS, STARLING GRADE ENTIRE 8TH GRADE

CLASSES ATTENDING ALL 3 HOMEROOMS

DATE OF TRIP MAY 25th 2022 # OF PUPILS 60 # OF ADULTS 5 including Bus Driver

TRIP DATE MAY 27th 2022 DESTINATION ROLLER TOWNE AND ADVENTURE PARK

BUS TO LEAVE SCHOOL AT 8:20 AM

BUS RETURNS TO SCHOOL AT 2:50PM

BUS ROUTING AND STOPS

WE WILL BE AT ROLLER TOWNE FORM 9AM-11AM, THEN HEAD TO ADVENTURE PARK AND WILL REMAIN AT ADVENTURE PARK FROM 11:15AM-2:25PM.


PRELIMINARY STEPS

TRIP RELEVANCY

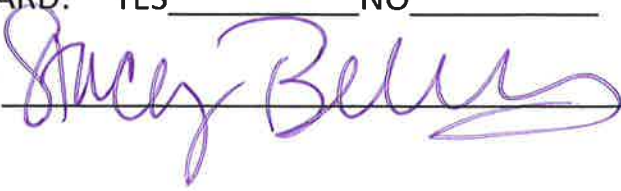
OTHER INFORMATION

COST \$475.00 ROLLER TOWNE AND \$1024.00 ADVENTURE PARK=\$1499.00

CAFETERIA LUNCHES NEEDED: YES _____ **NO** **X**

SIGNATURE OF TEACHER IN CHARGE  Burrell

TRIP AUTHORIZED BY SCHOOL BOARD: YES _____ NO _____

SIGNATURE OF SUPERINTENDENT 

Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Burrell, Magana, Nuckals GRADE 8

CLASSES ATTENDING 8th grade

DATE OF TRIP 4/26 NUMBER OF PUPILS 57 ADULTS 3

DESTINATION Magic Mountain 6-flags

BUS TO LEAVE SCHOOL AT 7:30 am RETURN AT 10:00pm

BUS ROUTING AND STOPS

- Classic Charter Bus
- 1) Teton Pass Rest Stop 9:00 am
- 2) Magic Mountain 10:30 am - 6:00 pm
- 3) Grapevine; Arvin, CA 7:30 pm - 8:30 pm

USE THE BACK OF THIS PAPER IF ROUTNING NEEDS MORE SPACE

PRELIMINARY STEPS: _____

TRIP RELEVENCY: _____

OTHER INFORMATION/STAFF CHAPARONE REQUEST:

COST \$ 10,940 - see back for breakdown

CAFETERIA LUNCHES ^{snacks} NEEDED FOR STUDENTS: YES NO _____ HOW MANY 60

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES _____ NO _____ HOW MANY _____

SIGNATURE OF TEACHER IN CHARGE _____

TRIP AUTHORIZED BY SCHOOL BOARD YES _____ NO _____

SIGNATURE OF SUPERINTENDENT Shirley Bell

4. ADMINISTRATIVE: Action items:

- 4.1** Board Resolution #2021-2022-08 In the Matter of Adopting Development Fees on Residential and Commercial and Industrial Development to Fund the Construction or Reconstruction of School Facilities

**BEFORE THE GOVERNING BOARD OF TRUSTEES OF THE
TIPTON ELEMENTARY SCHOOL DISTRICT
TULARE COUNTY, CALIFORNIA**

In the Matter of Adopting Development)	
Fees on Residential and Commercial and)	
Industrial Development to Fund the)	RESOLUTION
Construction or Reconstruction of School)	NO.2021-2022-08
Facilities)	

WHEREAS, Education Code section 17620 et seq. and Government Code section 65995, authorize the governing board of any school district to levy a fee, charge, dedication, or other form of requirement (hereinafter “fee” or “fees”), in the maximum amounts specified therein, against residential, commercial and industrial development projects occurring within the boundaries of the district (hereinafter “development”), for the purpose of funding the construction or reconstruction of school facilities; and

WHEREAS, this Board has previously resolved to levy fees on development projects pursuant to this authority; and

WHEREAS, Government Code section 65995 provides that the maximum fees which may be levied on development projects shall be increased in 2000 and every two years thereafter according to the adjustment for inflation set forth in the statewide cost index for Class B construction as determined by the State Allocation Board “SAB” and to become effective at its January meeting; and

WHEREAS, the SAB at its February 23, 2022 meeting, set the maximum fee to \$4.79 per square foot for residential development and to \$0.78 per square foot for commercial/industrial development; and

WHEREAS, the new Fees are an increase of what is currently being collected by Tipton Elementary School District. A copy of the Study is attached hereto, marked Exhibit "A," and incorporated herein by this reference; and

WHEREAS, in the judgment of this Board it is necessary and appropriate, and in the best interests of the District and its students, to levy fees for the purpose of funding the construction or reconstruction of school facilities necessary to serve the students generated by new development occurring within the District;

**BEFORE THE GOVERNING BOARD OF TRUSTEES OF THE
TIPTON ELEMENTARY SCHOOL DISTRICT
TULARE COUNTY, CALIFORNIA**

NOW, THEREFORE, BE IT RESOLVED, ORDERED AND FOUND by this Board as follows:

1. The foregoing recitals are true and correct.

2. This Board approves and adopts the Study and recommendation of the District Superintendent, or designee, to levy fees in the maximum amounts authorized on new residential, commercial and industrial development that occurs within the District, and based upon the Study and recommendations, and upon all other written and oral information presented to this Board concerning this matter, makes the following findings:

A. The purpose of the fees is to finance the construction and reconstruction of school facilities in order to provide adequate school facilities for the students of the District who will be generated by new residential and commercial/industrial development taking place in the District;

B. The construction or reconstruction of school facilities is necessary to create updated, adequate, appropriate classroom space and academic support facilities for the following reasons:

(1) New residential and commercial and industrial development is projected to occur within the District within the next five years which will generate school-aged children;

(2) Students projected from new development will impact and increase the need of the District to create updated, adequate, appropriate classroom space and academic support facilities.

(3) Existing school facilities in the District are in need of, or will be in need of, reconstruction or modernization. New development will generate students who will attend District schools and be housed in existing facilities. These students cannot be housed without upgrading existing school facilities, ultimately making reconstruction or modernization of such facilities necessary;

(4) Both existing students and new students generated by future development occurring within the district will need to be housed and served in existing school facilities, as well as new and additional school facilities necessary to serve the projected student population.

**BEFORE THE GOVERNING BOARD OF TRUSTEES OF THE
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TULARE COUNTY, CALIFORNIA**

(5) As commercial and industrial development occurs, new jobs are created. Many of the people hired for these jobs move into the community, thereby increasing the need for residential development which generates additional students adding to the impact on the school facilities of the District. The maximum fee that can be levied against residential development is insufficient to cover the full cost of the new or reconstructed school facilities needed by the district to house students generated from new residential development, and therefore justifies a separate fee against commercial and industrial development in the maximum amount allowed by law.

C. Without the addition of new school facilities and/or the reconstruction and modernization of existing facilities, the District will be unable to adequately house and serve additional students generated by new development which will impair or adversely impact the normal functioning of educational programs and services of the District;

D. The District has no, or limited revenue sources available for funding the construction or reconstruction of school facilities attributable to new development;

E. The fees adopted herein bear a reasonable relationship to the need for, and the estimated cost of, the construction or reconstruction of school facilities attributable to the type of new development on which the fees will be imposed;

F. The cost of providing for the construction and/or reconstruction of school facilities attributable to the type of new development occurring in the District will exceed the revenues reasonably anticipated from fees;

G. Existing students will benefit from the use of developer fees for new school facilities. Conversely, students generated from new development will occupy existing school facilities and will benefit from the use of fees to reconstruct or modernize those facilities. Therefore, it is appropriate to use developer fees for existing facilities to the extent of the estimated use of such facilities by students generated by new development.

3. Based on the foregoing, this Board hereby determines:

A. To levy a fee on any new or on other residential development, as described in Education Code § 17620(a), occurring within the District, in the maximum amount currently authorized by law of \$3.19 per square foot of assessable space as such space is defined in

**BEFORE THE GOVERNING BOARD OF TRUSTEES OF THE
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Government Code § 65995(b)(1). (This represents the elementary share of the \$4.79 total residential fee).

B. To levy a fee on categories of new commercial or industrial development, as described in Education Code § 17620(a), occurring within the boundaries of the District, in the maximum amount currently authorized by law of \$0.52 per square foot of chargeable covered and enclosed space as such space is defined in Government Code § 65995(b)(2), (this represents the elementary share of the \$0.78 total commercial/industrial fee). except for Rental Self-Storage projects in which a fee of \$0.18 per square foot is justified.

4. The fee provisions of this Resolution are not exclusive, and this Board specifically reserves authority to undertake other or additional methods to finance school facilities in partial or complete substitution for, or in conjunction with, the fee provisions set forth therein, as authorized by law. This Board reserves the authority, in its discretion, to substitute the dedication of land or other form of requirement in lieu of fees to be levied pursuant to this Resolution.

5. The District intends to utilize fees for new construction of school facilities, reconstruction or modernization of existing facilities, purchase, lease or lease-purchase of portable or relocatable classrooms and related facilities as interim school facilities to house students pending the construction of permanent facilities, or the purchase, lease or lease-purchase of land for school facilities. This includes all associated costs to plan and execute school facilities projects including, but not limited to, architectural and engineering costs, testing and inspection costs, permits and plan checking, and other administrative costs related to the provision of school facilities. Construction, reconstruction or modernization of school facilities includes, but is not limited to, classrooms and equipment and furnishings for classrooms, and all other reasonable and customary auxiliary, accessory, adjunct, or other supportive facilities for classrooms such as restrooms, gymnasiums, administrative offices, cafeterias, libraries, multi-purpose rooms, maintenance and storage rooms, walkways, overhangs, parking lots, landscaping, and all other similar facilities. Finally, fees may be used for studies and reports necessary to make the findings and determinations required by law for the collection of fees which may include the school facilities needs analysis described in Government Code section 65995.6, for reimbursement of administrative costs to collect fees, and for such other purposes consistent with

**BEFORE THE GOVERNING BOARD OF TRUSTEES OF THE
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TULARE COUNTY, CALIFORNIA**

the purpose and intent of this Resolution, or authorized by law, or deemed necessary or appropriate by this governing board.

6. The Superintendent, or designee, is authorized to certify compliance of a particular development project with the fee or other requirement levied by this Board, or to certify where appropriate that a project is fully or partially exempt from fees in appropriate circumstances. Any certification of compliance for a particular residential construction project is expressly conditioned upon the continued satisfaction by that project of the requirements for that certification and failure to meet those requirements in the future may result in the revocation of such certification and enforcement of the appropriate fee requirement for the project.

7. Pursuant to Education Code § 17621(c), this board determines that the fee levied on residential development is not subject to the restrictions set forth in subdivision (a) of Government Code § 66007 and, pursuant to Education Code § 17620(b), shall be collected at the time of issuance of the building or similar permit required for a particular development project.

8. Pursuant to Government Code section 66001(d), the Superintendent or the District's designee shall review the Fund established pursuant to this Resolution for the fifth fiscal year following the first deposit of fees in the Fund, and every five years thereafter, and with respect to any portion of a fee remaining unspent five or more years after deposit, the Superintendent or the District's designee shall report to this Board which shall either make the findings required by section 66001(d) for said unspent fees, or direct the refund of such fees in the manner provided in 66001(e) and (f).

9. Pursuant to Government Code section 66001(e), the Superintendent or designee, shall advise this board whenever it appears sufficient fees have been collected to complete financing on incomplete public improvements that have been identified in the Study. This board shall then make a determination whether or not sufficient fees have been collected for a particular project, and when a determination is made by this board that sufficient fees have been collected, this Board shall identify, within 180 days of the determination, an approximate date by which the construction of the public improvement will be commenced, or shall refund the fees as provided in said section, unless the provisions of section 66001(f) are deemed to apply.

10. The fees adopted herein are effective sixty (60) days after the approval of this Resolution unless the School Board states this is an urgency due to the significant needs and

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impacts of the impending new housing developments and there is a 4/5ths majority vote, to cause that the imposition of fees shall take effect thirty (30) days after the date of this Resolution.

11. The Superintendent or the District's designee is hereby authorized and directed to do the following:

A. As required by Government Code § 66006(a), to establish a separate capital facilities fund (herein "Fund") into which the fees received by the District shall be deposited and shall not be commingled with other revenues and funds of the District. The fees, and any interest earned thereon, shall be expended only for the purpose of funding the construction or reconstruction of school facilities or such other purposes as are permitted by law and authorized by this Board.

B. If applicable, negotiate agreements with other school district(s) with common territorial boundaries ensuring that the total fees collected by each school district does not exceed the maximum fees allowed by law for residential and commercial and industrial development and providing for an equitable division of the fees with such other school district(s). As required by Education Code section § 17623(a), copies of such agreement(s) shall be transmitted to the State Allocation Board, and shall also be sent to any county or city planning agency which is calculating or collecting fees on behalf of the District.

C. Take such further action as is necessary or appropriate to carry out the purpose and intent of this Resolution.

I, Stacey Bettencourt, Secretary to the Board of Trustees of the Tipton Elementary School District, do hereby certify that the foregoing Resolution was proposed by Board member _____, seconded by Board member _____, and was duly passed and adopted, by vote of said Board, at an official and public meeting thereof held on April 5, 2022, as follows:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated: _____

Secretary, Board of Trustees

4. ADMINISTRATIVE: Action items:

4.2 Approval of J-13

CALIFORNIA DEPARTMENT OF EDUCATION
REQUEST FOR ALLOWANCE OF ATTENDANCE DUE TO EMERGENCY CONDITIONS
 FORM J-13A, REVISED DECEMBER 2017

SECTION A: REQUEST INFORMATION

- This form is used to obtain approval of attendance and instructional time credit pursuant to *Education Code (EC)* sections 41422, 46200, 46391, 46392 and *California Code of Regulations (CCR)*, Title 5, Section 428.
- Only schools that report Principal Apportionment average daily attendance (ADA) for the purpose of calculating a K-12 Local Control Funding Formula (LCFF) entitlement should submit this form.
- Refer to the instructions and frequently asked questions at <https://www.cde.ca.gov/fq/aa/pa/j13a.asp> for information regarding the completion of this form.

PART I: LOCAL EDUCATIONAL AGENCY (LEA)

LEA NAME:		COUNTY CODE:	DISTRICT CODE:	CHARTER NUMBER (IF APPLICABLE):
LEA SUPERINTENDENT OR ADMINISTRATOR NAME:				FISCAL YEAR:
ADDRESS:			COUNTY NAME:	
CITY:		STATE:		ZIP CODE:
CONTACT NAME:	TITLE:	PHONE:	E-MAIL:	

PART II: LEA TYPE AND SCHOOL SITE INFORMATION APPLICABLE TO THIS REQUEST (Choose only one LEA type):

<input type="checkbox"/> SCHOOL DISTRICT Choose one of the following: <input type="checkbox"/> All district school sites <input type="checkbox"/> Select district school sites	<input type="checkbox"/> COUNTY OFFICE OF EDUCATION (COE) Choose one of the following: <input type="checkbox"/> All COE school sites <input type="checkbox"/> Select COE school sites	<input type="checkbox"/> CHARTER SCHOOL
--	---	--

PART III: CONDITION(S) APPLICABLE TO THIS REQUEST:

SCHOOL CLOSURE: When one or more schools were closed because of conditions described in *EC* Section 41422. LCFF apportionments should be maintained and instructional time credited in Section B for the school(s) without regard to the fact that the school(s) were closed on the dates listed, due to the nature of the emergency. Approval of this request authorizes the LEA to disregard these days in the computation of ADA (per *EC* Section 41422) without applicable penalty and obtain credit for instructional time for the days and the instructional minutes that would have been regularly offered on those days pursuant to *EC* Section 46200, et seq.

There was a Declaration of a State of Emergency by the Governor of California during the dates associated with this request.

MATERIAL DECREASE: When one or more schools were kept open but experienced a material decrease in attendance pursuant to *EC* Section 46392 and *CCR*, Title 5, Section 428. Material decrease requests that include all school sites within the school district must demonstrate that the school district as a whole experienced a material decrease in attendance. Material decrease requests for one or more but not all sites within the school district must show that each site included in the request experienced a material decrease in attendance pursuant to *EC* Section 46392 and *CCR*, Title 5, Section 428. The request for substitution of estimated days of attendance for actual days of attendance is in accordance with the provisions of *EC* Section 46392. Approval of this request will authorize use of the estimated days of attendance in the computation of LCFF apportionments for the described school(s) and dates in Section C during which school attendance was materially decreased due to the nature of the emergency.

There was a Declaration of a State of Emergency by the Governor of California during the dates associated with this request.

LOST OR DESTROYED ATTENDANCE RECORDS: When attendance records have been lost or destroyed as described in *EC* Section 46391. Requesting the use of estimated attendance in lieu of attendance that cannot be verified due to the loss or destruction of attendance records. This request is made pursuant to *EC* Section 46391:

"Whenever any attendance records of any district have been lost or destroyed, making it impossible for an accurate report on average daily attendance for the district for any fiscal year to be rendered, which fact shall be shown to the satisfaction of the Superintendent of Public Instruction by the affidavits of the members of the governing board of the district and the county superintendent of schools, the Superintendent of Public Instruction shall estimate the average daily attendance of such district. The estimated average daily attendance shall be deemed to be the actual average daily attendance for that fiscal year for the making of apportionments to the school district from the State School Fund."

SECTION B: SCHOOL CLOSURE

Not Applicable (Proceed to Section C)
 Supplemental Page(s) Attached

PART I: NATURE OF EMERGENCY (Describe in detail.)

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PART II: SCHOOL INFORMATION (Use the supplemental Excel form at <https://www.cde.ca.gov/fg/aa/pa/j13a.asp> if more than 10 lines are needed for this request. Attach a copy of a school calendar. If the request is for multiple school sites, and the sites have differing school calendars, attach a copy of each different school calendar to the request.)

A School Name	B School Code	C Site Type	D Days in School Calendar	E Emergency Days Built In	F Built In Emergency Days Used	G Date(s) of Emergency Closure	H Closure Dates Requested	I Total Number of Days Requested

PART III: CLOSURE HISTORY (List closure history for all schools in Part II. Refer to the instructions for an example.)

A School Name	B School Code	C Fiscal Year	D Closure Dates	E Nature	F Weather Related Yes/No

SECTION C: MATERIAL DECREASE

- Not Applicable (Proceed to Section D)
 Supplemental Page(s) Attached

PART I: NATURE OF EMERGENCY (Describe in detail.)

PART II: MATERIAL DECREASE CALCULATION (Use the supplemental Excel file at <https://www.cde.ca.gov/fq/aa/pa/j13a.asp> if more than 10 lines are needed for this request. Refer to the instructions for information on completing the form including the definition of "normal" attendance.)

A	B	C	D	E	F	G*	H
School Name	School Code	"Normal" Attendance (October/May)	Dates Used for Determining "Normal" Attendance	Date of Emergency	Actual Attendance	Qualifier: 90% or Less (F/C)	Net Increase of Apportionment Days (C-F)
			-				
			-				
			-				
			-				
			-				
			-				
			-				
			-				
			-				
			-				
		Total:					

PART III: MATERIAL DECREASE CALCULATION FOR CONTINUATION HIGH SCHOOLS (Provide the attendance in hours. Use the supplemental Excel file at <https://www.cde.ca.gov/fq/aa/pa/j13a.asp> if more than 5 lines are needed for this request. Refer to the instructions for information on completing the form including the definition of "normal" attendance.)

A	B	C	D	E	F	G*	H
School Name	School Code	"Normal" Attendance Hours	Date Used for Determining "Normal" Attendance	Date of Emergency	Actual Attendance Hours	Qualifier: 90% or Less (F/C)	Net Increase of Hours (C-F)
		Total:					

*Qualifier should be 90% or less except when the governor declares a state of emergency or in the case of a Necessary Small School (NSS) site.

SECTION D: LOST OR DESTROYED ATTENDANCE RECORDS

Not Applicable (Proceed to Section E)

PART I: PERIOD OF REQUEST The entire period covered by the lost or destroyed records commences with _____ up to and including _____.

PART II: CIRCUMSTANCES (Describe below circumstances and extent of records lost or destroyed.)

PART III: PROPOSAL (Describe below the proposal to reconstruct attendance records or estimate attendance in the absence of records.)

SECTION E: AFFIDAVIT

PART I: AFFIDAVIT OF SCHOOL DISTRICT, COUNTY OFFICE OF EDUCATION, OR CHARTER SCHOOL GOVERNING BOARD MEMBERS – All applicable sections below must be completed to process this J-13A request.

We, members constituting a majority of the governing board of _____, hereby swear (or affirm) that the foregoing statements are true and are based on official records.

Board Members Names

Board Members Signatures

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

At least a majority of the members of the governing board shall execute this affidavit.

Subscribed and sworn (or affirmed) before me, this _____ day of _____, _____.

Witness: _____ Title: _____ of _____ County, California
(Name) (Signature)

PART II: APPROVAL BY SUPERINTENDENT OF CHARTER SCHOOL AUTHORIZER (Only applicable to charter school requests)

Superintendent (or designee): _____ Authorizing LEA Name: _____
(Name) (Signature)

PART III: AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

County Superintendent of Schools (or designee): _____
(Name) (Signature)

Subscribed and sworn (or affirmed) before me, this _____ day of _____, _____.

Witness: _____ Title: _____ of _____ County, California
(Name) (Signature)

COE contact/individual responsible for completing this section:

Name: _____ Title: _____ Phone: _____ E-mail: _____

4. ADMINISTRATIVE: Action items:

4.3 Consulting Service Agreement with Air Quality Compliance Solutions

CONSULTING SERVICE AGREEMENT

PARTIES

This AGREEMENT made this 15th day of March 2022, by and between the Tipton Elementary School District hereinafter referred to as "Client", and Air Quality Compliance Solutions (AQCS), hereinafter referred to as "Consultant", in the County of Fresno, California.

PROJECT

The PROJECT is located at 370 N. Evans Rd. Tipton, CA. Identified by Client as Reflooring Project. Area of asbestos survey is LIMITED by the Client to the interior of the following: 200, 300, 400, 500 classroom wings, Admin office, lounge, work room and rooms 101, 102, 105, 106, 107. ±23,000 sq.ft. scheduled for renovation.

SCOPE OF SERVICE

Consultant agrees to perform the following scope of services: "LIMITED" Asbestos Renovation Survey in accordance with the EPA NESHAP Regulations found at EPA 40 Code of Federal Regulations (CFR) Part 763 – Asbestos § 763.86. Provide Standard Polarized Light Microscopy (PLM) analysis of asbestos samples with an American Industrial Hygiene Association (AIHA) Accredited Laboratory. Provide Final report.

Client agrees the Consultants SCOPE OF SERVICE is limited to the items as described above, and all other services not identified above are excluded from Consultants SCOPE OF SERVICE.

FEES

The above Services are set up on a "Fee & Expense Price – Not to Exceed (NTE) Price of \$2500." Client agrees to pay the following rates for services provided:

Asbestos Survey/Sample Collection	\$95. Per Hour
PLM Sample analysis	\$22. Per Sample
FedEx Priority overnight	\$35. Flat Rate
Final Report	\$95. Per Hour
PLM Point Counting (Not Included with the NTE Price)	\$75. Per Sample
PLM Point Counting will not be performed unless directed by Client.	

LIMITED Asbestos Survey based on one (1) Site Visit ±10 hrs.,

Collection of 30 asbestos samples, FedEx, and Final Report ±4 hrs.:

Estimated Cost \$2025.

In accordance with the TERMS and GENERAL CONDITIONS of this Agreement to Consultant for SCOPE OF SERVICES provided under this Agreement.

TERMS Client agrees to pay Consultant on Terms of NET DUE THIRTY (30) DAYS.

EXECUTION SIGNATURES

By signing, Client agrees with the terms of this Agreement, and the General Conditions attached and made part of this agreement, and Consultant agrees to conduct the SCOPE OF SERVICES as described above.

Client: Tipton Elementary School District

Consultant: AQCS

By: 

By: 

Title: Superintendent

Title: Certified Asbestos Consultant

Date: 3/15/2022

Date: 03/15/2022

GENERAL CONDITIONS

- 1) Client shall pay all invoices upon receipt for services rendered by Consultant. Invoices not paid within **TEN (10) DAYS** of the invoice date shall be subject to an administrative fee of thirty five dollars (\$35.00) and 1-1/2 percent (1.5%) per month.
- 2) Consultant may suspend all services if Client fails to pay invoice when due.
- 3) Consultant shall perform services in a manner consistent with the standard of care and skill ordinarily exercised by members of the profession practicing under similar conditions in the geographic vicinity and at the time the services are performed. No warranty, representation of guarantee, express or implied, is made or intended by this Agreement.
- 4) Services provided under this Agreement, including all reports, information or recommendations prepared or issued by Consultant, are for exclusive use of the Client for the Project specified. No other use is authorized under this Agreement. Client will not distribute or convey Consultants reports or recommendations to any person or organization other than those identified in the Project description without Consultant's written authorization. Client releases Consultant from liability and agrees to defend, indemnify, protect and hold harmless Consultant from any and all claims, liabilities, damages and expenses arising, in whole or in part, from such unauthorized distribution.
- 5) Consultant's reports, field data, drawings, test results and other similar documents are instruments of professional services, not products. Consultant reserves the right to copyright such documents; however, such copyright is not intended to limit the Client's use of the services provided under this Agreement other than as described in paragraph 4.
- 6) Client will make available to Consultant all information regarding existing conditions, including the existence of hazardous or dangerous materials, and proposed uses of Project site. Client will transmit immediately to Consultant any new information that becomes available or any change in plans. Client releases Consultant from liability for any incorrect advice, judgment or decision based on any inaccurate information furnished by Client or others. Client agrees to defend, indemnify, protect and hold harmless Consultant from any and all claims, liabilities, damages or expenses arising, in whole or in part, from such information.
- 7) Client shall secure the permission necessary to allow Consultant's personnel and equipment access to the Project site at no cost to Consultant.
- 8) Neither Client nor any other person may change or modify Consultant's work product without Consultant's written authorization. Client releases Consultant from liability and agrees to defend, indemnify, protect and hold harmless Consultant from any and all claims, liabilities, damages or expenses arising, in whole or in part, from such unauthorized changes or modifications.
- 9) Client shall provide access or pay cost incurred for rental equipment for heights greater than fourteen (14) feet in the form of ladders or lifts in compliance with Cal-OSHA Regulations.
- 10) Client shall provide electrical power for 110 volt outlets and or lighting if required for Consultant to perform services.
- 11) Client shall secure qualified licensed roofing contractor to review and repair as needed the holes or damage to roofing areas from where Consultant extracted bulk samples for analysis.
- 12) Consultant is not responsible for the completion or quality of work that is dependent upon or performed by the Client or third parties not under the direct control of Consultant, nor is Consultant responsible for their acts or omissions or for any damages resulting therefrom.
- 13) Client waives any claim against Consultant and agrees to defend, indemnify, protect and hold harmless Consultant from any and all claims, liabilities, damages or expenses, including but not limited to; mold or moisture intrusion, delay of the Project, reduction of property value, fear of or actual exposure to or release of toxic or hazardous substances, and any consequential damages of whatever nature from sample collection, which may arise directly or indirectly as a result of the services provided by Consultant under this Agreement, unless such injury of loss is caused by the sole negligence or willful misconduct of Consultant.
- 14) All Disputes between Consultant and Client shall be subject to non-binding mediation. Either party may demand mediation by serving a written notice stating the essential nature of the dispute and the amount of time or money claimed, and requiring that the mediation proceeds within sixty (60) days of service of notice. The mediation shall be administered by the American Arbitration Association or by such other person or organization as the parties may agree upon. No action or suit may commence unless the mediation does not occur within ninety (90) days after service of notice, the mediation occurred but did not resolve the dispute, or a statute of limitation would elapse if suit was filed prior to sixty (60) days after service of notice.

Client has read and agrees to the above General Conditions.

Initials SB Date 3/15/22

- 15) Attorneys' Fees, If any party brings an action or proceeding involving this Agreement, whether founded in tort, contract or equity, or to declare rights hereunder, the Prevailing Party (as is hereinafter defined) in any such proceeding, arbitration or action, or appeal thereon, shall be entitled to reasonably attorneys' fees and costs. Such fees and costs may be awarded in the same action or recovered in a separate action, whether or not such action or proceeding is pursued to a decision or judgment. The term "Prevailing Party" shall include, without limitation, a party who substantially obtains or defeats the relief sought, as the case may be, whether by compromise, settlement, judgment, or the abandonment by the other party of its claim or defense. Any attorneys' fees award shall not be computed in accordance with any court fee schedule, but shall be such as the fully reimbursed all attorneys' fees reasonably incurred."
- 16) Consultant is protected by Professional Liability Insurance, General Liability Insurance, and Automobile Liability Insurance for bodily injury and property damage and will furnish evidence thereof upon request.
- 17) Client shall be responsible for job site safety, except for Consultant's employees.
- 18) Consultant shall preserve samples obtained for the Project for not longer than sixty (60) days after the issuance of any document that includes the data obtained from the samples.
- 19) Client solely shall be responsible for notifying all appropriate municipal, regional, state or federal agencies and prospective buyers of the existence of any hazardous or dangerous material located on or in the Project site, or discovered during the performance of this Agreement, as may be required by such agencies.
- 20) In the event Consultants' work is interrupted due to delays other than delays caused by Consultant, Consultant shall be compensated equitably (based on Consultant's Standard Price Page) for the additional labor or other charges associated with maintaining its work force for Client's benefit during the delay, or at the option of the Client, for charges incurred by Consultant for demobilization and subsequent remobilization.
- 21) If, during the course of performance of this Agreement, conditions or circumstances are discovered which were not contemplated by Consultant at the commencement of this Agreement, Consultant shall notify Client in writing of the newly discovered conditions or circumstances, and Client and Consultant shall renegotiate, in good faith, the terms and conditions of this Agreement. If amended terms and conditions cannot be agreed upon within thirty (30) days after notice, Consultant may terminate this Agreement and be compensated under paragraph 20 in this Agreement.
- 22) This Agreement may be terminated by either party upon ten (10) days written notice sent first class mail, return receipt requested. In the event of termination, Client shall pay for all reasonable charges for work performed and demobilization by Consultant through the tenth (10th) day after mailing the notice of termination. The limitation of liability and indemnity obligations of this Agreement shall be binding notwithstanding any termination of this Agreement
- 23) Except for actions, such as for enforcement of mechanic's liens, which are required by statute to be brought in a specific venue, in the event that litigation is instituted under the terms of this Agreement, the same is to be brought and tried in the judicial jurisdiction of the court of the county of which this Agreement is signed. Client waives the right to have suit brought, or tried in, or removed to, any other county or judicial jurisdiction.
- 24) Neither Client nor Consultant shall assign its interest in this Agreement.
- 25) This Agreement, including attachments incorporated herein by reference, represents the entire agreement and understanding between the parties. The terms of this Agreement will prevail over any different or additional terms in Client's purchase order or other forms unless agreed in writing by Consultant. Any modifications to this Agreement shall be in writing and signed by authorized representatives of the parties. One or more waivers of any terms, conditions or covenant by either party shall not be construed as a waiver for any other term, condition of covenant.

Client has read and agrees to the above General Conditions.

Initials



Date

3/15/22

4. ADMINISTRATIVE: Action items:

4.4 English Learner Reclassification Criteria for 2021-2022 school year

TIPTON ELEMENTARY SCHOOL DISTRICT

English Learner Reclassification Criteria

Reclassification for the 2021-2022 school year only

(due to the cancellation of statewide testing and the COVID-19 pandemic)

1. ELPAC score of **level 4**
2. Kindergarten: **DIBELS**

First Sound Fluency 40 + and

Phonemic Segmentation Fluency 40+

1st grade: **Dibels Composite score 130+**

2nd-8th grade: 2021-2022 STAR Reading score **At/Above Benchmark or On Watch or -30 points from standards met on ELA (SBAC)** if assessment was given

3. Teacher evaluation of current language arts ability:
 - a. Kindergarten: score of 3 in Reading Foundational Skills, English Language Arts-Writing, and Speaking & Listening on report card
 - b. 1st-8th grade: C or better in Language Arts/Reading/Writing
4. Parent consultation

4. ADMINISTRATIVE: Action items:

- 4.5** Addendum to Memorandum of Understanding Between Tipton Elementary School and Associated Teachers of Tipton CTA/NEA – Summer 2021-2022 – Learning Loss/Intervention Program

**ADDENDUM TO
MEMORANDUM OF UNDERSTANDING
BETWEEN
TIPTON ELEMENTARY SCHOOL DISTRICT
AND
ASSOCIATED TEACHERS OF TIPTON CTA/NEA**

SUMMER 2021-2022- LEARNING LOSS/INTERVENTION PROGRAM

The Tipton Elementary School District (“District”) and the Associated Teachers of Tipton, CTA/NEA (“Association”) (collectively referred to as the “Parties”) enter into this Addendum (“Addendum”) to the Memorandum of Understanding (“MOU”), dated April 30, 2021, which is attached and incorporated herein as Exhibit “A”.

The MOU and this Addendum are intended to reflect the Parties’ agreement to provide voluntary intervention instruction following the 2020-2021 and 2021-2022 school years and tutoring/Saturday school services during the 2021-2022 school year to address student learning loss due to the COVID-19 pandemic.

The MOU states, “All future summer programs shall be paid consistent with the terms of the collective bargaining agreement, however, the Parties agree to discuss a potential increase to the rate of pay for the 2021-2022 summer school program, if offered, contingent on the continued availability of AB 86 funds.” Consistent with this language, the Parties wish to address the rate of pay for the 2021-2022 summer school program through this Addendum.

Consistent with California Assembly Bill (“AB”) 86 and the District’s Expanded Learning Opportunity Plan, the Parties recognize the importance of addressing potential learning loss experienced by District students due to the COVID-19 pandemic, as well as to provide additional learning intervention beyond the school year. Therefore, in addition to offering focused, voluntary, in-person intervention instruction during the summer of 2021 and tutoring/Saturday school opportunities during the 2021-2022 school year, the Parties agree to offer in-person intervention instruction during the summer of 2022 to address potential learning loss.

The language in this Addendum shall supplement and replace language in the MOU as set forth below. Unless otherwise noted below, all other terms of the MOU shall remain unchanged and in full effect.

The Parties agree to the following:

- **Recitals**
 1. The Parties agree the recitals set forth above are true and correct.

- **2021-2022 Summer Intervention Program**
 1. A new section entitled “2021-2022 Summer Intervention Program” shall be added to include the following language:
 - **2021-2022 Summer Intervention Program**

1. The 2021-2022 Summer Intervention Program shall begin June 7, 2022, [with the first day of instruction on June 8, 2022,] and shall continue through June 24, 2022. Instruction during the 2021-2022 Summer Intervention Program shall be provided through in-person instruction.
2. Bargaining unit members shall work five (5) hours per day during the 2021-2022 Summer Intervention Program. Bargaining unit members shall complete a time sheet representing all dates and hours worked (including any hours of absence). Payment for time work shall be contingent on completion of this time sheet.
3. Pursuant to the continued availability of AB 86 and other applicable funds, bargaining unit members providing instruction during the 2021-2022 Summer Intervention Program shall be compensated at a rate of sixty-five dollars (\$65.00) per hour. This rate of pay shall only apply to the 2021-2022 Summer Intervention Program and shall not be precedent setting, nor create a past practice. All future summer programs shall be paid consistent with the terms of the collective bargaining agreement between the Parties.

- **Miscellaneous**

1. The Parties represent that they have read and understand the terms of this Addendum and are authorized to execute this Addendum on behalf of its members. Copies of signatures shall have the same force and effect as original signatures. Facsimile and electronic signatures shall be deemed original signatures.
2. The MOU, together with the Addendum, shall expire on June 30, 2022, unless extended or modified by mutual written agreement.
3. The Parties agree that this Addendum, together with the MOU, shall not be precedent setting, nor constitute a past practice.
4. Neither the Association nor the District makes any representations, warranties or guarantees regarding any tax and/or retirement consequences related to this Addendum.
5. Nothing in this Addendum shall prevent the District from following all requirements of law. If the District learns that compliance with this Addendum puts funding that the District has received or additional funding the District could receive, in jeopardy or conflicts with any Health Directives, then the District shall consult with the Association regarding how best to ensure full state funding and legal compliance.


Stacey Bettencourt Date
Tipton Elementary School District,
Superintendent


Tamara Morton Date
CTA

EXHIBIT A

**SUMMER 2020-2021 AND 2021-2022 SCHOOL YEAR- LEARNING
LOSS/INTERVENTION PROGRAM MOU**

**MEMORANDUM OF UNDERSTANDING
BETWEEN
TIPTON ELEMENTARY SCHOOL DISTRICT
AND
ASSOCIATED TEACHERS OF TIPTON CTA/NEA**

**SUMMER 2020-2021 AND 2021-2022 SCHOOL YEAR- LEARNING LOSS/INTERVENTION
PROGRAM**

The Tipton Elementary School District (“District”) and the Associated Teacher of Tipton, CTA/NEA (“Association”) (collectively referred to as the “Parties”) enter into this Memorandum of Understanding (“MOU”) to provide voluntary intervention instruction during the three weeks following the 2020-2021 school year, in lieu of traditional summer school, and tutoring/Saturday school services during the 2021-2022 school year to address student learning loss due to the pandemic. This MOU is dated April 30, 2021 for reference purposes.

On March 5, 2021, Governor Newsom approved California Assembly Bill (“AB”) 86; a budget bill addressing COVID-19 relief and school reopening with the inclusion of In-Person Instruction and Expanded Learning Opportunity Grants. Specifically, the Expanded Learning Opportunity Grants are intended to be used for activities that directly support academic achievement and mitigate learning loss related to COVID-19 school closures.

Consistent with AB 86, the Parties recognize the importance of addressing potential learning loss experienced by District students during the 2020-2021 school year, as well as to provide additional learning intervention beyond the school year. Therefore, the Parties agree to offer focused, voluntary, in-person intervention instruction during the summer of 2021, in lieu of traditional summer school (“Summer Learning Intervention Program”). The Parties also agree to provide tutoring services and Saturday school opportunities to District students to address potential learning loss experienced during the 2020-2021 school year.

The Parties agree to the following:

- **Recitals**
 1. The Parties agree the recitals set forth above are true and correct.
- **Terms of Collective Bargaining Agreement**
 1. All terms of the current collective bargaining agreement between the Parties shall remain in full effect except as stated and modified in this MOU. If there is a conflict, this MOU shall prevail.
- **2020-2021 Summer Learning Intervention Program**
 1. The Summer Learning Intervention Program shall begin June 7, 2021, with the first day of instruction on June 8, 2021, and shall continue through June 25, 2021. Instruction during the Summer Learning Intervention Program shall be provided in-person only.
 2. Employees shall work five (5) hours per day during the Summer Intervention Program. Employees shall complete a time sheet representing all dates and hours worked (including

any hours of absence). Payment for time worked shall be contingent on completion of this time sheet.

3. Bargaining Unit members providing instruction during the Summer Learning Intervention Program shall be compensated at a rate of sixty dollars (\$60.00) per hour. This rate of pay shall only apply to the 2020-2021 Summer Learning Intervention Program and shall not be precedent setting, nor create a past practice. All future summer programs shall be paid consistent with the terms of the collective bargaining agreement, however, the Parties agree to discuss a potential increase to the rate of pay for the 2021-2022 summer school program, if offered, contingent on the continued availability of AB 86 funds.
- **2021-2022 School Year Tutoring/Saturday School**
 1. Students will be offered tutoring and Saturday school opportunities throughout the 2021-2022 school year to address potential learning loss experienced during the 2020-2021 school year.
 2. These voluntary instructional opportunities, as scheduled by the District, will be offered to employees and assigned by the District on a first-come-first serve basis, with consideration of the employee's current grade level, consistent with past practices.
 3. The District shall retain the right to determine the number of employees authorized to perform these services on any scheduled day, for reasons including, but not limited to, student participation rates.
 4. The rate of pay for these services performed during the 2021-2022 school year shall be sixty dollars (\$60.00) per hour. Employees shall complete a time sheet representing all dates and hours worked. Payment for time worked shall be contingent on completion of this time sheet and prior written authorization by the District to perform said services. This rate of pay shall only apply to these services performed during the 2021-2022 school year and shall not be precedent setting, nor create a past practice. Services performed in future school years shall be paid consistent with the terms of the collective bargaining agreement.
 - **Miscellaneous**
 1. The Parties represent that they have read and understand the terms of this MOU and are authorized to execute this MOU on behalf of its members. Copies of signatures shall have the same force and effect as original signatures. Facsimile and electronic signatures shall be deemed original signatures.
 2. This MOU shall expire on June 30, 2022, unless extended or modified by mutual written agreement.
 3. The Parties agree that this MOU is not precedent setting and does not constitute a past practice.
 4. Neither the Association nor the District makes any representations, warranties or guarantees regarding any tax and/or retirement consequences related to this MOU.

5. Nothing in this MOU shall prevent the District from following all requirements of law. If the District learns that compliance with this MOU puts funding that the District has received or additional funding the District could receive, in jeopardy or conflicts with any Health Directives, then the District shall consult with the Association regarding how best to ensure full state funding and legal compliance.

Stacey Bettencourt 4/30/2021

Stacey Bettencourt Date
Tipton Elementary School District,
Superintendent

Jamara Norton 4.30.2021

[NAME] Date
Association

4. ADMINISTRATIVE: Action items:

4.6 Resolution # 2021-2022-09 Appointing Additional State Allocation Board Representatives

RESOLUTION NO. 2021-2022-09

BEFORE THE BOARD OF TRUSTEES
TIPTON ELEMENTARY SCHOOL DISTRICT

RESOLUTION APPOINTING ADDITIONAL
STATE ALLOCATION BOARD REPRESENTATIVES

WHEREAS, the governing board (“Board”) of the Tipton Elementary School District (“District”) participates in the School Facilities Program (“SFP”) pursuant to the Leroy F. Greene School Facilities Act of 1998 for purpose of applying for and receiving State funding for school facility projects;

WHEREAS, the Board must designate authorized representatives who may act on behalf of the District for purposes of applying for and facilitating the acquisition of SFP funding from the State Allocation Board (“SAB Representatives”);

WHEREAS, the Board desires to authorize and designate Cassandra Cunha, Business Manager, and Stacey Bettencourt, Superintendent, as additional SAB Representatives of the District; and

WHEREAS, the Board desires to remove Maryann Henry, Business Manager, as a SAB Representative of the District.

NOW, THEREFORE, the Board of Trustees of the Tipton Elementary School District resolves as follows:

1. The foregoing recitals are adopted as true and correct.
2. The Board authorizes Cassandra Cunha, Business Manager, and Stacey Bettencourt, Superintendent, as additional SAB Representatives of the District for purposes of applying for and receiving State funding for school facility projects and undertaking all other associated SFP and related requirements.
3. The Board authorizes removal of Maryann Henry, Business Manager, as a SAB Representatives of the District for all.

The foregoing Resolution was duly and regularly adopted by the Board of Trustees of the Tipton Elementary School District at its meeting held on April 5, 2022, and received the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

By: _____
President
Tipton Elementary School Board of Trustees

By: _____
Clerk
Tipton Elementary School Board of Trustees

5. FINANCE: Action items:

5.1 Vendor Payments

APY List

Date Paid between 02/23/2022 and 03/29/2022

Vendor No	Vendor Name	Reference Number	Payment Date	Invoice Number/Desc.	AccountCode	Amount	COVID Expenses
14447	ACADIENCE LEARNING INC.	221090	02/25/2022	28705	010-74250-0-11100-10000-58000-0-0000	\$152.64	COVID/ELO
13036	AMERICAN FIDELITY	221132	03/11/2022	FEBRUARY 2022	010-00000-0-00000-00000-95024-0-0000	\$358.29	
12788	ARAMARK UNIFORM SERVICES INC	221083	02/25/2022	503000469674	010-00000-0-00000-81000-56000-0-0000	\$426.35	
12788	ARAMARK UNIFORM SERVICES INC	221084	02/25/2022	503000464592	010-00000-0-00000-81000-56000-0-0000	\$448.24	
12788	ARAMARK UNIFORM SERVICES INC	221103	03/04/2022	503000477969	010-00000-0-00000-81000-56000-0-0000	\$426.35	
12788	ARAMARK UNIFORM SERVICES INC	221104	03/04/2022	503000474026	010-00000-0-00000-81000-56000-0-0000	\$483.54	
12788	ARAMARK UNIFORM SERVICES INC	221131	03/11/2022	503000482169	010-00000-0-00000-81000-56000-0-0000	\$486.74	
13904	AT&T	221105	03/04/2022	9391028858	010-00000-0-00000-81000-59000-0-0000	\$203.79	
14404	AT&T	221102	03/04/2022	0826963964-022522	010-00000-0-00000-82000-59000-0-0000	\$4.55	
13903	A-Z BUS SALES	221071	02/25/2022	02P487492	010-07230-0-00000-36000-43000-0-0000	\$511.03	
14101	B&B PEST CONTROL SERVICE	221174	03/11/2022	01-TIP-02-22	010-00000-0-00000-81000-58000-0-0000	\$170.00	
13581	BIO CORPORATION	221194	03/18/2022	1034464	010-63000-0-11100-10000-42000-0-0000	\$139.69	
13581	BIO CORPORATION	221193	03/18/2022	1034464	010-63000-0-11100-10000-42000-0-0000	\$779.83	
14090	BLACKBOARD INC.	221181	03/18/2022	1377686	010-07200-0-11100-24900-58000-0-0102	\$1,795.50	
14279	CAROLINA BIOLOGICAL	221191	03/18/2022	51674794 RI	010-63000-0-11100-10000-42000-0-0000	\$235.96	
14279	CAROLINA BIOLOGICAL	221192	03/18/2022	51674794 RI	010-63000-0-11100-10000-42000-0-0000	\$63.26	
14279	CAROLINA BIOLOGICAL	221190	03/18/2022	51672449 RI	010-63000-0-11100-10000-42000-0-0000	\$126.04	
14245	CENTRAL VALLEY REFRIGERATION	221066	02/25/2022	41066	010-00000-0-00000-81000-56000-0-0000	\$197.54	
12615	DAN FREITAS ELECTRIC	221070	02/25/2022	21-258308	010-81500-0-00000-81000-56000-0-0000	\$285.00	
14428	DANIELLE GILBERT	221218	03/18/2022	REIMB.LOTTERY	010-11000-0-11100-10000-43000-0-0000	\$100.00	
13181	DEMCO	221187	03/18/2022	7091731	010-07200-0-11100-24203-43000-0-0115	\$736.96	
14328	DONNA M. LOPEZ	221180	03/18/2022	2022-1	010-07230-0-00000-36000-58000-0-0000	\$150.00	
13796	E.M. THARP, INC.	221188	03/18/2022	01P43113	010-07230-0-00000-36000-43000-0-0000	\$24.54	
13796	E.M. THARP, INC.	221189	03/18/2022	01P44558	010-07230-0-00000-36000-43000-0-0000	\$440.22	
14374	ELAN FINANCIAL SERIVCES	221135	03/11/2022	9190 BETTENCOURT	010-00000-0-00000-72000-58000-0-0000	\$39.00	
14374	ELAN FINANCIAL SERIVCES	221134	03/11/2022	9190 BETTENCOURT	010-00000-0-00000-72000-59000-0-0000	\$24.04	
14374	ELAN FINANCIAL SERIVCES	221085	02/25/2022	9190 BETTENCOURT	010-07230-0-00000-36000-58000-0-0000	\$1.00	
14374	ELAN FINANCIAL SERIVCES	221087	02/25/2022	9190 BETTENCOURT	010-07230-0-00000-36000-58000-0-0000	\$19.00	
14374	ELAN FINANCIAL SERIVCES	221089	02/25/2022	9190 BETTENCOURT	010-32120-0-11100-10000-43000-0-0000	\$21.68	COVID/ESSER II
14373	ELAN FINANCIAL SERVICES	221140	03/11/2022	0461 MARTIN	010-00000-0-00000-72000-43000-0-0000	\$70.93	
14375	ELAN FINANCIAL SERVICES	221136	03/11/2022	9281 SOLIAN	010-07200-0-11100-24900-43000-0-0102	\$299.00	
14373	ELAN FINANCIAL SERVICES	221142	03/11/2022	0461 MARTIN	010-07200-0-11100-24900-44000-0-0102	\$118.50	
14373	ELAN FINANCIAL SERVICES	221141	03/11/2022	0461 MARTIN	010-07200-0-11100-24900-44000-0-0102	\$1,675.02	
14373	ELAN FINANCIAL SERVICES	221143	03/11/2022	0461 MARTIN	010-07230-0-00000-36000-43000-0-0000	\$312.84	
14459	ELAN FINANICAL SERVICES	221137	03/11/2022	1091 CUNHA	010-07200-0-11100-24900-43000-0-0102	\$1,297.94	
14459	ELAN FINANICAL SERVICES	221139	03/11/2022	1091 CUNHA	010-07200-0-11100-24900-43000-0-0102	\$125.93	
14459	ELAN FINANICAL SERVICES	221137	03/11/2022	1091 CUNHA	010-07200-0-11100-24900-44000-0-0102	\$2,900.00	
14168	ENGLAND, BRADLEY	221173	03/11/2022	REIMB.FIRST AID	010-07230-0-00000-36000-58000-0-0000	\$60.00	
14480	FED EX	221171	03/11/2022	3-471-43085	010-07200-0-11100-24900-43000-0-0102	\$41.07	
14146	GINA M. MAGANA	221201	03/18/2022	REIMB.LOTTERY	010-11000-0-11100-10000-43000-0-0000	\$38.75	
11961	GIOTTOS ALARM TECH	221072	02/25/2022	138837	010-81500-0-00000-81000-58000-0-0000	\$98.31	
14315	HCI SYSTEMS, Inc	221106	03/04/2022	206282	010-00000-0-00000-81000-58000-0-0000	\$397.00	
14315	HCI SYSTEMS, Inc	221107	03/04/2022	206281	010-00000-0-00000-81000-58000-0-0000	\$797.00	
14164	IEC POWER LLC	221257	03/18/2022	TESD-OM-INV36	010-99900-0-00000-81000-58000-0-0000	\$2,767.22	
14244	J & E DIESEL	221109	03/04/2022	INV0545	010-07230-0-00000-36000-58000-0-0000	\$3,613.06	
3013	JORGENSEN & COMPANY	221069	02/25/2022	5980622	010-00000-0-00000-81000-58000-0-0000	\$164.71	
3013	JORGENSEN & COMPANY	221068	02/25/2022	5980624	010-00000-0-00000-81000-58000-0-0000	\$1,086.70	
13740	LAURA LANDEROS	221202	03/18/2022	REIMB.LOTTERY	010-11000-0-11100-10000-43000-0-0000	\$100.00	
13961	LOWE'S	221076	02/25/2022	925682	010-81500-0-00000-81000-43000-0-0000	\$55.52	

13961	LOWE'S	221078	02/25/2022	928664	010-81500-0-00000-81000-43000-0-0000	\$47.51
13961	LOWE'S	221080	02/25/2022	901783	010-81500-0-00000-81000-43000-0-0000	\$187.77
13961	LOWE'S	221077	02/25/2022	901387	010-81500-0-00000-81000-43000-0-0000	\$19.51
13961	LOWE'S	221079	02/25/2022	976877	010-81500-0-00000-81000-43000-0-0000	\$45.82
13961	LOWE'S	221081	02/25/2022	925919	010-81500-0-00000-81000-43000-0-0000	\$108.27
13961	LOWE'S	221082	02/25/2022	976702	010-81500-0-00000-81000-43000-0-0000	\$129.27
14286	LRP PUBLICATIONS	221205	03/18/2022	4537544	010-00000-0-00000-71100-43000-0-0000	\$339.50
13461	M. GREEN & COMPANY LLP	221248	03/18/2022	156940	010-00000-0-00000-71910-58000-0-0000	\$23,090.00
13396	MAS ENTERPRISES	221075	02/25/2022	58817	010-07230-0-00000-36000-58000-0-0000	\$51.75
13396	MAS ENTERPRISES	221073	02/25/2022	58742	010-07230-0-00000-36000-58000-0-0000	\$51.75
13396	MAS ENTERPRISES	221074	02/25/2022	58740	010-07230-0-00000-36000-58000-0-0000	\$51.75
13063	MICHELLE NUCKOLS	221058	02/25/2022	REIMB.GARDEN	010-07200-0-11302-10000-43000-0-0403	\$221.68
13063	MICHELLE NUCKOLS	221121	03/04/2022	REIMB.GARDEN	010-07200-0-11302-10000-43000-0-0403	\$263.62
13063	MICHELLE NUCKOLS	221200	03/18/2022	REIMB.GARDEN	010-07200-0-11302-10000-43000-0-0403	\$34.37
13882	MOBILE MODULAR MGT. CORP.	221063	02/25/2022	2242823	010-00000-0-00000-81000-56000-0-0000	\$640.00
13882	MOBILE MODULAR MGT. CORP.	221064	02/25/2022	2242815	010-00000-0-00000-81000-56000-0-0000	\$640.00
13882	MOBILE MODULAR MGT. CORP.	221065	02/25/2022	2242816	010-00000-0-00000-81000-56000-0-0000	\$640.00
13882	MOBILE MODULAR MGT. CORP.	221255	03/18/2022	2253751	010-00000-0-00000-81000-56000-0-0000	\$640.00
13882	MOBILE MODULAR MGT. CORP.	221256	03/18/2022	2253752	010-00000-0-00000-81000-56000-0-0000	\$640.00
13882	MOBILE MODULAR MGT. CORP.	221254	03/18/2022	2253795	010-00000-0-00000-81000-56000-0-0000	\$640.00
11531	MORRIS LEVIN & SON	221062	02/25/2022	2110-146671	010-81500-0-00000-81000-43000-0-0000	\$222.25
11531	MORRIS LEVIN & SON	221061	02/25/2022	2110-146671	010-81500-0-00000-81000-43000-0-0000	\$127.75
11531	MORRIS LEVIN & SON	221108	03/04/2022	2201-178233	010-81500-0-00000-81000-58000-0-0000	\$1,456.00
11531	MORRIS LEVIN & SON	221273	03/18/2022	2112-170017	010-81500-0-00000-81000-58000-0-0000	\$758.59
12836	OFFICE DEPOT, INC.	221166	03/11/2022	226861285001	010-00000-0-00000-72000-43000-0-0000	\$25.74
12836	OFFICE DEPOT, INC.	221167	03/11/2022	226933931001	010-00000-0-00000-72000-43000-0-0000	\$28.45
12836	OFFICE DEPOT, INC.	221045	02/25/2022	223781045001	010-00000-0-11100-10000-43000-0-0000	\$55.98
12836	OFFICE DEPOT, INC.	221162	03/11/2022	228481085001	010-00000-0-11100-10000-43000-0-0000	\$24.49
12836	OFFICE DEPOT, INC.	221165	03/11/2022	227389488001	010-00000-0-11100-10000-43000-0-0000	\$279.72
12836	OFFICE DEPOT, INC.	221053	02/25/2022	223725450001	010-11000-0-11100-10000-43000-0-0000	\$77.76
12836	OFFICE DEPOT, INC.	221054	02/25/2022	223707290001	010-11000-0-11100-10000-43000-0-0000	\$69.52
12836	OFFICE DEPOT, INC.	221050	02/25/2022	222036281001	010-11000-0-11100-10000-43000-0-0000	\$50.35
12836	OFFICE DEPOT, INC.	221052	02/25/2022	2230771795001	010-11000-0-11100-10000-43000-0-0000	\$25.22
12836	OFFICE DEPOT, INC.	221055	02/25/2022	224986527001	010-11000-0-11100-10000-43000-0-0000	\$152.70
12836	OFFICE DEPOT, INC.	221047	02/25/2022	219781050001	010-11000-0-11100-10000-43000-0-0000	\$66.72
12836	OFFICE DEPOT, INC.	221049	02/25/2022	222912956001	010-11000-0-11100-10000-43000-0-0000	\$28.33
12836	OFFICE DEPOT, INC.	221051	02/25/2022	222036381002	010-11000-0-11100-10000-43000-0-0000	\$8.93
12836	OFFICE DEPOT, INC.	221048	02/25/2022	222903810001	010-11000-0-11100-10000-43000-0-0000	\$65.23
12836	OFFICE DEPOT, INC.	221119	03/04/2022	212396583001	010-11000-0-11100-10000-43000-0-0000	\$6.13
12836	OFFICE DEPOT, INC.	221120	03/04/2022	215524259001	010-11000-0-11100-10000-43000-0-0000	\$26.91
12836	OFFICE DEPOT, INC.	221164	03/11/2022	230173342001	010-11000-0-11100-10000-43000-0-0000	\$187.26
12836	OFFICE DEPOT, INC.	221148	03/11/2022	227196383001	010-11000-0-11100-10000-43000-0-0000	\$12.32
12836	OFFICE DEPOT, INC.	221150	03/11/2022	229300652001	010-11000-0-11100-10000-43000-0-0000	\$31.25
12836	OFFICE DEPOT, INC.	221144	03/11/2022	230437788001	010-11000-0-11100-10000-43000-0-0000	\$42.33
12836	OFFICE DEPOT, INC.	221153	03/11/2022	225314582001	010-11000-0-11100-10000-43000-0-0000	\$42.99
12836	OFFICE DEPOT, INC.	221155	03/11/2022	222037069001	010-11000-0-11100-10000-43000-0-0000	\$4.36
12836	OFFICE DEPOT, INC.	220017	03/11/2022	225311356001	010-11000-0-11100-10000-43000-0-0000	(\$4.36)
12836	OFFICE DEPOT, INC.	221146	03/11/2022	230440615001	010-11000-0-11100-10000-43000-0-0000	\$89.21
12836	OFFICE DEPOT, INC.	221147	03/11/2022	230437788003	010-11000-0-11100-10000-43000-0-0000	\$5.71
12836	OFFICE DEPOT, INC.	221145	03/11/2022	230437788002	010-11000-0-11100-10000-43000-0-0000	\$38.78
12836	OFFICE DEPOT, INC.	221163	03/11/2022	228004534001	010-11000-0-11100-10000-43000-0-0000	\$390.18
12836	OFFICE DEPOT, INC.	221151	03/11/2022	225277433001	010-11000-0-11100-10000-43000-0-0000	\$17.76
12836	OFFICE DEPOT, INC.	221149	03/11/2022	229301434001	010-11000-0-11100-10000-43000-0-0000	\$45.99
12836	OFFICE DEPOT, INC.	221152	03/11/2022	225134574001	010-11000-0-11100-10000-43000-0-0000	\$8.08
12836	OFFICE DEPOT, INC.	221056	02/25/2022	225960492001	010-60100-0-11100-10000-43000-0-0000	\$16.15
12836	OFFICE DEPOT, INC.	221057	02/25/2022	225960488001	010-60100-0-11100-10000-43000-0-0000	\$82.89
12836	OFFICE DEPOT, INC.	221156	03/11/2022	230672023001	010-60100-0-11100-10000-43000-0-0000	\$118.06
12836	OFFICE DEPOT, INC.	221157	03/11/2022	230643036001	010-60100-0-11100-10000-43000-0-0000	\$77.54

12836 OFFICE DEPOT, INC.	221158	03/11/2022	225960385001	010-60100-0-11100-10000-43000-0-0000	\$40.18	
13562 ORIENTAL TRADING CO.	221115	03/04/2022	714806580-01	010-60100-0-11100-10000-43000-0-0000	\$1,132.80	
13562 ORIENTAL TRADING CO.	221223	03/18/2022	715950856-04	010-60100-0-11100-10000-43000-0-0000	\$76.70	
13562 ORIENTAL TRADING CO.	221225	03/18/2022	715350856-03	010-60100-0-11100-10000-43000-0-0000	\$136.80	
13562 ORIENTAL TRADING CO.	221224	03/18/2022	715350856-01	010-60100-0-11100-10000-43000-0-0000	\$2,201.16	
13562 ORIENTAL TRADING CO.	221226	03/18/2022	715350856-02	010-60100-0-11100-10000-43000-0-0000	\$116.02	
14094 PROFESSIONAL PRINT & MAIL	221208	03/18/2022	111442	010-07230-0-00000-36000-43000-0-0000	\$531.09	
14396 S & S AG AND AUTO PARTS	221262	03/18/2022	052800	010-07230-0-00000-36000-43000-0-0000	\$2.52	
14396 S & S AG AND AUTO PARTS	221266	03/18/2022	053516	010-07230-0-00000-36000-43000-0-0000	\$94.78	
14396 S & S AG AND AUTO PARTS	221267	03/18/2022	053601	010-07230-0-00000-36000-43000-0-0000	\$117.45	
14396 S & S AG AND AUTO PARTS	221263	03/18/2022	052817	010-07230-0-00000-36000-43000-0-0000	\$47.94	
14396 S & S AG AND AUTO PARTS	221259	03/18/2022	048962	010-07230-0-00000-36000-43000-0-0000	\$76.59	
14396 S & S AG AND AUTO PARTS	221261	03/18/2022	052529	010-07230-0-00000-36000-43000-0-0000	\$32.83	
14396 S & S AG AND AUTO PARTS	221264	03/18/2022	052796	010-07230-0-00000-36000-43000-0-0000	\$31.23	
14396 S & S AG AND AUTO PARTS	221265	03/18/2022	053029	010-07230-0-00000-36000-43000-0-0000	\$47.81	
14396 S & S AG AND AUTO PARTS	221268	03/18/2022	054060	010-07230-0-00000-36000-43000-0-0000	\$93.73	
14396 S & S AG AND AUTO PARTS	221269	03/18/2022	054089	010-07230-0-00000-36000-43000-0-0000	\$77.56	
14396 S & S AG AND AUTO PARTS	221270	03/18/2022	054125	010-07230-0-00000-36000-43000-0-0000	\$43.09	
14396 S & S AG AND AUTO PARTS	221271	03/18/2022	054212	010-07230-0-00000-36000-43000-0-0000	\$94.00	
14396 S & S AG AND AUTO PARTS	221272	03/18/2022	055048	010-07230-0-00000-36000-43000-0-0000	\$96.73	
14396 S & S AG AND AUTO PARTS	220018	03/18/2022	054221	010-07230-0-00000-36000-43000-0-0000	(\$15.63)	
14396 S & S AG AND AUTO PARTS	221258	03/18/2022	050450	010-07230-0-00000-36000-43000-0-0000	\$79.74	
14396 S & S AG AND AUTO PARTS	221260	03/18/2022	048540	010-07230-0-00000-36000-43000-0-0000	\$101.78	
13316 SCHOOL INNOVATIONS & ACHIEVEME	221231	03/18/2022	0139413-IN	010-00000-0-00000-72000-58000-0-0000	\$3,000.00	
13596 SCHOOL NURSE SUPPLY	221111	03/04/2022	0878467-IN	010-56400-0-11100-10000-43000-0-0000	\$251.86	
14308 SHI INTERNATIONAL CORP	221099	02/25/2022	B14035902	010-07200-0-11100-10000-64000-0-0303	\$20,251.68	
14308 SHI INTERNATIONAL CORP	221098	02/25/2022	B14022643	010-07200-0-11100-10000-64000-0-0303	\$19,184.54	
14308 SHI INTERNATIONAL CORP	221213	03/18/2022	B14761147	010-07200-0-11100-24900-43000-0-0102	\$356.39	
14111 SISC	221118	03/04/2022	MARCH HW RET.BRD.ACT	010-00000-0-00000-00000-95024-0-0000	\$69,617.82	
14111 SISC	221117	03/04/2022	MARCH HW RET.BRD.ACT	010-00000-0-00000-00000-95028-0-0000	\$5,942.20	
14111 SISC	221116	03/04/2022	MARCH HW RET.BRD.ACT	010-00000-0-00000-71000-34020-0-0000	\$7,362.40	
5388 SOUTHERN CAL GAS	221112	03/04/2022	108 416 9100 8	010-00000-0-00000-81000-55000-0-0000	\$3,553.37	
5383 SOUTHERN CALIF EDISON CO	221110	03/04/2022	700142519619	010-99900-0-00000-81000-55000-0-0000	\$516.93	
13902 SOUTHWEST SCH. & OFFICE SUPPLY	221100	02/25/2022	PINV09287424	010-00000-0-11100-10000-43000-0-0000	\$251.47	
13130 SYSCO FOOD SERVICES	221227	03/18/2022	384089376	010-00000-0-00000-72000-43000-0-0000	\$272.62	
13130 SYSCO FOOD SERVICES	221125	03/04/2022	384072761	010-00000-0-11100-10000-43000-0-0000	\$303.83	
13130 SYSCO FOOD SERVICES	221230	03/18/2022	384097093	010-00000-0-11100-10000-43000-0-0000	\$158.24	
13130 SYSCO FOOD SERVICES	221123	03/04/2022	384072762	010-60100-0-11100-10000-43000-0-0000	\$205.57	
13130 SYSCO FOOD SERVICES	221124	03/04/2022	384079443	010-60100-0-11100-10000-43000-0-0000	\$850.60	
13130 SYSCO FOOD SERVICES	221228	03/18/2022	384104418	010-60100-0-11100-10000-43000-0-0000	\$743.45	
13130 SYSCO FOOD SERVICES	221229	03/18/2022	384097075	010-60100-0-11100-10000-43000-0-0000	\$64.02	
14369 THE HOME DEPOT PRO	221281	03/18/2022	649391992	010-32120-0-00000-81000-43000-0-0000	\$59.17	
14369 THE HOME DEPOT PRO	221280	03/18/2022	649376332	010-32120-0-00000-81000-43000-0-0000	\$513.97	
14369 THE HOME DEPOT PRO	221041	02/25/2022	663592814	010-81500-0-00000-81000-43000-0-0000	\$1,148.62	
14369 THE HOME DEPOT PRO	221042	02/25/2022	666422431	010-81500-0-00000-81000-43000-0-0000	\$98.55	
14369 THE HOME DEPOT PRO	220016	02/25/2022	667230205	010-81500-0-00000-81000-43000-0-0000	(\$84.13)	
14369 THE HOME DEPOT PRO	221040	02/25/2022	660873845	010-81500-0-00000-81000-43000-0-0000	\$59.75	
14369 THE HOME DEPOT PRO	221044	02/25/2022	666003884	010-81500-0-00000-81000-43000-0-0000	\$84.13	
14369 THE HOME DEPOT PRO	221043	02/25/2022	666234935	010-81500-0-00000-81000-43000-0-0000	\$456.33	
14369 THE HOME DEPOT PRO	221278	03/18/2022	659376974	010-81500-0-00000-81000-43000-0-0000	\$142.00	
14369 THE HOME DEPOT PRO	221279	03/18/2022	645180884	010-81500-0-00000-81000-43000-0-0000	\$21.46	
14369 THE HOME DEPOT PRO	221274	03/18/2022	667258446	010-81500-0-00000-81000-43000-0-0000	\$536.98	
14369 THE HOME DEPOT PRO	221275	03/18/2022	666153952	010-81500-0-00000-81000-43000-0-0000	\$99.39	
14369 THE HOME DEPOT PRO	221277	03/18/2022	658560164	010-81500-0-00000-81000-43000-0-0000	\$356.44	
14369 THE HOME DEPOT PRO	221276	03/18/2022	660903030	010-81500-0-00000-81000-43000-0-0000	\$338.55	
12264 TIPTON AUTO PARTS	221237	03/18/2022	35260	010-81500-0-00000-81000-43000-0-0000	\$22.82	
12264 TIPTON AUTO PARTS	221238	03/18/2022	35419	010-81500-0-00000-81000-43000-0-0000	\$13.67	
12264 TIPTON AUTO PARTS	221240	03/18/2022	35498	010-81500-0-00000-81000-43000-0-0000	\$29.37	

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12264 TIPTON AUTO PARTS	221242	03/18/2022	35795	010-81500-0-00000-81000-43000-0-0000	\$46.22
12264 TIPTON AUTO PARTS	221243	03/18/2022	35757	010-81500-0-00000-81000-43000-0-0000	\$161.50
12264 TIPTON AUTO PARTS	221239	03/18/2022	35483	010-81500-0-00000-81000-43000-0-0000	\$129.08
12264 TIPTON AUTO PARTS	221252	03/18/2022	37664	010-81500-0-00000-81000-43000-0-0000	\$13.39
12264 TIPTON AUTO PARTS	221253	03/18/2022	37710	010-81500-0-00000-81000-43000-0-0000	\$17.76
12264 TIPTON AUTO PARTS	221244	03/18/2022	36050	010-81500-0-00000-81000-43000-0-0000	\$7.53
12264 TIPTON AUTO PARTS	221245	03/18/2022	36345	010-81500-0-00000-81000-43000-0-0000	\$24.02
12264 TIPTON AUTO PARTS	221241	03/18/2022	35530	010-81500-0-00000-81000-43000-0-0000	\$4.30
12264 TIPTON AUTO PARTS	221249	03/18/2022	36463	010-81500-0-00000-81000-43000-0-0000	\$36.05
12264 TIPTON AUTO PARTS	221250	03/18/2022	37024	010-81500-0-00000-81000-43000-0-0000	\$36.59
12264 TIPTON AUTO PARTS	221251	03/18/2022	37229	010-81500-0-00000-81000-43000-0-0000	\$27.98
5760 TIPTON COMMUNITY SERVICES DIST	221168	03/11/2022	10040002	010-00000-0-00000-81000-55000-0-0000	\$532.03
13677 TIPTON ELEMENTAR SCHOOL DIST.	221204	03/18/2022	2021-2022 ASB	010-07200-0-11100-10000-58000-0-0107	\$4,500.00
14414 T-MOBILE USA INC.	221101	02/25/2022	970029235	010-32120-0-11100-10000-59000-0-0000	\$404.00
14414 T-MOBILE USA INC.	221236	03/18/2022	970029235	010-32120-0-11100-10000-59000-0-0000	\$404.00
14463 TRAVIS HAUERT	221203	03/18/2022	REIMB.LOTTERY	010-11000-0-11100-10000-43000-0-0000	\$63.29
13463 TULARE COUNTY OFFICE OF EDUCAT	221091	02/25/2022	221074	010-00000-0-00000-72000-58000-0-0000	\$3,309.34
13463 TULARE COUNTY OFFICE OF EDUCAT	221122	03/04/2022	221216	010-07200-0-00000-31400-58000-0-0205	\$2,458.00
13463 TULARE COUNTY OFFICE OF EDUCAT	221130	03/04/2022	220870	010-07200-0-11100-10000-58000-0-0107	\$300.00
13463 TULARE COUNTY OFFICE OF EDUCAT	221214	03/18/2022	212306	010-07200-0-11100-10000-58000-0-0203	\$6,488.48
12324 TULE TRASH COMPANY	221169	03/11/2022	229256	010-00000-0-00000-81000-55000-0-0000	\$1,135.98
14180 U S POSTAL SERVICE	221247	03/18/2022	BOX FEE 787	010-00000-0-00000-72000-59000-0-0000	\$226.00
14424 U.S. BANK EQUIPMENT FINANCE	221176	03/11/2022	466143153	010-00000-0-00000-72000-58000-0-0000	\$20.00
14424 U.S. BANK EQUIPMENT FINANCE	221177	03/11/2022	466143153	010-00000-0-00000-72000-58000-0-0000	\$268.15
14424 U.S. BANK EQUIPMENT FINANCE	221178	03/11/2022	466143153	010-00000-0-11100-10000-58000-0-0000	\$804.39
14424 U.S. BANK EQUIPMENT FINANCE	221179	03/11/2022	466143153	010-00000-0-11100-10000-58000-0-0000	\$2,012.50
13496 VALLEY PACIFIC PET. SERV., INC	221060	02/25/2022	22-510548	010-07230-0-00000-36000-43000-0-0000	\$743.02
13496 VALLEY PACIFIC PET. SERV., INC	221059	02/25/2022	21-498038	010-07230-0-00000-36000-43000-0-0000	\$1,049.84
13496 VALLEY PACIFIC PET. SERV., INC	221216	03/18/2022	22-515450	010-07230-0-00000-36000-43000-0-0000	\$2,019.77
13496 VALLEY PACIFIC PET. SERV., INC	221217	03/18/2022	22-520464	010-07230-0-00000-36000-43000-0-0000	\$1,649.77
13333 VERIZON WIRELESS	221282	03/18/2022	9899953158	010-00000-0-00000-81000-59000-0-0000	\$509.76
14329 WEST COAST SAND & GRAVEL, INC.	221215	03/18/2022	463752	010-07200-0-11302-10000-43000-0-0403	\$931.26
14481 YARITSA CHAVARIN	221172	03/11/2022	REIMB.SUMMER.ASSISTA	010-00000-0-00000-00000-95014-0-0000	\$630.00

COVID/ESSER II
COVID/ESSER II

010-General Fund Total Expenditures:

\$231,121.08

14101 B&B PEST CONTROL SERVICE	221175	03/11/2022	01-TIP-02-22	130-53100-0-00000-37000-58000-0-0000	\$40.00
14245 CENTRAL VALLEY REFRIGERATION	221067	02/25/2022	41633	130-53100-0-00000-37000-56000-0-0000	\$207.16
14452 COAST CITRUS DISTRIBUTORS	221183	03/18/2022	01098364	130-53100-0-00000-37000-47000-0-0000	\$404.00
14452 COAST CITRUS DISTRIBUTORS	221184	03/18/2022	01097953	130-53100-0-00000-37000-47000-0-0000	\$408.50
14452 COAST CITRUS DISTRIBUTORS	221185	03/18/2022	01097852	130-53100-0-00000-37000-47000-0-0000	\$127.50
14452 COAST CITRUS DISTRIBUTORS	221186	03/18/2022	01097548	130-53100-0-00000-37000-47000-0-0000	\$262.00
14452 COAST CITRUS DISTRIBUTORS	221182	03/18/2022	01098650	130-53100-0-00000-37000-47000-0-0000	\$72.00
14374 ELAN FINANCIAL SERIVCES	221086	02/25/2022	9190 BETTENCOURT	130-53100-0-00000-37000-58000-0-0000	\$2.28
14374 ELAN FINANCIAL SERIVCES	221088	02/25/2022	9190 BETTENCOURT	130-53100-0-00000-37000-58000-0-0000	\$99.00
14374 ELAN FINANCIAL SERIVCES	221133	03/11/2022	9190 BETTENCOURT	130-53100-0-00000-37000-58000-0-0000	\$135.00
14459 ELAN FINANICAL SERVICES	221138	03/11/2022	1091 CUNHA	130-53100-0-00000-37000-43000-0-0000	\$71.82
12921 GOLD STAR FOODS INC.	221092	02/25/2022	4701580	130-53100-0-00000-37000-47000-0-0000	\$65.25
12921 GOLD STAR FOODS INC.	221093	02/25/2022	4652208	130-53100-0-00000-37000-47000-0-0000	\$258.40
12921 GOLD STAR FOODS INC.	221094	02/25/2022	4691276	130-53100-0-00000-37000-47000-0-0000	\$137.25
12921 GOLD STAR FOODS INC.	221195	03/18/2022	4734755	130-53100-0-00000-37000-47000-0-0000	\$1,003.00
12921 GOLD STAR FOODS INC.	221196	03/18/2022	4754987	130-53100-0-00000-37000-47000-0-0000	\$45.00
12921 GOLD STAR FOODS INC.	221197	03/18/2022	4734792	130-53100-0-00000-37000-47000-0-0000	\$45.00
12921 GOLD STAR FOODS INC.	221198	03/18/2022	4785011	130-53100-0-00000-37000-58000-0-0000	\$4.50
12921 GOLD STAR FOODS INC.	221199	03/18/2022	4785518	130-53100-0-00000-37000-58000-0-0000	\$45.00
14345 J & E RESTAURANT SUPPLY	221095	02/25/2022	80709	130-53100-0-00000-37000-44000-0-0000	\$24,298.58
12836 OFFICE DEPOT, INC.	221161	03/11/2022	228860729001	130-53100-0-00000-37000-43000-0-0000	\$124.27
12836 OFFICE DEPOT, INC.	221160	03/11/2022	228847293001	130-53100-0-00000-37000-43000-0-0000	\$33.35
12836 OFFICE DEPOT, INC.	221159	03/11/2022	228860730001	130-53100-0-00000-37000-43000-0-0000	\$11.20
14287 P & R Paper Supply Company, In	221096	02/25/2022	11052349-00	130-53100-0-00000-37000-43000-0-0000	\$381.23

14287 P & R Paper Supply Company, In	221114	03/04/2022	11052885-000	130-53100-0-00000-37000-43000-0-0000	\$37.88
14287 P & R Paper Supply Company, In	221206	03/18/2022	11052336-00	130-53100-0-00000-37000-43000-0-0000	\$755.73
14287 P & R Paper Supply Company, In	221207	03/18/2022	11056454-00	130-53100-0-00000-37000-43000-0-0000	\$289.50
13191 PRODUCERS DAIRY FOODS	221097	02/25/2022	48085145368	130-53100-0-00000-37000-47000-0-0000	\$902.51
13191 PRODUCERS DAIRY FOODS	221113	03/04/2022	48085147005/6060	130-53100-0-00000-37000-47000-0-0000	\$1,664.06
13191 PRODUCERS DAIRY FOODS	221210	03/18/2022	48085147951	130-53100-0-00000-37000-47000-0-0000	\$562.99
13191 PRODUCERS DAIRY FOODS	221211	03/18/2022	48085149887	130-53100-0-00000-37000-47000-0-0000	\$1,140.73
13191 PRODUCERS DAIRY FOODS	221212	03/18/2022	48085151910/067	130-53100-0-00000-37000-47000-0-0000	\$1,444.25
13130 SYSCO FOOD SERVICES	221127	03/04/2022	384072760	130-53100-0-00000-37000-47000-0-0000	\$1,179.60
13130 SYSCO FOOD SERVICES	221128	03/04/2022	384279442	130-53100-0-00000-37000-47000-0-0000	\$199.69
13130 SYSCO FOOD SERVICES	221129	03/04/2022	384079444	130-53100-0-00000-37000-47000-0-0000	\$3,219.37
13130 SYSCO FOOD SERVICES	221235	03/18/2022	384078184	130-53100-0-00000-37000-47000-0-0000	\$113.25
13130 SYSCO FOOD SERVICES	221232	03/18/2022	384097094	130-53100-0-00000-37000-47000-0-0000	\$801.67
13130 SYSCO FOOD SERVICES	221233	03/18/2022	384104417	130-53100-0-00000-37000-47000-0-0000	\$668.56
13130 SYSCO FOOD SERVICES	221234	03/18/2022	384089375	130-53100-0-00000-37000-47000-0-0000	\$1,555.87
13342 TULARE COUNTY ENVIR. HEALTH	221246	03/18/2022	IN0198722	130-53100-0-00000-37000-58000-0-0000	\$390.00
12324 TULE TRASH COMPANY	221170	03/11/2022	229255	130-53100-0-00000-81000-55000-0-0000	\$1,266.93
13412 US SOAP WEST, LLC	221219	03/18/2022	36647	130-53100-0-00000-37000-43000-0-0000	\$94.99
12650 VALLEY FOOD SERVICE	221283	03/18/2022	411545	130-53100-0-00000-37000-47000-0-0000	\$548.80
14451 WYLLIE'S HEATING & AIR CONDITI	221222	03/18/2022	1554	130-53100-0-00000-37000-58000-0-0000	\$2,463.63

130-Cafeteria Fund Total Expenditures:

\$47,581.30

Total Payments

\$278,702.38

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 2022-2023 School Year

INITIAL PROPOSAL
FOR THE 2022-2023 REOPENER AGREEMENT
FROM THE
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION
AND ITS TIPTON CHAPTER #765
TO THE
TIPTON ELEMENTARY SCHOOL DISTRICT
MARCH 8, 2022

Pursuant to the Educational Employment Relations Act and the 2021-2024 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 2022-2023 reopener 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, language including but not limited to, 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.

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 2022-2023 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 five Board and Local Control and Accountability Plan (“LCAP”) goals:

- Goal 1: Improve student achievement in English Language Arts, Math and increased academic achievement for all English Learners.
- Goal 2: Improving school climate while increasing pupil attendance and decreasing chronic absenteeism.
- Goal 3: To improve the participation and increase learning opportunities for parents.
- Goal 4 To provide and equip a multipurpose room and improve school facilities which will assist with the implementation of a broad range of study, increase pupil achievement, and help facilitate parental involvement.
- Goal 5: Maintain class sizes of 24:1 or less across grades TK-8.

The following constitutes the initial proposal of the Tipton Elementary School District 2022-2023 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.

6. INFORMATION: (Verbal Reports & Presentations)

6.4 Consideration and Public Notice of the Associated Teachers of Tipton's Initial Proposal to the District Regarding Certificated Collective Bargaining Agreement Negotiations, for the 2022-2023 School Year

Tipton Teacher's Association
Initial Proposal for 2022 – 2023

Article 22: Durations (update of)

- **Update to 2023-2024 and 2024-2025** to have reopeners for these two school years to be salary, health and welfare benefits, and up to one reopener for each party.

Salary & Benefits

Appendix A

- 10% Raise for 2022-2023
- Hourly rate tied to salary schedule
- Stipend for Supplemental authorization(s) on credentials \$1000 (credentials above Multiple Subject Credential)
- Additional Class VI (BA +84 units)

Appendix B (Special Assignment Salary Schedule)

- Increase ALL existing stipend positions by \$1000
- New Stipend Position - Morning Video Creator Stipend \$2000
- New Stipend Position - Grade Level Mentor Stipend (\$2000) [responsible for helping new teachers]
- New Stipend Position - Cal-Ed Partners Stipend (\$2000)
- Stipend Positions (Controls on placement and term limits)

Article 13.1 Employee Benefits

- Fully funded benefits 2022-2023(\$18,185.01)

Leave

- Increase Confidential Leave from 2 to 3 (**Article 7.5**)

School Calendar Article 15

- **15.4.1** Add wording for a **guaranteed** 45 minute lunch break (**exception on FOG days**)
 - o Remove stipulation of leaving early on loss of break days if approved (**Article 15.7.2**)

Miscellaneous Additions

- \$300 Incentive pay for finishing yearly mandate videos early
- Sub Pay Split between to staff when covering for lack of subs

6. INFORMATION: (Verbal Reports & Presentations)

6.5 Consideration and Public Notice of District's Initial Proposal to Associated Teachers of Tipton Regarding Certificated Collective Bargaining Agreement Negotiations, for the 2022-2023 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 five Board and Local Control and Accountability Plan (“LCAP”) goals:

- Goal 1: Improve student achievement in English Language Arts, Math and increased academic achievement for all English Learners.
- Goal 2: Improving school climate while increasing pupil attendance and decreasing chronic absenteeism.
- Goal 3: To improve the participation and increase learning opportunities for parents.
- Goal 4 To provide and equip a multipurpose room and improve school facilities which will assist with the implementation of a broad range of study, increase pupil achievement, and help facilitate parental involvement.
- Goal 5: Maintain class sizes of 24:1 or less across grades TK-8.

The following constitutes the initial proposal of the Tipton Elementary School District 2022-2025 contract negotiations with the Association.

THE DISTRICT’S INITIAL PROPOSAL

- Article 7: Leaves
- Article 12: Salaries and Appendix A
- Article 13: Employee Benefits
- Article 15: School Calendar

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

7. ANY OTHER BUSINESS:

7.1 Quarterly Board Policy - March 2022

Policy 4030: Nondiscrimination In Employment

Status: ADOPTED

Original Adopted Date: 05/01/2016 | **Last Revised Date:** 03/2022 | **Last Reviewed Date:** 03/2022

The Governing Board is determined to provide a safe, positive environment where all district employees are assured of full and equal employment access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. For purposes of this policy, employees include job applicants, interns, volunteers, and persons who contracted with the district to provide services, as applicable.

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran or military status, sex, sexual orientation, gender, gender identity, gender expression, or association with a person or group with one or more of these actual or perceived characteristics.

The district shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that the district is required to do so in order to comply with federal immigration law. (2 CCR 11028)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Hiring, compensation, terms, conditions, and other privileges of employment
2. Taking of adverse employment actions such as termination or denial of employment, promotion, job assignment, or training
3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities or that has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive work environment
4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:
 - a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status
 - b. Religious creed discrimination based on an employee's religious belief or observance, including religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement
 - c. Requiring medical or psychological examination of a job applicant or making an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

- d. Failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee who has requested such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, reports an incident, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940; 2 CCR 11028)

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign a release of the employee's claim or right to file a claim against the district or a nondisparagement agreement or other document that has the purpose or effect of preventing the employee from disclosing information about harassment, discrimination, or other unlawful acts in the workplace, including any conduct that the employee has reasonable cause to believe is unlawful. (Government Code 12964.5)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation. Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee by a nonemployee, shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy, including providing training and information to employees about how to recognize harassment, discrimination, or other prohibited conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

The district shall maintain and preserve all applications, personnel, membership, or employment referral records and files for at least four years after the records are initially created or received or, for an applicant or a terminated employee, for four years after the date the employment action was taken. However, when the district is notified that a complaint has been filed with the California Department of Fair Employment and Housing, records related to the employee involved shall be maintained and preserved until the later of the first date after the time for filing a civil action has expired or the first date after the complaint has been fully and finally disposed of and all administrative proceedings, civil actions, appeals, or related proceedings have been terminated. (Government Code 12946)

Policy Reference Disclaimer:

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

State	Description
2 CCR 11006-11086	Discrimination in employment
2 CCR 11023	Harassment and discrimination prevention and correction
2 CCR 11024	Required training and education on harassment based on sex, gender identity and expression, and sexual orientation
2 CCR 11027-11028	National origin and ancestry discrimination
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Civ. Code 51.7	Freedom from violence or intimidation
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex
Gov. Code 11135	Unlawful discrimination
Gov. Code 11138	Rules and regulations
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 12940-12952	Unlawful employment practices
Gov. Code 12960-12976	Unlawful employment practices; complaints
Pen. Code 422.56	Definitions, hate crimes
Federal	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972
28 CFR 35.101-35.190	Americans with Disabilities Act
29 USC 621-634	Age Discrimination in Employment Act
29 USC 794	Rehabilitation Act of 1973, Section 504
34 CFR 100.6	Compliance information
34 CFR 104.7	Designation of responsible employee for Section 504
34 CFR 104.8	Notice
34 CFR 106.8	Designation of responsible employee and adoption of grievance procedures
34 CFR 106.9	Dissemination of policy
34 CFR 110.1-110.39	Nondiscrimination on the basis of age
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964, as amended
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
42 USC 2000ff-2000ff-11	Genetic Information Nondiscrimination Act of 2008
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age discrimination in federally assisted programs
Management Resources	Description

CA Dept of Fair Employment and Housing Publication	Transgender Rights in the Workplace
CA Dept of Fair Employment and Housing Publication	California Law Prohibits Workplace Discrimination and Harassment
CA Dept of Fair Employment and Housing Publication	Workplace Harassment Guide for California Employers
CA Dept of Fair Employment and Housing Publication	Your Rights and Obligations as a Pregnant Employee
Court Decision	Shephard v. Loyola Marymount, (2002) 102 Cal.Appl 4th 837
Court Decision	Thomson v. North American Stainless LP, (2011) 131 S.Ct. 863
U.S. DOE Office for Civil Rights Publication	Notice of Non-Discrimination, August 2010
U.S. Equal Employment Opportunity Comm Publication	Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999
U.S. Equal Employment Opportunity Comm Publication	EEOC Compliance Manual
Website	California Department of Fair Employment and Housing
Website	U.S. Department of Education, Office for Civil Rights
Website	U.S. Equal Employment Opportunity Commission

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0470	COVID-19 Mitigation Plan
1113	District And School Web Sites
1113	District And School Web Sites
1113-E(1)	District And School Web Sites
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1240	Volunteer Assistance
1240	Volunteer Assistance
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
3312	Contracts

3530	Risk Management/Insurance
3530	Risk Management/Insurance
3580	District Records
3580	District Records
3600	Consultants
4000	Concepts And Roles
4032	Reasonable Accommodation
4033	Lactation Accommodation
4111	Recruitment And Selection
4111.2	Legal Status Requirement
4111.2	Legal Status Requirement
4112.4	Health Examinations
4112.41	Employee Drug Testing
4112.41	Employee Drug Testing
4112.6	Personnel Files
4112.8	Employment Of Relatives
4112.9	Employee Notifications
4112.9-E(1)	Employee Notifications
4113.5	Working Remotely
4114	Transfers
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
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4119.11	Sexual Harassment
4119.22	Dress And Grooming
4119.23	Unauthorized Release Of Confidential/Privileged Information
4119.41	Employees With Infectious Disease
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4154	Health And Welfare Benefits
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4212.41	Employee Drug Testing
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4212.8	Employment Of Relatives
4212.9	Employee Notifications
4212.9-E(1)	Employee Notifications
4213.5	Working Remotely
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4218	Dismissal/Suspension/Disciplinary Action
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System)
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4219.11	Sexual Harassment
4219.22	Dress And Grooming
4219.23	Unauthorized Release Of Confidential/Privileged Information
4219.41	Employees With Infectious Disease
4231	Staff Development
4244	Complaints
4244	Complaints
4251	Employee Compensation
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
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4261.8	Family Care And Medical Leave
4311	Recruitment And Selection
4311.2	Legal Status Requirement

4311.2	Legal Status Requirement
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4319.1	Civil And Legal Rights
4319.11	Sexual Harassment
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4319.22	Dress And Grooming
4319.23	Unauthorized Release Of Confidential/Privileged Information
4319.41	Employees With Infectious Disease
4331	Staff Development
4344	Complaints
4344	Complaints
4351	Employee Compensation
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
4361.5	Military Leave
4361.8	Family Care And Medical Leave
9000	Role Of The Board
9321-E(1)	Closed Session
9321-E(2)	Closed Session
9321	Closed Session

Policy
adopted:

CSBA POLICY MANUAL UPDATE
March 2022

Exhibit 4112.9-E(1): Employee Notifications

Status:
ADOPTED

Original Adopted Date: 05/01/2016 | **Last Revised Date:** 03/01/2022 | **Last Reviewed Date:** 03/01/2022

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

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees			
At the beginning of school year or upon employment	Education Code 231.5; Government Code 12950	AR 4119.11 4219.11 4319.11	The district's policy on sexual harassment, legal remedies, complaints
Annually, and 72 hours before pesticide application	Education Code 17612	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information on pesticides
Prior to implementing year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round program
Prior to implementing alternative schedule	Education Code 46162	BP 6112	Public hearing on alternative schedule in secondary grades
Annually	Education Code 49013; 5 CCR 4622	AR 1312.3 BP 0460 BP 3260	Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan
Annually	Education Code 49414	AR 5141.21	Request for volunteers to be trained to administer epinephrine auto-injectors
At least once per year	Education Code 49414.3	AR 5141.21	Request for volunteers to be trained to administer opioid antagonist
To all employees	Government Code 1126	BP 4136 4236 4336	Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal
To all employees	Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210	BP 4020 BP 4159 4259 4359	District's drug- and alcohol-free workplace; actions to be taken if violated; available employee assistance programs

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
Upon employment	Government Code 21029	None	Right to purchase PERS service credit for military service performed prior to public employment
Upon placement of automated external defibrillator (AED) in school, and annually thereafter	Health and Safety Code 1797.196	AR 5141	Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan
If the district receives Tobacco-Use Prevention Education funds	Health and Safety Code 104420	AR 3513.3	District's tobacco-free schools policy and enforcement procedures
Annually, or more frequently if there is new information	Health and Safety Code 120875, 120880	BP 4119.43 4219.43 4319.43	AIDS and hepatitis B, including methods to prevent exposure
To new employees upon hire and other employees upon request, in districts with 25 or more employees	Labor Code 230.1	AR 4161.2 4261.2 4361.2	Rights pursuant to Labor Code 230-230.1 pertaining to leaves and accommodations for victims of crime or abuse
With each paycheck	Labor Code 246	AR 4161.1 AR 4261.1 4361.1	Amount of sick leave available
Upon hire, in employee handbook, and upon request for parental leave	Labor Code 1034	BP 4033	The district's policy on lactation accommodation
To covered employees and former employees	Labor Code 2800.2	AR 4154 4254 4354	Availability of COBRA/ Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage
To employees participating in a flexible spending account	Labor Code 2810.7	None	Deadline to withdraw funds from account before the end of the plan year
To every new employee, either at the time employee is hired or by end of first pay period	Labor Code 3551	AR 4157.1 4257.1 4357.1	Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
Within one day of receiving notice of potential exposure to COVID-19, to employees who were on the premises during the infectious period, the exclusive representative, and the employer of subcontracted employees as applicable	Labor Code 6409.6	AR 4157 4257 4357	Potential exposure to COVID-19; benefits to which employees may be entitled; available leave options; protection against discrimination and retaliation; district's disinfection and safety plan
Prior to beginning employment	Penal Code 11165.7, 11166.5	AR 5141.4	Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law
Upon employment, and when employee goes on leave for specified reasons	Unemployment Insurance Code 2613	AR 4154 4254 4354	Disability insurance rights and benefits
To principal, counselor who directly supervises or reports on student's behavior or progress, and teacher and other administrators who directly supervise or report on student's behavior or progress when principal believes needs the information for the protection of self or others when working with student, when Superintendent or designee receives written notification that minor student has committed a felony or misdemeanor involving specified offenses	Welfare and Institutions Code 827	AR 4158 4258 4358	Limited exception to juvenile court record confidentiality to ensure rehabilitation of juvenile criminal offenders and protect students and staff
To all employees and job applicants	2 CCR 11023; 34 CFR 104.8, 106.9	BP 0410 AR 4030	District's policy on nondiscrimination and related complaint procedures
To all employees via employee handbook, or to each new employee	2 CCR 11091, 11095; 29 CFR 825.300	AR 4161.8 4261.8 4361.8	Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible
To all employees	8 CCR 3203	AR 4157 4257 4357	The right and procedure to access the injury and illness prevention program
To all employees working with homeless families	42 USC 11432	AR 6173	Duties of district liaison for homeless students

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
To all employees	34 CFR 106.8	AR 4119.11 4219.11 4319.11	Nondiscrimination on the basis of sex; contact information for district's Title IX Coordinator; referral of inquiries to Title IX Coordinator and/or Office for Civil Rights
Annually	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; inspections, response actions, post-response actions planned or in progress

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees			
To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire	Education Code 22455.5	AR 4121	Criteria for membership in retirement system; right to elect membership at any time
Upon employment of a retired certificated individual	Education Code 22461	AR 4117.14 4317.14	Postretirement earnings limitation or employment restriction; monthly report of compensation
To certificated employees	Education Code 35171	AR 4115 BP 4315	District regulations related to performance evaluations
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated	Education Code 44663	AR 4115	Copy of employee's evaluation
To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee	Education Code 44664	AR 4115	Notice and description of the unsatisfactory performance
By May 30, if district issues reemployment notices to certificated employees	Education Code 44842	AR 4112.1	Request that the employee notify district of intent to remain in service next year
To probationary and temporary certificated employees upon employment, and every July thereafter	Education Code 44916	AR 4112.1 AR 4121	Employment status and salary

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees (continued)			
To probationary employee, by March 15	Education Code 44929.21, 44929.23, 44948.5	BP 4116	Whether or not employee is reelected for next school year
When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year	Education Code 44934, 44934.1, 44936	BP 4118 AR 4118	Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice
To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/ dismissal notice	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings	Education Code 44940.5	AR 4118	Notice of intent to dismiss 30 days from notice unless employee demands hearing
To probationary employee 30 days prior to dismissal during school year, but not later than March 15 for a second-year probationary employee	Education Code 44948.3	AR 4118	Reasons for dismissal and opportunity to appeal
By March 15 when necessary to reduce certificated personnel, with final notice by May 15	Education Code 44949, 44955	BP 4117.3	Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination
Before the end of the school year to temporary employee who served 75 percent of school year but will be released	Education Code 44954	BP 4121	District's decision not to reelect employee for following school year
During the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies when the Board determines that the district's local control funding formula apportionment per unit of ADA for that fiscal year has not increased by at least two percent, to any permanent or probationary certificated employee, including an employee holding a position that requires administrative or supervisory credential, whose services are terminated	Education Code 44955.5	BP 4117.3	Decrease in the number of permanent employees in accordance with a schedule of notice and hearing adopted by the Board

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees (continued)			
To teacher, when a student engages in or is reasonably suspected of specified acts	Education Code 49079	AR 4158 4258 4358	Student has committed specified act that constitutes ground for suspension or expulsion

To teacher of a student who is suspended or expelled, when Superintendent or designee receives transfer student's record regarding acts that resulted in suspension or expulsion	Education Code 48201	AR 4158 4258 4358	Student has committed specified act that constitutes ground for suspension or expulsion
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To certificated employee upon change in employment status due to alleged misconduct or while allegation is pending	5 CCR 80303	AR 4117.7 4317.7	Contents of state regulation re: report to Commission on Teacher Credentialing
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When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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III. To Classified Employees

When classified employee is subject to disciplinary action for cause, in nonmerit district	Education Code 45113	AR 4218	Notice of charges, right to hearing, timeline for requesting hearing
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By March 15, when laid off due to lack of work or lack of funds, with final notice by May 15	Education Code 45117	AR 4217.3	Notice of layoff, displacement and reemployment rights, right to hearing; final notice of Board decision regarding termination
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During the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies when the Board determines that the district's local control funding formula apportionment per unit of ADA for that fiscal year has not increased by at least two percent, to classified employees who are laid off due to lack of work or lack of funds	Education Code 45117	AR 4217.3	District Statement of Reduction in Force to affected employees in accordance with a schedule of notice and hearing adopted by the Board
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At least 60 days prior to the effective date of layoff, if the employee's position must be eliminated due to the expiration of a specially funded program	Education Code 45117	AR 4217.3	Notice of layoff date, displacement and reemployment rights
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Upon employment and upon each change in classification	Education Code 45169	AR 4212	Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek
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When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. To Classified Employees			
To permanent employee whose leave is exhausted	Education Code 45192, 45195	AR 4261.1 AR 4261.11	Exhaustion of leave, opportunity to request additional leave
To school bus drivers and school activity bus drivers prior to expiration of specified documents	13 CCR 1234	AR 3542	Expiration date of driver's license, driver's certificate and medical certificate; need to renew
To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter	13 CCR 2480	AR 3542	Limitations on vehicle idling; consequences of not complying
To school bus drivers, prior to district drug testing program and thereafter upon employment	49 CFR 382.113, 382.601	AR 4112.42 4212.42 4312.42	Explanation of federal requirements for drug testing program and district's policy; prior to administration of each drug or alcohol test
To school bus drivers, prior to operating school bus	49 CFR 382.303	AR 4112.42 4212.42 4312.42	Post-accident information, procedures, and instructions

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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IV. To Administrative/Supervisory Personnel

To superintendent, deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract	Education Code 35031	BP 2121 BP 4312.1	Decision not to reelect or reemploy upon expiration of contract or term
Upon request by administrative or supervisory employee transferred to teaching position	Education Code 44896	AR 4313.2	Statement of the reasons for the reassignment
By March 15 to employee who may be released/reassigned the following school year	Education Code 44951	AR 4313.2	Notice that employee may be released or reassigned the following school year

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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V. To Individual Employees Under Special Circumstances

In the event of a breach of security of district records, to affected employees	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies
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When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
Prior to placing derogatory information in personnel file	Education Code 44031	AR 4112.6 4212.6 4312.6	Notice of derogatory information, opportunity to review and comment
To employees who volunteer to administer epinephrine auto-injector	Education Code 49414	AR 5141.21	Defense and indemnification from civil liability by the district
To district police officer, within 30 days of decision to impose discipline	Government Code 3304	AR 3515.3	Decision to impose discipline, including the date that discipline will be imposed
To employee returning from military leave of absence, within 30 days of return	Government Code 20997	AR 4161.5 4261.5 4361.5	Right to receive PERS service credit for military service; application form
24 hours before Board meets in closed session to hear complaints or charges against employee	Government Code 54957	BB 9321	Employee's right to have complaints/charges heard in open session
When taking disciplinary action against employee for disclosure of confidential information	Government Code 54963	BP 4119.23 4219.23 4319.23	Law prohibiting disclosure of confidential information obtained in closed session
When document identifying employee who is victim of domestic violence is disclosed	Labor Code 230	AR 4158 4258 4358	Accommodations and leave for victims of domestic violence
Within one working day of work-related injury or victimization of crime	Labor Code 3553, 5401	AR 4157.1 4257.1 4357.1	Potential eligibility for workers' compensation benefits, claim form
When adverse employment action is based on DOJ criminal history information or subsequent arrest notification	Penal Code 11105, 11105.2	AR 4112.5 4212.5 4312.5	Copy of DOJ notification
To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter	8 CCR 3204	AR 4119.42 4219.42 4319.42	The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation	8 CCR 5191	AR 3514.1	Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area	8 CCR 5194	AR 3514.1	Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights
To employee eligible for military leave	38 USC 4334	AR 4161.5 4261.5 4361.5	Notice of rights, benefits, and obligations under military leave
Within five days of employee's request for FMLA leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave	29 CFR 825.300; 2 CCR 11049, 11091	AR 4161.8 4261.8 4361.8	Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice
Whenever notice of eligibility for FMLA is provided to employee	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

Policy Reference Disclaimer:

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

State	Description
13 CCR 1234	Reports regarding school buses and bus drivers
13 CCR 2480	Vehicle idling, limitations
2 CCR 11023	Harassment and discrimination prevention and correction
2 CCR 11035-11051	Unlawful sex discrimination: pregnancy, childbirth and related medical conditions
2 CCR 11087-11098	California Family Rights Act
5 CCR 4622	Uniform complaint procedures
5 CCR 80303	Reports of change in employment status, alleged misconduct
8 CCR 3204	Employees exposed to bloodborne pathogens standard
8 CCR 5191	Chemical hygiene plan
8 CCR 5194	Hazard communication
Civ. Code 1798.29	District records, specifically - breach of security

Ed. Code 17612	Notification of pesticide use
Ed. Code 22455.5	STRS information to potential members
Ed. Code 22461	Postretirement compensation limitation
Ed. Code 231.5	Sexual harassment policy
Ed. Code 35031	Term of employment
Ed. Code 35171	Availability of rules and regulations for evaluation of performance
Ed. Code 37616	Notice of public hearing on year-round schedule
Ed. Code 44031	Personnel file contents, inspection
Ed. Code 44663-44664	Evaluation of certificated employees
Ed. Code 44842	Reemployment notices, certificated employees
Ed. Code 44896	Transfer of administrator or supervisor to teaching position
Ed. Code 44916	Written statement of employment status
Ed. Code 44929.21	Notice of reelection decision; districts with 250 ADA or more
Ed. Code 44929.23	Districts with less than 250 ADA
Ed. Code 44934	Notice of disciplinary action for cause
Ed. Code 44938	Notice of unprofessional conduct and opportunity to correct
Ed. Code 44940.5-44941	Notification of suspension and intent to dismiss
Ed. Code 44948.3-44948.5	Dismissal of probationary employees
Ed. Code 44948.5	Nonreelection procedures, districts under 250 ADA
Ed. Code 44949	Dismissal of probationary employees
Ed. Code 44951	Continuation in position unless notified, administrative or supervisory personnel
Ed. Code 44954	Nonreelection of temporary employees
Ed. Code 44955	Reduction in number of permanent employees
Ed. Code 44955.5	Decrease in number of permanent employees during specified time period upon determination related to local control funding formula per unit of average daily attendance
Ed. Code 45113	Notification of charges, classified employees
Ed. Code 45117	Notice of layoff, classified employees
Ed. Code 45169	Employee salary data, classified employees
Ed. Code 45192	Industrial accident and illness leave for classified employees
Ed. Code 45195	Additional leave
Ed. Code 46162	Notice of public hearing on block schedule

Ed. Code 48201	Transfer student's record for acts that resulted in suspension or expulsion
Ed. Code 49013	Complaints regarding student fees
Ed. Code 49079	Notification to teacher, student who has engaged in acts re: grounds suspension or expulsion
Ed. Code 49414	Epinephrine auto-injectors
Ed. Code 49414.3	Administration of opioid antagonist
Gov. Code 1126	Incompatible activities of employees
Gov. Code 12950	Sexual harassment
Gov. Code 21029	Retirement credit for period of military service
Gov. Code 54957	Complaints against employees; right to open session
Gov. Code 54963	Unauthorized disclosure of confidential information
Gov. Code 8355	Certification of drug-free workplace, including notification
H&S Code 104420	Tobacco-free schools
H&S Code 120875	Information on AIDS, AIDS-related conditions, and hepatitis B
H&S Code 120880	Notification to employees re AIDS, AIDS-related conditions, and hepatitis B
H&S Code 1797.196	Automated external defibrillators; notification of use and locations
Lab. Code 230	Accommodations and leave for victims of domestic violence
Lab. Code 2800.2	Notification of availability of continuation health coverage
Lab. Code 3550-3553	Notifications re: workers' compensation benefits
Lab. Code 5401	Workers' compensation, claim form and notice of potential eligibility
Pen. Code 11165.7	Child Abuse and Neglect Reporting Act, notification requirement
Pen. Code 11166.5	Employment, statement of knowledge of duty to report child abuse or neglect
Unemp. Ins. Code 2613	Disability insurance; notice of rights and benefits
Welfare and Institutions Code 827	Limited exception to juvenile court record
Federal	Description
29 CFR 825.300	Family and Medical Leave Act; notice requirement
34 CFR 104.8	Nondiscrimination
34 CFR 106.9	Dissemination of policy
34 CFR 84.205-84.210	Drug-free workplace statement

38 USC 4334	Uniformed Services Employment and Reemployment Rights Act, notice requirement
40 CFR 763.84	Asbestos inspections, response actions and post-response actions
40 CFR 763.93	Asbestos management plans
41 USC 8101-8106	Drug-Free Workplace Act
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
49 CFR 382.113	Controlled substance and alcohol use and testing notifications
49 CFR 382.303	Post-accident information, procedures, and instructions
49 CFR 382.601	Controlled substance and alcohol use and testing notification

Cross References

Code	Description
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
2121	Superintendent's Contract
3260	Fees And Charges
3260	Fees And Charges
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3514.2	Integrated Pest Management
3542	School Bus Drivers
3580	District Records
3580	District Records
4020	Drug And Alcohol-Free Workplace
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment

4033	Lactation Accommodation
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.6	Personnel Files
4115	Evaluation/Supervision
4115	Evaluation/Supervision
4116	Probationary/Permanent Status
4116	Probationary/Permanent Status
4117.14	Postretirement Employment
4117.3	Personnel Reduction
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.11	Sexual Harassment
4119.11	Sexual Harassment
4119.43	Universal Precautions
4119.43	Universal Precautions
4121	Temporary/Substitute Personnel
4121	Temporary/Substitute Personnel
4136	Nonschool Employment
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4157.1	Work-Related Injuries
4158	Employee Security (BP and AR)
4161.1	Personal Illness/Injury Leave
4161.11	Industrial Accident/Illness Leave
4161.5	Military Leave
4161.8	Family Care And Medical Leave
4212	Appointment And Conditions Of Employment
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers

4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4212.6	Personnel Files
4216	Probationary/Permanent Status
4217.3	Layoff/Rehire
4219.11	Sexual Harassment
4219.11	Sexual Harassment
4219.43	Universal Precautions
4219.43	Universal Precautions
4236	Nonschool Employment
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4257.1	Work-Related Injuries
4258	Employee Security (BP and AR)
4261.1	Personal Illness/Injury Leave
4261.11	Industrial Accident/Illness Leave
4261.5	Military Leave
4261.8	Family Care And Medical Leave
4312.1	Contracts
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.6	Personnel Files
4315	Evaluation/Supervision
4317.14	Postretirement Employment
4317.7	Employment Status Reports
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.43	Universal Precautions
4319.43	Universal Precautions
4336	Nonschool Employment
4354	Health And Welfare Benefits

4354	Health And Welfare Benefits
4357.1	Work-Related Injuries
4358	Employee Security (BP and AR)
4361.1	Personal Illness/Injury Leave
4361.11	Industrial Accident/Illness Leave
4361.5	Military Leave
4361.8	Family Care And Medical Leave
6117	Year-Round Schedules
6173	Education for Homeless Children (BP/AR/E(1)/E(1))
9310	Board Policies
9321-E(1)	Closed Session
9321-E(2)	Closed Session
9321	Closed Session

Exhibit
version:

CSBA POLICY MANUAL UPDATE
March 2022

Exhibit 4212.9-E(1): Employee Notifications

Status:
ADOPTED

Original Adopted Date: 05/01/2016 | **Last Revised Date:** 03/01/2022 | **Last Reviewed Date:** 03/01/2022

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

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Annually, and 72 hours before pesticide application	Education Code 17612	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information on pesticides
Prior to implementing year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round program
Prior to implementing alternative schedule	Education Code 46162	BP 6112	Public hearing on alternative schedule in secondary grades
Annually	Education Code 49013; 5 CCR 4622	AR 1312.3 BP 0460 BP 3260	Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan
Annually	Education Code 49414	AR 5141.21	Request for volunteers to be trained to administer epinephrine auto-injectors
At least once per year	Education Code 49414.3	AR 5141.21	Request for volunteers to be trained to administer opioid antagonist
To all employees	Government Code 1126	BP 4136 4236 4336	Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal
To all employees	Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210	BP 4020 BP 4159 4259 4359	District's drug- and alcohol-free workplace; actions to be taken if violated; available employee assistance programs

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
Upon employment	Government Code 21029	None	Right to purchase PERS service credit for military service performed prior to public employment
Upon placement of automated external defibrillator (AED) in school, and annually thereafter	Health and Safety Code 1797.196	AR 5141	Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan
If the district receives Tobacco-Use Prevention Education funds	Health and Safety Code 104420	AR 3513.3	District's tobacco-free schools policy and enforcement procedures
Annually, or more frequently if there is new information	Health and Safety Code 120875, 120880	BP 4119.43 4219.43 4319.43	AIDS and hepatitis B, including methods to prevent exposure
To new employees upon hire and other employees upon request, in districts with 25 or more employees	Labor Code 230.1	AR 4161.2 4261.2 4361.2	Rights pursuant to Labor Code 230-230.1 pertaining to leaves and accommodations for victims of crime or abuse
With each paycheck	Labor Code 246	AR 4161.1 AR 4261.1 4361.1	Amount of sick leave available
Upon hire, in employee handbook, and upon request for parental leave	Labor Code 1034	BP 4033	The district's policy on lactation accommodation
To covered employees and former employees	Labor Code 2800.2	AR 4154 4254 4354	Availability of COBRA/ Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage
To employees participating in a flexible spending account	Labor Code 2810.7	None	Deadline to withdraw funds from account before the end of the plan year
To every new employee, either at the time employee is hired or by end of first pay period	Labor Code 3551	AR 4157.1 4257.1 4357.1	Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
Within one day of receiving notice of potential exposure to COVID-19, to employees who were on the premises during the infectious period, the exclusive representative, and the employer of subcontracted employees as applicable	Labor Code 6409.6	AR 4157 4257 4357	Potential exposure to COVID-19; benefits to which employees may be entitled; available leave options; protection against discrimination and retaliation; district's disinfection and safety plan
Prior to beginning employment	Penal Code 11165.7, 11166.5	AR 5141.4	Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law
Upon employment, and when employee goes on leave for specified reasons	Unemployment Insurance Code 2613	AR 4154 4254 4354	Disability insurance rights and benefits
To principal, counselor who directly supervises or reports on student's behavior or progress, and teacher and other administrators who directly supervise or report on student's behavior or progress when principal believes needs the information for the protection of self or others when working with student, when Superintendent or designee receives written notification that minor student has committed a felony or misdemeanor involving specified offenses	Welfare and Institutions Code 827	AR 4158 4258 4358	Limited exception to juvenile court record confidentiality to ensure rehabilitation of juvenile criminal offenders and protect students and staff
To all employees and job applicants	2 CCR 11023; 34 CFR 104.8, 106.9	BP 0410 AR 4030	District's policy on nondiscrimination and related complaint procedures
To all employees via employee handbook, or to each new employee	2 CCR 11091, 11095; 29 CFR 825.300	AR 4161.8 4261.8 4361.8	Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible
To all employees	8 CCR 3203	AR 4157 4257 4357	The right and procedure to access the injury and illness prevention program
To all employees working with homeless families	42 USC 11432	AR 6173	Duties of district liaison for homeless students

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
To all employees	34 CFR 106.8	AR 4119.11 4219.11 4319.11	Nondiscrimination on the basis of sex; contact information for district's Title IX Coordinator; referral of inquiries to Title IX Coordinator and/or Office for Civil Rights
Annually	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; inspections, response actions, post-response actions planned or in progress

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees			
To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire	Education Code 22455.5	AR 4121	Criteria for membership in retirement system; right to elect membership at any time
Upon employment of a retired certificated individual	Education Code 22461	AR 4117.14 4317.14	Postretirement earnings limitation or employment restriction; monthly report of compensation
To certificated employees	Education Code 35171	AR 4115 BP 4315	District regulations related to performance evaluations
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated	Education Code 44663	AR 4115	Copy of employee's evaluation
To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee	Education Code 44664	AR 4115	Notice and description of the unsatisfactory performance
By May 30, if district issues reemployment notices to certificated employees	Education Code 44842	AR 4112.1	Request that the employee notify district of intent to remain in service next year
To probationary and temporary certificated employees upon employment, and every July thereafter	Education Code 44916	AR 4112.1 AR 4121	Employment status and salary

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees (continued)			
To probationary employee, by March 15	Education Code 44929.21, 44929.23, 44948.5	BP 4116	Whether or not employee is reelected for next school year
When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year	Education Code 44934, 44934.1, 44936	BP 4118 AR 4118	Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice
To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/ dismissal notice	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings	Education Code 44940.5	AR 4118	Notice of intent to dismiss 30 days from notice unless employee demands hearing
To probationary employee 30 days prior to dismissal during school year, but not later than March 15 for a second-year probationary employee	Education Code 44948.3	AR 4118	Reasons for dismissal and opportunity to appeal
By March 15 when necessary to reduce certificated personnel, with final notice by May 15	Education Code 44949, 44955	BP 4117.3	Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination
Before the end of the school year to temporary employee who served 75 percent of school year but will be released	Education Code 44954	BP 4121	District's decision not to reelect employee for following school year
During the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies when the Board determines that the district's local control funding formula apportionment per unit of ADA for that fiscal year has not increased by at least two percent, to any permanent or probationary certificated employee, including an employee holding a position that requires administrative or supervisory credential, whose services are terminated	Education Code 44955.5	BP 4117.3	Decrease in the number of permanent employees in accordance with a schedule of notice and hearing adopted by the Board

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees (continued)			
To teacher, when a student engages in or is reasonably suspected of specified acts	Education Code 49079	AR 4158 4258 4358	Student has committed specified act that constitutes ground for suspension or expulsion

To teacher of a student who is suspended or expelled, when Superintendent or designee receives transfer student's record regarding acts that resulted in suspension or expulsion	Education Code 48201	AR 4158 4258 4358	Student has committed specified act that constitutes ground for suspension or expulsion
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To certificated employee upon change in employment status due to alleged misconduct or while allegation is pending	5 CCR 80303	AR 4117.7 4317.7	Contents of state regulation re: report to Commission on Teacher Credentialing
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When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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III. To Classified Employees

When classified employee is subject to disciplinary action for cause, in nonmerit district	Education Code 45113	AR 4218	Notice of charges, right to hearing, timeline for requesting hearing
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By March 15, when laid off due to lack of work or lack of funds, with final notice by May 15	Education Code 45117	AR 4217.3	Notice of layoff, displacement and reemployment rights, right to hearing; final notice of Board decision regarding termination
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During the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies when the Board determines that the district's local control funding formula apportionment per unit of ADA for that fiscal year has not increased by at least two percent, to classified employees who are laid off due to lack of work or lack of funds	Education Code 45117	AR 4217.3	District Statement of Reduction in Force to affected employees in accordance with a schedule of notice and hearing adopted by the Board
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At least 60 days prior to the effective date of layoff, if the employee's position must be eliminated due to the expiration of a specially funded program	Education Code 45117	AR 4217.3	Notice of layoff date, displacement and reemployment rights
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Upon employment and upon each change in classification	Education Code 45169	AR 4212	Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek
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When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. To Classified Employees			
To permanent employee whose leave is exhausted	Education Code 45192, 45195	AR 4261.1 AR 4261.11	Exhaustion of leave, opportunity to request additional leave
To school bus drivers and school activity bus drivers prior to expiration of specified documents	13 CCR 1234	AR 3542	Expiration date of driver's license, driver's certificate and medical certificate; need to renew
To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter	13 CCR 2480	AR 3542	Limitations on vehicle idling; consequences of not complying
To school bus drivers, prior to district drug testing program and thereafter upon employment	49 CFR 382.113, 382.601	AR 4112.42 4212.42 4312.42	Explanation of federal requirements for drug testing program and district's policy; prior to administration of each drug or alcohol test
To school bus drivers, prior to operating school bus	49 CFR 382.303	AR 4112.42 4212.42 4312.42	Post-accident information, procedures, and instructions

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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IV. To Administrative/Supervisory Personnel

To superintendent, deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract	Education Code 35031	BP 2121 BP 4312.1	Decision not to reelect or reemploy upon expiration of contract or term
Upon request by administrative or supervisory employee transferred to teaching position	Education Code 44896	AR 4313.2	Statement of the reasons for the reassignment
By March 15 to employee who may be released/reassigned the following school year	Education Code 44951	AR 4313.2	Notice that employee may be released or reassigned the following school year

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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V. To Individual Employees Under Special Circumstances

In the event of a breach of security of district records, to affected employees	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies
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When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
Prior to placing derogatory information in personnel file	Education Code 44031	AR 4112.6 4212.6 4312.6	Notice of derogatory information, opportunity to review and comment
To employees who volunteer to administer epinephrine auto-injector	Education Code 49414	AR 5141.21	Defense and indemnification from civil liability by the district
To district police officer, within 30 days of decision to impose discipline	Government Code 3304	AR 3515.3	Decision to impose discipline, including the date that discipline will be imposed
To employee returning from military leave of absence, within 30 days of return	Government Code 20997	AR 4161.5 4261.5 4361.5	Right to receive PERS service credit for military service; application form
24 hours before Board meets in closed session to hear complaints or charges against employee	Government Code 54957	BB 9321	Employee's right to have complaints/charges heard in open session
When taking disciplinary action against employee for disclosure of confidential information	Government Code 54963	BP 4119.23 4219.23 4319.23	Law prohibiting disclosure of confidential information obtained in closed session
When document identifying employee who is victim of domestic violence is disclosed	Labor Code 230	AR 4158 4258 4358	Accommodations and leave for victims of domestic violence
Within one working day of work-related injury or victimization of crime	Labor Code 3553, 5401	AR 4157.1 4257.1 4357.1	Potential eligibility for workers' compensation benefits, claim form
When adverse employment action is based on DOJ criminal history information or subsequent arrest notification	Penal Code 11105, 11105.2	AR 4112.5 4212.5 4312.5	Copy of DOJ notification
To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter	8 CCR 3204	AR 4119.42 4219.42 4319.42	The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation	8 CCR 5191	AR 3514.1	Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area	8 CCR 5194	AR 3514.1	Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights
To employee eligible for military leave	38 USC 4334	AR 4161.5 4261.5 4361.5	Notice of rights, benefits, and obligations under military leave
Within five days of employee's request for FMLA leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave	29 CFR 825.300; 2 CCR 11049, 11091	AR 4161.8 4261.8 4361.8	Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice
Whenever notice of eligibility for FMLA is provided to employee	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

Policy Reference Disclaimer:

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

State	Description
13 CCR 1234	Reports regarding school buses and bus drivers
13 CCR 2480	Vehicle idling, limitations
2 CCR 11023	Harassment and discrimination prevention and correction
2 CCR 11035-11051	Unlawful sex discrimination: pregnancy, childbirth and related medical conditions
2 CCR 11087-11098	California Family Rights Act
5 CCR 4622	Uniform complaint procedures
5 CCR 80303	Reports of change in employment status, alleged misconduct
8 CCR 3204	Employees exposed to bloodborne pathogens standard
8 CCR 5191	Chemical hygiene plan
8 CCR 5194	Hazard communication
Civ. Code 1798.29	District records, specifically - breach of security

Ed. Code 17612	Notification of pesticide use
Ed. Code 22455.5	STRS information to potential members
Ed. Code 22461	Postretirement compensation limitation
Ed. Code 231.5	Sexual harassment policy
Ed. Code 35031	Term of employment
Ed. Code 35171	Availability of rules and regulations for evaluation of performance
Ed. Code 37616	Notice of public hearing on year-round schedule
Ed. Code 44031	Personnel file contents, inspection
Ed. Code 44663-44664	Evaluation of certificated employees
Ed. Code 44842	Reemployment notices, certificated employees
Ed. Code 44896	Transfer of administrator or supervisor to teaching position
Ed. Code 44916	Written statement of employment status
Ed. Code 44929.21	Notice of reelection decision; districts with 250 ADA or more
Ed. Code 44929.23	Districts with less than 250 ADA
Ed. Code 44934	Notice of disciplinary action for cause
Ed. Code 44938	Notice of unprofessional conduct and opportunity to correct
Ed. Code 44940.5-44941	Notification of suspension and intent to dismiss
Ed. Code 44948.3-44948.5	Dismissal of probationary employees
Ed. Code 44948.5	Nonreelection procedures, districts under 250 ADA
Ed. Code 44949	Dismissal of probationary employees
Ed. Code 44951	Continuation in position unless notified, administrative or supervisory personnel
Ed. Code 44954	Nonreelection of temporary employees
Ed. Code 44955	Reduction in number of permanent employees
Ed. Code 44955.5	Decrease in number of permanent employees during specified time period upon determination related to local control funding formula per unit of average daily attendance
Ed. Code 45113	Notification of charges, classified employees
Ed. Code 45117	Notice of layoff, classified employees
Ed. Code 45169	Employee salary data, classified employees
Ed. Code 45192	Industrial accident and illness leave for classified employees
Ed. Code 45195	Additional leave
Ed. Code 46162	Notice of public hearing on block schedule

Ed. Code 48201	Transfer student's record for acts that resulted in suspension or expulsion
Ed. Code 49013	Complaints regarding student fees
Ed. Code 49079	Notification to teacher, student who has engaged in acts re: grounds suspension or expulsion
Ed. Code 49414	Epinephrine auto-injectors
Ed. Code 49414.3	Administration of opioid antagonist
Gov. Code 1126	Incompatible activities of employees
Gov. Code 12950	Sexual harassment
Gov. Code 21029	Retirement credit for period of military service
Gov. Code 54957	Complaints against employees; right to open session
Gov. Code 54963	Unauthorized disclosure of confidential information
Gov. Code 8355	Certification of drug-free workplace, including notification
H&S Code 104420	Tobacco-free schools
H&S Code 120875	Information on AIDS, AIDS-related conditions, and hepatitis B
H&S Code 120880	Notification to employees re AIDS, AIDS-related conditions, and hepatitis B
H&S Code 1797.196	Automated external defibrillators; notification of use and locations
Lab. Code 230	Accommodations and leave for victims of domestic violence
Lab. Code 2800.2	Notification of availability of continuation health coverage
Lab. Code 3550-3553	Notifications re: workers' compensation benefits
Lab. Code 5401	Workers' compensation, claim form and notice of potential eligibility
Pen. Code 11165.7	Child Abuse and Neglect Reporting Act, notification requirement
Pen. Code 11166.5	Employment, statement of knowledge of duty to report child abuse or neglect
Unemp. Ins. Code 2613	Disability insurance; notice of rights and benefits
Welfare and Institutions Code 827	Limited exception to juvenile court record
Federal	Description
29 CFR 825.300	Family and Medical Leave Act; notice requirement
34 CFR 104.8	Nondiscrimination
34 CFR 106.9	Dissemination of policy
34 CFR 84.205-84.210	Drug-free workplace statement

38 USC 4334	Uniformed Services Employment and Reemployment Rights Act, notice requirement
40 CFR 763.84	Asbestos inspections, response actions and post-response actions
40 CFR 763.93	Asbestos management plans
41 USC 8101-8106	Drug-Free Workplace Act
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
49 CFR 382.113	Controlled substance and alcohol use and testing notifications
49 CFR 382.303	Post-accident information, procedures, and instructions
49 CFR 382.601	Controlled substance and alcohol use and testing notification

Cross References

Code	Description
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
2121	Superintendent's Contract
3260	Fees And Charges
3260	Fees And Charges
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3514.2	Integrated Pest Management
3542	School Bus Drivers
3580	District Records
3580	District Records
4020	Drug And Alcohol-Free Workplace
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment

4033	Lactation Accommodation
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.6	Personnel Files
4115	Evaluation/Supervision
4115	Evaluation/Supervision
4116	Probationary/Permanent Status
4116	Probationary/Permanent Status
4117.14	Postretirement Employment
4117.3	Personnel Reduction
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.11	Sexual Harassment
4119.11	Sexual Harassment
4119.43	Universal Precautions
4119.43	Universal Precautions
4121	Temporary/Substitute Personnel
4121	Temporary/Substitute Personnel
4136	Nonschool Employment
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4157.1	Work-Related Injuries
4158	Employee Security (BP and AR)
4161.1	Personal Illness/Injury Leave
4161.11	Industrial Accident/Illness Leave
4161.5	Military Leave
4161.8	Family Care And Medical Leave
4212	Appointment And Conditions Of Employment
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers

4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4212.6	Personnel Files
4216	Probationary/Permanent Status
4217.3	Layoff/Rehire
4219.11	Sexual Harassment
4219.11	Sexual Harassment
4219.43	Universal Precautions
4219.43	Universal Precautions
4236	Nonschool Employment
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4257.1	Work-Related Injuries
4258	Employee Security (BP and AR)
4261.1	Personal Illness/Injury Leave
4261.11	Industrial Accident/Illness Leave
4261.5	Military Leave
4261.8	Family Care And Medical Leave
4312.1	Contracts
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.6	Personnel Files
4315	Evaluation/Supervision
4317.14	Postretirement Employment
4317.7	Employment Status Reports
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.43	Universal Precautions
4319.43	Universal Precautions
4336	Nonschool Employment
4354	Health And Welfare Benefits

4354	Health And Welfare Benefits
4357.1	Work-Related Injuries
4358	Employee Security (BP and AR)
4361.1	Personal Illness/Injury Leave
4361.11	Industrial Accident/Illness Leave
4361.5	Military Leave
4361.8	Family Care And Medical Leave
6117	Year-Round Schedules
6173	Education for Homeless Children (BP/AR/E(1)/E(1))
9310	Board Policies
9321-E(1)	Closed Session
9321-E(2)	Closed Session
9321	Closed Session

Exhibit
version:

CSBA POLICY MANUAL UPDATE
March 2022

Exhibit 4312.9-E(1): Employee Notifications

Status:
ADOPTED

Original Adopted Date: 05/01/2016 | **Last Revised Date:** 03/01/2022 | **Last Reviewed Date:** 03/01/2022

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

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees			
At the beginning of school year or upon employment	Education Code 231.5; Government Code 12950	AR 4119.11 4219.11 4319.11	The district's policy on sexual harassment, legal remedies, complaints
Annually, and 72 hours before pesticide application	Education Code 17612	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information on pesticides
Prior to implementing year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round program
Prior to implementing alternative schedule	Education Code 46162	BP 6112	Public hearing on alternative schedule in secondary grades
Annually	Education Code 49013; 5 CCR 4622	AR 1312.3 BP 0460 BP 3260	Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan
Annually	Education Code 49414	AR 5141.21	Request for volunteers to be trained to administer epinephrine auto-injectors
At least once per year	Education Code 49414.3	AR 5141.21	Request for volunteers to be trained to administer opioid antagonist
To all employees	Government Code 1126	BP 4136 4236 4336	Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal
To all employees	Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210	BP 4020 BP 4159 4259 4359	District's drug- and alcohol-free workplace; actions to be taken if violated; available employee assistance programs

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
Upon employment	Government Code 21029	None	Right to purchase PERS service credit for military service performed prior to public employment
Upon placement of automated external defibrillator (AED) in school, and annually thereafter	Health and Safety Code 1797.196	AR 5141	Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan
If the district receives Tobacco-Use Prevention Education funds	Health and Safety Code 104420	AR 3513.3	District's tobacco-free schools policy and enforcement procedures
Annually, or more frequently if there is new information	Health and Safety Code 120875, 120880	BP 4119.43 4219.43 4319.43	AIDS and hepatitis B, including methods to prevent exposure
To new employees upon hire and other employees upon request, in districts with 25 or more employees	Labor Code 230.1	AR 4161.2 4261.2 4361.2	Rights pursuant to Labor Code 230-230.1 pertaining to leaves and accommodations for victims of crime or abuse
With each paycheck	Labor Code 246	AR 4161.1 AR 4261.1 4361.1	Amount of sick leave available
Upon hire, in employee handbook, and upon request for parental leave	Labor Code 1034	BP 4033	The district's policy on lactation accommodation
To covered employees and former employees	Labor Code 2800.2	AR 4154 4254 4354	Availability of COBRA/ Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage
To employees participating in a flexible spending account	Labor Code 2810.7	None	Deadline to withdraw funds from account before the end of the plan year
To every new employee, either at the time employee is hired or by end of first pay period	Labor Code 3551	AR 4157.1 4257.1 4357.1	Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
Within one day of receiving notice of potential exposure to COVID-19, to employees who were on the premises during the infectious period, the exclusive representative, and the employer of subcontracted employees as applicable	Labor Code 6409.6	AR 4157 4257 4357	Potential exposure to COVID-19; benefits to which employees may be entitled; available leave options; protection against discrimination and retaliation; district's disinfection and safety plan
Prior to beginning employment	Penal Code 11165.7, 11166.5	AR 5141.4	Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law
Upon employment, and when employee goes on leave for specified reasons	Unemployment Insurance Code 2613	AR 4154 4254 4354	Disability insurance rights and benefits
To principal, counselor who directly supervises or reports on student's behavior or progress, and teacher and other administrators who directly supervise or report on student's behavior or progress when principal believes needs the information for the protection of self or others when working with student, when Superintendent or designee receives written notification that minor student has committed a felony or misdemeanor involving specified offenses	Welfare and Institutions Code 827	AR 4158 4258 4358	Limited exception to juvenile court record confidentiality to ensure rehabilitation of juvenile criminal offenders and protect students and staff
To all employees and job applicants	2 CCR 11023; 34 CFR 104.8, 106.9	BP 0410 AR 4030	District's policy on nondiscrimination and related complaint procedures
To all employees via employee handbook, or to each new employee	2 CCR 11091, 11095; 29 CFR 825.300	AR 4161.8 4261.8 4361.8	Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible
To all employees	8 CCR 3203	AR 4157 4257 4357	The right and procedure to access the injury and illness prevention program
To all employees working with homeless families	42 USC 11432	AR 6173	Duties of district liaison for homeless students

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
To all employees	34 CFR 106.8	AR 4119.11 4219.11 4319.11	Nondiscrimination on the basis of sex; contact information for district's Title IX Coordinator; referral of inquiries to Title IX Coordinator and/or Office for Civil Rights
Annually	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; inspections, response actions, post-response actions planned or in progress

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees			
To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire	Education Code 22455.5	AR 4121	Criteria for membership in retirement system; right to elect membership at any time
Upon employment of a retired certificated individual	Education Code 22461	AR 4117.14 4317.14	Postretirement earnings limitation or employment restriction; monthly report of compensation
To certificated employees	Education Code 35171	AR 4115 BP 4315	District regulations related to performance evaluations
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated	Education Code 44663	AR 4115	Copy of employee's evaluation
To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee	Education Code 44664	AR 4115	Notice and description of the unsatisfactory performance
By May 30, if district issues reemployment notices to certificated employees	Education Code 44842	AR 4112.1	Request that the employee notify district of intent to remain in service next year
To probationary and temporary certificated employees upon employment, and every July thereafter	Education Code 44916	AR 4112.1 AR 4121	Employment status and salary

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees (continued)			
To probationary employee, by March 15	Education Code 44929.21, 44929.23, 44948.5	BP 4116	Whether or not employee is reelected for next school year
When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year	Education Code 44934, 44934.1, 44936	BP 4118 AR 4118	Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice
To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/ dismissal notice	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings	Education Code 44940.5	AR 4118	Notice of intent to dismiss 30 days from notice unless employee demands hearing
To probationary employee 30 days prior to dismissal during school year, but not later than March 15 for a second-year probationary employee	Education Code 44948.3	AR 4118	Reasons for dismissal and opportunity to appeal
By March 15 when necessary to reduce certificated personnel, with final notice by May 15	Education Code 44949, 44955	BP 4117.3	Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination
Before the end of the school year to temporary employee who served 75 percent of school year but will be released	Education Code 44954	BP 4121	District's decision not to reelect employee for following school year
During the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies when the Board determines that the district's local control funding formula apportionment per unit of ADA for that fiscal year has not increased by at least two percent, to any permanent or probationary certificated employee, including an employee holding a position that requires administrative or supervisory credential, whose services are terminated	Education Code 44955.5	BP 4117.3	Decrease in the number of permanent employees in accordance with a schedule of notice and hearing adopted by the Board

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
To teacher, when a student engages in or is reasonably suspected of specified acts	Education Code 49079	AR 4158 4258 4358	Student has committed specified act that constitutes ground for suspension or expulsion

To teacher of a student who is suspended or expelled, when Superintendent or designee receives transfer student's record regarding acts that resulted in suspension or expulsion	Education Code 48201	AR 4158 4258 4358	Student has committed specified act that constitutes ground for suspension or expulsion
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To certificated employee upon change in employment status due to alleged misconduct or while allegation is pending	5 CCR 80303	AR 4117.7 4317.7	Contents of state regulation re: report to Commission on Teacher Credentialing
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When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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III. To Classified Employees

When classified employee is subject to disciplinary action for cause, in nonmerit district	Education Code 45113	AR 4218	Notice of charges, right to hearing, timeline for requesting hearing
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By March 15, when laid off due to lack of work or lack of funds, with final notice by May 15	Education Code 45117	AR 4217.3	Notice of layoff, displacement and reemployment rights, right to hearing; final notice of Board decision regarding termination
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During the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies when the Board determines that the district's local control funding formula apportionment per unit of ADA for that fiscal year has not increased by at least two percent, to classified employees who are laid off due to lack of work or lack of funds	Education Code 45117	AR 4217.3	District Statement of Reduction in Force to affected employees in accordance with a schedule of notice and hearing adopted by the Board
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At least 60 days prior to the effective date of layoff, if the employee's position must be eliminated due to the expiration of a specially funded program	Education Code 45117	AR 4217.3	Notice of layoff date, displacement and reemployment rights
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Upon employment and upon each change in classification	Education Code 45169	AR 4212	Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek
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When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. To Classified Employees			
To permanent employee whose leave is exhausted	Education Code 45192, 45195	AR 4261.1 AR 4261.11	Exhaustion of leave, opportunity to request additional leave
To school bus drivers and school activity bus drivers prior to expiration of specified documents	13 CCR 1234	AR 3542	Expiration date of driver's license, driver's certificate and medical certificate; need to renew
To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter	13 CCR 2480	AR 3542	Limitations on vehicle idling; consequences of not complying
To school bus drivers, prior to district drug testing program and thereafter upon employment	49 CFR 382.113, 382.601	AR 4112.42 4212.42 4312.42	Explanation of federal requirements for drug testing program and district's policy; prior to administration of each drug or alcohol test
To school bus drivers, prior to operating school bus	49 CFR 382.303	AR 4112.42 4212.42 4312.42	Post-accident information, procedures, and instructions

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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IV. To Administrative/Supervisory Personnel

To superintendent, deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract	Education Code 35031	BP 2121 BP 4312.1	Decision not to reelect or reemploy upon expiration of contract or term
Upon request by administrative or supervisory employee transferred to teaching position	Education Code 44896	AR 4313.2	Statement of the reasons for the reassignment
By March 15 to employee who may be released/reassigned the following school year	Education Code 44951	AR 4313.2	Notice that employee may be released or reassigned the following school year

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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V. To Individual Employees Under Special Circumstances

In the event of a breach of security of district records, to affected employees	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies
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When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
Prior to placing derogatory information in personnel file	Education Code 44031	AR 4112.6 4212.6 4312.6	Notice of derogatory information, opportunity to review and comment
To employees who volunteer to administer epinephrine auto-injector	Education Code 49414	AR 5141.21	Defense and indemnification from civil liability by the district
To district police officer, within 30 days of decision to impose discipline	Government Code 3304	AR 3515.3	Decision to impose discipline, including the date that discipline will be imposed
To employee returning from military leave of absence, within 30 days of return	Government Code 20997	AR 4161.5 4261.5 4361.5	Right to receive PERS service credit for military service; application form
24 hours before Board meets in closed session to hear complaints or charges against employee	Government Code 54957	BB 9321	Employee's right to have complaints/charges heard in open session
When taking disciplinary action against employee for disclosure of confidential information	Government Code 54963	BP 4119.23 4219.23 4319.23	Law prohibiting disclosure of confidential information obtained in closed session
When document identifying employee who is victim of domestic violence is disclosed	Labor Code 230	AR 4158 4258 4358	Accommodations and leave for victims of domestic violence
Within one working day of work-related injury or victimization of crime	Labor Code 3553, 5401	AR 4157.1 4257.1 4357.1	Potential eligibility for workers' compensation benefits, claim form
When adverse employment action is based on DOJ criminal history information or subsequent arrest notification	Penal Code 11105, 11105.2	AR 4112.5 4212.5 4312.5	Copy of DOJ notification
To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter	8 CCR 3204	AR 4119.42 4219.42 4319.42	The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation	8 CCR 5191	AR 3514.1	Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area	8 CCR 5194	AR 3514.1	Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights
To employee eligible for military leave	38 USC 4334	AR 4161.5 4261.5 4361.5	Notice of rights, benefits, and obligations under military leave
Within five days of employee's request for FMLA leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave	29 CFR 825.300; 2 CCR 11049, 11091	AR 4161.8 4261.8 4361.8	Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice
Whenever notice of eligibility for FMLA is provided to employee	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

Policy Reference Disclaimer:

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State	Description
13 CCR 1234	Reports regarding school buses and bus drivers
13 CCR 2480	Vehicle idling, limitations
2 CCR 11023	Harassment and discrimination prevention and correction
2 CCR 11035-11051	Unlawful sex discrimination: pregnancy, childbirth and related medical conditions
2 CCR 11087-11098	California Family Rights Act
5 CCR 4622	Uniform complaint procedures
5 CCR 80303	Reports of change in employment status, alleged misconduct
8 CCR 3204	Employees exposed to bloodborne pathogens standard
8 CCR 5191	Chemical hygiene plan
8 CCR 5194	Hazard communication
Civ. Code 1798.29	District records, specifically - breach of security

Ed. Code 17612	Notification of pesticide use
Ed. Code 22455.5	STRS information to potential members
Ed. Code 22461	Postretirement compensation limitation
Ed. Code 231.5	Sexual harassment policy
Ed. Code 35031	Term of employment
Ed. Code 35171	Availability of rules and regulations for evaluation of performance
Ed. Code 37616	Notice of public hearing on year-round schedule
Ed. Code 44031	Personnel file contents, inspection
Ed. Code 44663-44664	Evaluation of certificated employees
Ed. Code 44842	Reemployment notices, certificated employees
Ed. Code 44896	Transfer of administrator or supervisor to teaching position
Ed. Code 44916	Written statement of employment status
Ed. Code 44929.21	Notice of reelection decision; districts with 250 ADA or more
Ed. Code 44929.23	Districts with less than 250 ADA
Ed. Code 44934	Notice of disciplinary action for cause
Ed. Code 44938	Notice of unprofessional conduct and opportunity to correct
Ed. Code 44940.5-44941	Notification of suspension and intent to dismiss
Ed. Code 44948.3-44948.5	Dismissal of probationary employees
Ed. Code 44948.5	Nonreelection procedures, districts under 250 ADA
Ed. Code 44949	Dismissal of probationary employees
Ed. Code 44951	Continuation in position unless notified, administrative or supervisory personnel
Ed. Code 44954	Nonreelection of temporary employees
Ed. Code 44955	Reduction in number of permanent employees
Ed. Code 44955.5	Decrease in number of permanent employees during specified time period upon determination related to local control funding formula per unit of average daily attendance
Ed. Code 45113	Notification of charges, classified employees
Ed. Code 45117	Notice of layoff, classified employees
Ed. Code 45169	Employee salary data, classified employees
Ed. Code 45192	Industrial accident and illness leave for classified employees
Ed. Code 45195	Additional leave
Ed. Code 46162	Notice of public hearing on block schedule

Ed. Code 48201	Transfer student's record for acts that resulted in suspension or expulsion
Ed. Code 49013	Complaints regarding student fees
Ed. Code 49079	Notification to teacher, student who has engaged in acts re: grounds suspension or expulsion
Ed. Code 49414	Epinephrine auto-injectors
Ed. Code 49414.3	Administration of opioid antagonist
Gov. Code 1126	Incompatible activities of employees
Gov. Code 12950	Sexual harassment
Gov. Code 21029	Retirement credit for period of military service
Gov. Code 54957	Complaints against employees; right to open session
Gov. Code 54963	Unauthorized disclosure of confidential information
Gov. Code 8355	Certification of drug-free workplace, including notification
H&S Code 104420	Tobacco-free schools
H&S Code 120875	Information on AIDS, AIDS-related conditions, and hepatitis B
H&S Code 120880	Notification to employees re AIDS, AIDS-related conditions, and hepatitis B
H&S Code 1797.196	Automated external defibrillators; notification of use and locations
Lab. Code 230	Accommodations and leave for victims of domestic violence
Lab. Code 2800.2	Notification of availability of continuation health coverage
Lab. Code 3550-3553	Notifications re: workers' compensation benefits
Lab. Code 5401	Workers' compensation, claim form and notice of potential eligibility
Pen. Code 11165.7	Child Abuse and Neglect Reporting Act, notification requirement
Pen. Code 11166.5	Employment, statement of knowledge of duty to report child abuse or neglect
Unemp. Ins. Code 2613	Disability insurance; notice of rights and benefits
Welfare and Institutions Code 827	Limited exception to juvenile court record
Federal	Description
29 CFR 825.300	Family and Medical Leave Act; notice requirement
34 CFR 104.8	Nondiscrimination
34 CFR 106.9	Dissemination of policy
34 CFR 84.205-84.210	Drug-free workplace statement

38 USC 4334	Uniformed Services Employment and Reemployment Rights Act, notice requirement
40 CFR 763.84	Asbestos inspections, response actions and post-response actions
40 CFR 763.93	Asbestos management plans
41 USC 8101-8106	Drug-Free Workplace Act
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
49 CFR 382.113	Controlled substance and alcohol use and testing notifications
49 CFR 382.303	Post-accident information, procedures, and instructions
49 CFR 382.601	Controlled substance and alcohol use and testing notification

Cross References

Code	Description
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
2121	Superintendent's Contract
3260	Fees And Charges
3260	Fees And Charges
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3514.2	Integrated Pest Management
3542	School Bus Drivers
3580	District Records
3580	District Records
4020	Drug And Alcohol-Free Workplace
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment

4033	Lactation Accommodation
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.5	Criminal Record Check
4112.5-E(1)	Criminal Record Check
4112.6	Personnel Files
4115	Evaluation/Supervision
4115	Evaluation/Supervision
4116	Probationary/Permanent Status
4116	Probationary/Permanent Status
4117.14	Postretirement Employment
4117.3	Personnel Reduction
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.11	Sexual Harassment
4119.11	Sexual Harassment
4119.43	Universal Precautions
4119.43	Universal Precautions
4121	Temporary/Substitute Personnel
4121	Temporary/Substitute Personnel
4136	Nonschool Employment
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4157.1	Work-Related Injuries
4158	Employee Security (BP and AR)
4161.1	Personal Illness/Injury Leave
4161.11	Industrial Accident/Illness Leave
4161.5	Military Leave
4161.8	Family Care And Medical Leave
4212	Appointment And Conditions Of Employment
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers

4212.5	Criminal Record Check
4212.5-E(1)	Criminal Record Check
4212.6	Personnel Files
4216	Probationary/Permanent Status
4217.3	Layoff/Rehire
4219.11	Sexual Harassment
4219.11	Sexual Harassment
4219.43	Universal Precautions
4219.43	Universal Precautions
4236	Nonschool Employment
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4257.1	Work-Related Injuries
4258	Employee Security (BP and AR)
4261.1	Personal Illness/Injury Leave
4261.11	Industrial Accident/Illness Leave
4261.5	Military Leave
4261.8	Family Care And Medical Leave
4312.1	Contracts
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.5	Criminal Record Check
4312.5-E(1)	Criminal Record Check
4312.6	Personnel Files
4315	Evaluation/Supervision
4317.14	Postretirement Employment
4317.7	Employment Status Reports
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.43	Universal Precautions
4319.43	Universal Precautions
4336	Nonschool Employment
4354	Health And Welfare Benefits

4354	Health And Welfare Benefits
4357.1	Work-Related Injuries
4358	Employee Security (BP and AR)
4361.1	Personal Illness/Injury Leave
4361.11	Industrial Accident/Illness Leave
4361.5	Military Leave
4361.8	Family Care And Medical Leave
6117	Year-Round Schedules
6173	Education for Homeless Children (BP/AR/E(1)/E(1))
9310	Board Policies
9321-E(1)	Closed Session
9321-E(2)	Closed Session
9321	Closed Session

Exhibit
version:

CSBA POLICY MANUAL UPDATE
March 2022

Policy 4141.6: Concerted Action/Work Stoppage

Status: ADOPTED

Original Adopted Date: 12/01/1989 | **Last Revised Date:** 03/2022 | **Last Reviewed Date:** 03/2022

The Governing Board recognizes the importance of maintaining ongoing positive relations with employees and engaging in fair, respectful negotiations with employee organizations. The Board desires to reach agreement on employment contracts in a manner that prevents disruption to school operations and minimizes impact on student achievement.

The Board recognizes that advance planning is necessary to ensure that, in the event of a work stoppage, strike, or other concerted employee activity, students continue to receive educational services to which they are entitled. The Superintendent or designee shall develop a written plan which shall include strategies for the provision of internal and external communications, preservation of student and staff safety, maintenance of district operations, and appropriate student instruction and supervision during a work slowdown or stoppage.

If an employee organization gives notice that it intends to strike, the Superintendent or designee shall notify the Public Employment Relations Board, Employment Development Department, employees in the striking unit, other district employees, parents/guardians, students, law enforcement, the media, and others as appropriate.

Employees should be held accountable for their behavior during any labor dispute. The district may take disciplinary action against any employee who engages in an unlawful concerted action or in unlawful behavior in an otherwise protected activity, taking into account the seriousness of the behavior and the district's efforts to rebuild relations following the withholding of services by employees.

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State	Description
Ed. Code 35204	Contract with attorney in private practice
Ed. Code 35205	Contract for legal services
Ed. Code 37200-37202	School calendar
Gov. Code 3140-3142	Public Employee Health Protection Act
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 3543.5-3543.6	Unfair labor practices
Gov. Code 3548.3548.8	Impasse procedures
Management Resources	Description
Public Employment Relations Board Decision	Fresno Unified School District, 1982, PERB Dec. No. 208, 6 PERC 13110
Public Employment Relations Board Decision	Konocti Unified School District, 1982, PERB Dec. No. 217, 6 PERC 13152

Website	California Public Employment Relations Board
Website	State Mediation and Conciliation Service (SMCS)
Website	CSBA

Cross References

Code	Description
0400	Comprehensive Plans
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1100	Communication With The Public
1112	Media Relations
1400	Relations Between Other Governmental Agencies And The Schools
1700	Relations Between Private Industry And The Schools
3512	Equipment
3512-E(1)	Equipment
3541	Transportation Routes And Services
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
4113	Assignment
4113	Assignment
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4121	Temporary/Substitute Personnel
4121	Temporary/Substitute Personnel
4141	Collective Bargaining Agreement
4143	Negotiations/Consultation
4143.1	Public Notice - Personnel Negotiations
4143.1	Public Notice - Personnel Negotiations
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4161.1	Personal Illness/Injury Leave
4161.2	Personal Leaves
4218	Dismissal/Suspension/Disciplinary Action

4218	Dismissal/Suspension/Disciplinary Action
4241	Collective Bargaining Agreement
4243	Negotiations/Consultation
4243.1	Public Notice - Personnel Negotiations
4243.1	Public Notice - Personnel Negotiations
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4261.1	Personal Illness/Injury Leave
4261.2	Personal Leaves
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
4361.1	Personal Illness/Injury Leave
4361.2	Personal Leaves
6111	School Calendar
6144	Controversial Issues
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
9000	Role Of The Board
9320	Meetings And Notices

Policy 4241.6: Concerted Action/Work Stoppage

Status: ADOPTED

Original Adopted Date: 12/01/1989 | **Last Revised Date:** 03/2022 | **Last Reviewed Date:** 03/2022

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The Board recognizes that advance planning is necessary to ensure that, in the event of a work stoppage, strike, or other concerted employee activity, students continue to receive educational services to which they are entitled. The Superintendent or designee shall develop a written plan which shall include strategies for the provision of internal and external communications, preservation of student and staff safety, maintenance of district operations, and appropriate student instruction and supervision during a work slowdown or stoppage.

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Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 3543.5-3543.6	Unfair labor practices
Gov. Code 3548.3548.8	Impasse procedures
Management Resources	Description
Public Employment Relations Board Decision	Fresno Unified School District, 1982, PERB Dec. No. 208, 6 PERC 13110

Public Employment Relations Board Decision	Konocti Unified School District, 1982, PERB Dec. No. 217, 6 PERC 13152
Website	California Public Employment Relations Board
Website	State Mediation and Conciliation Service (SMCS)
Website	CSBA

Cross References

Code	Description
0400	Comprehensive Plans
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1100	Communication With The Public
1112	Media Relations
1400	Relations Between Other Governmental Agencies And The Schools
1700	Relations Between Private Industry And The Schools
3512	Equipment
3512-E(1)	Equipment
3541	Transportation Routes And Services
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
4113	Assignment
4113	Assignment
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4121	Temporary/Substitute Personnel
4121	Temporary/Substitute Personnel
4141	Collective Bargaining Agreement
4143	Negotiations/Consultation
4143.1	Public Notice - Personnel Negotiations
4143.1	Public Notice - Personnel Negotiations
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4161.1	Personal Illness/Injury Leave
4161.2	Personal Leaves

4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4241	Collective Bargaining Agreement
4243	Negotiations/Consultation
4243.1	Public Notice - Personnel Negotiations
4243.1	Public Notice - Personnel Negotiations
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4261.1	Personal Illness/Injury Leave
4261.2	Personal Leaves
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
4361.1	Personal Illness/Injury Leave
4361.2	Personal Leaves
6111	School Calendar
6144	Controversial Issues
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
9000	Role Of The Board
9320	Meetings And Notices

adopted:

March 2022

Regulation 4141.6: Concerted Action/Work Stoppage

Status: ADOPTED

Original Adopted Date: 12/01/1989 | Last Revised Date: 03/2022 | Last Reviewed Date: 03/2022

Maintenance of District Operations

During any work stoppage, strike, or other concerted employee activity, the Superintendent or designee shall take measures to minimize disruption to district operations and student learning. At the discretion of the Superintendent or designee, employees reporting for duty may be temporarily assigned to other duties. In addition, the Superintendent or designee may hire qualified substitute and/or temporary employees as needed to maintain district operations and shall recommend to the Governing Board an appropriate rate of pay for such employees for the period of the work stoppage.

Strike Plan

The Superintendent or designee may establish a committee to develop a plan in the event of a work stoppage. This committee may include district-level staff, legal counsel, the district's negotiator and parents/guardians.

The strike plan shall address, at a minimum, the following elements:

1. Roles and responsibilities during a work stoppage, including roles of the Board, Superintendent, district-level staff, legal counsel, principals, certificated or classified staff when they are not participating in the strike, substitutes and other employees
2. Criteria for keeping schools open during a work stoppage, including potential costs, availability of qualified substitutes or other staffing, and the ability to maintain essential services and to ensure the safety of students and staff
3. Maintenance of the educational program, including availability of lesson plans and instructional materials, alternatives for handling special education and other programs as appropriate
4. Internal communications among district staff and the Board during a work stoppage
5. Plans for obtaining and paying for the services of and communicating with temporary or substitute employees
6. Status of district-paid benefits, including health care, insurance, vacation and sick leave benefits
7. Communications with parents/guardians, the media, business partners, public officials and other community members that identify key messages, strategies and district spokespersons
8. Equipment and supply needs
9. Desirability and feasibility of conducting extracurricular activities during a work stoppage including an analysis of the number of events and activities that would be affected, the availability of staffing, the degree of student and/or community participation and the ability to provide adequate security at events

10. Contingency plans for transportation
11. Contingency plans for the provision of food services
12. Identification of outside resources who may be called upon to help with school operations
13. Coordination with law enforcement and other agencies
14. Appropriate safeguards for the safety of students, working employees, substitutes, volunteers, parent/guardians and Board members
15. Provisions for safe, effective board meetings
16. Cost estimates for the various strategies to be implemented during a work stoppage
17. Legal remedies available to enjoin the work stoppage if possible or to file unfair labor practice charges against the employee organization
18. Continuation of negotiations during a work stoppage
19. Plans for resuming normal district operations, rebuilding relations and disciplining employees if necessary after the work stoppage

Activities of Employees

The district shall not impose or threaten to impose reprisals, discriminate or threaten to discriminate, or otherwise interfere with, restrain or coerce employees for the exercise of their rights. (Government Code 3543.5-3543.6)

Employees engaging in a work stoppage shall not prevent access to school facilities by other employees, substitutes or students; use or threaten physical violence or bodily injury; trespass; distribute malicious or defamatory leaflets or materials; or otherwise coerce or intimidate individuals in the conduct of school business.

During an actual or threatened work stoppage, an employee shall not retain any district property, including but not limited to student attendance and grading records, lesson plans, keys, equipment and supplies.

Employees shall not use students to distribute messages that promote or explain the position of any employee organization that is contemplating or engaged in a work stoppage. In addition, employees shall not use classroom or other duty time to promote an employee organization's position in negotiations or in a work stoppage.

When students raise questions related to a work stoppage, teachers shall approach the subject in accordance with the district's policy on controversial issues and shall not allow such discussions to interfere with their regular teaching responsibilities.

Salary and Benefits

Employees withholding services shall not receive salary or unemployment benefits during the period of the work stoppage.

Any employee withholding services may be subject to the loss of payroll deduction privileges.

Throughout the duration of any enrolled employee's participation in an authorized strike, the district shall not fail or refuse to maintain and pay for the employee's continued health care or other medical coverage or the coverage of their enrolled dependents, nor shall the district fail to collect and remit the employee's contributions to any such coverage. The district shall maintain the coverage at the same level and under the same conditions that the coverage would have been provided if the employee had continued to work in the employee's position for the duration of the strike. Health care or other medical coverage for this purpose includes coverage for medical, dental, vision, behavioral health, disability, accidental death and dismemberment, life, and supplemental health insurance benefits. (Government Code 3141-3142)

"Authorized strike" means a strike sanctioned by the central labor council or the membership of an employee organization that represents the striking employees, or one that is engaged in by unrepresented employees. (Government Code 3141)

Employees whose vacation leave has been authorized prior to the work stoppage shall receive vacation pay for the authorized period.

If an employee is on a paid sick or disability leave when the work stoppage begins, the employee shall be entitled to continued payment as long as the employee remains ill or disabled and is otherwise eligible according to Board policy and collective bargaining agreements.

The Superintendent or designee may determine that credit shall not be applied toward probationary service, salary schedule advancement, permanent status, vacation earnings, retirement credit or sick leave accrual during the period of time that employees withhold services.

Policy Reference Disclaimer:

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

State	Description
Ed. Code 35204	Contract with attorney in private practice
Ed. Code 35205	Contract for legal services
Ed. Code 37200-37202	School calendar
Gov. Code 3140-3142	Public Employee Health Protection Act
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 3543.5-3543.6	Unfair labor practices
Gov. Code 3548.3548.8	Impasse procedures
Management Resources	Description
Public Employment Relations Board Decision	Fresno Unified School District, 1982, PERB Dec. No. 208, 6 PERC 13110
Public Employment Relations Board Decision	Konocti Unified School District, 1982, PERB Dec. No. 217, 6 PERC 13152

Website	California Public Employment Relations Board
Website	State Mediation and Conciliation Service (SMCS)
Website	CSBA

Cross References

Code	Description
0400	Comprehensive Plans
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1100	Communication With The Public
1112	Media Relations
1400	Relations Between Other Governmental Agencies And The Schools
1700	Relations Between Private Industry And The Schools
3512	Equipment
3512-E(1)	Equipment
3541	Transportation Routes And Services
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
4113	Assignment
4113	Assignment
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4121	Temporary/Substitute Personnel
4121	Temporary/Substitute Personnel
4141	Collective Bargaining Agreement
4143	Negotiations/Consultation
4143.1	Public Notice - Personnel Negotiations
4143.1	Public Notice - Personnel Negotiations
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4161.1	Personal Illness/Injury Leave
4161.2	Personal Leaves
4218	Dismissal/Suspension/Disciplinary Action

4218	Dismissal/Suspension/Disciplinary Action
4241	Collective Bargaining Agreement
4243	Negotiations/Consultation
4243.1	Public Notice - Personnel Negotiations
4243.1	Public Notice - Personnel Negotiations
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4261.1	Personal Illness/Injury Leave
4261.2	Personal Leaves
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
4361.1	Personal Illness/Injury Leave
4361.2	Personal Leaves
6111	School Calendar
6144	Controversial Issues
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
9000	Role Of The Board
9320	Meetings And Notices

Regulation
approved:

CSBA POLICY MANUAL UPDATE
March 2022

Regulation 4241.6: Concerted Action/Work Stoppage

Status: ADOPTED

Original Adopted Date: 12/01/1989 | Last Revised Date: 03/2022 | Last Reviewed Date: 03/2022

Maintenance of District Operations

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(Government Code 3141-3142)

"Authorized strike" means a strike sanctioned by the central labor council or the membership of an employee organization that represents the striking employees, or one that is engaged in by unrepresented employees. (Government Code 3141)

Employees whose vacation leave has been authorized prior to the work stoppage shall receive vacation pay for the authorized period.

If an employee is on a paid sick or disability leave when the work stoppage begins, the employee shall be entitled to continued payment as long as the employee remains ill or disabled and is otherwise eligible according to Board policy and collective bargaining agreements.

The Superintendent or designee may determine that credit shall not be applied toward probationary service, salary schedule advancement, permanent status, vacation earnings, retirement credit or sick leave accrual during the period of time that employees withhold services.

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9000	Role Of The Board
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Regulation
approved:

CSBA POLICY MANUAL UPDATE
March 2022

The Governing Board encourages the enrollment and appropriate placement of all children who are eligible for enrollment in school. The Superintendent or designee shall inform parents/guardians of children seeking admission to a district school about admission requirements and shall assist them with enrollment procedures.

The Superintendent or designee shall announce and publicize the timeline and process for registration of students at district schools. Applications for intradistrict or interdistrict enrollment shall be subject to the timelines specified in applicable Board policies and administrative regulations.

All appropriate staff shall receive training on district admission policies and procedures, including information regarding the types of documentation that can and cannot be requested.

Verification of Admission Eligibility

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residence within the district, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

The district shall not inquire into or request documentation of a student's social security number or the last four digits of the social security number or the citizenship or immigration status of the student or the student's family members. (Education Code 234.7, 49076.7)

However, such information may be collected when required by state or federal law or to comply with requirements for special state or federal programs. In any such situation, the information shall be collected separately from the school enrollment process and the Superintendent or designee shall explain the limited purpose for which the information is collected. Enrollment in a district school shall not be denied on the basis of any such information of the student or the student's parents/guardians obtained by the district, or the student's or parent/guardian's refusal to provide such information to the district.

School registration information shall list all possible means of documenting a child's age for entry into grades K-1 as authorized by Education Code 48002 or otherwise prescribed by the Board. Any

alternative document allowed by the district shall be one that all persons can obtain regardless of immigration status, citizenship status, or national origin and shall not reveal information related to citizenship or immigrant status.

The Superintendent or designee shall immediately enroll a homeless student, foster youth, student who has had contact with the juvenile justice system, or a child of a military family regardless of outstanding fees or fines owed to the student's last school, lack of clothing normally required by the school, such as school uniforms, or an inability to produce previous academic, medical, or other records normally required for enrollment. (Education Code 48645.5, 48850, 48852.7, 48853.5, 49701; 42 USC 11432)

Policy Reference Disclaimer:

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State	Description
17 CCR 6000-6075	School attendance immunization requirements
5 CCR 200	Promotion from kindergarten to first grade
5 CCR 201	Admission to high school
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 46300	Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten
Ed. Code 46600	Agreements for admission of students desiring interdistrict attendance
Ed. Code 48000	Minimum age of admission (kindergarten)
Ed. Code 48002	Evidence of minimum age required to enter kindergarten or first grade
Ed. Code 48010	Minimum age of admission (first grade)
Ed. Code 48011	Admission from kindergarten or other school; minimum age
Ed. Code 48050-48053	Nonresidents
Ed. Code 48200	Children between ages of 6 and 18 years (compulsory full-time education)
Ed. Code 48350-48361	Open Enrollment Act
Ed. Code 48645.5	Enrollment of former juvenile court school students
Ed. Code 48850-48859	Educational placement of homeless and foster youth
Ed. Code 49076	Access to records by persons without written consent or under judicial order
Ed. Code 49076.7	Student records; data privacy; social security numbers
Ed. Code 49408	Information for use in emergencies
Ed. Code 49700-49703	Education of children of military families
Civil Code 51	Unruh Civil Rights Act
Code of Civil Procedure 1002.7	Provision in enrollment agreement waiving legal right, remedy, forum, proceeding or procedure; criminal sexual assault or sexual battery
H&S Code 120325-120380	Educational and child care facility immunization requirements
H&S Code 121475-121520	Tuberculosis tests for students
Federal	Description
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
5 USC 552a	Records maintained on individuals
Management Resources	Description

CA Office of the Attorney General Publication	Promoting Safe & Secure Learning Environment for All: Guidance & Model Policies to Assist CA K-12 Schools in Responding to Immigration Issues, 4/2018
Court Decision	Plyler v. Doe, 457 U.S. 202 (1982)
CSBA Publication	Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017
U.S. DOJ & DOE Civil Rights Joint Publication	Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts and Parents, May 8, 2014
U.S. DOJ & DOE Civil Rights Joint Publication	Fact Sheet: Information on the Rights of All Children to Enroll in School, May 8, 2014
U.S. DOJ & DOE Civil Rights Joint Publication	Dear Colleague Letter: School Enrollment Procedures, May 8, 2014
Website	California Department of Education (https://www.cde.ca.gov/)
Website	California Office of the Attorney General
Website	U.S. Department of Justice
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights

Cross References

Code	Description
5111.1	District Residency
5111.1	District Residency
5112.1	Exemptions From Attendance
5112.1	Exemptions From Attendance
5112.2	Exclusions From Attendance
5116.1	Intradistrict Open Enrollment
5116.1	Intradistrict Open Enrollment
5117	Interdistrict Attendance
5117	Interdistrict Attendance
5119	Students Expelled From Other Districts
5123	Promotion/Acceleration/Retention
5123	Promotion/Acceleration/Retention
5125	Student Records
5125	Student Records

5141.3	Health Examinations
5141.3	Health Examinations
5141.31	Immunizations
5141.31	Immunizations
5141.32	Health Screening For School Entry
5142.1	Identification And Reporting Of Missing Children
5145.12	Search And Seizure
5145.12	Search And Seizure
5145.13	Response To Immigration Enforcement
5145.13	Response To Immigration Enforcement
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parental Notifications
5145.6-E(1)	Parental Notifications
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6146.3	Reciprocity Of Academic Credit
6146.3	Reciprocity Of Academic Credit
6170.1	Transitional Kindergarten
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6173.1	Education For Foster Youth (BP and AR)
6173.2	Education Of Children Of Military Families
6173.2	Education Of Children Of Military Families
6173.3	Education For Juvenile Court School Students

Policy
adopted:

CSBA POLICY MANUAL UPDATE
March 2022

Regulation 5111: Admission

Status: ADOPTED

Original Adopted Date: 11/01/2011 | Last Revised Date: 03/2022 | Last Reviewed Date: 03/2022

Age of Admittance to Transitional Kindergarten, Kindergarten and First Grade

At the beginning of each school year, the Superintendent or designee shall enroll any eligible child whose fifth or sixth birthday is on or before September 1 of that year into kindergarten or first grade, as applicable. (Education Code 48000, 48010)

Admission into transitional kindergarten shall be in accordance with law and as specified in BP 6170.1 - Transitional Kindergarten. (Education Code 48000)

On a case-by-case basis, and with the approval of the child's parent/guardian, a child who will turn five years old in a given school year may be enrolled in kindergarten at any time during that school year provided that: (Education Code 48000)

1. The Governing Board determines that admittance is in the best interest of the child.
2. The parent/guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

The Superintendent or designee shall make a recommendation to the Board regarding whether a child should be granted early entry to kindergarten, as appropriate. In doing so, the Superintendent or designee shall consider various factors including the availability of classroom space and any negotiated maximum class size.

Documentation of Age/Grade

Prior to the admission of a child to kindergarten or first grade, the parent/guardian shall present proof of the child's age. (Education Code 48002)

Evidence of the child's age may include: (Education Code 48002)

1. A certified copy of a birth certificate or a statement by the local registrar or county recorder certifying the date of birth
2. A duly attested baptism certificate
3. A passport
4. When none of the above documents is obtainable, an affidavit of the parent/guardian
5. Other means prescribed by the Board

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State

Description

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6173.2	Education Of Children Of Military Families
6173.2	Education Of Children Of Military Families
6173.3	Education For Juvenile Court School Students

Regulation
approved:

CSBA POLICY MANUAL UPDATE
March 2022

Regulation 5113: Absences And Excuses

Status: ADOPTED

Original Adopted Date: 11/01/2011 | **Last Revised Date:** 03/2022 | **Last Reviewed Date:** 03/2022

Excused Absences

Subject to any applicable limitation, condition, or other requirement specified in law, a student's absence shall be excused for any of the following reasons:

1. Personal illness, including absence for the benefit of the student's mental or behavioral health (Education Code 48205)
2. Quarantine under the direction of a county or city health officer (Education Code 48205)
3. Medical, dental, optometrical, or chiropractic services or appointment (Education Code 48205)
4. Attendance at funeral services for a member of the student's immediate family (Education Code 48205)

Such absence shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state. (Education Code 48205)

5. Jury duty in the manner provided for by law (Education Code 48205)
6. Illness or medical appointment of a child to whom the student is the custodial parent (Education Code 48205)
7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
 - a. Appearance in court
 - b. Attendance at a funeral service
 - c. Observance of a religious holiday or ceremony
 - d. Attendance at religious retreats for no more than four hours per semester
 - e. Attendance at an employment conference
 - f. Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)
9. To spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)

Such absence shall be granted for a period of time to be determined at the discretion of the Superintendent or designee. (Education Code 48205)

10. Attendance at the student's naturalization ceremony to become a United States citizen (Education Code 48205)
11. Participation in a cultural ceremony or event which relates to the habits, practices, beliefs, and traditions of a certain group of people (Education Code 48205)
12. Work in the entertainment or allied industry (Education Code 48225.5)

Work for a student who holds a work permit authorizing work in the entertainment or allied industries for a period of not more than five consecutive days. For this purpose, student absence shall be excused for a maximum of up to five absences per school year. (Education Code 48225.5)

13. Participation with a nonprofit performing arts organization in a performance for a public school audience (Education Code 48225.5)

A student may be excused for up to five such absences per school year provided that the student's parent/guardian provides a written explanation of such absence to the school. (Education Code 48225.5)

14. Other reasons authorized at the discretion of the principal or designee based on the student's specific circumstances (Education Code 48205, 48260)

For the purpose of the absences described above, immediate family means the student's parent/guardian, brother or sister, grandparent, or any other relative living in the student's household. (Education Code 48205)

Method of Verification

Student absence to care for a child for whom the student is the custodial parent shall not require a physician's note. (Education Code 48205)

For other absences, the student shall, upon returning to school following the absence, present a satisfactory explanation, either in person or by written note, verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having charge or control of the student, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

When an absence is planned, the principal or designee shall be notified prior to the date of the absence when possible.

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student

- b. Name of parent/guardian or parent representative
 - c. Name of verifying employee
 - d. Date(s) of absence
 - e. Reason for absence
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in Item #2 above.
 4. Physician's verification.
 - a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may request a note from the medical office to confirm the time of the appointment.
 - b. If a student shows a pattern of chronic absenteeism due to illness, district staff may require physician verification of any further student absences.

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall:

1. Notify students in grades 7-12 and the parents/guardians of all students enrolled in the district that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian (Education Code 46010.1)
2. Notify parents/guardians that a student shall not have a grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. Such notice shall include the full text of Education Code 48205. (Education Code 48980)

Policy Reference Disclaimer:

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

State	Description
5 CCR 306	Explanation of absence
5 CCR 420-421	Record of verification of absence due to illness and other causes
Ed. Code 1740	Employment of personnel to supervise attendance (county superintendent)
Ed. Code 37201	School month
Ed. Code 37223	Weekend classes
Ed. Code 41601	Reports of average daily attendance
Ed. Code 42238-42250.1	Apportionments

Ed. Code 46000	Records (attendance)
Ed. Code 46010-46015	Absences
Ed. Code 46110-46120	Attendance in kindergarten and elementary schools
Ed. Code 46140-46148	Attendance in junior high and high schools
Ed. Code 48200-48208	Children ages 6-18 (compulsory full-time attendance)
Ed. Code 48210-48216	Exclusions from attendance
Ed. Code 48225.5	Work permit; excused absence; entertainment or allied industries; participation in not-for-profit performing arts organization
Ed. Code 48240-48246	Supervisors of attendance
Ed. Code 48260-48273	Truants
Ed. Code 48292	Filing complaint against parent
Ed. Code 48320-48324	School attendance review boards
Ed. Code 48340-48341	Improvement of student attendance
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49067	Unexcused absences as cause of failing grade
Ed. Code 49701	Provisions of the interstate compact on educational opportunities for military children
Elec. Code 12302	Student participation on precinct boards
Fam. Code 6920-6930	Consent by minor for medical treatment
W&I Code 11253.5	Compulsory school attendance
W&I Code 601-601.5	Habitually truant minors
Management Resources	Description
Attorney General Opinion	66 Ops.Cal.Atty.Gen. 244 (1983)
Attorney General Opinion	87 Ops.Cal.Atty.Gen. 168 (2004)
Court Decision	American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307
CSBA Publication	Improving Student Achievement by Addressing Chronic Absence, Policy Brief, December 2010
Website	CSBA
Website	California Department of Education (https://www.cde.ca.gov)

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan

0470	COVID-19 Mitigation Plan
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
4119.41	Employees With Infectious Disease
4219.41	Employees With Infectious Disease
4319.41	Employees With Infectious Disease
5000	Concepts And Roles
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5112.1	Exemptions From Attendance
5112.1	Exemptions From Attendance
5112.2	Exclusions From Attendance
5112.5	Open/Closed Campus
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5113.11	Attendance Supervision
5113.12	District School Attendance Review Board
5113.12	District School Attendance Review Board
5121	Grades/Evaluation Of Student Achievement
5121	Grades/Evaluation Of Student Achievement
5131	Conduct
5131.4	Student Disturbances
5131.4	Student Disturbances
5141.21	Administering Medication And Monitoring Health Conditions
5141.21	Administering Medication And Monitoring Health Conditions
5141.33	Head Lice
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.6	Parental Notifications
5145.6-E(1)	Parental Notifications
5146	Married/Pregnant/Parenting Students
5147	Dropout Prevention
6020	Parent Involvement

6020	Parent Involvement
6111	School Calendar
6112	School Day (BP and AR)
6141.2	Recognition Of Religious Beliefs And Customs
6141.2	Recognition Of Religious Beliefs And Customs
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6154	Homework/Makeup Work
6158	Independent Study
6158	Independent Study
6164.2	Guidance/Counseling Services
6173.2	Education Of Children Of Military Families
6173.2	Education Of Children Of Military Families
6176	Weekend/Saturday Classes
6177	Summer Learning Programs
6183	Home And Hospital Instruction
6184	Continuation Education
6184	Continuation Education
6185	Community Day School
6185	Community Day School

Regulation
approved:

CSBA POLICY MANUAL UPDATE
March 2022

Regulation 5142: Safety

Status: ADOPTED

Original Adopted Date: 07/01/2006 | Last Revised Date: 03/2022

At each school, the principal or designee shall establish emergency procedures, rules for student conduct, and rules for the safe and appropriate use of school facilities, equipment, and materials, consistent with law, Board policy, and administrative regulation. The rules shall be communicated to students, distributed to parents/guardians, and readily available at the school at all times.

Release of Students

Students shall be released during the school day only to the custody of an adult who is one of the following:

1. The student's custodial parent/guardian
2. An adult authorized on the student's emergency card as an individual to whom the student may be released when the custodial parent/guardian cannot be reached, provided the principal or designee verifies the adult's identity
3. An authorized law enforcement officer acting in accordance with law
4. An adult taking the student to emergency medical care at the request of the principal or designee

Supervision of Students

Every teacher shall hold students to a strict account for their conduct on the way to and from school, on the playgrounds, and during recess. (Education Code 44807)

The principal or designee shall require all individuals supervising students to remain alert for unauthorized persons and dangerous conditions, and promptly report any unusual incidents to the principal or designee and file a written report as appropriate.

In arranging for appropriate supervision on playgrounds, the principal or designee shall:

1. Clearly identify supervision zones and require all playground supervisors to remain at a location from which they can observe their entire zone of supervision and be observed by students in the supervision zone
2. Consider the size of the playground area, the number of areas that are obstructed from open view, and the age of the students to determine the ratio of playground supervisors to students

At any school where playground supervision is not otherwise provided, the principal or designee shall provide for certificated employees to supervise the conduct and safety, and direct the play, of students who are on school grounds before and after school and during recess and other intermissions. (5 CCR 5552)

The Superintendent or designee shall ensure that teachers, teacher aides, playground supervisors, yard aides, and volunteers who supervise students receive training in safety practices and in supervisory techniques that will help prevent problems and resolve conflicts among students. Such

training shall be documented and kept on file.

Playground Safety

Any new playground or any replacement of equipment or modification of components inside an existing playground shall conform to standards set forth by the American Society for Testing and Materials and the guidelines set forth by the U.S. Consumer Product Safety Commission. The Superintendent or designee shall have a playground safety inspector certified by the National Playground Safety Institute conduct an initial inspection to aid compliance with applicable safety standards. (Health and Safety Code 115725)

Activities with Safety Risks

Due to concerns about the risk to student safety, the principal or designee shall not permit the following activities on campus or during school-sponsored events unless the activity is properly supervised, students wear protective gear as appropriate, and each participant has insurance coverage:

1. Trampolining
2. Scuba diving
3. Skateboarding or use of scooters
4. In-line or roller skating or use of skate shoes
5. Sailing, boating, or water skiing
6. Cross-country or downhill skiing
7. Motorcycling
8. Target shooting
9. Horseback riding
10. Rodeo
11. Archery
12. Mountain bicycling
13. Rock climbing
14. Rocketeering
15. Surfing
16. Other activities determined by the principal to have a high risk to student safety

Students who operate or ride as a passenger on a bicycle, nonmotorized scooter, or skateboard, or wear in-line or roller skates, upon a street, bikeway, or any other public bicycle path or trail shall wear a properly fitted and fastened bicycle helmet.

Events In or Around a Swimming Pool

When any on-campus event that is not part of an interscholastic athletic program is sponsored or hosted by the district and is to be held in or around a swimming pool, at least one adult with a valid

certification of cardiopulmonary resuscitation training shall be present throughout the duration of the event. (Education Code 35179.6)

Laboratory Safety

The principal of each school offering laboratory work shall develop procedures for laboratory safety and designate a trained certificated employee to implement and regularly review these procedures.

Students in a laboratory shall be under the supervision of a certificated employee. Students shall be taught laboratory safety, and safety guidelines and procedures shall be posted in science classrooms. Students shall receive continual reminders about general and specific hazards.

Hazardous materials shall be properly used, stored, and disposed of in accordance with law and the district's chemical hygiene plan.

Bloodborne pathogens shall be handled in accordance with the district's exposure control plan.

The district's emergency plan, emergency contact numbers, and first aid supplies shall be readily accessible.

Parents/guardians shall be made aware of the kinds of laboratory activities that will be conducted during the school year.

Eye Safety Devices

The Superintendent or designee shall provide schools with eye safety devices for use whenever students, teachers, or visitors are engaged in or observing an activity or using hazardous substances likely to cause injury to the eyes. Eye safety devices may be sold to students for an amount not to exceed the actual cost to the district. (Education Code 32030, 32031, 32033)

Protection Against Insect Bites

To help protect students against insect bites or stings that may spread disease or cause allergic reactions, students shall be allowed to apply insect repellent provided by their parents/guardians, when engaging in outdoor activities. Any application of insect repellent shall occur under the supervision of school personnel, and in accordance with the manufacturer's directions.

Policy Reference Disclaimer:

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

State	Description
5 CCR 14030	Preliminary procedure, planning and approval of school facilities
5 CCR 14103	Authority of the driver
5 CCR 202	Exclusion of students with a contagious disease
5 CCR 5531	Supervision of extracurricular activities of pupils

5 CCR 5552	Playground supervision
5 CCR 5570	When school shall be open and teachers present
5 CCR 570-576	School safety patrols
Ed. Code 17280-17317	Approval of plans and supervision of construction
Ed. Code 17365-17374	Fitness of buildings for occupancy; liability of board members
Ed. Code 32001	Fire alarms and drills
Ed. Code 32020	School gates; entrances for emergency vehicles
Ed. Code 32030-32034	Eye safety
Ed. Code 32040	Duty to equip school with first aid kit
Ed. Code 32225-32226	Communications devices in classrooms
Ed. Code 32240-32245	Lead-Safe Schools Protection Act
Ed. Code 32250-32254	CDE school safety and security resources unit
Ed. Code 32280-32289	School safety plans
Ed. Code 35179.6	School-sponsored on-campus event in or around swimming pool
Ed. Code 44807	Teachers' duty concerning conduct of students
Ed. Code 44808	Exemption from liability when students are not on school property
Ed. Code 44808.5	Permission for students to leave school grounds; notice (high school)
Ed. Code 45450-45451	Crossing guards
Ed. Code 48900	Hazing
Ed. Code 49300-49307	School safety patrols
Ed. Code 49330-49335	Injurious objects
Ed. Code 49341	Hazardous materials in school science laboratories
Ed. Code 51202	Instruction in personal and public health and safety
Ed. Code 8482-8484.6	After School Education and Safety Program
Gov. Code 810-996.6	California Tort Claims Act
H&S Code 115725-115735	Playground safety
H&S Code 115775-115800	Wooden playground equipment
H&S Code 116046	Issuance of best practices guidelines for K-12 pool safety
Pen. Code 245.6	Hazing
Pub. Res. Code 5411	Purchase of equipment usable by persons with disabilities
Veh. Code 21100	Rules and regulations; crossing guards

Veh. Code 21212	Use of helmets
Veh. Code 42200	Fines and forfeitures, disposition by cities
Veh. Code 42201	Fines and forfeitures, disposition by counties
Vehicle Code 21201	Rules for operation of bicycle on roadway
Management Resources	Description
American Society for Testing and Materials	F 1487-05, Standard Consumer Safety Performance Specification for Playground Equipment for Public Use, 2017
California Department of Education Publication	Science Safety Handbook for California Public Schools, 2014
Court Decision	Knight v. Jewett, (1992) 3 Cal.4 th 296, 313
Court Decision	Lane v. City of Sacramento, (2010) 183 Cal. App. 4 th . 1337
Court Decision	J.H. v. Los Angeles Unified School District, (2010) 183 Cal.App.4 th 123
Court Decision	Kahn v. East Side Union High School District, (2003) 31 Cal.4 th 990
Court Decision	Dailey v. Los Angeles Unified School District, (1970) 2 Cal 3d 741
Court Decision	Hoyem v. Manhattan Beach City School District, (1978) 22 Cal. 3d 508
Court Decision	Wiener v. Southcoast Childcare Centers, (2004) 32 Cal.4 th 1138
U.S. Consumer Product Safety Comm Publication	Public Playground Safety Handbook, 2010
Website	American Society for Testing and Materials
Website	U.S. Department of Education, Safe Schools
Website	U.S. Consumer Product Safety Commission
Website	U.S. Environmental Protection Agency
Website	California Department of Education, Safe Schools
Website	California Department of Public Health
Website	Centers for Disease Control and Prevention
Website	National Recreation and Park Association, Certified Playground Safety Inspector Certification (https://www.nrpa.org/certification/CPSI/)

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan

1250	Visitors/Outsiders
1250	Visitors/Outsiders
1330.1	Joint Use Agreements
3260	Fees And Charges
3260	Fees And Charges
3452	Student Activity Funds
3512	Equipment
3512-E(1)	Equipment
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3515	Campus Security
3515	Campus Security
3515.21	Unmanned Aircraft Systems (Drones)
3515.5	Sex Offender Notification
3515.5	Sex Offender Notification
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3516.5	Emergency Schedules
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4119.42	Exposure Control Plan For Bloodborne Pathogens
4119.42	Exposure Control Plan For Bloodborne Pathogens
4119.42-E(1)	Exposure Control Plan For Bloodborne Pathogens
4219.42	Exposure Control Plan for Bloodborne Pathogens
4219.42	Exposure Control Plan for Bloodborne Pathogens
4219.42-E(1)	Exposure Control Plan for Bloodborne Pathogens
4319.42	Exposure Control Plan for Bloodborne Pathogens
4319.42	Exposure Control Plan for Bloodborne Pathogens
4319.42-E(1)	Exposure Control Plan for Bloodborne Pathogens
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities

5021	Noncustodial Parents
5131	Conduct
5131.1	Bus Conduct
5131.1	Bus Conduct
5131.4	Student Disturbances
5131.4	Student Disturbances
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141	Health Care And Emergencies
5141	Health Care And Emergencies
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.23	Asthma Management
5141.23	Asthma Management
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5141.7	Sun Safety
5142.1	Identification And Reporting Of Missing Children
5142.2	Safe Routes To School Program
5142.2	Safe Routes To School Program
5143	Insurance
5143	Insurance
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.11	Questioning And Apprehension By Law Enforcement
5145.13	Response To Immigration Enforcement
5145.13	Response To Immigration Enforcement
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education

6142.93	Science Instruction
6145.2	Athletic Competition
6145.2	Athletic Competition
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6163.2	Animals At School
6163.2	Animals At School
7110	Facilities Master Plan

Regulation
approved:

CSBA POLICY MANUAL UPDATE
March 2022

Exhibit 5145.6-E(1): Parental Notifications

Status:
ADOPTED

Original Adopted Date: 07/01/2020 | **Last Revised Date:** 03/01/2022

Cautionary Notice: Government Code 17581.5 releases districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2021 (AB 128, Ch. 21, Statutes of 2021) extends the suspension of these requirements through the 2021-22 fiscal year. As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

Note: The following exhibit lists notices which the law explicitly requires be provided to parents/guardians. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements. For example, see AR 1312.3 - Uniform Complaint Procedures for the contents of the annual notice regarding uniform complaint procedures as mandated by 5 CCR 4622.

The exhibit does not include other notices that are recommended throughout CSBA's sample policy manual but are not required by law. The district may revise the exhibit to reflect additional notifications provided by the district.

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually			
Beginning of each school year	Education Code 222.5	BP 5146	Rights and options for pregnant and parenting students
Beginning of each school year	Education Code 234.7	BP 0410	Right to a free public education regardless of immigration status or religious beliefs
Beginning of each school year	Education Code 310	BP 6142.2 AR 6174	Information on the district's language acquisition programs
Beginning of each school year	Education Code 17611.5, 17612, 48980.3	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information, and, if district has no web site and uses certain pesticides, integrated pest management plan
By February 1	Education Code 35256, 35258	BP 0510	School Accountability Report Card provided
Beginning of each school year	Education Code 35291, 48980	AR 5144 AR 5144.1	District and site discipline rules
Beginning of each school year	Education Code 44050	BP 4119.21 4219.21 4319.21	Code of conduct addressing employee interactions with students

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 46010.1	AR 5113	Absence for confidential medical services
Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	District policy authorizing transfer
Beginning of each school year	Education Code 48980	BP 6111	Schedule of minimum days and student-free staff development days
Beginning of each school year	Education Code 48980, 231.5; 5 CCR 4917; 34 CFR 106.8	AR 5145.7	Copy of sexual harassment policy as related to students; contact information for Title IX coordinator
Beginning of each school year	Education Code 48980, 32255-32255.6	AR 5145.8	Right to refrain from harmful or destructive use of animals
Beginning of each school year	Education Code 48980, 35160.5, 46600-46611, 48204, 48301	BP 5111.1 AR 5116.1 AR 5117	All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process
Beginning of each school year, if Board allows such absence	Education Code 48980, 46014	AR 5113	Absence for religious exercises or purposes
Beginning of each school year	Education Code 48980, 48205	AR 5113 BP 6154	Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205
Beginning of each school year	Education Code 48980, 48206.3, 48207, 48208	AR 6183	Availability of home/hospital instruction for students with temporary disabilities
Beginning of each school year	Education Code 48980, 49403	BP 5141.31	School immunization program
Beginning of each school year	Education Code 48980, 49423, 49480	AR 5141.21	Administration of prescribed medication

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. Annually (continued)			
Beginning of each school year	Education Code 48980, 49451; 20 USC 1232h	AR 5141.3	Right to refuse consent to physical examination
Beginning of each school year	Education Code 48980, 49471, 49472	BP 5143	Availability of insurance
Beginning of each school year	Education Code 49013; 5 CCR 4622	AR 1312.3 BP 0460 BP 3260 ,	Uniform complaint procedures available appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan
Beginning of each school year	Education Code 49063	AR 5125 AR 5125.3	Challenge, review, and expunging of records
Beginning of each school year	Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7	AR 5125	Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria for defining school officials and to determine legitimate educational interest, categories defined as directory information, disclosures, right to file complaint with U.S. Department of Education, course prospectus availability
Beginning of each school year	Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37	AR 5125.1	Release of directory information
Beginning of each school year and at least one more time during school year using specified methods	Education Code 49428	None	How to access mental health services at school and/or in community
Beginning of each school year	Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5	AR 3553	Eligibility and application process for free and reduced-price meals
Beginning of each school year	Education Code 51513; 20 USC 1232h	AR 5022 BP 6162.8	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; inspection rights and procedures

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 56301	BP 6164.4	Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment
Beginning of each school year	Education Code 58501, 48980	AR 6181	Alternative schools
Beginning of each school year	Health and Safety Code 104855	AR 5141.6	Availability of dental fluoride treatment; opportunity to accept or deny treatment
Annually	5 CCR 852; Education Code 60615	AR 6162.51	Student's participation in state assessments; option to request exemption from testing
Beginning of each school year, if district receives Title I funds	20 USC 6312; 34 CFR 200.48	BP 4112.2 AR 4222	Right to request information re: professional qualifications of child's teacher and paraprofessional
Beginning of each school year	34 CFR 104.8, 106.9	BP 0410 BP 6178	Nondiscrimination
Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress
Beginning of each school year	USDA SP-23-2017	AR 3551	District policy on meal payments

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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II. At Specific Times During the Student's Academic Career

Beginning in grade 7, at least once prior to course selection and career counseling	Education Code 221.5, 48980	BP 6164.2	Course selection and career counseling
Upon a student's enrollment	Education Code 310	BP 6142.2 AR 6174	Information on the district's language acquisition programs

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
When child first enrolls in a public school, if school offers a fingerprinting program	Education Code 32390, 48980	AR 5142.1	Fingerprinting program
When participating in courses under the jurisdiction of the district	Education Code 35211	None	Civil liability, insurance driver training coverage
Upon registration in K-6, if students have not previously been transported	Education Code 39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops
Beginning of each school year for high school students, if high school is open campus	Education Code 44808.5, 48980	BP 5112.5	Open campus
Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement	Education Code 48980, 51225.3	AR 6146.1	How each graduation requirement does or does not satisfy college entrance a-g course criteria; district CTE courses that satisfy a-g criteria
Upon a student's enrollment	Education Code 49063	AR 5125 AR 5125.3	Specified rights related to student records
When students enter grade 7	Education Code 49452.7	AR 5141.3	Specified information on type 2 diabetes
When in kindergarten, or first grade if not previously enrolled in public school	Education Code 49452.8	AR 5141.32	Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights
Before grade 12	Education Code 51225.8	AR 6143	Completion and submission of FAFSA and CADAA
Beginning of each school year for students in grades 9-12	Education Code 51229, 48980	AR 6143	UC and CSU College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors
Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year	Education Code 51938, 48980	AR 6142.1	Sexual health and HIV prevention education, right to view A/V materials, whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year	Education Code 60641; 5 CCR 863	AR 6162.51	Results of tests; test purpose, individual score and intended use
By October 15 for students in grade 12	Education Code 69432.9	AR 5121 AR 5125	Forwarding of student's grade point average to Cal Grant program; timeline to opt out
When child is enrolled or reenrolled in a licensed child care center or preschool	Health and Safety Code 1596.7996	AR 5148	Information on risks and effects of lead exposure, blood lead testing
When child is enrolled in kindergarten	Health and Safety Code 124100, 124105	AR 5141.32	Health screening examination
To students in grades 11-12, early enough to enable registration for fall test	5 CCR 11523	AR 6146.2	Notice of proficiency examination provided under Education Code 48412
To secondary students, if district receives Title I funds	20 USC 7908	AR 5125.1	Request that district not release student's name, address, and phone number to military recruiters without prior written consent

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur			
In the event of a breach of security of district records, to affected persons	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, contact information for credit reporting agencies
Upon receipt of a complaint alleging discrimination	Education Code 262.3	AR 1312.3	Civil law remedies available to complainants
When determining whether an English learner should be reclassified as fluent English proficient	Education Code 313; 5 CCR 11303	AR 6174	Description of reclassification process, opportunity for parent/guardian to participate

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When student is identified as English learner and district receives Title I or Title III funds for English learner programs, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year	Education Code 313.2, 440; 20 USC 6312	AR 6174	Reason for classification, level of English proficiency, identification as long-term English learner, description of program(s), option to decline program or choose alternate, option to remove student from program at any time, exit requirements of program
Prior to implementing alternative schedule	Education Code 46162	BP 6112	Public hearing on alternative schedule in secondary grades
When homeless or foster youth applies for enrollment in before/after school program	Education Code 8483	AR 5148.2	Right to priority enrollment; how to request priority enrollment
Before high school student attends specialized secondary program on a university campus	Education Code 17288	None	University campus buildings may not meet Education Code requirements for structural safety
At least 72 hours before use of pesticide product not included in annual list	Education Code 17612	AR 3514.2	Intended use of pesticide product
To members of athletic teams	Education Code 32221.5	AR 5143	Offer of insurance; no-cost and low-cost program options
Annually to parents/guardians of student athletes before they participate in competition	Education Code 33479.3	AR 6145.2	Information on sudden cardiac arrest
If school has lost its WASC accreditation status	Education Code 35178.4	BP 6190	Loss of status, potential consequences
When district has contracted for electronic products or services that disseminate advertising	Education Code 35182.5	BP 3312	Advertising will be used in the classroom or learning center
At least six months before implementing uniform policy	Education Code 35183	AR 5132	Dress code policy requiring schoolwide uniform
Before implementing a year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round schedule
When interdistrict transfer is requested and not approved or denied within 30 days	Education Code 46601	AR 5117	Appeal process

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Before early entry to transitional kindergarten or kindergarten, if early entry offered	Education Code 48000	AR 5111 AR 6170.1	Effects, advantages and disadvantages of early entry
When student identified as being at risk of retention	Education Code 48070.5	AR 5123	Student at risk of retention
When student excluded due to quarantine, contagious or infectious disease, danger to safety or health	Education Code 48213	AR 5112.2	Student has been excluded from school
Before already admitted student is excluded for lack of immunization	Education Code 48216; 17 CCR 6040	AR 5141.31	Need to submit evidence of immunization or exemption within 10 school days; referral to medical care
When a student is classified as truant	Education Code 48260.5, 48262	AR 5113.1	Truancy, parental obligation, availability of alternative programs, student consequences, need for conference
When a truant is referred to a SARB or probation department	Education Code 48263	AR 5113.1	Name and address of SARB or probation department and reason for referral
When student requests to voluntarily transfer to continuation school	Education Code 48432.3	AR 6184	Copy of district policy and regulation on continuation education
Prior to involuntary transfer to continuation school	Education Code 48432.5	AR 6184	Right to request meeting prior to involuntary transfer to continuation school
To person holding educational rights, prior to recommending placement of foster youth outside school of origin	Education Code 48853.5	AR 6173.1	Basis for the placement recommendation
When student is removed from class and teacher requires parental attendance at school	Education Code 48900.1	AR 5144.4	Parental attendance required; timeline for attendance
Prior to withholding grades, diplomas, or transcripts	Education Code 48904	AR 5125.2	Damaged school property
When withholding grades, diplomas or transcripts from transferring student	Education Code 48904.3	AR 5125.2	Next school will continue withholding grades, diplomas, or transcripts

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When student is released to peace officer	Education Code 48906	BP 5145.11	Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse
At time of suspension	Education Code 48911	BP 5144.1 AR 5144.1	Notice of suspension
When original period of suspension is extended	Education Code 48911	AR 5144.1	Extension of suspension
At the time a student is assigned to a supervised suspension classroom	Education Code 48911.1	AR 5144.1	The student's assignment to a supervised suspension classroom
Before holding a closed session re: suspension	Education Code 48912	AR 5144.1	Intent to hold a closed session re: suspension
When student expelled from another district for certain acts seeks admission	Education Code 48915.1, 48918	BP 5119	Hearing re: possible danger presented by expelled student
When readmission is denied	Education Code 48916	AR 5144.1	Reasons for denial; determination of assigned program
When expulsion occurs	Education Code 48916	AR 5144.1	Readmission procedures
At least 10 calendar days before expulsion hearing	Education Code 48918	AR 5144.1	Notice of expulsion hearing
When expulsion or suspension of expulsion occurs	Education Code 48918	AR 5144.1	Decision to expel; right to appeal to county board; obligation to inform new district of status
Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	Right to request a meeting with principal or designee
One month before the scheduled minimum day	Education Code 48980	BP 6111	When minimum days are scheduled after beginning of the school year
When parents/guardians request guidelines for filing complaint of child abuse at a school site	Education Code 48987	AR 5141.4	Guidelines for filing complaint of child abuse at a school site with local child protective agencies
When student in danger of failing a course	Education Code 49067	AR 5121	Student in danger of failing a course

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When student transfers from another district or private school into the district	Education Code 49068	AR 5125	Right to receive copy of student's record and a hearing to challenge content of student's record
When parent/guardian's challenge of student record is denied and parent/guardian appeals	Education Code 49070	AR 5125.3	If board sustains allegations, the correction or destruction of record; if denied, right to submit written objection
When district is considering program to gather safety-related information from students' social media activity	Education Code 49073.6	BP 5125	Opportunity for input on proposed program
When district adopts program to gather information from students' social media activity, and annually thereafter	Education Code 49073.6	AR 5125	Information is being gathered, access to records, process for removal or corrections, destruction of records
Within 24 hours of release of information to a judge or probation officer	Education Code 49076	AR 5125	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition
Before release of information pursuant to court order or subpoena	Education Code 49077	AR 5125	Release of information pursuant to court order or subpoena
When screening results in suspicion that student has scoliosis	Education Code 49452.5	AR 5141.3	Scoliosis screening
When test results in discovery of visual or hearing defects	Education Code 49456; 17 CCR 2951	AR 5141.3	Vision or hearing test results
Within 10 days of negative balance in meal account	Education Code 49557.5	AR 3551	Negative balance in meal account; encouragement to apply for free or reduced-price meals
Annually to parents/guardians of student athletes before their first practice or competition	Education Code 49475	AR 6145.2	Information on concussions and head injuries
Annually to parents/guardians of student athletes	Education Code 49476	AR 6145.2	Opioid fact sheet

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Within 30 days of foster youth, homeless youth, former juvenile court school student, child of military family, or migrant student being transferred after second year of high school, or immigrant student enrolled in newcomer program in grades 11-12	Education Code 51225.1	BP 6146.1 AR 6173 AR 6173.1 AR 6173.3 AR 6175	Exemption from local graduation requirements, effect on college admission, option for fifth year of high school, transfer opportunities through California Community Colleges
Before any test/survey questioning personal beliefs	Education Code 51513	AR 5022	Permission for test, survey questioning personal beliefs
At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year	Education Code 51938	AR 6142.1	Instruction in HIV prevention or sexual health by guest speaker or outside consultant
Prior to administering survey regarding health risks and behaviors to students in 7-12	Education Code 51938	AR 5022	Notice that the survey will be administered
Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency	Education Code 52164.1, 52164.3; 5 CCR 11511.5	AR 6174	Results of state test of English proficiency
When migrant education program is established	Education Code 54444.2	BP 6175 AR 6175	Parent advisory council membership composition
When child participates in licensed child care and development program	Health and Safety Code 1596.857; 22 CCR 101218.1	AR 5148	Parent/guardian right to enter and inspect facility and other rights as specified
When a licensed child care center has a building constructed before January 1, 2010 and has drinking water tested for lead	Health and Safety Code 1597.16	AR 5148	The requirement to test the facility, and the results of the test
When district receives Tobacco-Use Prevention Education Funds	Health and Safety Code 104420	AR 3513.3	The district's tobacco-free schools policy and enforcement procedures
When testing by community water system finds presence of lead exceeding specified level	Health and Safety Code 116277	AR 3514	Elevated lead level at school

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When sharing student immunization information with an immunization system	Health and Safety Code 120440	AR 5125	Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share
At least 14 days prior to sex offender coming on campus as volunteer	Penal Code 626.81	AR 1240 BP 1250	Dates and times permission granted; obtaining information from law enforcement
When hearing is requested by person asked to leave	Penal Code 627.5	AR 3515.2	Notice of hearing
When responding to complaint re: discrimination, special education, or noncompliance with law	5 CCR 4631	AR 1312.3	Findings, disposition of complaint, any corrective actions, appeal rights and procedures
When child participates in licensed child care and development program	5 CCR 18066	AR 5148	Policies regarding excused and unexcused absences
Within 30 days of application for subsidized child care or preschool services	5 CCR 18094, 18118	AR 5148 AR 5148.3	Approval or denial of services
At least 14 days before change in service or other intended action, upon recertification or update of application for child care or preschool services	5 CCR 18095, 18119	AR 5148 AR 5148.3	Any change in service, such as in fees, amount of service, termination of service
Upon child's enrollment in child care program	5 CCR 18114	AR 5148	Policy on fee collection
When payment of child care fees is seven days late	5 CCR 18114	AR 5148	Notice of delinquent fees
When district substantively changes policy on student privacy rights	20 USC 1232h	AR 5022	Notice of any substantive change in policy or regulation
For districts receiving Title I funds, when child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught	20 USC 6312	AR 4112.2	Timely notice to parent/guardian of child's assignment

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners	20 USC 6312	AR 6174	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose other program
For schools receiving Title I funds, upon development of parent involvement policy	20 USC 6318	AR 6020	Notice of policy
When district receives Impact Aid funds for students residing on Indian lands, to parents/guardians of Indian children	20 USC 7704; 34 CFR 222.94	AR 3231	Relevant applications, evaluations, program plans, information about district's general educational program; opportunity to submit comments
When household is selected for verification of eligibility for free or reduced-price meals	42 USC 1758; 7 CFR 245.6a	AR 3553	Need to submit verification information; any subsequent change in benefits; appeals
When student is homeless or unaccompanied minor	42 USC 11432; Education Code 48852.5	AR 6173	Educational and related opportunities; transportation services; placement decision and right to appeal; duties of district liaison; public notice
When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30	34 CFR 99.34	AR 5125	Right to receive records and an opportunity for hearing upon request
When student complains of sexual harassment	34 CFR 106.44, 106.45	AR 5145.7	Right to file formal complaint, availability of supportive measures, notice of process, reason for dismissal of complaint if applicable
When district receives federal funding assistance for nutrition program	USDA FNS Instruction 113-1	BP 3555	Rights and responsibilities, nondiscrimination policy, complaint procedures

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. Special Education Notices			
Prior to conducting initial evaluation	Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415(d); 34 CFR 300.502, 300.503	BP 6159.1 AR 6159.1 AR 6164.4	Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards
Before functional behavioral assessment begins	Education Code 56321	AR 6159.4	Notification and consent
24 hours before IEP when district intending to record	Education Code 56341.1	AR 6159	Intention to audio-record IEP meeting
Early enough to ensure opportunity for parent/ guardian to attend IEP meeting	Education Code 56341.5; 34 CFR 300.322	AR 6159	Time, purpose, location, who will attend, participation of others with special knowledge, transition statements if appropriate
When parent/guardian orally requests review of IEP	Education Code 56343.5	AR 6159	Need for written request
Within one school day of emergency intervention or serious property damage	Education Code 56521.1	AR 6159.4	Emergency intervention
Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	Prior written notice
Upon filing of state complaint	20 USC 1415(d); 34 CFR 300.504	AR 6159.1	Procedural safeguards notice
When disciplinary measures are taken or change in placement	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	Decision and procedural safeguards notice
Upon requesting a due process hearing	20 USC 1415(k); 34 CFR 300.508	AR 6159.1	Student's name, address, school, description of problem, proposed resolution
Eligibility for services 504	34 CFR 104.32, 104.36	AR 6164.6	District responsibilities, district under Section actions, procedural safeguards

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. Classroom/Facility Notices			
In all district schools and offices, including staff lounges and student government meeting rooms	Education Code 234.1	AR 1312.3	Uniform complaint procedures board policy and administrative regulation
In each classroom used for license-exempt California State Preschool Program	Education Code 8212	AR 1312.3 E 1312.3	Health and safety requirements for preschool programs; where to get complaint form
In each classroom in each school	Education Code 35186	AR 1312.4 E 1312.4	Complaints subject to Williams uniform complaint procedures
In a licensed child care and development center at a location accessible to parents/guardians	Health and Safety Code 1596.857	AR 5148	Parent/guardian right to inspect, prohibition against retaliation, right to file complaint; registered sex offender database available to public; review licensing reports of facility visits and substantiated complaints against facility

Policy Reference Disclaimer:

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

State	Description
17 CCR 2950-2951	Hearing tests
17 CCR 6000-6075	School attendance immunization requirements
5 CCR 11303	Reclassification of English learners
5 CCR 11511.5	English language proficiency assessment; test results
5 CCR 11523	Notice of proficiency examinations
5 CCR 18066	Child care policies regarding excused and unexcused absences
5 CCR 18094-18095	Notice of Action; child care services
5 CCR 18114	Notice of delinquent fees; child care services
5 CCR 18118-18119	Notice of Action; child care services
5 CCR 3052	Behavioral intervention
5 CCR 4622	Uniform complaint procedures
5 CCR 4631	Uniform complaint procedures; notification of decision and right to appeal

5 CCR 4702	Student transfer from school identified under Open Enrollment Act
5 CCR 4917	Notification of sexual harassment policy
5 CCR 852	Exemptions from state assessments
5 CCR 863	Reports of state assessment results
22 CCR 101218.1	Child care licensing; parent/guardian rights
Civ. Code 1798.29	District records, specifically - breach of security
Ed. Code 17288	Building standards for university campuses
Ed. Code 17611.5-17612	Notification of pesticide use
Ed. Code 221.5	Equal opportunity
Ed. Code 231.5	Sexual harassment policy
Ed. Code 234.1	Student protections relating to discrimination, harassment, intimidation, and bullying
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 262.3	Appeals for discrimination complaints; information regarding availability of civil remedies
Ed. Code 310	Language acquisition programs
Ed. Code 313	Reclassification of English learners, parental consultation
Ed. Code 313.2	Long-term English learner, notification
Ed. Code 8212	Health and safety requirement for preschool programs; complaint forms
Ed. Code 32221.5	Insurance for athletic team members
Ed. Code 32255-32255.6	Student's right to refrain from harmful or destructive use of animals
Ed. Code 32390	Voluntary program for fingerprinting students
Ed. Code 33479-33479.9	The Eric Paredes Sudden Cardiac Arrest Prevention Act
Ed. Code 35160.5	Extracurricular and cocurricular activities
Ed. Code 35178.4	Notice of accreditation status
Ed. Code 35182.5	Advertising in the classroom
Ed. Code 35183	School dress code; uniforms
Ed. Code 35186	Complaints concerning deficiencies in instructional materials and facilities
Ed. Code 35211	Driver training; district insurance, parent/guardian liability
Ed. Code 35256	School Accountability Report Card
Ed. Code 35258	School Accountability Report Card

Ed. Code 35291	Rules for student discipline
Ed. Code 37616	Consultation regarding year-round schedule
Ed. Code 39831.5	School bus rider rules and information
Ed. Code 440	English language proficiency assessment; instruction in English language development
Ed. Code 44050	Employee code of conduct; interaction with students
Ed. Code 44808.5	Permission to leave school grounds
Ed. Code 46010.1	Notice regarding excuse to obtain confidential medical services
Ed. Code 46014	Regulations regarding absences for religious purposes
Ed. Code 46162	Alternative schedule for junior high and high school; public hearing with notice
Ed. Code 46600-46611	Interdistrict attendance agreements
Ed. Code 48000	Minimum age of admission
Ed. Code 48070.5	Promotion and retention of students
Ed. Code 48204	Residency requirements
Ed. Code 48205	Absence for personal reasons
Ed. Code 48206.3	Students with temporary disabilities; individual instruction; definitions
Ed. Code 48207-48208	Students with temporary disabilities in hospitals
Ed. Code 48213	Prior notice of exclusion from attendance
Ed. Code 48216	Immunization
Ed. Code 48260.5	Notice regarding truancy
Ed. Code 48262	Need for parent conference regarding truancy
Ed. Code 48263	Referral to school attendance review board or probation department
Ed. Code 48301	Interdistrict transfers
Ed. Code 48350-48361	Open Enrollment Act
Ed. Code 48354	Option to transfer from school identified under Open Enrollment Act
Ed. Code 48357	Status of application for transfer from school identified under Open Enrollment Act
Ed. Code 48412	Certificate of proficiency
Ed. Code 48432.3	Voluntary enrollment in continuation education
Ed. Code 48432.5	Involuntary transfers of students
Ed. Code 48850-48859	Education of foster youth and homeless students

Ed. Code 48900.1	Parental attendance required after suspension
Ed. Code 48904	Liability of parent/guardian for willful student misconduct
Ed. Code 48904.3	Withholding grades, diplomas, or transcripts
Ed. Code 48906	Notification of release of student to peace officer
Ed. Code 48911	Notification in case of suspension
Ed. Code 48911.1	Assignment to supervised suspension classroom
Ed. Code 48912	Closed sessions; consideration of suspension
Ed. Code 48915.1	Expelled students; enrollment in another district
Ed. Code 48916	Readmission procedures
Ed. Code 48918	Rules governing expulsion procedures
Ed. Code 48929	Transfer of student convicted of violent felony or misdemeanor
Ed. Code 48980	Required notification at beginning of term
Ed. Code 48980.3	Notification of pesticide use
Ed. Code 48981	Time and means of notification
Ed. Code 48982	Parent signature acknowledging receipt of notice
Ed. Code 48983	Contents of notice
Ed. Code 48984	Activities prohibited unless notice given
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 48987	Child abuse information
Ed. Code 49013	Use of uniform complaint procedures for complaints regarding student fees
Ed. Code 49063	Notification of parental rights
Ed. Code 49067	Student evaluation; student in danger of failing course
Ed. Code 49068	Transfer of permanent enrollment and scholarship record
Ed. Code 49069	Absolute right to access
Ed. Code 49070	Challenging content of student record
Ed. Code 49073	Release of directory information
Ed. Code 49073.6	Student records; social media
Ed. Code 49076	Access to student records
Ed. Code 49077	Access to information concerning a student in compliance with court order
Ed. Code 49403	Cooperation in control of communicable disease and immunizations
Ed. Code 49423	Administration of prescribed medication for student

Ed. Code 49451	Physical examinations: parent's refusal to consent
Ed. Code 49452.5	Screening for scoliosis
Ed. Code 49452.7	Information on type 2 diabetes
Ed. Code 49452.8	Oral health assessment
Ed. Code 49456	Results of vision or hearing test
Ed. Code 49471-49472	Insurance
Ed. Code 49475	Student athletes; concussions and head injuries
Ed. Code 49480	Continuing medication regimen for nonepisodic conditions
Ed. Code 49510-49520	Duffy-Moscone Family Nutrition Education and Services Act of 1970
Ed. Code 49557.5	Child Hunger Prevention and Fair Treatment Act of 2017; notice of negative balance in meal account
Ed. Code 51225.1	Exemption from district graduation requirements
Ed. Code 51225.2	Course credits; foster youth, homeless youth, former juvenile court school students and military-connected students
Ed. Code 51225.3	Graduation requirements; courses that satisfy college entrance criteria
Ed. Code 51225.8	Completion and submission of FAFSA and CADAA
Ed. Code 51229	Course of study for grades 7-12
Ed. Code 51513	Personal beliefs; privacy
Ed. Code 51938	HIV/AIDS and sexual health instruction
Ed. Code 52164	Language census
Ed. Code 52164.1	Census-taking methods; determination of primary language; assessment of language skills
Ed. Code 52164.3	Reassessment of English learners; notification of results
Ed. Code 54444.2	Migrant education programs; parent involvement
Ed. Code 56301	Child-find system; policies regarding written notification rights
Ed. Code 56321	Special education: proposed assessment plan
Ed. Code 56321.5-56321.6	Notice of parent rights pertaining to special education
Ed. Code 56329	Written notice of right to findings; independent assessment
Ed. Code 56341.1	Development of individualized education program; right to audio record meeting
Ed. Code 56341.5	Individualized education program team meetings
Ed. Code 56343.5	Individualized education program meetings

Ed. Code 56521.1	Behavioral intervention
Ed. Code 58501	Alternative schools; notice required prior to establishment
Ed. Code 60615	Exemption from state assessment
Ed. Code 60641	California Assessment of Student Performance and Progress
Ed. Code 69432.9	Submission of grade point average to Cal Grant program
Ed. Code 8483	Before/after school program; enrollment priorities
H&S Code 104420	Tobacco use prevention
H&S Code 104855	Availability of topical fluoride treatment
H&S Code 116277	Lead testing of school drinking water
H&S Code 120365-120375	Immunizations
H&S Code 120440	Sharing immunization information
H&S Code 124100-124105	Health screening and immunizations
H&S Code 1596.857	Right to enter child care facility
Pen. Code 626.81	Notice of permission granted to sex offender to volunteer on campus
Pen. Code 627.5	Hearing request following denial or revocation of registration
Federal	Description
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1232h	Privacy rights
20 USC 1415	Procedural safeguards
20 USC 6311	State plan
20 USC 6312	Local educational agency plan
20 USC 6318	Parent and family engagement
20 USC 7908	Armed forces recruiter access to students
34 CFR 104.32	District responsibility to provide free appropriate public education
34 CFR 104.36	Procedural safeguards
34 CFR 104.8	Nondiscrimination
34 CFR 106.9	Notification of nondiscrimination on basis of sex
34 CFR 200.48	Teacher qualifications
34 CFR 300.300	Parent consent for special education evaluation
34 CFR 300.322	Parent participation in IEP team meetings
34 CFR 300.502	Independent educational evaluation of student with disability

34 CFR 300.503	Prior written notice regarding identification, evaluation, or placement of student with disability
34 CFR 300.504	Procedural safeguards notice for students with disabilities
34 CFR 300.508	Due process complaint
34 CFR 300.530	Discipline procedures
34 CFR 99.30	Disclosure of personally identifiable information
34 CFR 99.34	Student records, disclosure to other educational agencies
34 CFR 99.37	Disclosure of directory information
34 CFR 99.7	Student records, annual notification
40 CFR 763.84	Asbestos inspections, response actions and post-response actions
40 CFR 763.93	Asbestos management plans
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 1758	Child nutrition programs
7 CFR 245.5	Eligibility criteria for free and reduced-price meals
7 CFR 245.6a	Verification of eligibility for free and reduced-price meals
Management Resources	Description
U.S. Department of Agriculture Publication	Civil Rights Compliance and Enforcement -- Nutrition Programs and Services, FNS Instruction 113-1, 2005
U.S. Department of Agriculture Publication	Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017
Website	U.S. Department of Agriculture, Food and Nutrition Service

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0510	School Accountability Report Card
1240	Volunteer Assistance
1240	Volunteer Assistance
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
3231	Impact Aid

3260	Fees And Charges
3260	Fees And Charges
3312	Contracts
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.2	Integrated Pest Management
3515.5	Sex Offender Notification
3515.5	Sex Offender Notification
3543	Transportation Safety And Emergencies
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
3555	Nutrition Program Compliance
3555-E(1)	Nutrition Program Compliance
3580	District Records
3580	District Records
4112.2	Certification
4112.2	Certification
4219.21	Professional Standards
4219.21-E(1)	Professional Standards
4222	Teacher Aides/Paraprofessionals
4222	Teacher Aides/Paraprofessionals
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
5000	Concepts And Roles
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version:

CSBA POLICY MANUAL UPDATE
March 2022

Policy 6173: Education For Homeless Children

Status: ADOPTED

Original Adopted Date: 07/01/2005 | **Last Revised Date:** 03/2022 | **Last Reviewed Date:** 03/2022

The Governing Board believes that the identification of homeless students is critical to improving the educational outcomes of such students and ensuring that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for such students to meet the same challenging academic standards as other students.

When there are at least 15 homeless students in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of homeless students. (Education Code 52052, 52060, 52064)

The Superintendent or designee shall regularly review and recommend updates to district policies to ensure removal of any barriers to the education of homeless students and unaccompanied youth. Any such review shall address identification, enrollment, and retention of such students, including those barriers that are due to absences or outstanding fees or fines. (42 USC 11432)

The Superintendent or designee shall designate an appropriate staff person to serve as a liaison for homeless children and youths. The district liaison for homeless students shall fulfill the duties specified in 42 USC 11432 to assist in identifying and supporting homeless students to succeed in school.

The Superintendent or designee shall ensure that each district school identifies all homeless children and youths and unaccompanied youths enrolled at the school. (Education Code 48851)

To ensure easy identification of homeless students, the Superintendent or designee shall annually administer a housing questionnaire developed by the California Department of Education (CDE) to all parents/guardians of students and all unaccompanied youths. (Education Code 48851)

If the primary language of a student's parent/guardian or an unaccompanied youth is not English, either the housing questionnaire shall be made available in the primary language of the student's parent/guardian or the unaccompanied youth pursuant to Education Code 48985, or an appropriate translation of the housing questionnaire shall be provided upon request of a student's parent/guardian or an unaccompanied youth. (Education Code 48851)

In addition, the Superintendent or designee shall ensure that the district liaison's contact information and other information on homelessness, including, but not limited to, information regarding the educational rights and resources available to persons experiencing homelessness, are posted on the district and school web sites as specified in the accompanying administrative regulation. (Education Code 48852.6)

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

Each homeless student shall be provided services that are comparable to services offered to other students in the school, including, but not limited to, transportation, educational programs for which the student meets the eligibility criteria (such as federal Title I services or similar state or local programs, programs for students with disabilities, and educational programs for English learners), career and

technical education programs, programs for gifted and talented students, and school nutrition programs. (42 USC 11432)

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way. However, the Superintendent or designee may separate homeless students on school grounds as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless students. (42 USC 11432, 11433)

The Superintendent or designee shall ensure that information and/or materials for homeless students are provided in a manner and form understandable to the parents/guardians of homeless students and to unaccompanied youths.

Information about a homeless student's living situation shall be considered part of a student's educational record, subject to the Family Educational Rights and Privacy Act, shall not be deemed to be directory information as defined in 20 USC 1232g, and shall not be released without written consent. (42 USC 11432)

The Superintendent or designee shall coordinate with other agencies and entities to ensure that homeless children and youth are promptly identified, ensure that homeless students have access to and are in reasonable proximity to available education and related support services, and raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies, other agencies or entities providing services to homeless children and youth, and, if applicable, transitional housing facilities. In addition, the Superintendent or designee shall coordinate transportation, transfer of school records, and other interdistrict activities with other local educational agencies. As necessary, the Superintendent or designee shall coordinate, within the district and with other involved local educational agencies, services for homeless students and services for students with disabilities. (42 USC 11432)

At least annually, the district liaison and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of homeless students. Such professional development and technical assistance shall include, but are not limited to, training on the definitions of terms related to homelessness, the signs of homelessness, the steps that should be taken once a potentially homeless student is identified, and how to connect homeless students with appropriate housing and service providers. (Education Code 48852.5; 42 USC 11432)

The Superintendent or designee shall report to CDE the number of homeless children and youths and unaccompanied youths enrolled in the district as identified from the housing questionnaire described above. (Education Code 48851)

Policy Reference Disclaimer:

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

State	Description
5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 39807.5	Payment of transportation costs by parents

Ed. Code 48850-48859	Education of students in foster care and students who are homeless, especially:
Ed. Code 48850	Academic achievement of students in foster care and homeless children
Ed. Code 48851	Identification of homeless children and youths and unaccompanied youths; housing questionnaire
Ed. Code 48851.5	Local educational agency liaison for homeless children and youths
Ed. Code 48852.5	Notice of educational rights of homeless students
Ed. Code 48852.6	Web site posting of information regarding homelessness
Ed. Code 48852.7	Education of homeless students; immediate enrollment
Ed. Code 48859	Definitions
Ed. Code 48915.5	Recommended expulsion, homeless student with disabilities
Ed. Code 48918.1	Notice of recommended expulsion
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 51225.1-51225.3	Graduation requirements
Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Federal	Description
20 USC 1087vv	Free Application for Federal Student Aid; definitions
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 6311	State plan
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12705	Cranston-Gonzalez National Affordable Housing Act; state and local strategies
Management Resources	Description
California Child Welfare Council	Partial Credit Model Policy and Practice Recommendations
California Department of Education Publication	2021-22 Federal Program Monitoring Instrument, May 2021
California Department of Education Publication	Homeless Education Dispute Resolution Process, March 2020
National Center for Homeless Education Publication	Homeless Liaison Toolkit, 2020
U.S. Department of Education Guidance	Education for Homeless Children and Youths Program, Non-Regulatory Guidance, August 2018
Website	California Community Colleges (https://www.cccco.edu)

Website	California Department of Education, Homeless Children and Youth Education
Website	California Interscholastic Federation (https://www.cifstate.org/landing/index)
Website	California State University (https://www.calstate.edu)
Website	National Center for Homeless Education at SERVE
Website	National Homelessness Law Center
Website	University of California (https://www.universityofcalifornia.edu)
Website	U.S. Department of Education - Education for Homeless Children and Youths Grants for State and Local Activities
Website	California Child Welfare Council (https://www.chhs.ca.gov/home/committees/california-child-welfare-council)

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0470	COVID-19 Mitigation Plan
0500	Accountability
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1113	District And School Web Sites
1113-E(1)	District And School Web Sites
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
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1400	Relations Between Other Governmental Agencies And The Schools
3250	Transportation Fees
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3260	Fees And Charges
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5125.2	Withholding Grades, Diploma Or Transcripts
5132	Dress And Grooming
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5141.26	Tuberculosis Testing
5141.31	Immunizations
5141.31	Immunizations
5141.32	Health Screening For School Entry
5141.6	School Health Services
5141.6	School Health Services
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process

5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.6	Parental Notifications
5145.6-E(1)	Parental Notifications
5148.2	Before/After School Programs
5148.2	Before/After School Programs
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6011	Academic Standards
6143	Courses Of Study
6143	Courses Of Study
6145	Extracurricular and Cocurricular Activities (BP and AR)
6145.2	Athletic Competition
6145.2	Athletic Competition
6146.1	High School Graduation Requirements
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6146.3	Reciprocity Of Academic Credit
6146.3	Reciprocity Of Academic Credit
6159	Individualized Education Program
6159	Individualized Education Program
6159.1	Procedural Safeguards And Complaints For Special Education
6159.1	Procedural Safeguards And Complaints For Special Education
6159.3	Appointment Of Surrogate Parent For Special Education Students
6159.3	Appointment Of Surrogate Parent For Special Education Students
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6164.2	Guidance/Counseling Services
6171	Title I Programs
6171	Title I Programs
6172	Gifted And Talented Student Program
6172	Gifted And Talented Student Program

6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6174	Education For English Learners
6174	Education For English Learners
6177	Summer Learning Programs
6178	Career Technical Education
6178	Career Technical Education
6179	Supplemental Instruction
6190	Evaluation Of The Instructional Program

Regulation 6173: Education For Homeless Children

Status: ADOPTED

Original Adopted Date: 12/01/2014 | **Last Revised Date:** 03/2022 | **Last Reviewed Date:** 03/2022

Definitions

Homeless students means students who lack a fixed, regular, and adequate nighttime residence and includes: (Education Code 48859; 42 USC 11434a)

1. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals
2. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings
3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
4. Migratory children who qualify as homeless because they are living in conditions described in items #1-3 above

Unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or guardian. (Education Code 48859; 42 USC 11434a)

School of origin means the school that the homeless student attended when permanently housed or the school in which the student was last enrolled, including a preschool. If the school the homeless student attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the student attended within the preceding 15 months and with which the student is connected, the district liaison for homeless students shall determine, in consultation with and with the agreement of the homeless student and the person holding the right to make educational decisions for the student, and in the best interests of the homeless student, which school shall be deemed the school of origin. (Education Code 48852.7; 42 USC 11432)

Best interest means that, in making educational and school placement decisions for a homeless student, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the student's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853; 42 USC 11432)

District Liaison

The Superintendent designates the following staff person as the district liaison for homeless students: (42 USC 11432)

Principal _____

(title or position)

370 N Evans Rd. Tipton, CA 93272 _____

(address)

csolian@tipton.k12.ca.us

(email address)

559-752-4213

(phone number)

The district's liaison for homeless students shall: (Education Code 48851.5, 48852.5; 42 USC 11432)

1. Ensure that homeless students are identified by school personnel through outreach and coordination activities with other entities and agencies
2. Ensure that homeless students are enrolled in, and have a full and equal opportunity to succeed in, district schools
3. Ensure that homeless families and children and youth have access to and receive educational services for which they are eligible, including services through Head Start and Early Head Start programs, early intervention services under Part C of the federal Individuals with Disabilities Education Act, and other preschool programs administered by the district
4. Ensure that homeless families and students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services
5. Inform parents/guardians of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children
6. Disseminate public notice of the educational rights of homeless students in locations frequented by parents/guardians of homeless children and youth and by unaccompanied youth, including schools, shelters, public libraries, and hunger relief agencies (soup kitchens). The rights shall be presented in a manner and form understandable to the parents/guardians of homeless students and unaccompanied youth.
7. Mediate enrollment disputes in accordance with law and the section "Resolving Enrollment Disputes" below
8. Fully inform parents/guardians of homeless students and unaccompanied youth of all transportation services, including transportation to the school of origin, and assist them in accessing transportation to the school of choice
9. Ensure that school personnel providing services to homeless students, including principals and other school leaders, attendance supervisors, teachers, enrollment personnel, and specialized instructional support personnel, receive professional development and other support
10. Ensure that unaccompanied youth are enrolled in school, have opportunities to meet the same challenging state academic standards established for other students, and are informed of their status as independent students under 20 USC 1087vv and that they may receive assistance from the district liaison to receive verification of their independent student status for purposes of applying for federal student aid pursuant to 20 USC 1090
11. Coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless students, including the collection and provision of comprehensive data to the state coordinator as required by law

In addition, when notified pursuant to Education Code 48918.1, the district liaison shall assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in the student's expulsion. When notified pursuant to Education Code 48915.5, the district liaison shall participate in an individualized education program (IEP) team meeting to make a manifestation determination regarding the behavior of a student with a disability.

The Superintendent or designee shall inform homeless children and youth, their parents/guardians, school personnel, service providers, and advocates working with homeless families of the duties of the district's liaison. The Superintendent or designee shall also provide the name and contact information of the district's liaison to the California Department of Education (CDE) for publishing on CDE's web site. (42 USC 11432)

Enrollment

The district shall make placement decisions for homeless students based on the student's best interest. (42 USC 11432)

In determining the best interest of the student, the district shall consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety, giving priority to the request of the student's parent/guardian or, in the case of an unaccompanied youth, the youth. (42 USC 11432)

Such factors may include, but are not limited to, the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.

However, placement decisions shall not be based on whether a homeless student lives with the student's homeless parent/guardian or has been temporarily placed elsewhere. (42 USC 11432)

In the case of an unaccompanied youth, the district liaison shall assist in placement or enrollment decisions, give priority to the views of the student, and provide notice to the student of the right to appeal. (42 USC 11432)

In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in the school of origin, unless the student's parent/guardian or the unaccompanied youth requests otherwise. (Education Code 48852.7; 42 USC 11432)

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if the student: (Education Code 48850, 48852.7; 42 USC 11432)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and records of immunization and other required health records
4. Has missed application or enrollment deadlines during any period of homelessness

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other required health records, the principal or designee shall immediately refer the parent/guardian to the district liaison for homeless students. The district liaison shall assist the parent/guardian, or the student if the student is an unaccompanied youth, in obtaining the necessary immunizations, screenings, or records for the student. (42 USC 11432)

If the student is placed at a school other than the school of origin or the school requested by the student's parent/guardian or the student, if an unaccompanied youth, the Superintendent or designee shall provide the parent/guardian or the unaccompanied youth with a written explanation of the reasons for the decision, including why placement in the student's school of origin or requested school is not in the student's best interest, along with a statement regarding the right to appeal the placement decision. The written explanation shall be in a manner and form understandable to such parent/guardian or unaccompanied youth. (42 USC 11432)

At the point of any change or subsequent change in the residence of a homeless student, the student may continue attending the student's school of origin for the duration of the homelessness. (Education Code 48852.7; 42 USC 11432)

To ensure that the homeless student has the benefit of matriculating with the student's peers in accordance with the established feeder patterns, the following shall apply: (Education Code 48852.7; 42 USC 11432)

1. If the student is transitioning between grade levels, the student shall be allowed to continue in the same attendance area.
2. If the student is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, the student shall be allowed to continue to the school designated for matriculation in that district.

If the student's status changes before the end of the school year so that the student is no longer homeless, the student shall be allowed to stay in the school of origin: (Education Code 48852.7)

1. Through the duration of the school year if the student is in grades K-8
2. Through graduation if the student is in high school

Resolving Enrollment Disputes

If a dispute arises over student eligibility, school selection, or enrollment in a particular school, the matter shall be referred to the district liaison, who shall carry out the dispute resolution process as expeditiously as possible. (42 USC 11432)

The parent/guardian or unaccompanied youth shall be provided with a written explanation of any decisions related to eligibility, school selection, or enrollment and of the right of the parent/guardian or unaccompanied youth to appeal such decisions. (42 USC 11432)

The written explanation shall include:

1. A description of the action proposed or refused by the district
2. An explanation of why the action is proposed or refused

3. A description of any other options the district considered and the reasons that any other options were rejected
4. A description of any other factors relevant to the district's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources
5. Appropriate timelines to ensure any relevant deadlines are not missed
6. Contact information for the district liaison and state coordinator, and a brief description of those roles

The written explanation shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian or student can understand.

The district liaison may use an informal process as an alternative to formal dispute resolution procedures, provided that the parents/guardians or unaccompanied youth have access to the more formal process if informal resolution is not successful in resolving the matter.

In working with a student's parents/guardians or unaccompanied youth to resolve an enrollment dispute, the district liaison shall:

1. Inform them that they may provide written and/or oral documentation to support their position
2. Inform them that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved
3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process
4. Provide them a copy of the dispute form they submit for their records
5. Provide them the outcome of the dispute for their records

When a student's parent/guardian or an unaccompanied youth involved in the enrollment dispute is an English learner, Items #1-5 shall be provided either in the native language of the parent/guardian or unaccompanied youth or through an interpreter, and any additional support needed because of a disability of that parent/guardian or unaccompanied youth shall be made available without a charge.

If a parent/guardian or unaccompanied youth disagrees with the district liaison's enrollment decision, the decision may be appealed to the Superintendent. The Superintendent shall make a determination within five working days.

If the parent/guardian chooses to appeal the district's placement decision, the district liaison shall forward all written documentation and related paperwork to the liaison for homeless students at the county office of education.

Pending final resolution of the dispute, including all available appeals, the student shall be immediately enrolled in the school in which enrollment is sought and shall be allowed to attend classes and participate fully in school activities. (42 USC 11432, 11434a)

Transportation

The district shall provide transportation for a homeless student to and from the student's school of origin when the student is residing within the district and the parent/guardian, or the district liaison in

the case of an unaccompanied youth, requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend the student's school of origin within this district, the Superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)

The district shall not be obligated to provide transportation to students who continue attending their school of origin after they cease to be homeless, unless the formerly homeless student has an IEP that includes transportation as a necessary related service for the student. (Education Code 48852.7)

Eligibility for Extracurricular Activities

A homeless student who enrolls in any district school shall have access to extracurricular and enrichment activities that are available to all students in the school, including but not limited to, interscholastic sports administered by the California Interscholastic Federation. (Education Code 48850)

Notification, Complaints, and Posting Requirements

Information regarding the educational rights of homeless students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint that the district has not complied with requirements regarding the education of homeless students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

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

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Ed. Code 48852.6	Web site posting of information regarding homelessness

Ed. Code 48852.7	Education of homeless students; immediate enrollment
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 48915.5	Recommended expulsion, homeless student with disabilities
Ed. Code 48918.1	Notice of recommended expulsion
Ed. Code 51225.1-51225.3	Graduation requirements
Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Federal	Description
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20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 6311	State plan
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12705	Cranston-Gonzalez National Affordable Housing Act; state and local strategies

Management Resources	Description
California Child Welfare Council	Partial Credit Model Policy and Practice Recommendations
California Department of Education Publication	2021-22 Federal Program Monitoring Instrument, May 2021
California Department of Education Publication	Homeless Education Dispute Resolution Process, March 2020
National Center for Homeless Education Publication	Homeless Liaison Toolkit, 2020
U.S. Department of Education Guidance	Education for Homeless Children and Youths Program, Non-Regulatory Guidance, August 2018
Website	California Community Colleges (https://www.cccco.edu)
Website	California Department of Education, Homeless Children and Youth Education
Website	California Interscholastic Federation (https://www.cifstate.org/landing/index)
Website	California State University (https://www.calstate.edu)
Website	National Center for Homeless Education at SERVE
Website	National Homelessness Law Center -
Website	University of California (https://www.universityofcalifornia.edu)
Website	U.S. Department of Education - Education for Homeless Children and Youths Grants for State and Local Activities

Website

California Child Welfare Council
(<https://www.chhs.ca.gov/home/committees/california-child-welfare-council>)

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0470	COVID-19 Mitigation Plan
0500	Accountability
1113	District And School Web Sites
1113	District And School Web Sites
1113-E(1)	District And School Web Sites
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1400	Relations Between Other Governmental Agencies And The Schools
3250	Transportation Fees
3250	Transportation Fees
3260	Fees And Charges
3260	Fees And Charges
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3541	Transportation Routes And Services
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
4131	Staff Development
4231	Staff Development
4331	Staff Development

5111	Admission
5111	Admission
5111.1	District Residency
5111.1	District Residency
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5125	Student Records
5125	Student Records
5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5125.1-E(1)	Release Of Directory Information
5125.2	Withholding Grades, Diploma Or Transcripts
5132	Dress And Grooming
5132	Dress And Grooming
5141.26	Tuberculosis Testing
5141.31	Immunizations
5141.31	Immunizations
5141.32	Health Screening For School Entry
5141.6	School Health Services
5141.6	School Health Services
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.6	Parental Notifications
5145.6-E(1)	Parental Notifications
5148.2	Before/After School Programs
5148.2	Before/After School Programs
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6011	Academic Standards
6143	Courses Of Study
6143	Courses Of Study

6145	Extracurricular and Cocurricular Activities (BP and AR)
6145.2	Athletic Competition
6145.2	Athletic Competition
6146.1	High School Graduation Requirements
6146.1	High School Graduation Requirements
6146.3	Reciprocity Of Academic Credit
6146.3	Reciprocity Of Academic Credit
6159	Individualized Education Program
6159	Individualized Education Program
6159.1	Procedural Safeguards And Complaints For Special Education
6159.1	Procedural Safeguards And Complaints For Special Education
6159.3	Appointment Of Surrogate Parent For Special Education Students
6159.3	Appointment Of Surrogate Parent For Special Education Students
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6164.2	Guidance/Counseling Services
6171	Title I Programs
6171	Title I Programs
6172	Gifted And Talented Student Program
6172	Gifted And Talented Student Program
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6174	Education For English Learners
6174	Education For English Learners
6177	Summer Learning Programs
6178	Career Technical Education
6178	Career Technical Education
6179	Supplemental Instruction
6190	Evaluation Of The Instructional Program

Regulation
approved:

CSBA POLICY MANUAL UPDATE
March 2022

Exhibit 6173-E(1): Education For Homeless Children

Original Adopted Date: 07/01/2005 | Last Revised Date: 03/01/2022 | Last Reviewed Date: 03/01/2022

Status:
ADOPTED

**DISTRICT EXPLANATION OF DECISION
RELATED TO ELIGIBILITY, SCHOOL SELECTION, OR ENROLLMENT**

Note: The following form should be revised to reflect district practice. In its, " Education for Homeless Children and Youths Program Non-Regulatory Guidance," the U.S. Department of Education recommends that the written statement of any decision regarding a homeless student's eligibility, school selection, or enrollment include the elements specified below. See the accompanying administrative regulation.

Instructions: The following form provides notice and explanation to a student's parent/guardian or an unaccompanied youth regarding the district's decision related to student eligibility, school selection, or enrollment.

Date: _____ Name of person completing form: _____
Title: _____ Phone number: _____

In accordance with the federal McKinney-Vento Homeless Assistance Act (42 USC 11431-11435), this notification is being provided to either:

Name of parent(s)/guardian(s): _____

Name of unaccompanied student: _____

School requested: _____

District's placement decision (name of school): _____

Description of action(s) proposed/refused by the district related to eligibility, school selection, or enrollment, including an explanation of why the action(s) is proposed/refused:

The district's determination regarding eligibility, school selection, or enrollment was based upon the following evidence:

Other options the district considered, if any, which were rejected for the following reasons:

Factors relevant to the district's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources, if any:

You have the right to appeal this decision to the district Superintendent. To do so, contact the district's homeless liaison listed below within the next ___(insert number of days)___ days to request a Dispute Form. You may provide written or oral documentation to support your position, and may also seek the assistance of social services, advocates, and/or service providers in the dispute process. The Superintendent or designee will review all the evidence and will notify you of the decision within ___(insert number of days)___ days.

If you are not satisfied with the Superintendent's decision, you may appeal to the _____(insert county name)_____ County Office of Education (COE). If you are not satisfied with the COE's decision, you may then appeal to the California Department of Education (CDE). The district's homeless liaison can assist you with this appeal.

CONTACT INFORMATION:

District Liaison: The district liaison is one of the primary contacts between homeless families and school or district staff. The liaison is responsible for coordinating services to ensure that homeless students enroll in school and have the opportunity to succeed academically, and mediates enrollment disputes as needed.

Name of district's homeless liaison: Dr. Cherie Solian

Address: 370 N. Evans Rd. Tipton, Ca 93272

Email Address: csolian@tipton.k12.ca.us

Phone number: 559-752-4213

County Liaison: If you appeal the district's decision to the COE, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the COE. The county liaison will review the materials and determine the eligibility, school selection, or enrollment decision within five working days of receiving the materials and notify you of the decision.

Name of County Office of Education homeless liaison: Beth Wilshire

Address: P.O. Box 5091 Visalia, CA 93278

Email Address: bethw@tcoe.org

Phone number: 559-302-3622

State Coordinator: If you appeal the COE's decision to CDE, the county homeless liaison shall forward all written documentation and related paperwork to CDE's Homeless Education Program. The state coordinator will review the district, COE, and parent/guardian information and will notify you of the decision within ten working days of receiving the materials.

Name of state homeless coordinator: Leanne Wheeler, Heidi Brahms, Karmina Barrales

Address: _____

Email Address: LWheeler@cde.ca.gov, HBrahms@cde.ca.gov, KBarrales@cde.ca.gov

Phone number: _____

RIGHTS:

Pending the final resolution of this dispute, including the period of all appeals, the student has the right to immediately enroll in the school requested and to participate fully in school activities at that school.

Exhibit 6173-E(2): Education For Homeless Children

Original Adopted Date: 07/01/2005 | Last Revised Date: 03/2022 | Last Reviewed Date: 03/2022

Status:
ADOPTED

DISPUTE FORM

Instructions: This form is to be completed by a parent/guardian or student when a dispute regarding enrollment has arisen. As an alternative to completing this form, the information on this form may be shared orally with the district's liaison for homeless students.

Date submitted: _____

Student's name: _____

Name of person completing form: _____

Relation to student: _____

Address: _____

Email address: _____

Phone number: _____

Name of school requested: _____

I wish to appeal the eligibility, school selection, or enrollment decision made by:

District liaison District Superintendent County office of education liaison

Reason for the appeal: You may include an explanation to support your appeal in this space or provide your explanation orally.

I have been provided with:

- A written explanation of the district's decision
- Contact information for the district's homeless liaison
- Contact information for the county office of education's homeless liaison
- Contact information for the state homeless coordinator
- A copy of this dispute form

Exhibit
version:

CSBA POLICY MANUAL UPDATE
March 2022

Bylaw 9322: Agenda/Meeting Materials

Status: ADOPTED

Original Adopted Date: 03/01/2008 | **Last Revised Date:** 03/2022 | **Last Reviewed Date:** 03/2022

Agenda Content

Governing Board meeting agendas shall reflect the district's vision and goals and the Board's focus on student learning and well-being.

Each agenda shall state the meeting time and location and shall briefly describe each item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board's consideration of the item. However, the agenda need not provide an opportunity for public comment when the agenda item has previously been considered at an open meeting by a committee comprised exclusively of Board members, provided that members of the public were afforded an opportunity to comment on the item, before or during the committee's consideration of the item, and the item has not been substantially changed since the committee considered it. (Government Code 54954.3)

The agenda for a regular Board meeting shall also provide members of the public an opportunity to provide comment on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. (Education Code 35145.5; Government Code 54954.3)

Each agenda for a regular meeting shall list the address designated by the Superintendent or designee for public inspection of documents related to an open session item that have been distributed to the Board less than 72 hours before the meeting. (Government Code 54957.5)

The agenda shall include information regarding how, when, and to whom a request for disability-related accommodations or modifications, including auxiliary aids and services, may be made by an individual who requires accommodations or modifications in order to participate in the Board meeting. (Government Code 54954.2)

Agenda Preparation

The Board president and the Superintendent, as secretary to the Board, shall work together to develop the agenda for each regular and special meeting.

Any Board member or member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the Superintendent or designee with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

The Board president and Superintendent shall decide whether a request from a member of the public is within the subject matter jurisdiction of the Board. Items not within the subject matter jurisdiction of the Board may not be placed on the agenda. In addition, before placing the item on the agenda, the

Board president and Superintendent shall determine if the item is merely a request for information, and if so, respond accordingly.

If the Board president and Superintendent deny a request from a Board member to place an item on the agenda, the Board member may request the Board to take action to determine whether the item shall be placed on the agenda.

The Board president and Superintendent shall also decide whether an agenda item is appropriate for discussion in open or closed session, and whether the item should be an action item subject to Board vote or an information item that does not require immediate action.

In order to promote efficient meetings, the Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent items shall be items of a routine nature and items for which Board discussion is not anticipated and for which the Superintendent recommends approval. When any Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

The agenda shall provide an opportunity for members of the public to comment on any consent agenda item unless such item has been previously considered at an open meeting of a committee comprised exclusively of Board members. (Government Code 54954.3)

Any Board action that involves borrowing \$100,000 or more shall be discussed, considered, and deliberated upon as a separate item of business on the meeting agenda. (Government Code 53635.7)

All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.

Agenda Dissemination to Board Members

At least 72 hours before each regular meeting, each Board member shall be provided a copy of the agenda and agenda packet, including the Superintendent or designee's report; minutes to be approved; copies of communications; reports from committees, staff, and others; and other available supporting documents pertinent to the meeting.

When special meetings are called, Board members shall receive, at least 24 hours prior to the meeting, notice of the business to be transacted. (Government Code 54956)

Board members shall review agenda materials before each meeting. Individual members may confer directly with the Superintendent or designee to ask questions and/or request additional information on agenda items. However, a majority of Board members shall not, outside of a noticed meeting, directly or through intermediaries or electronic means discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the Board.

Agenda Dissemination to Members of the Public

Any agenda and related materials distributed to the Board shall be made available to the public upon request without delay. Only those documents which are disclosable public records under the Public Records Act (PRA) and which relate to an agenda item scheduled for the open session portion of a regular meeting shall be made available to the public. (Government Code 54957.5)

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (Government Code 54954.2)

In addition, the Superintendent or designee shall post the agenda on the homepage of the district web site. The posted agenda shall be accessible through a prominent direct link to the current agenda or to the district's agenda management platform in accordance with Government Code 54954.2. When the district utilizes an integrated agenda management platform, the link to that platform shall take the user directly to the web site with the district's agendas, and the current agenda shall be the first available. (Government Code 54954.2)

If a document which relates to an open session agenda item of a regular Board meeting is distributed to the Board less than 72 hours prior to a meeting, the Superintendent or designee shall make the document available for public inspection at a designated location at the same time the document is distributed to all or a majority of the Board. (Government Code 54957.5)

The Superintendent or designee shall mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (Government Code 54954.1)

The Superintendent or designee shall email a copy of, or a web site link to, the agenda or a copy of all the documents constituting the agenda packet to any person who requests such items to be delivered by email. If the Superintendent or designee determines that it is technologically infeasible to do so, a copy of the agenda or a web site link to the agenda and a copy of all other documents constituting the agenda packet shall be sent to the person who has made the request in accordance with mailing requirements specified in law. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the Superintendent or designee, not to exceed the cost of providing the service.

Any document prepared by the district or Board and distributed during a public meeting shall be made available for public inspection at the meeting. Any document prepared by another person shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the PRA. (Government Code 54957.5)

Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

Policy Reference Disclaimer:

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

State	Description
Ed. Code 35144	Special meeting
Ed. Code 35145	Public meetings

Ed. Code 49061	Student records; definitions
Ed. Code 49073.2	Meeting minutes; directory or personal information
Gov. Code 53635.7	Separate item of business for borrowing of \$100,000 or more
Gov. Code 54954.1	Request for copy of agenda or agenda packet by member of public
Gov. Code 54954.2	Agenda posting requirements, board actions
Gov. Code 54954.3	Opportunity for public to address legislative body
Gov. Code 54954.5	Closed session item descriptions
Gov. Code 54956.5	Emergency meetings
Gov. Code 54957.5	Public records
Gov. Code 54960.2	Challenging board actions; cease and desist
Gov. Code 6250-6270	California Public Records Act
Gov. Code 95000-95004	California Early Intervention Services Act
Federal	Description
28 CFR 35.160	Effective communications
28 CFR 36.303	Auxiliary aids and services
42 USC 12101-12213	Americans with Disabilities Act
Management Resources	Description
Attorney General Opinion	99 Ops. Cal. Atty. Gen. 11 (2016)
Attorney General Opinion	78 Ops.Cal.Atty.Gen. 327 (1995)
Attorney General Publication	The Brown Act: Open Meetings for Legislative Bodies, rev. 2003
Court Decision	Caldwell v. Roseville Joint Union High School District, (2007) U.S. Dist. LEXIS 66318
Court Decision	Mooney v. Garcia, (2012) 207 Cal.App.4th 229
CSBA Publication	Call to Order: A Blueprint for Great Board Meetings, 2018
CSBA Publication	The Brown Act: School Boards and Open Meeting Laws, rev. 2019
Website	CSBA (https://www.csba.org/gamut)
Website	California Attorney General's Office

Cross References

Code	Description
0000	Vision
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities

1100	Communication With The Public
1112	Media Relations
1113	District And School Web Sites
1113	District And School Web Sites
1113-E(1)	District And School Web Sites
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2-E(1)	Complaints Concerning Instructional Materials
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
1340	Access To District Records
1340	Access To District Records
1400	Relations Between Other Governmental Agencies And The Schools
2210	Administrative Discretion Regarding Board Policy
3100	Budget
3100	Budget
3312	Contracts
3320	Claims And Actions Against The District
3320	Claims And Actions Against The District
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability
4312.1	Contracts
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
6161.1	Selection And Evaluation Of Instructional Materials

6161.1	Selection And Evaluation Of Instructional Materials
6161.1-E(1)	Selection And Evaluation Of Instructional Materials
9012	Board Member Electronic Communications
9121	President
9122	Secretary
9130	Board Committees
9150	Student Board Members
9200	Limits Of Board Member Authority
9310	Board Policies
9320	Meetings And Notices
9321-E(1)	Closed Session
9321-E(2)	Closed Session
9321	Closed Session
9323	Meeting Conduct
9323.2-E(1)	Actions By The Board
9323.2-E(2)	Actions By The Board
9323.2	Actions By The Board
9324	Minutes and Recordings (BB)

Bylaw
adopted:

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